

Big Cicero Creek Joint Drainage Board  
August 25<sup>th</sup>, 2021  
Tipton County Courthouse

Members Present: President Brad Bagwell, Mark Heirbrandt, Austin Henderson, Donnie Lawson, Jordan Brewer

Surveyors Present: Jason Henderson, Dan Sheets, Kenton Ward

Secretary: Kristi Hinkle                      Attorney: Steve Holt

Others Present: Vicky Boyd, Jeff Fox, Michael Waldron, Mark Chemlisky, Allen Perry, Jenny Leshney, Cory Mahan and Mayor Tom Dolezal.

**CALL MEETING TO ORDER:** President, Brad Bagwell, called the meeting to order.

**ESTABLISHMENT OF QUORUM:** Quorum established.

**MODIFICATIONS TO THE AGENDA:** None

**APPROVAL OF MINUTES:** Mark motioned to approve the minutes from July 28, 2021, meeting as presented. Jordan 2<sup>nd</sup> the motion. The motion was approved.

**BOARD TO CONSIDER CLAIMS:** Kristi presented the claims. Kristi stated that Ken Hedge was absent. Donnie made a motion to approve the claims as presented. Mark 2<sup>nd</sup> the motion. The motion was approved.

**BOARD BUSINESS/Comments (Old or New):**

- A. Opening of bids for Shelving Project: Attorney Holt opened the first bid from JS McCullough Excavating, LLC in the amount of six million one hundred eighty-three thousand two hundred and two dollars and fifty-three cents. The second bid was from Davidson Excavating Inc. in the amount of six million seven hundred ninety-nine thousand four hundred sixty-three dollars. The third bid was from F & K Construction Inc. in the amount of five million sixty-nine thousand six hundred forty-nine dollars. The final bid was from Fox Contractors Corp. in the amount of seven million nine hundred eighty-one thousand six hundred forty-five dollars. Attorney Holt recommended that the bids be referred to the surveyors to take them under review for recommendation. Mark motioned to Attorney Holt's recommendation. Austin 2<sup>nd</sup> the motion.
- B. City-County Unity Addition- Drainage for Road Approval: Jason presented the property that is jointly owned by the City of Tipton and the Board of Commissioners. Jason stated

that they are looking to extend the drive. Jason also stated that it is zoned for industrial development. Jason said that the City of Tipton's Engineer is in attendance, and he has submitted some paperwork. Jason stated that there was a review from B F & S as well. Jason introduced Mr. Mahan. Mr. Mahan stated that they are hoping to extend a drive across the sixty acres to provide access to future industrial development. Mr. Mahan also stated that there are two additional drainage lines and the pipe was upsized for emergency overflow. Mr. Mahan said that it is a standard thirty foot road. Kenton had asked about who will be maintaining it in the future. Mr. Mahan replied that the "City" would be maintaining it. Austin motioned to approve the plan for City-County Unity Addition. Mark 2<sup>nd</sup> the motion. The motion was approved.

- C. RESOLUTION NO. 2021-01: Jason stated that Mr. Holt and Kristi have been working with Encompass to get the appropriate documents and that Mr. Holt working on retrieving documents to sign. Mr. Holt stated that the resolution sets the board the ability to get a closing set. Attorney Holt stated that once Encompass is satisfied with the verification that the board receives distribution of the spring and fall assessments from out of county. Kristi replied that the assessments from out of county were sent but they needed better proof of assessments internally for Tipton County's assessments in which those were just sent. Attorney Holt said that Brad would have to then go to Encompass and sign the documents. Jordan motioned to approve the resolution 2021-01. Donnie 2<sup>nd</sup> the motion. The motion was approved.

**SURVEYORS REPORT:** Jason stated that he had nothing to report. Jason stated that Jenny and Jeff did a great job with the Prebid Meeting. Jason also stated that that meeting was very well attended including Tipton Utilities, Golf Course Superintendent, and contractors. Jason said that Jenny and Jeff worked on two addendums and got them out. Also, Jason stated that Mr. Vanhorn has been doing general maintenance. Dan Sheets had nothing to report. Kenton Ward had nothing to report.

**SHELVING PROJECT UPDATE/REPORT:**

Jenny stated that there were a couple of questions that came in late which were about the area where the testing was conducted. Jenny also stated that the amount of feet of the area was questioned in which Jenny stated that the largest was forty-five feet. Jenny said that the testing has covered the project area. Jason had asked about the forty-five feet in which the shelf itself goes in ten feet and then it goes two to one. Jenny replied that it is the thirty-foot section across from the golf course. Jenny stated that it (across from the golf course) is a thirty-foot shelf and from the top of the bank forty-five feet. Jenny also stated they have provided IDEM with the report. Jenny said that the appropriate procedures would take place if the contractor came across any contamination. Jenny stated that the notice from the SWIF grant would not come in until September 8<sup>th</sup>.

**BOARD ENGINEER REPORT:** None. Jason wanted to thank Mark and Mike for getting the review done.

**PUBLIC COMMENT:** Tom Dolezal, Mayor of Tipton, thanked everyone for their hard work for the shelving project and their effort to mitigate water damage and the erosion control for the City of Tipton. Allen Perry had asked about what if the contractor does get into contamination, who is the owner of it. Attorney Holt replied that it would be on the Big Cicero Board. Allen also asked about who was responsible for clean up if the contractor got into contamination. Holt replied that the board has done all of the appropriate procedures and measures for this project. Allen had asked how many feet apart and vertically the borings were done. Jenny replied that they were up to forty feet. Allen asked if they went down eight feet. Jenny replied yes that was what was required. Allen expressed his concern about the old landfill and the possibility of contamination to the creek. The board thanked Mr. Perry for his concern. President Bagwell responded with thanks and that the board will make sure that if anything was hit that the contamination would be contained. Mr. Perry warned the board of three other old landfills. Mr. Perry stated that the board should have done more due diligence for this project. Commissioner Heirbrandt replied that some of the information that Mr. Perry was sharing was the first Heirbrandt had heard about. Heirbrandt stated that the board has two engineering firms that specialize in this type of work and has been looking at projects for years. Heirbrandt also stated that the board relies upon experts in these matters, along with the surveyors, to form their decisions. Allen Perry apologized to Jason for not letting him know earlier about some of these concerns because he has been busy the last month.

**Next Meeting September 29th at 9:30 am.**

**ADJOURNMENT:** Mark motioned to adjourn meeting. Jordan 2<sup>nd</sup> the motion. Meeting adjourned.

**BIG CICERO CREEK BOARD:**

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Brad Bagwell, President

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Mark Heirbrandt

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Donnie Lawson

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Jordan Brewer

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Austin Henderson

ATTEST: \_\_\_\_\_  
Kristi Hinkle, Secretary