

Randolph County Drainage Board

325 South Oak Street * Suite 206 * Winchester, IN 47394 * Phone: (765) 584-0609

Present:

Gary Friend, Chairman
Tom Kerns, Vice Chairman
Missy Williams, Member
Edwin L. Thornburg, Surveyor
Meeks Cockerill, Drainage Board Attorney
Casey Keener, Secretary

Minutes for Monday, April 7, 2025

Gary Friend starts, first order business Minutes approval for Monday, March 3, 2025. everybody got the minutes sent to them. Are there any changes or anything? Missy Williams makes motion to accept the minute, Tom Kerns seconds. All those in favor signify by saying aye, aye. Opposed same sign. Motion passes 3-0.

Gary says, next up is Riverstart V stormwater approval. Ed says components to this one. Brad Dilger replies, Yeah, it's a very detailed but it basically just mirrors what we've done in the past. Ed says, it's a little more detailed than normal. The one thing that I asked about was the skimmer, we have never used them before, but the plan looks good. Gary asks Ed if he recommends the plans for approval. Ed replies, yes, they look good. Gary says, we have a recommendation for our surveyor to approve Riverstart V stormwater plan. Do we have a motion to approve? Tom Kerns makes a motion to approve. Missy Williams seconds the motion. All those in favor signify by saying aye. Aye. All that opposed same sign. Motion passes 3-0.

Ed says, OK, I've got three pictures I'm going to pass around and this is that area on Whiteriver that we approved to be cleaned a month ago. The First picture is what it looked like before. Second picture is what it looked like after they cleaned it before the rain. the third picture of what it looked like after the rain, literally a day and a half later. One of the places that people aren't mad about their water. While we're talking about the rain and whatnot. I got information from the Highway, Joe from Perry Knox, that we need to close the Fourth Street bridge. Yeah. Missy asks, are you talking about the short street. Gary says, yeah, it's one lane right now. Missy replies, that's one I'm not sure we replaced ever. If the City wanted to leave it for golf carts or whatever. But that is not very traveled. Gary says, there's not any houses there. Meeks says, Ohio-Valley Gas is there. Missy says, yeah. I mean you have wait on a train for a few minutes, but it's not like they're in the urgency to get in there. There is more discussion about the bridge.

Gary says, I understand that we have some customer complaints. Ed replies I have had one complaint on the guys burying cable for New Lisbon. I've only gotten two comments about anybody having problems. First problem was resolved. The second one is they plowed out four hundred feet of 12-inch tile in the side ditch on Bob Chalfant's farm. Which happens to be the

outlet for the surface water of twenty-five acres of Dean Dawson 's Farm. So, I ask them when are we going to fix this. Well, the contractor very proudly told me he wasn't. And I said no, you are which he replied my lawyer is bigger than your lawyer. OK, you know we'll talk about some more. His supervisor, the project manager, apologized. That's OK. But I'm getting stalled, and what we're going to do to fix this. And I think it we probably need to rework our agreement. The agreement says that they hit drainage infrastructure they're supposed to repair. And nobody, minds doing a tile cut until you're repairing one spot. But when you tear out what's going to be thirty thousand dollars' worth twenty-five or thirty thousand dollars' worth of Outlet. No. The boys that were doing this work, that there was a surface inlet in the side deck, they literally had to drive up to it and then they board under a property. Tied into it on the other side of the driveway and plowed out Four hundred foot of tile. There's no real excuse here. But I'm actually having Some problems with them on this. I didn't tell them, no, we're not going to approve another foot after we get this part done. I will tell you I won't recommend them to do anything else until this is settled. Gary asks, what can the contract Say to help with this that it doesn't say? Ed says, I thought it said enough. Gary asks, is this what all the contracts say. What does appurtenances mean? Meeks replies, appurtenances would be the tile and you're fencing. Ed says, I do know by Henry County has made this hard, but they make them bond and you're paying large permit fees and all that. Meeks says, that's how you fix, you make them bond. Gary says, Yeah, the other part is that they know the Commission won't approve the next time they want to go, then they're standing there dead in the water. Ed says, every time I've talked to him, I said look you do realize you're fixing that, right? And immediately while we're going to talk to whoever. Missy suggests, you want me to send them a letter, so they have it in writing on what the complaint and what that resolution needs to be. Ed says, and we can do that OK. Everyone looks at the contract and agrees it is clear. Ed says, it's really clear when they're doing a five-hundred-dollar tile cut fix. It's less clear when they're doing thirty thousand dollars of tile fix. Meek replies, now it's just as clear both of those things. I one thousand percent disagree with that statement. They just don't want to pay for it. That's does not make it any less clear. Ed says, there you go. Meeks continues, well, make it really clear to them you're going to make them bond every time to do one of these projects. Gary says, right then they will understand. Yeah, yeah. That may be the top you. Meeks says, well, that's something I think Ed needs to look into and get the Henry County stuff. Ed says, I've had the Henry County orders, I think I've still got. Meeks says, let's see what Henry County does. Maybe we'll just have to follow them. Ed says, the other thing is, I'm thinking maybe after project or damage report is received by either us or them that they should have a certain amount of time to have the repair done. I'm taking thirty days without extenuating circumstances and explanation. Tom says, Yeah, that that could mean a lot to The property owner this time of year. Ed says, my understanding is Dean expressed his dissatisfaction of the situation, pretty much top of his lungs. The guy was telling me accused Bob half of this of this rather. Like I said, this is the first time I've had anybody argue with fixing anything. The aggravating part of this is, most of these won't show up. I've repaired tile cuts on phone cables thirty years after the cables put in. It usually a long time for them to show up. This one showed up right away. There's water standing over the inlet. There's nothing coming out of the outlet pretty open. Gary says, Will you ahold of Henry County. And you will talk to these people. Ed says I will, and I will follow up some more. The guy I'm dealing with is the guy that signed this contract. He's the project manager, he's in Houston. Gary asks, could you maybe get for us when they plan to fix it? Maybe have them put a commitment on it. Ed says as soon as I get anything concrete, I will let you guys know. Casey asks, In the contract it says the need to do

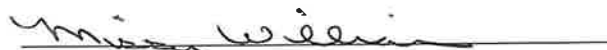
it by the time they're done with their project. What would happen if they didn't, are there consequences if they don't do that? Gary says, I do not know, we have Never had this problem come up that I'm aware of. Meeks says, they would be in violation of the contract, so, if they don't fix it, we sue them. Tom says, can we shut them down. Meeks adds then we don't approve another project for them. Tom says but can we shut them down now? Meeks says no, because it says by the end. Ed says and to be honest, the other challenge is, you know, by the time the project 's done. Now truthfully, most guys field tiles across the road mains. Everybody ditches up to the side ditch. The other one that a guy complained about was, State of Indiana bought like sixty feet on each side of State Road one and cute couple of the guys tiled because he ditched right up to the highway. And they've got arrangements fix it when the weather gets good, and everybody owned up to it and there will be no problem with that. This has been Interesting. I just thought everybody needed to be aware. I can say I can.

Gary says OK. Anything else you got for the? Drainage board today. Tom Kerns makes a motion adjourn, Missy Williams seconds the motion, second. All in favor signify by saying aye. Aye, opposed. Same sign. Motion passes 3-0.

Signed this 5th day of May, 2025 in the Randolph County Commissioners Room, Winchester Indiana.




Gary Friend



Missy Williams



Tom Kerns



Edwin L. Thornburg, County Surveyor