

BIG CICERO JOINT
DRAINAGE BOARD
Wednesday, December 12, 2018 @ 10:30
Tipton County Courthouse

Members Present: Brad Bagwell, Mark Heirbrandt, Scott Shoemaker, Donnie Lawson, Jim Mullins,

Surveyors Present: Kenton Ward, Jason Henderson, Dan Sheets

Attorney: Steven Holt

Others Present: Bob Edinger, Keith Hoover, Brent Snow, Richard Neal, Mark Manier, George Tebbe, Mayor Don Havens, Vicky Boyd, Scot Gasho, Wyatt Johnson, Carol Cunningham, Siavash Beik, Joan Campbell, Scott Campbell, Jane Harper, Debbie Tragesser, Scot VanHorn, Jeff Redman, several Tipton High School students

President Brad Bagwell called the meeting to order.

Agenda Modifications: None

The minutes from the October 24, 2018 meeting were presented to the board. Mark Heirbrandt made a motion to approve the minutes as presented. Scott Shoemaker 2nd the motion. With no further discussion, the motion passed. Scott Shoemaker made a motion to approve the Executive Session meeting minutes as presented. Mark Heirbrandt 2nd the motion. With no further discussion, the motion passed.

Claims:

Jason presented the claims to the board totaling \$11,452.02. There were deposits of \$3,343.31 of interest. Mark Heirbrandt made a motion to approve the claims as presented. Scott Shoemaker 2nd the motion. With no further discussion, the motion passed.

Surveyors Reports:

Jason Henderson: Jason presented the board with information on the four counties that make up the BCCJDB. Jason recalled the 2014 public hearing for maintenance increases. Jason presented examples of current assessments rolls in Tipton County and explained that property assessments are paid based on the use code for the property. Property's can and do change status, and he believes the board needs to do some more research of the processes in each county for this. In Tipton County, the surveyors' office is not in charge of that. Property's can be exempt from property tax but are not exempt from a drainage assessment. Kenton Ward states that he agrees. Kenton added that he will look into any other changes or concerns. President Bagwell added that he agrees all counties involved need to review their property's and processes and assessments to verify this. Clinton and Boone counties likely only have agriculture property in the Big Cicero Watershed. Kenton believes that Hamilton County looks at these land changes

annually. Kenton Ward noted that the tax rate depends on what the land use is. Jason brought up non-for-profit property or leased property and their use / tax rate. Brad stated the drainage fee should be based on pervious and impervious surfaces. Shannon Cassons, Tipton County Assessor, spoke on behalf of her office and gave her office process. Shannon only gives property class codes on main parcels. She added that some parcels are split class codes based on use. Based on one example, there was not a way to change the drainage assessment in the Auditors office. Jane Harper, Secretary of Redevelopment Commission, presented to the board some information that she had found in her research of some county owned property. Jane spoke to Jason, Jim Mullins, and Mark Heirbrandt about her concerns. She found inconsistencies county to county on various properties. Jane agrees with Mr. Bagwell that it all just needs to be researched, corrected, and consistent, and that she would be happy to help. She believes there are entities that need be refunded. Scott Shoemaker verified what Jane was trying to get at. Scott mentioned that the landowner has the responsibility of a) combining parcels, and b) paying attention to their tax statements. Surveyor Henderson explained parcel splits. He added that the Auditor's office does communicate with the surveyor with any questions. Jason stated that any property owner with concerns or questions should come to his office for discussion. Jane also has concerns with changes in costs from year to year that she does not understand. Brad reiterated that each parcel in all counties need to be treated equitably.

Kenton Ward: No Report
Daniel Sheets: No Report

Engineer Report: No Report

Board Business: Litigation: Attorney Holt stated that the Judicial Review has a hearing set in January in Anderson with a new judge.

Disbursement and approval of claims: Jason spoke to the board about the claims process for the BCC. He recalled minutes from 2016 and his offices ability to turn claims into the auditor's office to have them paid in a timely manor, due to inconsistent BCC meeting dates. The concern has recently been raised about this process by the Tipton County Commissioners. Jim Mullins spoke on behalf of the BOC and is requesting the Big Cicero Creek Joint Drainage Board claims go before the Tipton BOC since the BCC board is now meeting monthly. Jim stated the only statute he could find for not doing it the proposed way is for a judge. Scott Shoemaker stated he thinks if the Tipton County name is on the check that the claim should go before the Tipton Commissioners for approval. Brad agreed. Mr. Holt agreed. Scott Shoemaker made a motion for the BCC claims to go before the Tipton BOC. Donnie Lawson 2nd the motion. With no further discussion, the motion passed.

Yearly Maintenance Bids: Jason presented the board with three sealed bids for regular yearly maintenance on Cicero Creek. Jason gave the envelopes to Attorney Holt to open and review. Xtreme Excavating, VanHorn Excavating, and Redman Excavating, all submitted bids and all three were in good and proper standing per Attorney Holt. Steve read a select number of items for comparison. Jim Mullins made a motion to accept the bids presented and refer them to the surveyors for review. Scott Shoemaker 2nd the motion. With no further discussion, the motion passed.

Public Comments: Debbie Tragesser spoke to the board. She was the BCC secretary in late 90's and 2000's. Debbie brought up the BCC boards decision from the early 2000's to not meet regularly and their decision for the per-diem to be raised to \$150 from \$75. It is her belief that since the board is now meeting regularly that the per-diem should return to \$75, as voted on at the time. Next, she mentioned that her time as board secretary was reviewed by the state board of accounts and she was made to take vacation time in lieu of her time in BCC meetings. There was board discussion about the secretary pay. Jason explained that Heather's time card clearly states Big Cicero for the time of the meeting and is not on the county's time. Brad and Scott both agreed that a secretary, who is also employed by the county, should not be paid by both entities for the same time. Attorney Holt stated he believes that seems to be a disconnect because the board members also get emails and do board work outside of the direct meeting without any payment beyond the per-diem. Mr. Holt does not see how or why the secretary would be any different, as the board does not have a salary for that position. Attorney Holt asked Jason to find the exit audit from Ms. Tragesser's time and review their position. Jason agreed to do some research. Scott Shoemaker stated another option could be to pay the position. Clinton County does pay a secretary position, but their meetings are at night. Jim and Scott both agree this issue is for the county, not the Big Cicero Board.

Jane Harper approached the board asking how new construction is handled in the county, as to which board a property owner in the Cicero Creek watershed should approach. She understands it to be that some Tipton County construction was made to come before the BCC board, however, the school construction at Hamilton Heights in Hamilton County, also in the Cicero Creek watershed, has not approached this board. There was a letter from Banning Engineering that Kenton Ward had. Most of the board was unaware of this; however Mr. Ward says Hamilton Heights did start the process. Mrs. Harper is again asking for consistency from this board. There is provision for less than one acre. Mr. Ward did mention that the Hamilton Heights complex was all pre planned years ago and maybe it was all approved previously. Kenton will follow up and find out what happened and where it may have fallen through.

Bob Edinger, Tipton, asked if any projects from any other county involved have come to this board for approval. Clinton and Boone counties are all agriculture in the Cicero Creek watershed, with no projects. There have been Hamilton County projects before this board.

Scot Gasho, Tipton. Scot stated he believes any project in the watershed should be made to come before this board, regardless of the acreage of the project and regardless of the amount of pervious / impervious space. There was board discussion about the definition of the provisions and the term “acre”. Scot stated one project in question could be Encompass. Jason Henderson stated this project is less than one acre total, after the new addition. Siavash Beik, CBBE, stated their firm did review this and he is certain the project did not need any board decisions, but Mr. Beik will review the standards and the project. Scot added he also would like to see consistency from this board.

Next meeting: The next meeting will be Wednesday, January 23, 2019 at 9:30.

Scott Shoemaker made a motion to adjourn. Jim Mullins 2nd the motion. With no further discussion, the meeting was adjourned.

BIG CICERO CREEK BOARD:

_____ Brad Bagwell, President	_____ Mark Heirbrandt	_____ Donnie Lawson
_____ Jim Mullins	_____ Scott Shoemaker	

ATTEST: _____
Heather Terry, Secretary

The above minutes were approved at a regular meeting of the Big Cicero Creek Joint Drainage Board. The signatures were intentionally omitted to preserve privacy. Signed copies are available in the Tipton County Surveyor’s Office, 1st floor of the Tipton County Courthouse.