

Big Cicero Creek Joint Drainage Board
March 27, 2019
Tipton County Courthouse

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

Surveyors Present: Jason Henderson, Daniel Sheets, Kenton Ward, Ken Hedge

Others Present: Brent Snow, Vicky Boyd, Michael Terry, Jeff Redman, Siavash Beik, Scot Gasho, Wyatt Johnson, Bob Edinger, Tyler Comstock, George Tebbe, Dennis Henderson

President Brad Bagwell called the meeting to order.

Modifications to the Agenda: Repayment process of Engineering reviewed projects for Board action. Discussion regarding the voluntary dissolution of the board.

Mark Heirbrandt made a motion to approve the meeting minutes presented to the board, Scott Shoemaker 2nd the motion. With no further discussion, the motion passed.

Surveyor Jason Henderson presented claims in the amount of \$25,141.26. Scott Shoemaker made a motion to approve the claims as presented. Mark Heirbrandt 2nd the motion. With no further discussion, the motion passed.

Surveyors Report:

Surveyor Jason Henderson shared with the board that due to scheduling conflicts generated by all of the County Surveyors in attendance, they had yet to meet regarding fine tuning some processes, but were planning on such directly after today's meeting.

Jason then presented on having an access lane on one side along the entire creek, which includes are in Hamilton County. His thought was regarding the difficulties in getting to blockages, in a timely manner, especially in flooding events so as to protect the public. He clarified that it was not a proposal of clearing the entire 75 feet of the drainage easement on both sides of the creek, however it would be limited to one side with the minimum being cleared for the proper use of equipment. The Surveyors agreed that further discussion should occur and perhaps work towards a project, with communication to the landowners being a critical component.

Surveyor Kenton Ward noted that it was near the time of the year when a float of the creek should be scheduled and that he would coordinate that for whoever would like to attend.

Engineer report: Siavash (CBE) suggested a need for clear communication in the letter of review for individual projects to the petitioner's to make sure they understand the limit of the review that is completed and if then approved by the board. That there may be other entities which need to approval a plan depending on the scope and location of a project.

Clarification of the standards from the BCC board. This is to help applicants know what is

Attorney Holt: Waiting for a ruling on the petition for judicial review. As soon as he gets that he will get it to the board.

Mid-Indiana Marina: Jason acknowledges and thanks CBE for working the review into their schedule, as his office has been challenged with some staff leaving. Tyler Comstock from Structure Point was there on behalf of his client Doug White, who is the owner of Mid-Indiana Marina. Mr. White is looking to build a structure just south of Atlanta. This project outlets into the Miller-Carson-Wissler which ends up at the Big Cicero Creek. They have already received approval from Hamilton County. Mr. Comstock then gave a brief overview of the proposed improvements. Mark Heirbrandt made a motion to approve the project as presented. Scott Shoemaker 2nd the motion. With no further discussion, the motion passed.

City Splash Pad: Wyatt Johnson from (40th parallel) presented plans for the Splash Pad on the west side of the existing pool. He submitted plans for drainage to Jason. Jason stated that it does meet BCC standards. Wyatt requested for approval of the two encroachments into the regulated easement. Scott Shoemaker made a motion to approve the project as presented. Mark Heirbrandt 2nd the motion. With no further discussion, the motion passed.

Star Bank Replacement: Mike Gensic is representing Star Financial Bank. They propose demolition of the existing building and reconstruction of a new bank in the same location / footprint. Mr. Gensic gave a brief overview of the proposed project. He noted that there were some small modifications to the retention pond as part of the review, which would be shown in the final set of plans to be housed for record of the project. Mr. Gensic requested approval of the drainage plan, with the modifications to retention pond. Mark Heirbrandt made a motion to approve the project. Scott Shoemaker 2nd the motion. With no further discussion, the motion passed.

Jim Mullins: Requests to present two issues. Jim has a concern on the billing between the board engineer and the petitioner of a project. He asked that the reimbursement / cost be reviewed on how it occurs. The surveyors will discuss this procedure after this meeting today. Holt suggests establishing a policy and being consistent with it regarding the reimbursement.

The second issue concerns the judicial review of the shelving project, Jim shared that since the Tipton County Board of Commissioners had entered the case as an intervener, he would recuse himself from any executive meetings or action concerning that case, as it is only appropriate. He then went further into the concerns relayed to him by constituents since he had become a commissioner. So as a representative for the citizens of Tipton County, he was requesting a voluntary dissolution of the BCC, with the portion of the drain being turned back over to the respective counties. Jim just asked that a discussion occur over the next few meetings, he was not asking for a decision today. Mark stated that he felt the main focus of the decisions made in his time of service, was for the benefit of Tipton County. Mark feels that this board was put together for good intent. Scott proposes that they think about this and it be reviewed.

Public Comment: Wyatt Johnson states that there are people out there that don't understand how a joint drainage board works. He suggested that clearing spaces can make sense, but that communication with DNR should always be remembered.

George Tebbe stated that the banks on Cicero Creek need to be maintained, and that selective clearing and cutting back at a 2:1 slope.

Jeff Redman with Redman Excavating. Jeff states that having both clearing and natural trees throughout the creek (not do all clearing) can be achieved.

Scot Gasho: Thanked Mark for his direct participation with not only members from Hamilton, but also in Tipton. Scott stated shelving is not a flood control but bank stabilization is. He says that there are many other ways (options) for this.

Mike Terry: Appreciates Jim for bringing his message to the board. He also thanks the Big Cicero Board for the work they have done and hopefully will. Mike states that Tipton County needs some regulation, but not to be overregulated. He appreciates this board for bringing regulation to Tipton County. He once again thanks the board and their efforts.

Scot Gasho: Agrees with Mike Terry, good and proper regulation is needed and welcomed.

Vicky Boyd: She requests to have an evening meeting sometimes. Vicky suggests quarterly have an evening meeting.

Brent Snow: Agrees with Jim to have the board consider dissolution. There are around 40 remonstrates on shelving project yet you voted for it. Brent also says that the board ignored the people.

Siavash stated that there have been changes in amount of rainfall and water flow. We need to adjust to the approaches on how to handle it. He says CBE looked at the best approach for this issue, when factoring in all of the variable, one of which is the cost of a project.

Bob Edinger: Thanked the people for voicing their concern and opinion.

Kenton suggests that the next meeting is Wednesday April 24, 2019.

Brad: States that the meeting takes place at 6:00 pm in the evening.

BIG CICERO CREEK BOARD:

Brad Bagwell, President

Mark Heirbrandt

Donnie Lawson

Jim Mullins

Scott Shoemaker

ATTEST: _____
Heather Terry, Secretary