

MARSHALL COUNTY DRAINAGE BOARD

REGULAR MEETING

February 19, 2024

The Marshall County Drainage Board met for a regular meeting on February 19, 2024 at 8:30am in the Commissioner's Room of the Marshall County Building, 112 W Jefferson St. Plymouth, IN. Board members present were: Kevin Overmyer, President; Michael Burroughs, Vice President; Stanley Klotz, Board Member; Citizen Board Members were absent. Also present were Craig Cultice, County Surveyor; James Clevenger, Board Attorney; Angie Kibbe, Drainage Board Secretary. The meeting was opened in due form and the following business was considered. The Drainage Board meeting is streaming live and is available for live view at: www.co.marshall.in.us.

J. BALLINGER/MYERS ASSESSMENTS

Mr. Cultice readdressed the board regarding the J. Ballinger/ Myers assessment, a minimum price for assessment was not established in the January Drainage Board meeting, they set the rate per parcel at \$3.00. Currently the minimum is \$6.00, Mr. Cultice wants the Board's opinion on leaving the \$6.00 minimum or raising it. A public hearing regarding the assessments will be on April 15th, notices will go out to landowners 30 days before the meeting. **Mr. Klotz motion to leave the minimum at \$6.00, second by Mr. Burroughs. Motion carried 3-0.**

EMMA KUNTZ DITCH

Mr. Cultice provided a surveyor's reconstruction report of the Emma Kuntz Ditch at the request of the board. Mr. Cultice's reports state that Emma Kuntz was originally petitioned in January of 1903. The drain consists of 2,750'± of tile and 11,900'± of open ditch, all of which outlets into The Lake of the Woods. Records indicate that there have been numerous maintenance projects on the drain throughout the years. The last time this portion of the ditch was cleaned between West Shore Drive and the shoreline of the lake was in 1990. This section of the ditch has become sediment laden and restricts waterflow to the lake. The length of the project is 560'±. The estimated cost is \$25,000.00. **Mr. Burroughs motioned to approve the reconstruction project of the Emma Kuntz Ditch, seconded by Mr. Klotz. Motion carried 3-0. A public hearing will be held at the May Drainage Board Meeting.** Mr. Marvin Houin, 7563 Plymouth-Goshen Trl. Bremen, IN came before the board with concern about the maintenance of the ditch. Mr. Houin is wondering if the sediment trap will be clean as well and how does the payments work for the reconstruction loan. Once the cost is established at the public hearing repayment will be discussed.

Mr. Cultice also feels the assessments on the Emma Kuntz Ditch need to be adjusted. At the December Drainage meeting bids for maintenance work were denied due to insufficient funds for the Emma Kuntz Ditch. Mr. Cultice presented to the board an assessment review and the assessment rate is not sufficient to properly maintain the county regulated drain. In the last 10 years maintenance costs have totaled \$30,381.00. Currently assessments rate is \$2.00 per acre and \$7.50 minimum, established in 1989. Projected/Estimated average yearly maintenance cost is \$7,500.00±. Calculating \$5.00 per acre would

estimate \$5,825 annually, \$6.00 per acre estimated \$6,990 annually, and \$6.50 per acre estimated \$7,572 annually. Mr. Klotz thought 5.00 was a big jump and was wondering if it is too much to ask from the farmers. Mr. Overmyer asked Mr. Houin what he thought, knowing Mr. Houin owns a lot of land in this watershed. Mr. Houin states they will have to pay what it takes to keep the ditch clean and not have water standing on land. **Mr. Burrough motions to raise the assessments and advertise at \$6.00 per acre with a \$15.00 minimum, second by Mr. Klotz. Motion carried 3-0. A public hearing will be held at the May Drainage Board Meeting.**

DORA FAIRCHILD DRAIN

Mr. Cultice readdressed the petition the board accepted in the December meeting. Today the board will need to appoint two members to the Dora Fairchild Drain, this will be a joint drain with Fulton County. Fulton County will also appoint two members from their drainage board. Marshall County has 304 acres in this watershed and Fulton County has 233 acres. Marshall County will hold funds, having majority of the acres in watershed. Discussion between board members regarding the appointments from Marshall County, Mr. Burroughs thought Mr. Stults would be a good candidate. Mr. Overmyer volunteers to be the second appointment. **Mr. Burroughs motions to appoint Mr. Stults and Mr. Overmyer to the joint board and the fifth member being from Kosciusko County for the Dora Fairchild drain with the first meeting to be set for March 18th after the Commissioner meeting, second by Mr. Klotz. Motion carried 3-0.**

MAINTENANCE CONTRACTS

The board members sign the January 16, 2024 maintenance contracts for B.F. Mattingly Ditch/Drain & Mattingly Arm and the Daniel Savage.

MINUTES

Mr. Klotz motions, second by Mr. Burroughs to approve the January 16th minutes, motion carried 3-0.

OTHER BUSINESS

There will be a public hearing regarding The Lake of the Wood conservancy on March 12th 1-4pm. Mr. Cultice will be attending and would like a board member to attend as well. Mr. Burroughs volunteered to attend the meeting with Mr. Cultice.

PUBLIC COMMENT

Marvin Houin, 7563 Plymouth-Goshen Trail Bremen, IN address the board regarding their stance on The Lake of the Woods conservancy. His concern with the conservancy will affect the ditches. Mr. Clevenger states that they made it clear to DNR that whatever decision they make it should not affect the ditches/drains.

ADJOURNMENT

With no further business to come before the board. **Mr. Klotz motion, second by Mr. Burroughs to adjourn the meeting at 9:18am. Motion carried 3-0.**

MARSHALL COUNTY DRAINAGE BOARD

Kevin Overmyer, President

Michael Burroughs, Vice-President

Stanley Klotz, Board Member

David Stults, Board Member

Randy Glinge, Board Member

Attest: _____

Angie Kibbe, Drainage Board Secretary