

MARSHALL COUNTY DRAINAGE BOARD
REGULAR MEETING

The Marshall County Drainage Board met for a regular meeting on August 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. 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.

HENRY KELVER TILE

Mr. Graber came before the board to confirm the tile re-route plan and the quote from Ingram Excavating for the installation of 370'± of 15" Dual Wall tile that would be the Drainage Board's responsibility to pay, it was \$7,344.54. Mr. Cultice goes over the visual of the tile's re-route, it is to be located 20 feet South of the South line of the 10-acre tract. Mr. Overmyer confirmed with Mr. Cultice that Ingram Excavating is a county approved contractor, Mr. Cultice assures him he is and has done a lot of work for the county's ditches and tiles. **Mr. Burrough motions, second by Mr. Klotz to approve the contract with Ingram Excavating in the amount of \$7,344.54 for the County's portion of the re-route of the Henry Kolver Tile. Motion carried 3-0.**

FRANK MILNER TILE

In the April 15, 2024 Drainage Board meeting Mr. Cultice informed the board he was working with Craig Hawley from Farmers Drainage regarding a project for rerouting of the Frank Milner Tile around a wooded area located North of 6B Rd and West of Juniper Rd. He continues to tell the board that property owners James Berger, a representative for Patricia Shell property, Mike Large, and the County Highway Department have agreed to split the cost of the work with the Drainage Board. On May 20, 2024 the Drainage Board accepted the draft agreement that Mr. Clevenger prepared between the Marshall County Highway Department, Marshall County Drainage Board, James Berger, and Mike Large; representative for Patricia Shell to cost share the project. Today Mr. Cultice informs the board the work is complete, and everything is working great and would like to request the board vacate the old portion of the tile. **A Motion by Mr. Burroughs to vacate the old portion of the Frank Milner tile that was replaced by the new tile, seconded by Mr. Klotz. Motion carried 3-0.**

J. BALLINGER DITCH

In continuous from the June 17, 2024 Drainage Board meeting where Merl Hayn came before the board regarding maintenance on the J. Ballinger. Mr. Hayn requested that he be allowed to dredge a portion of the ditch. A motion was made to allow Mr. Hayn to dredge a portion of the ditch with stipulations, the motion was passed. Mr. Cultice tells the board today, with further consideration from Mr. Hayn family he was not permitted to dredge by himself. Mr. Hayn and Bill Vories came together and hired Beaver Excavating to do the dredging and Mr. Hayn and Mr. Vories split the cost for the work that was done. Mr. Cultice has inspected the work, and everyone seems happy.

EMMA KUNTZ DITCH

Mr. Cultice reminds the board that in the December 18, 2023 Drainage Board meeting a maintenance project was put together for the Emma Kuntz Ditch and with the bids being high they were denied by the board due to insufficient funds in the Emma Kuntz Ditch fund. It was motioned and passed to prepare a reconstruction project on the Emma Kuntz. Mr. Cultice presented recent pictures of the ditch at the Lake of the Woods and informed the board that notices were sent out for a public hearing, the hearing is set for the September 16th Drainage Board meeting.

MINUTES

**Mr. Klotz motioned to approve the June 17, 2024 minutes, seconded by Mr. Burroughs.
Motion carried 3-0.**

OTHER BUSINESS

Mr. Clevenger wanted to inform the board and the public about where the Lake of the Woods conservancy is right now. The Natural Resource Division submitted their report, the court should be scheduling a hearing. This case did start in the Marshall County Circuit Court; it is now being transferred to Marshall County Superior Court I due to Judge Palmer retiring.

Mr. Overmyer addresses Mr. Clevenger regarding a call he received regarding Lake Latonka. Mr. Overmyer believes Lake Latonka is over 200-300± acres and has a couple of wake boats on the lake and the caller asked if the county can pass an ordinance that if any lake in the county is under 500± acres to disallow those kinds of boats on the lake. Mr. Overmyer thought that the lake was under the control of Natural Resources and the lake is privately owned. Mr. Clevenger believes that Mr. Overmyer thinking is correct, and he believes that the lake is a shallower lake and those boats may cause problems and stir things up in lake. Mr. Clevenger believes that is not in county jurisdiction but may investigate.

PUBLIC COMMENT

Mr. Micael Delp, of 3746 W Shore Dr. came up to the board and asked Mr. Clevenger if he knew if a date was set for the hearing on the Lake of the Woods Conservancy. Mr. Clevenger did not have an anticipated date but believes that there will be a pretrial conference with the attorneys to set the hearing maybe this fall.

ADJOURNMENT

With no further business to come before the board, **Mr. Klotz motioned to adjourn and seconded by Mr. Burroughs. 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