

JOINT MEETING

NOBLE COUNTY COMMISSIONERS

NOBLE COUNTY DRAINAGE BOARD

MONDAY MAY 13, 2019 11:00AM

NOBLE COUNTY COMMISSIONERS COURT

PRESENT:

Gary Leatherman  
Anita Hess  
Justin Stump

ALSO PRESENT:

Dennis Graft, County Attorney  
Jacqueline L Knafel, County Attorney  
Randy Sexton, Noble County Surveyor  
Zack Smith, County Engineer  
Phil Whan, Deputy Surveyor  
Brian Neer, Property Owner

The Noble County Commissioners and Drainage Board met in joint session to further discuss the issue of flooding at Crooked Lake. Brian Neer, owner of the property in question is also present.

Zack Smith, Highway Engineer, explained to the group that the highway department had replaced a culvert under the road in this area. The culvert was broken down and the water from the area was flooding the road. The culver was replaced and now the water is flowing faster. The tile from the road to the lake is broken and there are many tree roots etc. and therefore the water is flooding the Neer property. The highway installed a valve to slow down the flow but there are still flooding issues.

Randy Sexton, Surveyor, explained to the group that the area from the road to the lake is not a regulated drain and therefore the surveyor's office can not do anything. They had run something through the tile and had issue getting through and found that at the end of the tile – stones had been placed. The work crew had also been taken to the location to dig out the stones to increase the flow to the lake, but the bottom line is that the tile is broken down and not able to handle the flow of water.

Solution, both Zack and Randy agreed that there is nothing more that the county can do. Randy told Mr. Neer that he could petition the drainage board to have this become a regulated drain, but there is a process and all parties within the watershed must be notified. The issue with this is that there is very little room between the house and that currently there is only that 5-foot easement which isn't large enough for much work in the area. Randy also indicated that this would first be considered a reconstruction and that the cost of the reconstruction would be due from the landowners which can be expensive.


An option that Zack offered would be that the highway department would bring in the small excavator and replace the tile from the road to the lake but that Mr. Neer would have to pay for the stones and tile that is needed. The county would only furnish the piece of equipment and the labor. Mr. Neer and the adjoining property owner would have to sign a release as well so that the highway would not be responsible for any damage that was done to the yard in the area.

Mr. Neer indicated that he was told this issue would be taken care of and was not happy learning that replacement would be at his expense. He told the commissioners that he would discuss this further with his wife and would get with either Zack or Randy. If he chooses to take the offer of the highway department, Dennis will draw up the agreement for signatures from him as well as the adjoining property owner.

This session closed at approximately 11:45AM with the property owner's decision pending until further notice.

Dates this 13 day of May, 2019

  
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Gary Leatherman

  
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Anita Hess

  
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Justin Stump

ATTESTED:   
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Tonya L Jones, County Auditor