

Big Cicero Creek Joint Drainage Board  
November 20, 2019  
Tipton County Courthouse

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

Surveyors Present: Jason Henderson, Kenton Ward, Daniel Sheets

Secretary: Kristi Hinkle Attorney: Steve Holt

Others Present: Jim Leffler, Carol Cunningham, Brent Snow, Vicky Boyd, Bob Edinger, Michael Terry, Wyatt Johnson

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

**ESTABLISHMENT OF QUORUM:** Quorum established.

**MODIFICATIONS TO THE AGENDA:** None

**APPROVAL OF MINUTES:** Scott Shoemaker motioned to approve October minutes and October executive minutes. Jim Mullins 2nd the motion. Motion approved.

**BOARD TO CONSIDER CLAIMS:** Kristi Hinkle presented claims in the amount of \$1,245.01. Mark Heirbrandt motioned to approve the claims. Scott Shoemaker 2nd the motion. Motion approved.

**SURVEYOR'S REPORT:**

**Ordinance Update:** Jason stated that the city of Tipton had a public hearing through their planning department to modify their local subdivision control ordinance and zoning ordinance to update their drainage standards and to put into place the specific reference/ approvals that are required by the Big Cicero Drainage Board. It was a successful public hearing. The next step will go to the city council. This was all driven by the request of mayor Don Havens. Jason said that this is probably the last report he will give on this matter.

**Surveyor meeting update:** Jason stated that the surveyors along with Siavash and Bob Barr were able to get together to go over some things that they are going to talk about later on in this meeting.

**Cover Crop Program:** Kenton Ward stated that there is a USDA grant through NRCS for water utilities. He said that it is too late to do it this year but perhaps do it next year. Kenton presented the upper white river cover crop program and covered some information on that. Beck's and Cargill are suppliers of the cover crop. Kenton asked the board for their consideration or review on cover crops.

**BOARD ENGINEERS REPORT:** Jason stated about a website that Bob Barr had shared for utilizing Flood Plains and having access. Bob has a tool to identify. Barr stated that they are trying to identify areas where the stream can't easily get out into the flood plain. The surveyors were wanting to know if there is a way to see where this occurs. Barr presented some examples. Barr stated that non levee embankments interfere and water doesn't flow (possible erosion). Jason stated that the surveyors could use the software as an identifying tool. The surveyors recommend that CBE take a look at those areas and identify what areas need field inspection. Bob said that the cost is minimal. Brad asked if Bob knew what the cost would be. Bob responded that he didn't know. Brad advised for Bob and CBE to bring back an estimate at the next meeting.

**BOARD BUSINESS/COMMENTS (OLD OR NEW):**

**Attorney Report (Holt):** No report. Just waiting.

**Sealed 2020 Maintenance:** Attorney Holt opened the sealed bids. The first bid was from Redman Excavating from Sharpsville. This bid contains a form 96, non-discriminatory clause, subcontractor eligibility form. List of items description; Rubber tire backhoe with operator \$110 an hour, Crawler excavator with operator-\$180 per hour, drag line with operator \$180 per hour, tandem axel dump truck \$75, triaxle dump truck with driver \$100 per hour. Next bid is from Craig Newcom of Extreme Excavating LLC (Kempton). Their bid contains a form 96, Subcontractor eligibility form, nondiscrimination clause. List of descriptions; Crawler excavator-\$145, drag line- \$115, and single axle dump truck \$60, tandem \$75, Triaxle \$90. The third bid is from Vanhorn Excavating of Rochester. This bid contains a form 96, certified check for \$500. Financial statement: Crawler excavator with operator \$190 per hour, Single axle dump truck with operator \$65 per hour, and tandem with driver \$75 per hour, triaxle with driver \$90. Holt stated that this is the only one that contained a check. Holt noted that Extreme and Redman did not have bid bonds and that Redman did not have a check. Holt recommended that the bids need to be reviewed and have recommendation by the surveyors. Scott Shoemaker motioned to approve reviewing the bids by the surveyors. Jim 2<sup>nd</sup> the motion. Motion was approved.

**Report on possible areas for storage:** Jason presented the possible storage areas on the monitors to view. There is an area on the east side of town. The other possible area is on the west side of town. There are willing sellers for this. Brad stated that the storage area would lessen the flooding in the town of Tipton. This is a detention pond that would be dry but would fill with water when it rained then slowly drain out. Brad stated that on the east side area would be a detention pond, too. Brad also said that property owners in both areas are willing to sell. Brad stated that they would have to negotiate what the prices would be.

Vicky of Tipton Tribune asked about the size of the detention ponds. Jason responded that he is not necessarily sure. He believes the one on the east side is about 26 acres. The one on the west side is larger about 40 to 50 acres. Jason said that there would have to be preliminary work done to determine the actual size. Vicky asked if there was any estimated cost at all on both these ponds. Brad stated not at this point. Brad said that there is an issue on the west side for the

water table (ground water level). That they would have to have that checked out and have borings and tests done. Brad stated that they are to the point of taking action and that is why they are here today.

Wyatt Johnson (Tipton) stated that he believes the board should get a land price established that works for the board before they start spending money on this.

Vicky Boyd asked if the board has gotten any estimates on the pricing for the farm ground. Brad replied that he doesn't think so at this time. Vicky asked if they would have to get appraisals and has that started. The board members replied that yes they would have to get appraisals and they have not started that yet. Brad also stated that the board attorney is looking over the facts for the board to be able to purchase property and who is allowed to own it. Attorney Holt stated that he can find no problem with the board purchasing land.

**PUBLIC COMMENT:** Wyatt Johnson noticed cover crops up in northern Indiana. He asked Kenton if those cover crops were part of the program. Kenton responded that most of those cover crops are preventive acreage. Wyatt also asked about other entities for cover crops. Kenton replied that they looked into the NRCS USDA grant which was \$100,000 but 30% of that had to go back to NRCS. Kenton said that it was too late in the year to do it so they will have to look at that for next year. He also said there was a program with the Indiana Soybean Alliance. They have been doing this for about 3-4 years now and have 27 farmers in the upper white river watershed that are doing this. They are hoping to grow it. There is only one farmer in this watershed doing it and they are hoping to grow it, too. Kenton said that this would help lessen erosion. Kenton gave Wyatt and Vicky a copy of the upper white river cover crop handout. Wyatt also asked a few more questions on cover crop and seed. Kenton replied that he would send information to him for those questions.

Brent Snow (6159 W 500 S) stated he wanted to submit the October 28, 2019 Hamilton County drainage board minutes for the official record. Brent directly asked Mullins if he or the surveyor ever submitted or discussed the big Cicero Creek minutes at the Tipton County drainage board meetings. Jim replied not that he is aware of (no). Brent stated that there has been Big Cicero discussion at the Hamilton County drainage board meetings. Brent asked Mr. Holt and the BCC Board, why the Hamilton County Drainage Board would be offering an opinion on whether or not Big Cicero could or would use eminent domain to obtain storage areas. Brad Bagwell said that the Hamilton county drainage board can have discussion as long as they are not taking any action. If they want action, then they would have to bring it to the Big Cicero Board, if it were in the BCC Watershed. Scott Shoemaker stated that he can talk about big Cicero to the Clinton county drainage board. Scott shoemaker would like to make a motion to move on.

**NEXT MEETING:** Brad stated that the next meeting is December 18, 2019 at 10:30 am. Mark stated that he will not be at the next meeting.

**ADJOURNMENT:** Scott Shoemaker motioned to adjourn. Mark 2<sup>nd</sup> the motion.

Meeting adjourned.

**BIG CICERO CREEK BOARD:**

\_\_\_\_\_  
Brad Bagwell, President

\_\_\_\_\_  
Mark Heirbrandt

\_\_\_\_\_  
Donnie Lawson

\_\_\_\_\_  
Jim Mullins

\_\_\_\_\_  
Scott Shoemaker

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