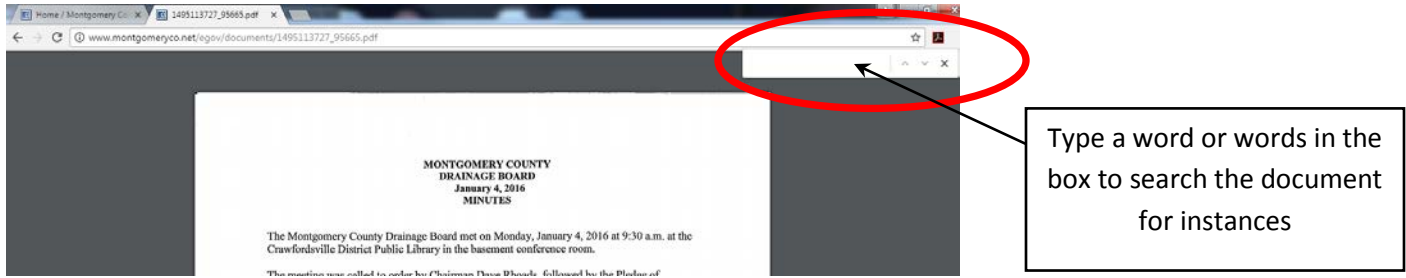
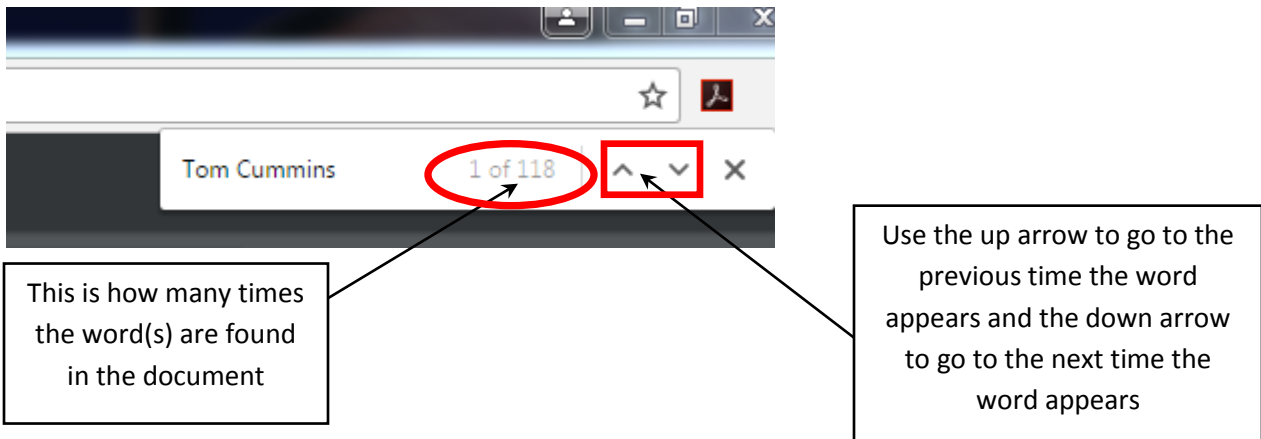


TO FIND A WORD OR WORDS IN THE DOCUMENT:

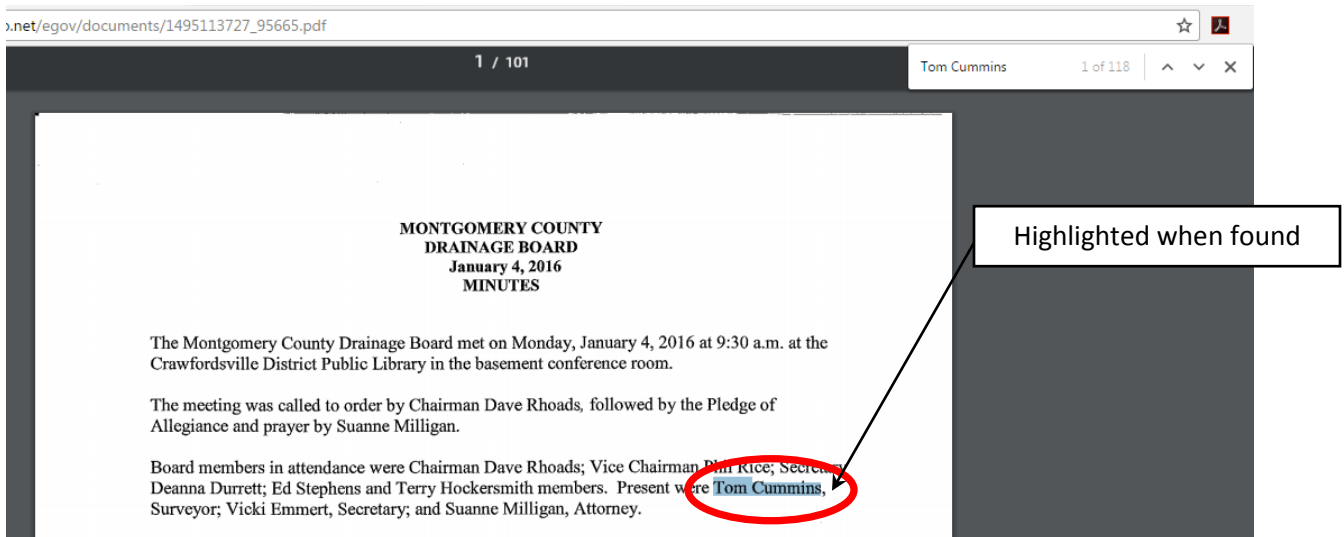
- **Hold down the CTRL key and the letter 'F' at the same time. A search box appears in the upper right hand corner. Type a word(s) in the box to search the document for the word(s).**



- **Use the down arrow to move to the next time the word appears and the up arrow to move to the previous time the word appears. The total number of times the word or phrase shows is also shown.**



- **The word(s) will be highlighted.**



*Web browser used in these examples is Google Chrome. Results may differ with other web browsers.

Ditch #	Ditch Name	Pages Drain Appears
500	Moses Allen	119,132,136, 140,148,154,155,
501	Peter Barley A	
502	Wiley Bastion	19,
	Brown,	
503	Fred/Bessie	
504	Will Brown	
505	Wm. Buchanan	32,92,129,137, 141,145,148,150,
506	Chrin. Schenck	21, 22, 32, 54, 58, 62,68,70,
507	Nancy Clark	19,
508	Howard Cline	19,
509	Clifton J Coon	
510	Charles S Cowen	112,116,
511	Benjamin Crabbs	19,
512	Urshull Cross	
513	Carper Crowder	
514	Jesse Evans	125,129,133, 136,
515	Richard Faust	
516	Reb. Flaningam	92,
517	James Fleming	
		1, 3, 5, 6,12, 17, 20, 21, 32,
518	John V Galey	52,99,104,105,118,119,119,141,145,146,
519	James Gilliland	22, 32,
		22, 23, 24,26,32, 37, 41, 45,48, 49, 50, 56,
520	John Gobin #2	59,66,70,73,105, 141, 64
521	James B Grimes	19,
522	William Hawker	19,
523	Levi Hawkins	19,
524	George Hinkle	
525	Kenneth Hudson	19, 32,119,
526	Samuel Humphrey	19, 32, 37,
527	George Hutchinson	19,112,
528	George Hutton	4,
529	George Kendall	19,141,
530	Sarah Kincaid	22, 24, 32, 34, 44, 49,
531	John Lane	
532	Charles Leas	19,81,
		44, 49, 54, 58,
533	Linn-Himes	59,73,112,134,141,145,145,146,148,151,154,
		21,22, 23, 54, 58, 62, 66,76,77,
534	Guy Little	80,90,96,137,141,145,148,150, 64
535	Lye Creek	41,99,105,
536	Lough Miller	19, 22, 32
537	Chas Ludlow #2	19, 56, 64,
538	Glennard Miller	44, 49,54, 59,73,85,88,125,
539	Minn-Miser-Corn	19,86,90,91,96,134,141,
540	Martin Mcbee	19,
541	George McClain	105,
542	L.B. McClamroch	
543	W.B. McClamroch	22, 32, 35,36,92,105,108,111,116,
544	E.P. McClaskey	32, 52,81,85,91,141,149,
545	C.O. McFarland	19, 22, 32,124,
546	George Nichols	19,133,
547	Albert,Nobes	22,32,
548	Edward Patton	19, 22, 25,32,
549	Allie Peterson	23, 32, 41, 44, 58, 62,81,92,96,110,125,141,
550	James Sanders	1, 10, 17, 20, 22, 32, 40, 45, 48,117, 141,
552	Chas Schoen #1	19, 32,
553	Jesse Snoddy	78,111,
554	Alvin Sparks	23, 24,26, 37, 50, 52,
555	Stanford-Elmore	
556	Anthony Stingley	
557	Swear-Runyon	19, 22, 32
558	Theo. Templeton	
		1, 7, 9, 12, 13, 17, 20, 22, 32,34, 40, 45,48, 50, 68,
559	B. & A. Vancleave	70,72, 78,

560	Richard Virts	22, 32, 151,
562	John Ward	3, 5, 13, 17, 20, 22, 32, 34, 40, 45, 48,
563	George Washburn	19,
564	Raymond Weliever	4, 6, 32, 50, 56, 59, 66, 68, 72, 77, 80, 84, 85, 91, 92, 104, 133, 134, 137, 144
565	John Wilkinson	111,
567	Martin Young	19,
572	James Hose	1, 3, 6, 9, 13, 17, 23, 48, 62, 86, 116, 128, 133, 136, 140,
573	Foster Fletcher	14, 18, 19, 20, 23, 33, 40, 46, 56, 60, 64, 68, 72, 77, 86, 89, 99, 105, 126, 154,
574	Isaac Shotts	22, 25,
576	Joel Tobin	112,
577	Miller & White	19,
578	Allen Lewis	124, 128, 136, 141,
579	Rankin Walkup	
580	Wm. T. Linn	
581	Joe Hall	117, 136
582	Clarence Widener	119,
584	Phillip Dewey	19,
585	Fred Maxwell	
586	Joseph Ludlow	19, 32, 37, 61,
587	Chas Schoen #2	19,
588	James W Wilson	
589	Thomas Wilkins	19, 23, 24, 26, 37, 44, 45, 48, 52, 59, 64, 66, 69, 70, 80, 112, 125, 129, 134, 137, 141, 145
590	Thom. & Alfred Taylor	
591	Odis Stafford	21, 22, 32, 50, 55, 58, 62, 69, 72, 92, 99, 100,
592	Roy S Harper	
594	Charles Newkirk	22, 25, 32, 92, 98, 132, 140,
595	Boswell Clough	4, 19, 150,
596	Arthur Fraley	19, 32, 124, 128, 133, 136, 140, 141, 144, 148, 154,
597	Ben. F Remley	4, 22, 25, 32, 99, 110,
598	Moore's Heights	19,
599	John D Coyner	22, 32,
600	Wm. M Davis	19,
602	Timothy Lane	
603	Moses Maxwell	19, 99, 105,
604	John M Walkup	19,
605	Charles E Warren	
606	Joseph H Gray	32,
607	John Martz	
608	John McCorkle	19, 44, 49, 54, 59, 64, 76, 85, 88, 89, 125, 155, 165
610	William Z McBee	19, 32, 41, 92, 98, 99,
613	Nancy Hollingsworth	
614	Edward Dykes	19, 32,
615	Margaret Remley	19, 151,
616	Jennings Miller	
617	Harrison Doyle	19,
619	Thomas Clark	
620	Smith John W.	19,
621	John H Cochran	19, 138, 144, 150,
622	William Epperson	
623	Richard Graham	
624	Robert A Rutan	19,
625	Richard Thomas	19, 22,
626	Isaac N. Linn	
627	Francis M Hoss	19,
628	John H Pogue	
629	Francis W Powers	
630	Oscar Flaningam	19,
631	Clarence Murphy	19,
632	Thomas Armstrong	19,

633	George Downing	
634	Albert Flaningam	19,
635	Wm. Kirkpatrick	19,
637	Robert Niven	19,148,154,
638	David Thewlies	19,
640	Needham Booher	19, 32,
		10, 12,
641	Smith & Elmore	64,69,72,78,81,85,91,117,118,132,136,140,144,
700	Joseph Conway	
702	Emmerson James	13, 25, 34,74,78,
703	James Servies	11, 13, 14, 45,50, 52,60,62,66,72,77,80, 81,142, 64,
704	Carolyn Kenyon	44, 49, 54,59,73,74,133,134,137,
		44, 55, 60,
		64,68,77,81,84,86,91,94,96,97,102,108,110,111,114
		116,117,119,122,126,129,132,133,
706	William Shelley	141,142,144,149,150,152,153,154,65
	Prince Croy	36, 111,
	George Conrad	36,74,111,118
566	Frank Kirkpatrick	
569	Elijah Fugate	
570	Rebecca Grimes	
575	Martin P. Gray	19, 22, 25, 91,94,96,105
601	Jenkins	19,
611	Shawnee Creek	
612	Kirkpatrick One	22, 25,91,94,96,105,
639	Marsh Samuel	
642	Leader/Newton	
	Moody	155
561	A.F. Ward	32,117,126,141,149,
571	Ziegler	19,
	Unknown drain	150,154,
568	Oscar Stevenson	
618	Albert Hysong	6, 61, 68,74,81,85,91,126,141,149,
	Detchon-Adams	145
	Reconstructions	
530R	Sarah Kincaid	
702R	Emerson, James	
550R	James Sanders	
562R	John Ward	
559R	B & A Vancleave	
538 R	Glennard Miller	
608 R	John McCorkle	
591 R	Odis Stafford	
554 R	Alvin Sparks	
520 R	John Gobin	
704R	Carolyn Kenyon	
589-01	Thomas Wilkins	
705	Edger Henry	
	Joseph A	
707	Schmoltzer	
	Funds Without	
0	Drains	
	Marion Connor	141

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, DECEMBER 10, 2007
MINUTES

The Montgomery County Drainage Board met on Monday, December 10, 2007 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Member/Executive Secretary; Dave Rhoads, Member; Jack Grimble, Member; Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Aleasha Sandley, Journal-Review; Rob Durrett; David Foster; Marian Lindow-League of Women Voters; Mark Kessler; Berley Britton, Norma Britton, Glen Griggs, Indiana Reline; Dave Knowling; Merlin Cox; Mark Barclay; Marilee Pearson; Kenny Pearson; Joe Woodrow.

Chairman Phil Bane called the meeting to order @ 6:30 p.m. and led the Pledge of Allegiance and Reverend Walter Terry led the prayer.

Minutes – November 13, 20 & November 26, 2007

The minutes of November 13, 20, & 26, 2007 were reviewed. Deanna Durrett noted a correction on the November 13, 2007 minutes. Terry Cain is incorrectly listed as attending the meeting. The meeting was attended by Kenny Cain. The minutes incorrectly state the proper name of the Indiana Office of Community and Rural Affairs regarding the James Hose Drain. ***Jack Grimble moved to approve the minutes of November 13, 20, and 26, 2007, as corrected. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.***

Reports

James Hose Drain – Deanna Durrett advised that Banning Engineering has been selected as the engineering firm to administer the planning grant if the grant is awarded by the Indiana Office of Community and Rural Affairs.

Financial Report – Deanna Durrett distributed the 2007 Maintenance and Improvement balance sheet and the 2007 Drainage Board Budget report. Durrett advised that to date \$10,826.62 in interest has been earned.

2008 Contractors - Deanna Durrett distributed the 2008 Contractors List.

Hearing on Pearson Petition for Reconstruction of Basil Van Cleave Drain.

Board President Phil Bane opened the hearing at 6:47 p.m. on the Pearson Petition for Reconstruction of the Basil Van Cleave Drain. Surveyor Cummins presented two options for reconstruction. After input from various landowners, ***Bill McCormick moved to approve Option #2 for reconstruction in the amount of \$30,000 as attached to the minutes and incorporated herein by reference. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.***

There being no further business, Board President Phil Bane Closed the hearing at 7:10 p.m.

Glen Griggs – Indiana Reline – Mr. Griggs explained the process of slip lining drainage tile. ***Dave Rhoads moved to instruct Indiana Reline to explore the drainage problems on the John Galey Drain. Jack Grimble seconded. 4 votes in favor. 1 abstain (McCormick) Motion carried.***

James Sanders Drain – Surveyor Cummins reported to the Board that Darrell Birge has started the work on the James Sanders Drain reconstruction.

New Drainage Board Member – Deanna Durrett advised that interviews for Drainage Board member candidates will be held within the next week.

Code of Ordinances – Suanne Milligan advised the Board that she has received the County Ordinances that apply to the Drainage Board. She dated that some of the dates on the ordinances need to be changed. Deanna Durrett advised that she will present a revised version of the ordinances needing to be changed to the Board at a later date.

Gwin vs. Wilkins – Suanne Milligan advised that she has received a Motion to Continue the February 19th hearing because of a schedule conflict. She advised that she has been further served with a Motion to Withdraw the Previous Motion and that she recommends that that Motion to Withdraw Previous Motion be allowed and the hearing will remain on the same February 19, 2008 date. ***Deanna Durrett moves to allow the Petitioner to withdraw their Previous Motion to Continue. Dave Rhoads seconded. 4 votes in favor. 1 abstain (Bane). Motion carried.***

Inspection/Classification Report – Surveyor Cummins distributed to the Board Drain Classification Reports on the Richard Virts Drain and the Alvin Sparks Drain.

Drainage Board 2008 Organizational Meeting – Deanna Durrett advised that the Crawfordsville Public Library is available for the Drainage Board to meet on the 2nd & 4th Monday's @ 9:30 a.m. ***Deanna Durrett moved to schedule the first organizational meeting on Monday, January 14, 2008 @ 9:30 a.m. Dave Rhoads seconded. 4-0 votes in favor. 1 abstain (Bane). Motion carried.***

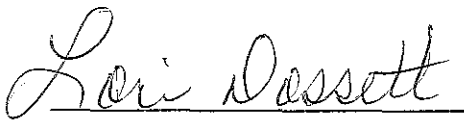
Public Comment - Dave Foster questioned how the Drainage Board members are being chosen. Mr. Foster was advised that the Drainage Board will conduct the interviews and make a recommendation to the Commissioners.

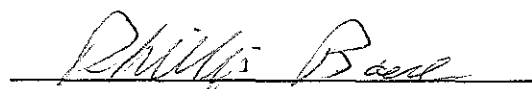
Chairman Phil Bane commented that he has enjoyed serving on the Drainage Board. He stated that the Board has made progress in the last three years and things are headed in the right direction.


Jack Grimble moved to adjourn. Dave Rhoads seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

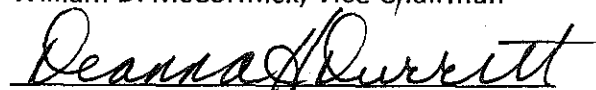
Meeting adjourned @ 7:52 p.m.

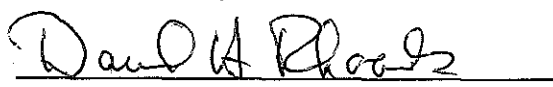
Minutes prepared by Lori Dossett, Drainage Board Secretary.

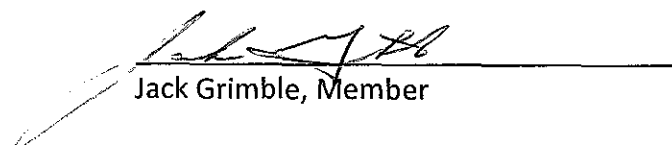

Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Dave Rhoads, Member


Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, NOVEMBER 13, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, November 13, 2007 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Member/Executive Secretary; Dave Rhoads, Member; Jack Grimble, Member; Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Building Administrator Marc Bonwell; Aleasha Shelley, Journal-Review; Rob Durrett; Dave Foster; Morris Davis; Marian Lindow-League of Women Voters; Terry Cain; Sam Valliere; Clint Wilkins; Wayne Kessler; Randy Borden.

Chairman Phil Bane called the meeting to order @ 6:30 p.m. and led the Pledge of Allegiance and Jack Grimble led the prayer.

Approval of Minutes – October 22, 2007

Chairman Bane requested a motion to approve the October 22, 2007 minutes as presented. *Dave Rhoads moved to approve the October 22, 2007 minutes as presented. Jack Grimble seconded. 5-0 votes in favor. Motion carried.*

Reports

James Hose Drain – Deanna Durrett advised that the Surveyor's office will begin interviewing engineering firms for the planning grant that has been applied for through the Indiana Office of Rural Development.

Financial Report – Deanna Durrett reported that \$1,643.05 in interest has been earned to date.

Old Business:

New 2008 Drainage Board Member – The Board is continuing the process of appointing a new member of the Drainage Board.

John Ward Drain - Surveyor Cummins advised that two bids have been received.
Maxwell Farm Drainage - \$13,080
Foster Farm Drainage - \$13,230.80.

Bill McCormick moved to take the bids under advisement. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.

Surveyor Job Description – Deanna Durrett requested that the Board members review the proposed Surveyor job description and be prepared to vote on the description at the next Drainage Board meeting. *Deanna Durrett moves to take the proposed Surveyor's job description under advisement. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*

Filing Fees – Mrs. Milligan advised that she will present proposed filing fees at the next Drainage Board meeting.

Wilkins v. Gwinn – Mrs. Milligan advised that the Petitioner has filed Motion to Table Petition. *Deanna Durrett moved that the petition be granted that the hearing be rescheduled on Tuesday, February 19, 2008. Bill McCormick seconded. 5-0 votes in favor. Motion carried.*

John Galey Drain - Surveyor Cummins advised that proposals have been received by Banning Engineering - \$5,775; Vester & Associates - \$5,800 for a limited study of the trouble area of the Galey Drain. Foster Farm Drainage submitted a bid for the repairs to the John Galey Drain. The bid was submitted without specs from the Surveyor's office. *Bill McCormick moved to instruct the Surveyor's office to request that bids for the repairs be submitted to the Surveyor's office by noon on November 16, 2007. If necessary, the Board will hold a Special*

Meeting on November 20, 2007 to discuss the bids. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Raymond Weliever Drain – Surveyor Cummins advised that Mr. Vogel is building a house on an 18 acre tract. He is requesting to attach a 4” perimeter tile to the Raymond Weliever Drain. Bill McCormick requested that a Petition for Attachment be filed with the Surveyor before any further action is taken.

Inspections and Classifications – Surveyor Cummins presented the drain classification report on the Allie Peterson Drain, Edward Patton Drain and Richard Graham Drain. *Deanna Durrett moved to accept the Drain Classification Reports on the Allie Peterson Drain, Edward Patton Drain and Richard Graham Drain. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*

Other Business -

Board members discussed the process and timeline for putting drains back on assessment.

Public Comment -

Dave Foster proposed to the Board an alternative to administering a spray program for County Drains. He stated in his opinion spraying is not the answer and an alternative to spraying would be a mowing and mulching program. Mr. Foster will submit a proposal to the Surveyor’s Office.

Claims –

\$326.86 – George Hutton Drain – Conner Excavating, Inc.

\$430.00 – Boswell Clough Drain – Frank James

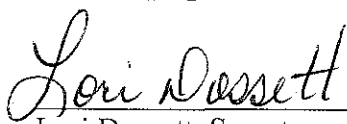
\$1,842.00 – Benjamin Remley Drain – Frank James

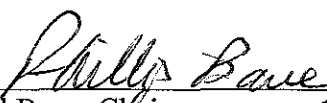
Bill McCormick moved to pay the claims as presented. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

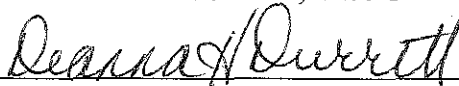
Meeting adjourned @ 7:58 p.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.

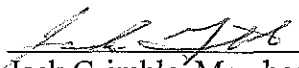

Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Dave Rhoads, Member


Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, NOVEMBER 20, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, November 20, 2007 in the conference room of the South Boulevard County Building, Crawfordsville, Indiana.

Those members present were as follows: Phil Bane, Chairman; William D. McCormick, Vice Chairman; Deanna Durrett, Member/Executive Secretary; Dave Rhoads, Member; Jack Grimble, Member; Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Dave Foster; Wade Bennett.

Chairman Phil Bane called the meeting to order @ 1:00 p.m. and led the Pledge of Allegiance and Jack Grimble led the prayer.

Marwell
John Ward Drain - *Deanna Durrett moved to accept the Foster Farm Drainage proposal in the amount of \$13,230.80. Bill McCormick seconded. 5-0 votes in favor. Motion carried.*

John Galey Drain - Surveyor Cummins advised that no new bids have been received in his office as a result of an email sent to contractors for repair work on the John Galey Drain. *Bill McCormick moved to award the bid for repair work to Foster Farm Drainage in the amount of \$5,525.75. Jack Grimble seconded. 5-0 votes in favor. Motion carried.*

Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 1:25 p.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, Chairman

William D. McCormick
William D. McCormick, Vice Chairman

Deanna Durrett
Deanna Durrett, Member

Dave Rhoads
Dave Rhoads, Member

Jack Grimble
Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, NOVEMBER 26, 2007
MINUTES

The Montgomery County Drainage Board met on Monday, November 26, 2007 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Member/Executive Secretary; Dave Rhoads, Member; Jack Grimble, Member; Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Building Administrator Marc Bonwell; Aleasha Shelley, Journal-Review; Rob Durrett; David Foster; Morris Davis; Marian Lindow-League of Women Voters; Mark Kessler; Berley Britton, Norma Britton, Larry Gentry; Kenny Pearson.

Chairman Phil Bane called the meeting to order @ 6:30 p.m. and led the Pledge of Allegiance and Alan Goff led the prayer.

Reports

John Galey Drain - Surveyor Cummins advised that there is no urgency to rescind the pending reconstruction. The matter will remain on Old Business.

Appointment of New 2008 Drainage Board Member – The Board is continuing the process of appointing a new member of the Drainage Board. The new Board member should reside in the southwest part of the County to give all of the County equal representation.

Surveyor Job Description – *Deanna Durrett moved that the Board approve the Surveyor's job description as presented. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*

Bill McCormick moved to send the Surveyor's job description on to the Commissioners for approval. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Mark Kessler – Stormwater Plan - Kessler advised that he is in the process of a drainage plan. Mr. Kessler was given a 60 day extension.

County Code – Drainage Board Section – Deanna Durrett requested that the Board review the current drainage code and re-evaluate decisions regarding advisory board and landowners performing their own work. *Commissioner McCormick moved to take the County Code under advisement. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*

Approval of Non-Assessed Drains – Deanna Durrett advised that the hearings to put drains back on assessment are similar as rate increase hearings. Durrett distributed "Drain Watershed and Assessment Hearing Project Priority and Plan" to the Board for review.

Raymond Weliever Drain – Miranda S. Vogel filed a Petition for Attachment to the Raymond Weliever Drain. Surveyor Cummins advised that Mr. Vogel's house will be located far away from the road and he is requesting to attach a 4" tile to the Raymond Weliever Drain. *Deanna Durrett moved to grant Mr. Vogel's request. Dave Rhoads seconded. After discussion, 5-0 votes in favor. Motion carried.*

James Hose Drain – Deanna Durrett advised that an engineering firm has been chosen for the OCRA planning grant. The approval of the grant should be received at the end of February, first of March.

Albert Hysong Drain – Deanna Durrett advised that the County is waiting to hear from Hendricks County to move forward.

Public Comment -

Dave Foster, Foster Farm Drainage requested that the Surveyor's office consider notifying contractors by other means than strictly email. He requested that letters or faxes being sent out also.

Drainage Board Meeting Schedule – January 14, 2008 will be an organizational meeting and a decision will be made at that time to set a meeting schedule. ***Dave Rhoads moved to hold one drainage board meeting in December. Jack Grimble seconded. 5-0 votes in favor. Motion carried.***

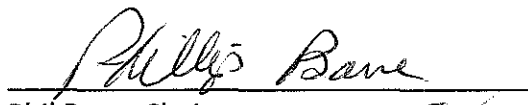
Basil VanCleave Drain – Chairman Bane opened the Basil VanCleave Drain hearing @ 7:30 p.m. Deanna Durrett advised that the Notice of Hearing had not been properly published. ***Bill McCormick moved to postpone the hearing on the Basil VanCleave Drain to Monday, December 10, 2007 @ 6:45 p.m.***

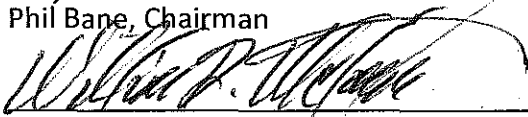
Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

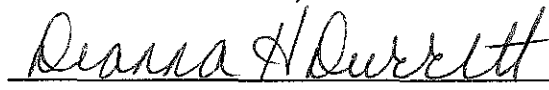
Meeting adjourned @ 7:45 p.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.



Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Dave Rhoads, Member


Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, JANUARY 14, 2008
MINUTES

The Montgomery County Drainage Board met on Monday, January 14, 2008 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Member/Executive Secretary; David Rhoads, Member; Jack Grimble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; and Drainage Board Recording Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Aleasha Sandley, Journal-Review; Rob Durrett; David Foster; Marian Lindow-League of Women Voters; Ron Grubbs; Attorney John Shambach; Scott Powell.

Chairman Phil Bane called the meeting to order @ 9:30 a.m. and led the Pledge of Allegiance and Pastor Alan Goff led the prayer.

Minutes – December 10, 2007

Bill McCormick moved to approve the minutes of December 10, 2007. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Drainage Board Member Kenny Pearson was duly sworn in by Clerk Jennifer Bentley replacing Chairman Phil Bane.

Election of Officers

Vice Chairman Bill McCormick conducted the election of officers.

Chairperson – ***Bill McCormick moved to nominate David Rhoads as Chairman. Deanna Durrett seconded. Jack Grimble moved to closed the nominations. Kenny Pearson seconded. Nominations Closed. 5-0 votes in favor. Motion carried.***

Vice Chairperson – ***David Rhoads moved to nominated Bill McCormick as Vice Chairperson. Jack Grimble seconded. 5-0 votes in favor. Motion carried.***

Secretary – ***David Rhoads moved to nominate Deanna Durrett as Drainage Board Secretary. Jack Grimble seconded. 5-0 votes in favor. Motion carried.***

Recording Secretary – ***Bill McCormick moved to appoint Lori Dossett as Recording Secretary. Jack Grimble seconded. 5-0 votes in favor. Motion carried.***

Schedule of meetings date, time and location – ***Deanna Durrett moved that the Drainage Board meetings be held on the 2nd & 4th Mondays at 9:30 a.m. at the Crawfordsville Public Library. Bill McCormick seconded. 5-0 votes in favor. Motion carried.***

Secretary Deanna Durrett distributed the membership list with email addresses and telephone numbers.

Reports

James Hose Drain – Deanna Durrett advised that a public hearing will be held within the next two weeks. One public hearing is required prior to the approval of the grant application.

Basil VanCleave Drain – Surveyor Cummins advised that the reconstruction Notice to Bidders have been sent out. The bids are due today @ 4:00 p.m. One bid has been received so far. ***Bill McCormick moved that the Basil VanCleave reconstruction bids will be opened and reviewed at the January 28, 2008 drainage board meeting. Jack Grimble seconded. 5-0 votes in favor. Motion carried.***

Financial Report – Deanna Durrett distributed the 2006, 2007, 2008 Year End Balance Report for the Maintenance and Improvement Funds. January 1, 2008 balance in Maintenance - \$393,092.14; Improvement - \$119,312.87 – Total: \$512,405.01. Total interest earned to date: \$12,368.18.

Grant Partnership with Soil & Water Conservation District – Deanna Durrett presented a proposal to partner with SWCD on an Indiana Clean Water grant. Durrett also presented a proposal regarding the hiring of part-time clerical support. Board members will discuss the matter at the next Drainage Board meeting.

Old Business

County Drainage Code of Ordinances – County Attorney Suanne Milligan discussed the current Montgomery County Drainage Code of Ordinances and the need to rescind certain portions of the ordinances and be consistent with State law and County practices. **Bill McCormick moved to discuss the County Drainage Code of Ordinances at the next Drainage Board meeting. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Petition to Assume a Portion of the James Sanders Drain – Phil Campbell’s Petition to Assume a Portion of the James Sanders Drain is tabled.

Smith Elmore Drain – Attorney John Shambach representing Carla Snyder and Carol Smith appeared before the Board requesting to attach a drain to the Smith Elmore Drain. He advised that he has contracted Scott Powell to investigate the status of the drain and have discovered that the tile instead of flowing off of the land, is flowing onto the land. After further discussion, the Board recommended that a Petition for Reconstruction be filed with the Drainage Board.

Request to Purchase hand-held GPS Unit - Surveyor Cummins requested permission to purchase a hand-held GPS unit for the surveyor’s office. The Board requested that Cummins present a full report to the Board at the next Drainage Board meeting.

Gwin vs. Wilkins – Suanne Milligan advised that the Board that the hearing has been scheduled on Thursday, February 14, 2008 @ 6:00 p.m. Ms. Milligan stated that the matter will likely be rescheduled to March 10th.

Strategic Planning Session – The next strategic planning session is scheduled on Monday, February 4th @ 7:30 p.m.

Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 7:30 a.m.

Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



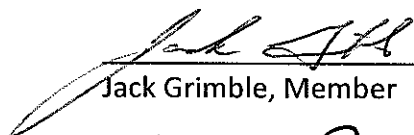
David Rhoads, Chairman



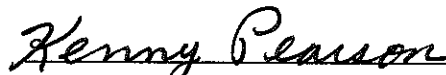
William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, JANUARY 28, 2008
MINUTES

The Montgomery County Drainage Board met on Monday, January 28, 2008 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Member/Secretary; Jack Grimble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; Building Administrator Marc Bonwell; and Drainage Board Recording Secretary Lori Dossett.

Also present: Aleasha Sandley, Journal-Review; David Foster; Mark Kessler; Kenny Cain; Marian Lindow-League of Women Voters.

Chairman Dave Rhoads called the meeting to order @ 9:30 a.m. and led the Pledge of Allegiance and Pastor Father Alexis Miller led the prayer.

Minutes – January 14, 2008

Deanna Durrett moved to approve the minutes of January 14, 2008. Kenny Pearson seconded. 5-0 votes in favor. Motion carried.

Reports

2007 Annual Report – Deanna Durrett distributed a draft of the 2007 Annual Report for the Board members to review.

Old Business

Kessler Farms Stormwater Drainage Plan – Mark Kessler advised the Board that does not have a drainage plan to submit to the Board. He advised that he has been advised that Mr. Deckard will begin working on his project next week. Mr. Kessler was asked to appear before the Drainage Board at the next scheduled meeting on Monday, February 25th and to request that Mr. Deckard appear with him to explain why the drainage plans have not been submitted.

Two-Cycle Plus – Building Administrator Marc Bonwell advised that construction has begun on the project. The owner, Mr. Myers did not realize that he had to submit a drainage plan. The building is located next to the Yountsville Christian Church. The new construction will affect the water speed on the east side of the property. Bonwell advised that there will be a detention area to hold the water and a drainage plan is pending.

Grant with Soil & Water Conservation District – Deanna Durrett explained to the Board that Soil & Water is interested in partnering with the Drainage Board to apply for an \$10,000 matching grant for soil and nutrient loss in streams and open ditches. Durrett explained that a benefit to the Board to use the information gathered on open ditches. ***Jack Grimble moved to allocate \$2,500 into the grant. Kenny Pearson seconded. 5-0 votes in favor. Motion carried.***

Part-time Secretarial – Deanna Durrett proposed hiring clerical help to be in the office three afternoons a week at a rate of pay of \$10 per hour.

James Servies Drain – Board members discussed how new watershed boundaries should be approached and she also advised that the Board is facing the prospect of holding 200 hearings for that purpose. ***Bill McCormick moved to send out notices of hearing to establish a new watershed on the James Servies Drain. Jack Grimble seconded. 5-0 votes in favor. Motion carried.***

Bill McCormick and Jack Grimble advised the Board that they will not be attending the next scheduled Drainage Board meetings on February 11th. ***Deanna Durrett moved to cancel the February 11th Drainage Board meeting. Bill McCormick seconded. 5-0 votes in favor. Motion carried.***

John Galey Ditch – Dave Foster advised the Board that he has investigated the problems on the John Galey Ditch at the railroad bid and has determined that the problem is not as extensive as originally thought. He advised that when the fibers were put in on the east side of the railroad track some of the tiles were taken out. Dave Rhoads requested that Indiana Reline be contacted to submit a bid for relining the tile underneath the railroad. Dave Foster requested that Surveyor Cummins contact the three landowners by letter requesting that they “stay on top of their surface water problems”.

GPS Unit – Surveyor Cummins advised that he will present written cost estimates at the next Drainage Board meeting.

New Business

Smith/Elmore Reconstruction Petition – Surveyor Cummins advised that he met with Scott Powell regarding filing of a Reconstruction Petition with the Board. The proper paperwork has not yet been filed with the Surveyor’s Office.

Basil VanCleave Drain –

Surveyor Cummins opened the bids received on the Basil VanCleave Drain. Two bids were submitted: \$29,600 – Maxwell Farm Drainage; \$38,644.12 – Foster Farm Drainage. **Bill McCormick moved to take the bids under advisement until the end of the meeting after Surveyor Cummins has had an opportunity to review the bids and make a recommendation to the Board at that time. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.**

Wilkins/Gwin Hearing – The hearing has been rescheduled to Monday, March 10th @ 10:00 a.m. at the Crawfordsville Public Library meeting room.

The next Drainage Board hearing is scheduled on Monday, February 25, 2008.

Meeting Recessed @ 11:15 a.m.

Meeting Reconvened @ 11:30 a.m.

Surveyor Cummins recommended the Maxwell bid of \$29,600 for the reconstruction of the Basil VanCleave Drain. **Deanna Durrett moved to accept the Maxwell bid. Jack Grimble seconded. 4-0 votes in favor.** Mr. Pearson abstained due to a conflict of interest. **Motion carried.**


Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 11:35 a.m.

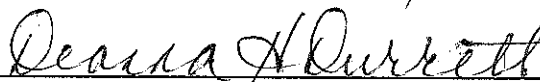
Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



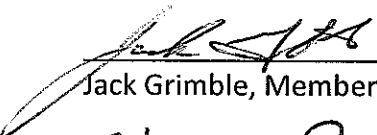
David Rhoads, Chairman



William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

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GPS Unit – Surveyor Cummins advised that he will present written cost estimates at the next Drainage Board meeting.

New Business

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Wilkins/Gwin Hearing – The hearing has been rescheduled to Monday, March 10th @ 10:00 a.m. at the Crawfordsville Public Library meeting room.

The next Drainage Board hearing is scheduled on Monday, February 25, 2008.

Meeting Recessed @ 11:15 a.m.

Meeting Reconvened @ 11:30 a.m.

Surveyor Cummins recommended the Maxwell bid of \$29,600 for the reconstruction of the Basil VanCleave Drain. **Deanna Durrett moved to accept the Maxwell bid. Jack Grimble seconded. 4-0 votes in favor.** Mr. Pearson abstained due to a conflict of interest. **Motion carried.**


Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 11:35 a.m.

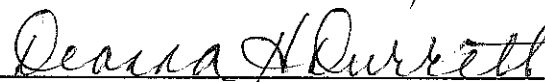
Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



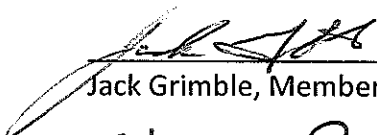
David Rhoads, Chairman



William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, FEBRUARY 25, 2008
MINUTES

The Montgomery County Drainage Board met on Monday, February 25, 2008 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Member/Secretary; Jack Grimble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; Building Administrator Marc Bonwell; and Drainage Board Recording Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Aleasha Sandley, Journal-Review; David Foster; Mark Kessler; Ethel Reeves; John Reeves; Daniel Reeves; Harold Reeves; Jonathan Hester; Bill Hayden; Dana Rikken; Don Livingston; Pastor Mark Roberts; Marian Lindow-League of Women Voters.

Chairman Dave Rhoads called the meeting to order @ 9:30 a.m. and led the Pledge of Allegiance and Pastor Mark Roberts led the prayer.

Minutes – January 28, 2008

Deanna Durrett moved to approve the minutes of January 14, 2008. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Hearings

James Servies Drain Assessment Hearing – Surveyor Cummins explained to the landowners on the James Servies Drain the new watershed boundaries and the new schedule of assessment. He requested that the landowners notify his office if they have a dispute with the new watershed boundaries. *Deanna Durrett moved to accept the revised James Servies watershed and to approve the \$5 per acre assessment. Bill McCormick seconded. 5-0 votes in favor. Motion carried.*

Reports

Basil VanCleave Drain – Surveyor Cummins reported that Bart Maxwell has started preliminary work on the project. Work will continue when the weather permits.

John Ward Drain – Surveyor Cummins advised that the project has been completed as much as possible until the weather clears and the spoils can be removed.

James Hose Grant – Deanna Durrett advised that the public hearing has been rescheduled for Tuesday, February 26, 2008 @ 6:30 p.m. at the Linden Town Hall. The hearing is required as part of the planning grant application. Banning Engineering will be on hand to answer questions.

Annual Financial Report – Deanna Durrett advised that she has nothing to report at this time. Work is continuing on the financial report and she is scheduled to meet with the Auditor over the figures and will report back to the Board at the next Drainage Board meeting.

Grant Partnership with Soil & Water – Deanna Durrett advised that the grant application has been denied.

James Emerson Drain – Deanna Durrett advised that the final payment has been made to Linden Bank for the 2002 construction loan for the James Emerson Drain. She also advised that until recently the landowners had not been assessed for the loan payment and that that oversight has been corrected.

Old Business

Proposal for County Drainage Code of Ordinances Revisions – Deanna Durrett distributed proposed revisions to the County Drainage Code. She advised that after the Drainage Board approves the revisions to the ordinance, they will be sent to the Commissioners for final approval. Deanna Durrett moved to adopt the proposed language of the County Drainage Code of Ordinances. Kenny Pearson seconded. After discussion, Deanna Durrett withdrew her motion and Kenny Pearson withdrew his second. The matter will be discussed at the next Drainage Board meeting on March 10th.

Eastside Baptist Church – Bill Hayden representing the Eastside Baptist Church requested a variance to construct a pole barn on the church's existing parking lot. Mr. Hayden advised the project will not add water. Currently the water sheet flows off of the parking lot, the building will concentrate the flow to the retention area. ***Bill McCormick moved to approve the building plan upon completion of proper documents. Jack Grimble seconded. 5-0 votes in favor. Motion carried.***

Patel and Coleman Stormwater Plan – Building Administrator Marc Bonwell advised that construction plans for a new hotel and a Wendy's restaurant will impact the Foster Fletcher Drain and will not be able to handle the new flow. The Board discussed the process of converting the Foster Fletching Drain into an urban drain.

GPS Handheld Unit – Surveyor Cummins advised that he has two price quotes for GPS units. After discussion, Board members suggested that Mr. Cummins consult other surveyors to determine what type of equipment they use.

Proposal for Regional Landowner Meetings - Board members discussed holding landowner meetings in the southern and northern sections of the County. The purpose of the meetings will be for Surveyor Cummins to discuss the new watersheds.

Booth at County Fair – Chairman Rhoads discussed the Drainage Board manning a booth at the 2008 County Fair. After further discussion, members decided to wait until next year and discuss the matter further.

Kessler Farms Stormwater Drainage Plan – Surveyor Tom Cummins stated that Mark Kessler has received calculations from Deckard Engineering, but not detention design.

Other Business:


Kenny Pearson advised that David Bonwell contacted him regarding the James Servies Drain and advised that, "he could live with \$5.00 per acre assessment". He further stated that the open drain needs to have the trees dredged out.

Wilkins/Gwin Hearing – Suanne Milligan advised that due to a death in the Wilkins family, there may be a Motion to Continue the hearing currently set for Monday, March 10th @ 10:00 a.m. at the Crawfordsville Public Library meeting room.

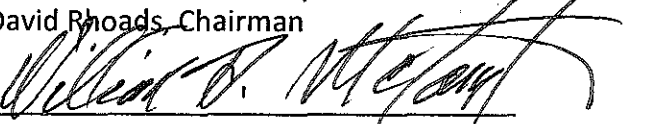
There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 10:42 a.m.

Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



David Rhoads, Chairman



William D. McCormick, Vice Chairman

Deanna H Durrett
Deanna Durrett, Secretary

Jack Grimble
Jack Grimble, Member

Kenny Pearson
Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, MARCH 10, 2008
MINUTES

The Montgomery County Drainage Board met on Monday, March 10, 2008 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Member/Secretary; Jack Grumble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; and Drainage Board Recording Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Aleasha Sandley, Journal-Review; Attorney John Capper; CK Wilkins; Ward Wilkins; Wade Bennett; Jeff Healy- Banning Engineering; Daniel Gwin; Mrs. Dan Wgin; Attorney James Shrier; Bernard Engle; Austin & Lucy Brooks, League of Women Voters; Greg Myers; Donyln Lester; Dr. Curtis W. Brown.

Chairman Dave Rhoads called the meeting to order @ 9:30 a.m. and led the Pledge of Allegiance and Pastor Curtis Brower led the prayer.

Minutes – February 25, 2008

Deanna Durrett moved to approve the minutes of February 25, 2008. Jack Grumble seconded. 5-0 votes in favor. Motion carried.

Reports

Drain Accounts – Deanna Durrett reported that the Surveyor's office accounts are balanced and their office is currently working with the Auditor's accounts to balance with their accounts.

Grant with Soil & Water Conservation District – Deanna Durrett advised that Soil & Water did not receive the grant.

James Hose Grant – Deanna Durrett advised that the public hearing held on February 25, 2008 went well. Jeff Healy from Banning Engineering was on hand to answer questions and concerns from the residents in Linden.

Part-time Secretarial Support – Deanna Durrett advised that the Surveyor's office has been interviewing applicants for the part-time secretarial position in their office. The applicant will work three hours per day in the afternoon, five days per week.

James Sanders Drain - Surveyor Cummins advised that he has nothing new to report on the progress.

John Ward Drain – Surveyor Cummins advised that the project has been completed.

John Galey Drain - Surveyor Cummins advised that he has nothing new to report on the progress.

Basil VanCleave Drain – Surveyor Cummins advised that he has nothing new to report on the progress.

Watershed Owner List – Surveyor Cummins advised that the Mapping Department is currently working on the owner lists for the new watersheds to be turned in to the Auditor for assessments.

New Business

Jack Grumble moved to approve the 2008 Off List as presented and Kenny Pearson seconded. 5-0 votes in favor. Motion carried. A copy of the list is attached hereto.

Updated 3/11/08
2008 OFF List

Foster Fletcher Drain – Jeff Healy – Banning Engineering presented “An Agreement for the Provision of Limited Professional Engineering Services”. The agreement states that Mr. Healy will provide all pertinent information to the Drainage Board regarding process of converting the Foster Fletcher Drain from a typical farm drain to an urban drain in light of the planned major construction planned for the north side of Crawfordsville. The cost for these services will be \$3,300. **Deanna Durrett moved to approve the proposal from Banning Engineering as presented and Bill McCormick seconded. 5-0 votes in favor. Motion carried.**

Meeting recessed @ 9:50 a.m.

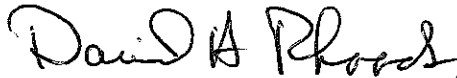
Meeting reconvened @ 10:00 a.m.

Chairman David Rhoads opened the hearing on Petition 2007-2, Wilkins Farms, Inc., v. Carl E. Gwin Farms, Inc. C. K. Wilks and Ward Wilks, with counsel, John Capper, appeared before the board representing Wilks Farms, Inc. Dan Gwin, with counsel, James Schrier, appeared before the Board representing Carl E. Gwin Farms, Inc. After hearing the evidence presented from each side, and following discussion, **Jack Grimble moved to deny the petition and David Rhoads seconded. 4 votes in favor of the motion, 1 vote against. Motion carried.**

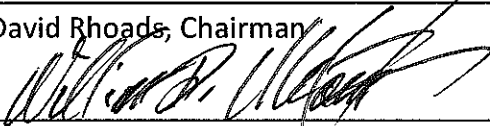
There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 12:45 a.m.

Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



David Rhoads, Chairman



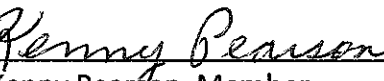
William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

Meeting recessed @ 9:50 a.m.
 Meeting reconvened @ 10:00 a.m.
 Chairman David Rhoads opened the hearing on Petition 2007-2, Wilkins Farms, Inc., v. Carl E. Gwin Farms, Inc. C. K. Wilks and Ward Wilks, with counsel, John Capper, appeared before the board representing Wilks Farms, Inc. Dan Gwin, with counsel, James Schrier, appeared before the Board representing Carl E. Gwin Farms, Inc. After hearing the evidence presented from each side, and following discussion, Jack Grimbble moved to deny the petition and David Rhoads seconded. 4 votes in favor of the motion, 1 vote against. Motion carried.

Foster Fletcher Drain – Jeff Healy – Banning Engineering presented “An Agreement for the Provision of Limited Professional Engineering Services”. The agreement states that Mr. Healy will provide all pertinent information to the Drainage Board regarding process of converting the Foster Fletcher Drain from a typical farm drain in light of the planned major construction planned for the north side of Crawfordsville. The cost for these services will be \$3,300. Deanna Durrett moved to approve the proposal from Banning Engineering as presented and Bill McCormick seconded. 5-0 votes in favor. Motion carried.

**2008 OFF List
 Updated 3/11/08**

- | | |
|---------------------------|----------------------------|
| #502 – Wiley Bastion | #586 – Joseph Ludlow |
| #507 – Nancy Clark | #587 – Charles Schoen #2 |
| #508 – Howard Cline | #595 – Boswell Clough |
| #511 – Benjamin Crabbs | #596 – Arthur Fraley |
| #521 – James Grimes | #598 – Moores Heights |
| #522 – William Hawker | #600 – William Davis |
| #523 – Levi Hawkins | #603 – Moses Maxwell |
| #525 – Kenneth Hudson | #604 – John Walkup |
| #526 – Samuel Humphrey | #608 – John McCorkle |
| #527 – George Hutchinson | #610 – William McBee |
| #529 – George Kendall | #614 – Edward Dykes |
| #532 – Charles Leas | #615 – Margaret Remley |
| #536 – Lough Miller | #617 – Harrison Doyle |
| #537 – Charles Ludlow #2 | #619 – Thomas Clark |
| #539 – Minnich-Miser-Corn | #620 – John Smith |
| #540 – Martin McBee | #621 – John Cochran |
| #545 – Charles McFarland | #624 – Robert Rutan |
| #546 – George Nichols | #625 – Richard Thomas |
| #548 – Edward Patton | #627 – Francis Hoss |
| #552 – Charles Schoen #1 | #630 – Oscar Flaningam |
| #557 – Swearingen Runyon | #631 – Clarence Murphy |
| #563 – George Washburn | #632 – Thomas Armstrong |
| #567 – Martin Young | #634 – Albert Flaningam |
| #573 – Foster Fletcher | #635 – William Kirkpatrick |
| #575 – Martin Gray | #637 – Robert Niven |
| #577 – Miller & White | #638 – David Thewlies |
| #584 – Phillip Dewey | #640 – Needham Booher |
| #601 – Jenkins Drain | #571 – Zeigler |

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, MARCH 24, 2008
MINUTES

The Montgomery County Drainage Board met on Monday, March 24, 2008 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grimble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; and Drainage Board Recording Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Aleasha Sandley, Journal-Review; Marian Lindow, League of Women Voters.

Chairman Dave Rhoads called the meeting to order @ 9:30 a.m. and led the Pledge of Allegiance and Pastor Stewart led the prayer.

Minutes – March 10, 2008

Bill McCormick moved to approve the minutes of March 10, 2008. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.

REPORTS

Drain Accounts - Deanna Durrett advised she had nothing to report at this time.

Reconstruction Progress

James Sanders Drain - Surveyor Cummins advised that he has nothing new to report on the progress.

John Ward Drain – Surveyor Cummins advised that the project has been completed except for the spoil piles.

Basil VanCleave Drain – Surveyor Cummins advised that he has nothing new to report on the progress.

Repair Progress

John Galey Drain - Surveyor Cummins advised that he has nothing new to report on the progress.

Part time secretarial support – Surveyor Cummins introduced Vicki Emmert as the new part-time secretary in the Surveyor's office.

Foster Fletcher Drain – Surveyor Cummins advised that Jeff Healy from Banning Engineering has begun his study on the Foster Fletcher Drain possible conversion to an urban drain.

Old Business

Revised Meeting Schedule – *Deanna Durrett moved to adopt the following revised meeting schedule:*

May 12, 2008 – Meeting cancelled due to planting.

June 26, 2008 – Presentation to landowners at Southmont High School 10:00-2:00 p.m.

July 28, 2008 – Landowner meeting at North Montgomery High School.

August 11, 2008 – Meeting cancelled.

August 25, 2008 – Landowner meeting at Crawfordsville Public Library.

September 22, 2008 – Meeting cancelled due to planting.

Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Odus Stafford Drain – Surveyor Cummins advised that he is currently searching for a local surveyor to do the elevations needed.

John Galey Reconstruction – Surveyor Cummins advised that after researching the minutes and discovered there are no minutes and no order for the reconstruction, that his office will proceed with the project as a repair.

County Code of Ordinances – Drainage Board Attorney Milligan advised that she has been reviewing the current County Code of Ordinances pertaining to the Drainage Board. She reviewed with the Board the redundancies in the code. Deanna Durrett moved to rescind the entire Drainage Code and substitute with her proposal of December 27, 2007. Jack Grimble seconded. After further discussion, the Board requested that the item remain under Old Business for the next Drainage Board meeting.

Petitions for Reconstruction

Guy Little Drain & Chrineyance-Schenck – Deanna Durrett moved to schedule a hearing on April 14, 2008 for the Guy Little Drain as requested by Rex Ballard and the Chrineyance-Schenck Drain as requested by Randy McCormick. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

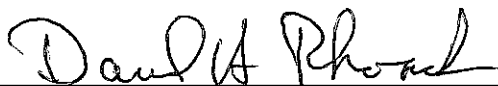
Other Business

Wilkins Drain – Bill McCormick requested permission from the Board to speak on behalf of the Board to the CK Wilkins and Ward Wilkins regarding filing a petition for a reconstruction. Surveyor Cummins advised he will speak with Mr. Gwin also regarding filing a petition for a reconstruction.

There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 10:40 a.m.

Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



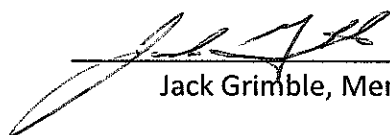
David Rhoads, Chairman



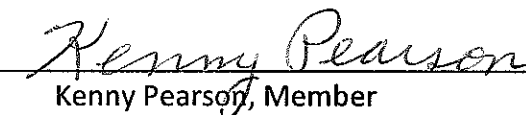
William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, APRIL 14, 2008
MINUTES

The Montgomery County Drainage Board met on Monday, April 14, 2008 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grimble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; and Drainage Board Recording Secretary Lori Dossett.

Also present: Aleasha Sandley, Journal-Review; Marian Lindow, League of Women Voters; Randy McCormick; Adrian McClain; Curt McClain; CK Wilkins; Wade Bennett; Ann Minnick; Darrell Birge; Jesse Evans; Rex Ballard.

Chairman Dave Rhoads called the meeting to order @ 9:30 a.m. and led the Pledge of Allegiance and Pastor Alan Goff led the prayer.

Minutes – March 24, 2008

Jack Grimble moved to approve the minutes of March 24, 2008. Kenny Pearson seconded. 5-0 votes in favor. Motion carried.

Hearings – Petitions for Advancement of the Date for Reconstruction

Guy Little Drain & Chrineyance-Schenck Drain – After discussion with the landowners, *Deanna Durrett moved to instruct Surveyor Tom Cummins to explore with the landowners and Chris Torp from Soil & Water options regarding repair to the drain versus reconstruction and report back to the Drainage Board. Bill McCormick seconded. 5-0 votes in favor. Motion carried.*

Reports

2007 Ditch Listing Report & Analysis – Deanna Durrett distributed the 2007 End of Year Ditch Listing Report to the Board. Durrett advised that to date \$16,074.93 has been earned in interest which is funds are deposited back into the improvement fund.

Correction of Error for Martin Gray & Kirkpatrick One – Durrett advised that the Martin Gray Drain and Kirkpatrick One Drains were taken off of assessment back in 2006. The property owners on the Martin Gray Drain and Kirkpatrick One Drain are still currently paying assessments. Durrett advised that she is looking into refunding the property owners the overpaid assessments.

Reconstruction Progress

James Sanders Drain - Darrell Birge advised that he is waiting on approval from Joe Myers to cross his property to finish the repairs to the Sanders Drain.

John Ward Drain – Surveyor Cummins advised that the project has been completed except for the spoil piles.

Basil VanCleave Drain – Surveyor Cummins advised that the tile work has been completed and the contractors are waiting for the weather to clear to finish the project.

Repair Progress & Completed Repairs

Surveyor Cummins reported that there have been current repairs on the following drains: James Gilliland; John Gobin #2; Sarah Kincaid; Lough Miller; William McClamroch; Charles McFarland; Albert Nobes; Swearingen-Runyon; Richard Virts; Odis Stafford; and Richard Thomas Drains.

Surveyor Cummins reported that the following drain repairs have been completed: Edward Patton; Charles Newkirk; Benjamin Remley; John Coyner; and Isaac Shotts Drains.

Foster Fletcher Drain – Surveyor Cummins advised he had nothing new to report on the progress of the urban drain study being conducted by Jeff Heely from Banning Engineering.

Website Progress & Presentations – Surveyor Cummins reported that he is scheduled to give presentations to the Sugar Creek Kiwanis, Farmers State Bank, Crawfordsville Young Professionals and Ladoga Lions Club in the next few months.

James Hose Drain – Wade Bennett questioned who is responsible to repair a tile that is cut during construction by a contractor. Bennett advised that Mrs. Berry on Vine & High Street, Linden has a repair to a tile in front of her property that needs to be done. Surveyor Cummins was instructed by the Drainage Board to discuss options with Drainage Board Attorney Suanne Milligan and with the surrounding counties on how the situation is handled and report back to the Drainage Board.

Old Business

Drain Classifications – Surveyor Cummins presented Drain Classifications for the Guy Little Drain, John Gobin Drain and Thomas Wilkins Drain. *Deanna Durrett moved to approve the Drain Classifications on the Guy Little Drain, John Gobin Drain and Thomas Wilkins Drain as presented by the Surveyor. Jack Grimble seconded. 5-0 votes in favor. Motion carried.*

Petitions for Advancement of the Date for Reconstruction –

Bill McCormick moved to set landowner hearings on the John Gobin Drain, Thomas Wilkins Drain and Alvin Sparks Drain on April 28, 2008 @ 9:30 a.m.. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.

Other Business

Allie Peterson Drain – Tile Repair Proposal – Surveyor Cummins presented a proposal from Cain’s Homelike Farms, Inc. for repairs to the Allie Peterson Drain. Surveyor Cummins advised that he will be gathering further information regarding the repairs and report back to the Drainage Board.

Chairman David Rhoads advised that the next Drainage Board meeting will be held on Monday, April 28 and there being no further business before the Drainage Board, *Bill McCormick moved to adjourn. Jack Grimble seconded. 5-0 votes in favor. Motion carried.*

Meeting adjourned @ 10:45 a.m.

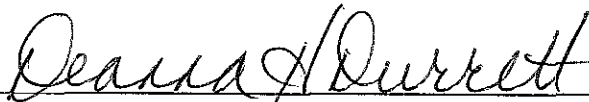
Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



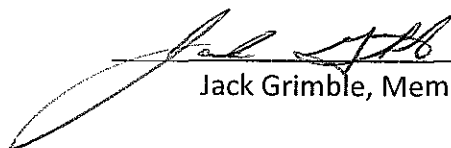
David Rhoads, Chairman



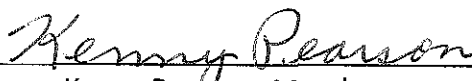
William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD

MONDAY, APRIL 28, 2008

MINUTES

The Montgomery County Drainage Board met on Monday, April 28, 2008 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grimble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; and Drainage Board Recording Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Building Administrator Marc Bonwell; Aleasha Sandley, Journal-Review; Marian Lindow, League of Women Voters; Vicki Emmert; Ron Cunningham – Vester & Associates, Inc.; CK Wilkins; Wade Bennett; Rick Bymaster; Mary Rose Duncan; Ann Minick; Alan Goff; Mark Kessler; Dave Deckard-Deckard Engineering; Ed Chenoweth.

Chairman Dave Rhoads called the meeting to order @ 9:30 a.m. and led the Pledge of Allegiance and David Deckard led the prayer.

Minutes – April 14, 2008

Jack Grimble moved to approve the minutes of April 14, 2008. Kenny Pearson seconded. 5-0 votes in favor. Motion carried.

Hearings – Petitions for Advancement of the Date for Reconstruction

John Gobin Drain – Petitioner Wade Bennett requested reconstruction of the *John Gobin Drain*. *Bill McCormick moved to instruct Surveyor Tom Cummins to proceed with the reconstruction report to be presented to the Board by May 27, 2008, or the earliest board meeting in accordance with notice requirements. Jack Grimble seconded. 5-0 votes in favor. Motion carried.*

Thomas Wilkins Drain – Petitioner CK Wilkins and Dan Gwin requested reconstruction of the *Thomas Wilkins Drain*. *Bill McCormick moved to instruct Surveyor Tom Cummins to proceed with the reconstruction report to be presented to the Board by May 27, 2008, or the earliest board meeting in accordance with notice requirements. Jack Grimble seconded. 5-0 votes in favor. Motion carried.*

Alvin Sparks Drain – Petitioner JoAnne Linn requested reconstruction of the *Alvin Sparks Drain*. *Jack Grimble moved to instruct Surveyor Tom Cummins to proceed with the reconstruction report to be presented to the Board by May 27, 2008, or the earliest board meeting in accordance with notice requirements. Kenny Pearson seconded. 5-0 votes in favor. Motion carried.*

Reports

Surveyor Cummins advised he had nothing to report on the reconstruction progress, repair progress or the urban drain report at this time.

Old Business

County Code of Ordinances – Deanna Durrett moved to recommend that the Commissioners rescind the current County Drainage Code substitute

33.01 Drainage Board:

“Drainage Board established: There is established a drainage board that shall act in the name of the Montgomery County Drainage Board. Authority: The Drainage Board is governed by Indiana Code 36-9-27.

Membership: The Montgomery County Drainage Board shall consist of five (5) members appointed by the Board of Commissioners. One (1) member shall be a Montgomery County Commissioner. Four (4) members shall be residents of Montgomery County who are freeholders and who are knowledgeable in drainage matters. Of the four freeholders at least

one shall be recommended to the Board of Commissioners by the Board of Montgomery County Soil and Water Conservation District (provided, however, the Board of Commissioners retains discretion to appoint or reject the recommendation); one shall be a resident who lives in either Coal Creek, Madison, Sugar Creek, Wayne, North Union or Franklin townships; one shall be a resident who lives in either Ripley, South Union, Walnut, Brown, Scott or Clark townships. The four freeholders shall serve for terms of three (3) years with their initial appointments made so as to provide for staggering of terms on a an annual basis. (Ordinance 2007-1, April 9, 2007)

Board practice: The Drainage Board may establish practices consistent with its authority under Indiana law.” Jack Grimble seconded. 4 votes in favor. 1 abstained (McCormick). Motion carried.

Stormwater Reviews –

Kessler Hog Farms – Mark Kessler appeared before the Drainage Board suggesting that the installation of a perimeter tile around his facility would suffice the drainage issue of runoff from the hog buildings. After discussion, **Bill McCormick moved to require that a detailed tile plan be presented to DLZ to their review. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.**

*Drainage Board Member Bill McCormick left the meeting after the discussion of the Kessler Hog Farm.

Two-Cycle Plus – Dave Deckard of Deckard Engineering requested a variance requirement for a dentition pond. Deckard stated it was his opinion that the water runoff would not be a significant difference, there has always been runoff on the adjacent property. The adjacent property owner Ann Minick stated that she had never had a problem with runoff on her property until the Two-Cycle Plus building was built. She showed a video of an April 17, 2008 rain event. Building Administrator Marc Bonwell questioned if the Board wanted to continue plugging the pipe. He advised that the rock basin installed has stopped the direct release. **Deanna Durrett moved to put the matter on hold until a special Drainage Board meeting on Monday, May 12th. Kenny Pearson seconded. 4-0 votes in favor. Motion carried.**

Corrections of Errors – **Martin Gray Drain and Kirkpatrick One Drain.** Deanna Durrett advised that the Surveyor’s office will begin the paperwork for the refunds owed to the property owners on the Martin Gray and Kirkpatrick One Drains.

New Business

Sarah Kincaid Drain and James Emerson Drain - Deanna Durrett explained that in 2000 and 2002 the assessments for the reconstruction loans for those drains were not put on the tax statements. She also explained that she has been advised that on the Sarah Kincaid Drain, Treasurer Donna Bowling does not have a copy of the drainage assessment for Rosemary Bymaster's initial tax bill due on November 12, 2007. It is therefore possible that Mrs. Bymaster did not receive an assessment and that the penalties assessed to Mrs. Bymaster should be removed. **Jack Grimble moved to request that the Auditor remove the penalties and let the spring tax installment be for her initial assessment. Kenny Pearson seconded. 4-0 votes in favor. Motion carried.**

Claims

Frank James -

Issac Shotts Drain - \$895.00

Charles Newkirk Drain - \$1,457.75

Benjamin Remley Drain - \$1,566.85

Maxwell Farm Drainage –

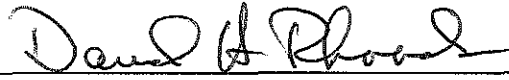
Edward Patton Drain - \$9,649.85

Deanna Durrett moved to approve the claims in the amount of \$895 – Issac Shotts Drain, \$1,457.75 – Charles Newkirk Drain, \$1,566.85 – Benjamin Remley Drain, \$9,649.85 – Edward Patton Drain. Jack Grimble seconded. 4-0 votes in favor. Motion carried.

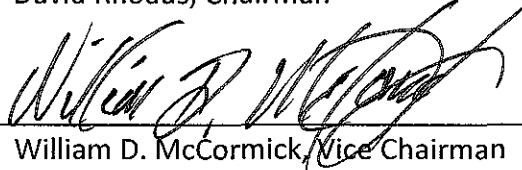
There being no further business before the Drainage Board, *Kenny Pearson moved to adjourn. Jack Grimble seconded. 4-0 votes in favor. Motion carried.*

Meeting adjourned @ 11:15 a.m.

Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



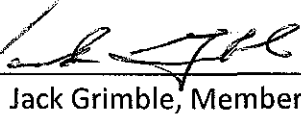
David Rhoads, Chairman



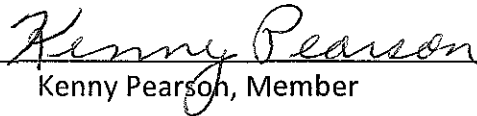
William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

Regarding the April 28 minutes, Cummins is misspelled in the section regarding Gobin, Wilkins, and Sparks. And in the section about the code of Ordinances, after 1 abstained, add "Motion carried." Also, the amounts of all the claims need to be filled in.

SPECIAL MEETING
MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, MAY 12, 2008
MINUTES

The Montgomery County Drainage Board met on Monday, May 12, 2008 in the conference room of the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grumble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; and Drainage Board Recording Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Building Administrator Marc Bonwell; Mark Kessler; Greg Myers, Mrs. Mennick.

Chairman David Rhoads called the meeting to order @ 9:30 a.m.

Kessler Hog Farms - Mark Kessler advised that he does not have an approved tile plan. Administrator Bonwell advised that Mr. Kessler's plans were sent to DLZ and the findings were that the tiles will not handle the water. Commissioner McCormick advised Mr. Kessler that he will need to provide the Board with a drainage plan that conforms to the ordinance. **Bill McCormick moved to table the Kessler Hog Farm storm water plan. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.**

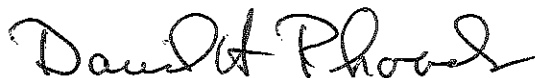
Two-Cycle Plus – Administrator Bonwell advised that the plans have been reviewed by DLZ and the findings were not completely cleared by DLZ. A variance to the detention requirement will have to be approved by the Drainage Board. Administrator Bonwell stated that there is a clause for exceptions in a situation of small parcelization. The building lot for this project is one acre. Adjacent property owner Minnick contends that as a result of the building construction, it has caused further erosion on her property. **Deanna Durrett moved to accept the storm water plan for Two-Cycle Plus with the detention waiver and require that Mr. Myers extend the level spreader back to the south past the power pole. Bill McCormick seconded. 5-0 votes in favor. Motion carried.**

Administrator Bonwell advised that he has plans for the Whitesville Christian Church that will require Drainage Board approval. The Drainage Board scheduled a special meeting for Thursday, May 15, 2008 @ 9:00 a.m. The meeting will be held at the South Boulevard County Building.

There being no further business before the Drainage Board, **Jack Grumble moved to adjourn. Bill McCormick seconded. 5-0 votes in favor. Motion carried.**

Meeting adjourned @ 10:15 a.m.

Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



David Rhoads, Chairman



William D. McCormick, Vice Chairman

Deanna Durrett

Deanna Durrett, Secretary

Jack Grimbé

Jack Grimbé, Member

Kenny Pearson

Kenny Pearson, Member

SPECIAL MEETING
MONTGOMERY COUNTY DRAINAGE BOARD
THURSDAY, MAY 15, 2008
MINUTES

The Montgomery County Drainage Board met on Thursday, May 15, 2008 in the conference room of the South Boulevard County Building, 110 West South Boulevard, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grimble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; and Drainage Board Recording Secretary Lori Dossett.

Also present: Building Administrator Marc Bonwell.

Chairman David Rhoads called the meeting to order @ 9:00 a.m.

Building Administrator Marc Bonwell presented drainage plans for the Whitesville Christian Church. The new church will be located on a 10 acre site at Ladoga Road and CR200E. Bonwell advised that the plans request a variance to decrease the freeboard two foot requirement to a one and one-half foot requirement because of the existing elevations. **Bill McCormick moved to approve the drainage plans for the Whitesville Christian Church with the variance as requested. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Administrator Bonwell advised that he will be presenting drainage plans for the proposed Steel City truck stop which will be located at the corner of SR32 and I74 and plans for the New Market Firehouse. Bonwell advised that the drainage plans for the New Market Firehouse were previously approved by the Board a few years ago, but the location of the building has changed and given those changes, new plans will be submitted.

There being no further business before the Drainage Board, **Jack Grimble moved to adjourn. Bill McCormick seconded. 5-0 votes in favor. Motion carried.**

Meeting adjourned @ 9:25 a.m.

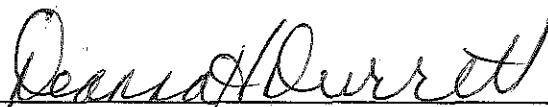
Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



David Rhoads, Chairman



William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, MAY 27, 2008
MINUTES

The Montgomery County Drainage Board met on Tuesday, May 27, 2008 in the conference room of the Crawfordsville District Public Library, Crawfordsville, Indiana.

Those members present were as follows: David Rhoads Chairman; Commissioner William D. McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grimble, Member; Kenny Pearson, Member; Surveyor Tom Cummins; and Drainage Board Recording Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Building Administrator Marc Bonwell; Aleasha Sandley, Journal-Review; Marian Lindow, League of Women Voters; Vicki Emmert; Ron Cunningham – Vester & Associates, Inc.; Alan Goff; Mark Kessler; Stoney McGaughey, Dev Patel, Nicole Copeland; Rob Durrett.

Chairman Dave Rhoads called the meeting to order @ 9:30 a.m. and led the Pledge of Allegiance and Alan Goff led the prayer.

Minutes – May 12, 2008 & May 15, 2008

Kenny Pearson moved to approve the minutes of May 12, 2008 & May 15, 2008. Bill McCormick seconded. 5-0 votes in favor. Motion carried.

Reconstruction Progress Reports

Surveyor Cummins reported that the Sanders Drain reconstruction is complete and the John Ward & Basil & Anna VanCleave Drains are waiting for the weather conditions to improve.

Repair Progress Report

Surveyor Cummins advised that repairs have been completed on the following drains: Charles Newkirk, John Gobin #2, Arthur Fraley, John Coyner, Joseph Ludlow, Samuel Humphrey, Kenneth Hudson, Sarah Kincaid, Benjamin Remley, Charles McFarland, Richard Virts, Edward Patton, Albert Nobes, Lough-Miller, and William McClamroch.

Surveyor Cummins advising the repairs are pending on the following drains: Allie Peterson, Charles Schoen #2, Edward Dykes, William McBee, Chrineyance Schenck, Joseph Gray, A.F. Ward, William Buchanan, E.P. McClaskey, Needham-Booher, Odis Stafford, Raymond Weliever, John Galey, James Gilliland and Swearingen-Runyan.

Bill McCormick moved to approve claims on the John Gobin #2 Drain in the amount of \$ 2,133.01 and William McClamroch Drain \$1,529.59. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Urban Drain Report

Surveyor Cummins advised that he has nothing new to report on the urban drain project. Mr. Heely from Banning Engineering is still working on the plan.

Old Business

County Code of Ordinances – Ms. Durrett advised that the proposed County Code of Ordinances will be presented to the Commissioners at their meeting today.

Financial Report – Ms. Durrett presented the financial report to the Board. Ms. Durrett advised the \$16,839.70 in interest has been earned to date.

Kessler Hog Farms – Mark Kessler advised that he is working with an engineer specializing in swine confinements and will provide information to the Board when it becomes available.

Drain Funds – Ms. Durrett read a proposed letter to Auditor Michelle Cash regarding maintenance and improvement fund balances. ***Bill McCormick moved to open the matter for***

discussion. Ms. Durrett seconded. Ms. Durrett explained that there are approximately 160 drains with two drain funds. She stated in order to balance the books, the balances in each of the accounts need to add up to the fund balance. The books have not balanced in the past and the Surveyor's office has not received a report. She advised that she has requested a ditch listing report from the Auditor's office and she has not received them. Ms. Durrett stated that the Board has a responsibility to be sure that the landowner accounts are accurate. **Bill McCormick moved to sign the letter to the Auditor as presented regarding the ditch listing report and end of the month balances and the letter should be delivered by Certified Mail. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Bank Loan Late Fees – Ms. Durrett advised that the former surveyor did not submit paperwork to assess landowners for two reconstructions where bank loans were obtained. Late fees were incurred and taken out of the landowner maintenance funds. Ms. Durrett stated it was not the landowners' responsibility that the fees were incurred, that it is the Auditor's responsibility. Ms. Durrett has spoken with the State Board of Accounts and they have agreed that the late fees should be taken out of the general drain improvement fund in the approximate amount of \$300. **Bill McCormick moved to sign the letter to the Auditor as presented requesting that the late fees be paid out of the general improvement fund and that the letter should be mailed by certified mail. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Hampton Inn & Suites Drainage Plan – Building Administrator Marc Bonwell presented the Hampton Inn & Suites Drainage Plan. Administrator Bonwell stated that the project will overload the Foster Fletcher Drain. The Foster Fletcher is a farm drain not constructed to meet the requirements of a storm water drain. Stoney McGaughey, representing Dev Patel and Nicole Copeland, stated that his clients are willing to cooperate within reason with the County when the Foster Fletcher Drain is converted into an urban drain. Jeff Heely of Banning Engineering is currently working on recommendations for the Foster Fletcher watershed conversion to an urbanized drain. Mr. Heely recommended that if approval is granted by the Board for the project that there should be conditions attached to the approval. **Ms. Durrett moved and seconded by Jack Grimble, to approve the following proposed development, subject to petitioners' willingness to cooperate when the Foster Fletcher Drain is converted into an urban drain:**

"Hotel Tract – Part of the northeast quarter of Section (19), Township nineteen (19) north, Range four (4) west, in North Union Township, Montgomery County, Indiana, more particularly described as follows: Commencing at a rebar found marking the southeast corner of said northcast quarter, and running THENCE North 89 degrees 40 minutes 05 seconds West for a distance of 1106.88 feet to a 5/8 x 24 inch capped rebar marked Deckard Survey Firm #44 (hereinafter referred to as a Deckard rebar); THENCE North 00 degrees 05 minutes 13 seconds East for a distance of 765.16 feet to a Deckard rebar located at the southeast corner of a 2.623 acre tract conveyed by Devchand B. Patel et. al. to Rahee Hospitality, Inc. as recorded in deed record 298, page 276 dated Nov. 7, 1997, in the Office of the Montgomery County Recorder; THENCE North 89 degrees 41 minutes 08 seconds West with the south line of said 2.623 acre tract for a distance of 55.00 feet to a Deckard rebar marking the true point of beginning; THENCE continuing with said south line and its westerly prolongation North 89 degrees 41 minutes 08 seconds East for a distance of 215.00 feet to a Deckard rebar; THENCE leaving said South line and running South 00 degrees 05 minutes 13 seconds West for a distance of 440.00 feet to a Deckard Rebar; THENCE South 89 degrees 41 minutes 08 seconds East for a distance of 215.00 feet to a Deckard Rebar; THENCE North 89 degrees 41 minutes 08 seconds East for a distance of 215.00 feet to a Deckard Rebar; THENCE North 00 degrees 05 minutes 13 seconds East for a distance of 440.00 feet to the place of beginning, containing 2.172 acres, more or less.

Street Easement Tract – Together with and subject to an easement for the purpose of ingress/egress, drainage and utilities more particularly described as follows: Commencing at a rebar found marking the southeast corner of said northeast quarter, and running THENCE North 89 degrees 40 minutes 05 seconds West for a distance of 1106.88 feet to a 5/8 x 24 inch capped rebar marked Deckard Survey Firm #44 (hereinafter referred to as Deckard rebar); THENCE North 00 degrees 05 minutes 13 seconds East for a distance of 765.16 feet to a

Deckard rebar located at the southeast corner of a 2.623 acre tract conveyed by Devchand B. Patel et. al. to Rahee Hospitality, Inc. as recorded in deed record 298, page 275 dated Nov. 7, 1997, in the Office of Montgomery County Recorder; THENCE North 89 degrees 41 minutes 08 seconds West with the south line of said 2.623 acre tract for a distance of 55.00 feet to a Deckard rebar marking the true point of beginning; THENCE leaving south line and running South 00 degrees 05 minutes 13 seconds West for a distance of 695.14 feet to a point on the northerly right-of-way of Industrial Boulevard; THENCE South 89 degrees 40 minutes 05 seconds East with said northerly right-of-way for a distance of 55.00; THENCE leaving said right-of-way and running North 00 degrees 05 minutes 13 seconds East for a distance of 695.16 feet to a Deckard rebar; THENCE north 89 degrees 41 minutes, 08 secods West for a distance of 55.00 feet to the place of beginning, containing 0.878 acres (28,233.25 sq. ft.), more or less.

Drainage Easement Tract – Also, together with and subject to an easement for the purpose of drainage and utilities more particularly described as follows: Commencing at a rebar found marking the southeast corner of said northeast quarter, and running THENCE North 89 degrees 40 minutes 05 seconds West for a distance of 1106.88 feet to a 5/8 x 24 inch capped rebar marked Deckard Survey Firm #44 (hereinafter referred to as a Deckard rebar); THENCE north 00 degrees 05 minutes 13 seconds East for a distance of 765.16 feet to a Deckard rebar located at the southeast corner of a 2.613 acre tract conveyed by Devchand B. Patel et. al., to Rahee Hospitality, Inc. as recorded in deed record 298, page 275 dated Nov. 7, 1007, in the Office of Montgomery County Recorder; THENCE North 89 degrees 41 minutes 08 seconds West with said south line and its westerly prolongation for a distance of 270.00 feet to a Deckard rebar marking the true point of beginning of the described drainage easement; THENCE North 00 degrees 05 minutes 13 seconds East for a distance of 160.00 feet to a Deckard rebar; THENCE South 89 degrees 41 minutes 08 seconds East for a distance of 115.00 feet to a point; THENCE South 00 degrees 05 minutes 13 seconds West for a distance of 195.00 feet to a point; THENCE North 89 degrees 41 minutes 08 seconds West for a distance of 115.00 feet to a point; THENCE North 00 degrees 05 minutes 13 seconds East for a distance of 35.00 feet to the place of beginning; containing 0.514 acres (22,389.84 sq. ft.), more or less”

5-0 votes in favor. Motion carried.

Ms. Durrett moved to instruct Surveyor Tom Cummins to look into declaring the Foster Fletcher Drain an impact area. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Sarah Kincaid & James Emerson Drains – Ms. Durrett stated that the County Treasurer Donna Bowling has been unable to locate a copy of the billing for a second parcel of Rosemary Bymaster which now shows that Ms. Bymaster owes interest and penalties. Jack Grimble moved to notify the Treasurer of Montgomery County by letter requesting that the interest and penalties be removed and the billing should be an initial statement. Kenny Pearson seconded. 5-0 votes in favor. Motion carried.

Request to Council for Bank Loans – Ms. Durrett stated that she appeared before the County Council at the May 20th meeting requesting that the Auditor obtain a loan when the invoices for the project have been turned in on behalf of the Drainage Board. The Council voted to authorize the Auditor to investigate loans on behalf of the Drainage Board. Durrett requested that the other members of the Drainage Board appear at the June Council meeting to request the reconstruction loan.

Ms. Durrett advised that the law requires that the certification of assessments and needs to be signed by the Board and sent to the Auditor. Mr. Maxwell and Mr. Birge can be paid out of the drain improvement fund temporarily until the loan is obtained. Ms. Durrett presented an encumbrance form and a certification of assessment form for the Basil & Anna VanCleave Drain and the John Ward Drain.

Corrections of Errors – Martin Gray Drain and Kirkpatrick One Drain. Ms. Durrett advised that the surveyor’s office will check on the status of the refunds.

New Business

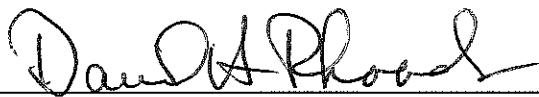
Long Range Plan – Surveyor Cummins presented the Long Range Plan to the Board for approval. **Bill McCormick moved to take the long range plan under advisement. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Raise Rates on William McClamrock Drain – Surveyor Cummins reported that as a result of the recent repairs to the William McClamrock Drain, the maintenance account has a negative balance of \$3,500. The drain has assessment rate of \$1.51 per acre which earns approximately \$735 per year. **Ms. Durrett moved to hold a hearing to raise the assessment rate on the William McClamrock Drain on June 23, 2008 and request that the Surveyor calculate the amount. Bill McCormick seconded. 5-0 votes in favor. Motion carried.**

There being no further business before the Drainage Board, **Kenny Pearson moved to adjourn. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Meeting adjourned @ 10:55 a.m.

Minutes prepared by Lori Dossett, Drainage Board Recording Secretary.



David Rhoads, Chairman



William D. McCormick, Vice Chairman



Deanna Durrett, Secretary

Jack Grimble, Member



Kenny Pearson, Member

Montgomery County Drainage Board
June 9, 2008
Minutes

The Montgomery County Drainage Board met on Monday, June 9, 2008 in the basement conference room of the Crawfordsville District Public Library at 9:30 a.m.

The meeting was brought to order by Mr. David Rhoads, with the pledge of allegiance and a prayer by Mr. Allen Goff.

Board members in attendance were David Rhoads, Chairman; Commissioner, William McCormick, Vice Chairman; Deanna Durrett, Secretary, Jack Grimble, and Kenneth Pearson members. Tom Cummins Surveyor. Drainage Board Recording Secretary Vicki Emmert, and attorney Suanne Milligan. Also present: Marc Bonwell, Lori Dossett, Allen Goff, Marian Lindow, of the League of Woman Voters, Penny King, Donna Sobolick, Stacey Ellsbury, Darrell Birge, Wade Bennett, Joe Miller, Lynn Fellows, Mary Rose Duncan, Mr. And Mrs. Dan Gwin, Donya Lester, Carl Gwin, Jo Ann Linn, Mitch ____, Jim Simpson, Ed Chenoweth, C.K. Wilkins, Jeff Myers, Rodger Winger, Andy Springer, Curt Hudson, Bob Hayes, Wayne Lasley of Lasley Enterprises LLC, Jerry & Nancy McBee and Aleasha Sandley of the Journal-Review.

There were no minutes to be approved at this time.

It was stated by Deanna Durrett that a special letter from Tom Cummins and Mrs. Durrett was being sent to the board stating that Vicki Emmert was hired in March 2008 and will now take the board minutes. Mrs. Durrett thanked Lori Dossett for her service as recording secretary for the past seven years.

Old business:

Deanna Durrett inquired whether the drainage board would like to share a booth at the Montgomery County 4-H Fair with the Soil and Water group. The Fair is July 17-24, 2008. Discussion was on the cost of a booth and liability insurance. **Bill McCormick moved, seconded by Kenneth Pearson that the board should get more details of costs before proceeding as to whether to have a booth or not. Motion carried 5-0**

Mrs. Durrett stated that the council had a special meeting to obtain loans because you cannot take money from the general fund to pay back the improvement funds from a loan that you may have already.

The Long Range Plan for the Drainage Board office was passed out at the last meeting. Bill McCormick stated after looking at the plan he thought it might be a little too aggressive on the plan for 2009. Mr. Cummins said it was a realistic goal. Dave Rhoads said to let the board know if he felt it was too much of a load at any time. **Jack Grimble moved, seconded by Bill McCormick to accept Tom Cummins long- range plan for 2009. Motion carried 5-0**

At the May 27, 2008 meeting a motion was passed about holding a hearing to raise the assessment on the **William McClamrock Drain**. Tom Cummins reported that **Prince Croy and George Conrad drains** may be combined and to delay the hearing. **Deanna Durrett, moved, seconded by Bill McCormick, to rescind the hearing to raise assessment on the William McClamrock drain. Motion carried 5-0**

New Business:

Mr. Rhoads announced that Surveyor Tom Cummins will present a program on June 26, 2008, sponsored by the Farmer's State Bank to all the landowners at Southmont High School.

A special meeting will be held on June 24, 2008 at 6:00 p.m. in the surveyor's office to discuss the budget.

Deanna Durrett will be absent several weeks this summer. She will request that the council transfer funds from her line item to the secretary line item so that Vicki Emmert can work mornings.

Discussion concerning advisory boards, landowners doing own work, and obstruction procedures were continued to a later date due to the busy agenda on June 9, 2008.

Tom Cummins stated that he has two contractors, possibly three, prepared to spray ditches this summer.

Alvin Sparks Ditch # 554

A hearing on a petition for reconstruction of the **Alvin Sparks Drain #554** was held. Surveyor Tom Cummins reported that notice was sent to all landowners. Surveyor Tom Cummins reported that the drain is located in Walnut Township and has caused trouble for years to the landowners. He presented a map of the present and proposed watershed and a visual plan for the reconstruction and an alternate plan. He provided, in writing, information regarding the anticipated cost for reconstruction. *Following discussion with landowners, Bill McCormick moved, seconded by Jack Grimble, to reduce the original reconstruction and to accept the alternate reconstruction plan for the Alvin Sparks Drain at approximately \$65,825.00. Motion carried, 5-0. Bill McCormick moved, seconded by Jack Grimble, to accept the new watershed as presented for the Alvin Sparks Drain. Motion carried, 5-0*

John Gobin #520

A hearing on a petition for reconstruction of the **John Gobin Drain, tributary 1 and 2** was held. Surveyor Tom Cummins reported that notice was sent to all landowners. Landowners Carl E. Gwin and Daniel C. Gwin presented objections to the proposed reconstruction, including objection to the form of notice, on June 4, 2008. Carl E. Gwin and Daniel C. Gwin waived, in writing, their objection as to the form of notice. The hearing proceeded. The following landowners or agents spoke: Andy Springer, manager for Farmland Reserve, Inc., Rodger Winger representing Mary Winger; Jeff Myers, representing Bob Horney; Dan Gwin; Wade Bennett; and Curt Hudson. *Bill McCormick moved, seconded by Mrs. Durrett, to continue the hearing to June 23, 2008 at 9:30 a.m. and request Surveyor Cummins to provide calculations for reconstruction, breaking this drain into four tributaries. Motion carried, 5-0*

Thomas Wilkins #589

A hearing on a petition for reconstruction of the **Thomas Wilkins Drain #589** was held. Surveyor Tom Cummins reported that notice was sent to all landowners. Landowner Daniel C. Gwin presented objections to the proposed reconstruction, including objection to the form of notice, on June 4, 2008. Daniel C. Gwin waived, in writing, his objection as to the form of notice. The hearing proceeded. Daniel C. Gwin objected that not enough reconstruction is being proposed. He would like to have the drain extended south of his house approximately 3,800 feet. He also objected that the proposed outlets are not big enough. *Following extended discussion by landowners, Mr. McCormick, seconded by Mrs. Durrett, to continue the hearing until July 14, 2008, at 10:00 a.m. so that the Surveyor can provide additional information and calculations. Motion carried, 5-0.*

The Surveyor presented the following claims:

\$2,468.55 to Maxwell Farm Drainage for work on the **Samuel Humphrey Drain #526**

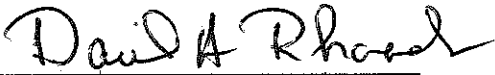
\$5,405.40 to Maxwell Farm Drainage for work on the **Joseph Ludlow Drain #586.**

Jack Grimble moved, seconded by Mrs. Durrett to approve payment of these claims. Motion carried, 5-0.


*Mr. Rhoads moved, seconded by Mr. McCormick, that the meeting be adjourned. .
Motion carried, 5-0. The meeting was adjournment at 11:35. a.m..*

Respectively Submitted By

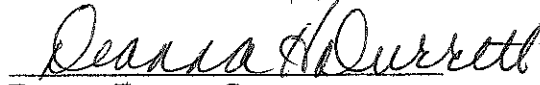
Vicki Emmert
Montgomery County
Drainage Board
Secretary



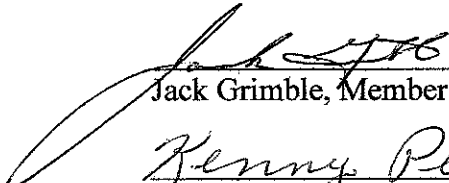
David Rhoads, Chairman



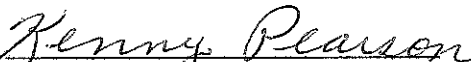
William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

1900

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Montgomery County Drainage Board

Monday, June 23, 2008

Minutes

The Montgomery County Drainage Board met on June 23, 2008 at the Crawfordsville District Public Library in the basement conference room.

The meeting was brought to order by David Rhoads, which was followed by the pledge of allegiance and a prayer given by Kenny Pearson.

Board members in attendance were David Rhoads Chairman; Commissioner William McCormick, Vice Chairman; Deanna Durrett, Secretary; and Kenneth Pearson, Member, Tom Cummins Surveyor. Board member Jack Grimble was not present. Drainage Board Recording Secretary Vicki Emmert.

Also present: Marc Bonwell, Andy Springer, Rob Braser, Bill Kimbley, Wayne Lasley, Rob Durrett of the League of Women Voters, Mr. & Mrs. Dan Gwin, Mrs. Donya Lester, Carl Gwin, Tim Jensen, Jeff Myers, Wade Bennett, Jerry and Nancy McBee, and Aleaysha Sandley of Journal Review.

Bill McCormick moved, seconded by Kenny Pearson to accept the minutes of the May 27, 2008 meeting. Motion carried 4-0.

Classification Report

Tom Cummins reported that the **Foster Fletcher #573 drain** with all the commercial growth in the area should be classified as an urban drain. ***Bill McCormick moved seconded by Deanna Durrett to reclassify the Foster Fletcher #573 Drain to an urban drain. Motion carried 4-0.***

Storm Water Approval

Tom Cummins, Surveyor gave a report on the Candlewood Suites storm water drainage plan.

Bill McCormick moved, seconded by Deanna Durrett to open it up for discussion. Motion carried 4-0.

Speaking on behalf of Candlewood Suites was Bill Kimbley of Kimbley and Proctor with their plan to increase the detention areas that would lower the rate of water to the out flow, which would benefit all. One detention area already exists and another one is to be built.

There will be two assessments one on the east for commercial use and one on the west for farmland. There will also be special wording that acknowledges the conditions set forth in the plans.

Bill McCormick moved, seconded by Kenny Pearson to accept the storm water drainage plan of Candlewood Suites. Motion carried 4-0.

Reports

Deanna Durrett reported that no loans have been finalized as of yet on the **James Sanders, John Ward and Basil Van Cleave Drains**. Two banks did turn in their proposals. ***Deanna moved, seconded by Kenny Pearson to accept the Linden State Bank's proposal with the lowest rate of 4% for the James Sanders, John Ward and Basil Van Cleave Drain loans. Motion carried 4-0.***

Old Business

Deanna Durrett reported that we would have a booth at the 4-H Fair with the Soil and Water Conservation District Board. There will be a written contract with the fairgrounds and have flexible time. The Fair Board has liability coverage. We may or may not have electricity.

Mrs. Durrett stated that attorney Susanne Milligan said that every storm water drainage plan approval action ruling such as the Hampton Inn should be recorded. Bill McCormick said more details will be needed as to what should be recorded and who should record it.

New Business

Tom Cummins reported on the possible reconstruction of the **Allie Peterson Drain #549**. He will have more information at the next meeting and possibly a landowner petition to reconstruct.

Deanna Durrett stated there was nothing new to report from a consultation with Rex Pranger, the Lagrange County surveyor.

Other Business

Deanna Durrett spoke about appropriation versus a loan. She stated there are two options. One is to get a bank loan through the county council and the other is to borrow money from the general improvement drain fund (GDIF). Until the GDIF is out of debt, the board must borrow from the bank. By the end of the year, the board can exercise the two options.

John Gobin #520 Hearing continued

Tom Cummins presented a report and figures of the watershed proposal. He said the cost for the tributary two would be \$115,700. There will be a \$3.50 an acre maintenance assessment on tiles over the whole watershed of all the landowners. Andy Springer from Farmland Reserve asked how much was in the current account. Mr. Cummins said there was approximately \$11,500 and that it has only been on assessment at the current rate for less than 2 years. The \$11,500 does not reflect recent work of \$3,000 to \$4,000. Wayne Lasley asked about adding on from his property and extending to the tiles. Mr. Cummins did a quick calculation and said it would be approximately \$16,000 with an average of \$300. per acre to fix it all. Mr. Cummins recommended reconstruction of Tributary 2 and extending it 2,000 feet on to Mr. Lesley's place. The total will be approximately \$131,000 or \$321 an acre. Kenny Pearson asked if we would have to go to the council to borrow. The answer is yes.

Deanna Durrett moved, seconded by Kenny Pearson, to reconstruct the John Gobin #2, tributary 2, at approximately \$131,000 to include approximately 2,000 feet of 12-inch tile, through Wayne Lasley's property. Motion carried 4-0.

On the **John Gobin tributary one**, which runs along the railroad there is not a proper grade. Bill McCormick felt that a hydrology report is needed. Wade Bennett thinks it is a 15" concrete tile under the railroad. Dan Qwin inquired if there is a time period to get all this done and everyone was in agreement to get it done as soon as possible. ***Bill McCormick moved, seconded by Deanna Durrett, to continue this and put it on hold until we get a hydrology report and Deanna is to check out the code on engineering and who incurs that expense, find out how much the state and the railroad will be involved in this matter and bring it back to the August 25, 2008, meeting. Motion carried 4-0.***

Other Business

Deanna Durrett discussed the issue of landowners doing their own work on county drains and how to handle the adoption of the new county code. Copy of the language will be brought to the next board meeting.

Claims

The Surveyor, Tom Cummins, presented the following claims:

\$9,431.65 to Connor Excavating for work on the **William McBee Drain#610**

\$2,165.70 to Connor Excavating for work on the **William McBee Drain #610**

It was stated that the rates would need to be increased on this drain. ***Deanna Durrett moved, seconded by Bill McCormick to pay the claims and to schedule a rate increase hearing to increase rates at the July 28, 2008, meeting and that Mr. Connor needs to be informed that all claims should have the drain name on them. Motion carried 4-0.***

\$2,925.00 to Connor Excavating for work on the **Lye Creek Drain #535**.

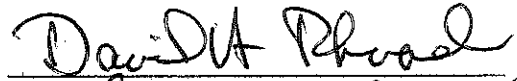
Bill McCormick moved, seconded by Deanna Durrett to pay the claim. Motion carried 4-0.

Kenny Pearson stated the town of New Market is not happy with surface water problems. These are not issues concerning the county drain.

Dave Rhoads moved, seconded by Bill McCormick to adjourn. Motion carried 4-0.

Respectfully Submitted,

Vick Emmert
Montgomery County Drainage
Board Secretary



David Rhoads-Chairman



William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD

MONDAY, July 14, 2008

MINUTES

The Montgomery County Drainage Board met on July 14, 2008, at the Crawfordsville District Public Library in the basement conference room.

The meeting was brought to order by David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Allen Goff.

Board members in attendance were David Rhoads, Chairman; Commissioner William McCormick, Vice Chairman; Deanna Durrett, Secretary; Kenny Pearson and Jack Grimble members. Tom Cummins Surveyor. Drainage Board Recording Secretary Vicki Emmert and attorney Suanne Milligan

Also present: Marc Bonwell, Allen Goff, Marion Lindow of League of Women Voters, Stan Hamilton, Aron Rhoads of Montgomery Co. Soil & Water, Joe Miller, Ward Wilkins, Darrell Birge, Wade Bennett, C.K. Wilkins, Dan Gwin, Carl Gwin, Mrs. Donya Lester, Dan Dunter, Rick Bymaster, Mary Rose Duncan, Ed Chenoweth, Suanne Milligan, Jay Heater of the Journal Review.

There were no minutes to be approved.

New Business

Aron Rhoads of the Soil and Water Conservation District appeared before the board to present a possible joint position between the SWCD and the Montgomery County Drainage Board. This would only be possible with the county council approval. *Jack Grimble moved, seconded by Kenny Pearson that we work on a proposal within our budget to create a joint position between the Drainage Board and the SWCD that would be forwarded to the county council for approval. Motion carried 5-0.*

Deanna Durrett said Tom Cummins would present the Surveyor's budget and the Drainage Board would their budget to the county council.

Tom Cummins said he had been approached about bringing the Shelly Drain back on assessment. *Bill McCormick moved, seconded by Jack Grimble that we table this discussion for another 30 days. Motion carried 5-0.*

Bill McCormick moved, seconded by Jack Grimble, to set hearing dates on the following landowner reconstruction petitions:

Linn-Himes #533, Glennard Miller #538, John McCorkle #608, Allie Peterson #549, Carolyn Kenyan (has no number)

Written notice will be sent to the petitioners for hearings on August 25, 2008. Motion carried 5-0.

Continuation of Thomas Wilkins #589 Hearing

Mr. Cummins reported his findings and the projected cost of reconstruction of the **Thomas Wilkins #589 Drain**. Landowners speaking today were: Dan Gwin, Ed Chenoweth, CK Wilkins, and Ward Wilkins. Also speaking was Darrell Birge.

Bill McCormick moved, seconded by Deanna Durrett, to move forward on the Thomas Wilkins Drain. After some discussion this motion was withdrawn by Mr. McCormick with agreement by Mrs. Durrett.

Bill McCormick moved, seconded by Jack Grimble, to continue the hearing until the September 22, 2008 drainage board meeting to gather further information regarding expanding the Thomas Wilkins project to the open ditch on the Tippecanoe line and to re-notice the Sarah Kincaid landowners. Motion carried 5-0

Other Business

Deanna Durrett opened discussion on board policies. *Mrs. Durrett moved, seconded by Bill McCormick, that the Drainage Board not to have a policy on Drain Advisory Boards. Motion carried 5-0.*

Tom Cummins reported that Marcella Anderson of New Market has had a storm water problem with the town of New Market, which does not involve the **Basil Van Cleave Drain**.

Bill McCormick inquired about the erosion problems on CR 700 on the **James Servies Drain**. *Deanna moved, seconded by Mr. McCormick, that Mr. Cummins look into the James Servies Drain and outlet condition. Motion carried, 5-0.*

Reports

Deanna Durrett reported that the county would receive loans for the **James Sanders, John Ward, and Basil Van Cleave** from the State Bank of Linden with a variable rate of 4% tied to a prime rate. The County Council will vote on July 15, 2008 to give Councilman Fulwider the authority to sign for these loans.

There was nothing new to be reported regarding a meeting with Rex Pranger, Lagrange County Surveyor, Mrs. Durrett said.

Marc Bonwell, Montgomery County Building Department Administrator, reported that Darlington is planning on expanding their existing Library. They are looking into whether their drainage is sufficient now or if they will need to expand their drainage system. No action is needed at this time.

Old Business

Deanna Durrett reported on the storm water plans with the city and county and that Marc Bonwell will put together a letter stating who does what with the storm water plans.

Deanna Durrett reported that the new county ordinance does not include a section on landowners doing work on their own land. Suanne Milligan, Drainage Board attorney, said she would discuss liability issues with the county attorney.

It was reported that a reminder landowner letter will be sent to the landowners of the **John Gobin Drain #520** that the hearing continuation will be August 25, 2008.

Bill McCormick moved, seconded by Deanna Durrett, that Marc Bonwell, Montgomery County Building Department Administrator, send a letter to Mr. Mark Kessler concerning the storm water plan for their swine facility and that Mr. Kessler should report to the Drainage Board at the August 25, 2008 meeting. Motion carried 5-0.

Under Public Comment

Dan Gwin, speaking on behalf of the landowners of the **Thomas Wilkins #589 Drain**, asked that the Montgomery County Drainage Board not adjourn, as they would like to discuss their project again.

Jack Grimble moved, seconded by Deanna Durrett to reconvene the hearing on the Thomas Wilkins Drain #589 at the request of the landowner petitioners. Motion carried, 5-0.

Dave Rhoads moved, seconded by Jack Grimble, at a request of the landowners of the Thomas Wilkins Drain to have Banning Engineering work on a plan for the open ditch and tiles in that drain. Motion carried, 5-0

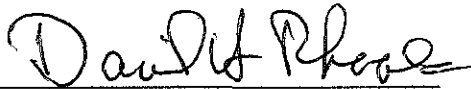
Kenneth Pearson moved, seconded by Jack Grimble to recalculate the costs on the **Thomas Wilkins Drain** and bring it back to the July 28, 2008 meeting. Motion carried, 5-0.

Joe Miller of Banning Engineering gave a short report on the **Foster Fletcher Drain**. Would like to be put on the agenda for next time.


Bill McCormick moved, seconded by Jack Grimble to adjourn the meeting at 11:25 a.m. Motion carried 5-0.

Respectfully Submitted,

Vicki Emmert
Drainage Board Secretary



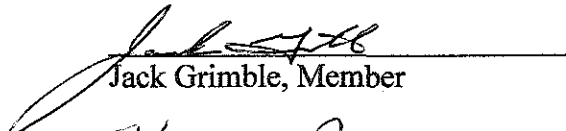
David Rhoads, Chairman



William D. McCormick, Vic



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

Montgomery County Drainage Board
Monday, July 28, 2008
Minutes

The Montgomery County Drainage Board met on July 28, 2008, at Crawfordsville District Public Library in the basement conference room.

The meeting was brought to order by David Rhoads, which was followed by the pledge of allegiance and a prayer given by Hubert Wilson

Board members in attendance were David Rhoads Chairman; Commissioner William McCormick Vice Chairman; Deanna Durrett Secretary; Jack Grimble and Kenneth Pearson Members, Tom Cummins Surveyor. Drainage Board Recording Secretary Vicki Emmert.

Also present were Marc Bonwell, Hubert Wilson, Phil Rice, Ron Masten representing himself and Dallas Jones, Lynn Fellows, Dan Gwin representing himself and Wayne Lasley, Donya Lester, Wayne McCutchan, Carl Gwin, Pam Gwin, Rob Durrett representing the Montgomery County League of Women Voters, Clint Wilkins, Michael Veehinyer, Mark Kessler, Kent Campfield, Ryan Rice, TJ Horn representing Bart Maxwell, Rick Bymaster, Ed Chenoweth, Brenda Foster, Earl Smith Jr., and Charles Coffing.

Reports

Deanna Durrett stated that the grant administrator is moving ahead and will have more information in the future on the **James Hose Drain**.

Dave Rhoads stated at the budget meeting that the shared position between the Drainage Board and the Soil and Water Conservation District was presented to the council for the first reading.

Tom Cummins, reported that the county auditor has received all three loans (**James Sanders #550, Basil Van Cleave #559 and John Ward #562**) and he would submit claims next week. *Bill McCormick moved, seconded by Deanna Durrett, that emergency claims be submitted now from Maxwell Farm Drainage for the Basil Van Cleave of \$30,100. and \$14,000. for the John Ward and to Birge Farm Drainage for \$25,417 for the James Sanders Drain be approved. Motion carried 5-0*

Old Business

Marc Bonwell the Montgomery County Building Department Administrator, along with Mark Kessler swine facility owner with engineer Michael Veehinyer of Livestock Solutions, presented storm water plans for Kessler's swine facility. Mr. Veehinyer presented their drainage plans and said he would have a more formal proposal using natural topography using detention rather than retention drainage and would be working closely with Mr. Bonwell. Everything should be ready at the August 25, 2008 drainage board meeting.

Old Business continued

John Gobin Tributary #1: Information provided by Vester and Associates. Mr. Cummins is still looking into the situation with the pipes and tiles under US 231 and the railroad. They will have to have permission from Curt Hudson to look at his tile. Wade Bennett stated that both he and Mr. Hudson contributed money for the tile system in that area. The **John Gobin Drain** will be continued until the August 25, 2008 meeting to get figures, and get estimates to bore under highway and railroad. Bill McCormick recommended using a camera and flushing under the railroad.

Thomas Wilkins Drain

Tom Cummins, and Joe Miller of Banning Engineering discussed the proposal for the study of the **Thomas Wilkins Drain** project. The study will include the entire **Thomas Wilkins Drain**, open ditches and the tile system up to the county line at a cost of \$18,000. Deanna Durrett inquired about the impact of the open ditch on landowners, as

they are not being assessed at this time. In the future a new watershed will be created to encompass the **Sarah Kincaid** too. The cost of the study for the cleanout of 800 to 1000 feet would come out of the maintenance fund. Jack Rhoads moved, seconded by Deanna Durrett, that we approve a study on the tile portion up to \$10,000. Mr. Rhoads and Mrs. Durrett then withdrew the motion. **Bill McCormick moved, seconded by Kenny Pearson, instructing Tom Cummins to get a breakdown of costs for the tile portion, dredging of 800 to 1,000 feet and up to the county line and when Mr. Cummins gets the figures to call the board to set up a special meeting to give them the details. Motion carried 5-0.** When Mr. Cummins gets the information he should contact the board to set up a special board meeting.

Landowner petitions Deanna Durrett explained that this is a legal process and this is a hearing of the petitioners to advance the date, which is 10% of the landowners and to hold a hearing of only the petitioners and to listen to get their input. Next would be a hearing of all landowners.

Linn-Himes Drain #533 Petition

Speaking was Lynn Fellows. He stated that they have been having problems for several years now; some of the issues are standing water on roadways. It appears that they have broken tiles along the ditch and water is still running in areas but at the headwall it is not. The petition is to reconstruct the ditch and some de-brushing. There is a problem with beaver activity too. **Deanna Durrett moved, seconded by Jack Grimble, to send the Linn-Himes petition to the surveyor to get a report for the next drainage board meeting August 25, 2008. Motion carried 5-0.**

Glennard Miller Drain #583 Petition

Speaking was Wayne McCutchan. He stated he has done work on it himself over the years before finding out that it is a legal drain. He said they are old clay tiles and they are crumbling. **Bill McCormick moved, seconded by Kenny Pearson, to send the Glennard Miller Drain petition to the surveyor to get a report for the next drainage board meeting August 25, 2009. Motion carried 5-0.**

John McCorkle Drain #608 Petition

Speaking was Phil Rice. He stated that he has spent his own money before finding it is a legal drain. It is a 24-inch and runs from the Fountain County line to the culvert on 900 N. TBS Tri County Fiber Optic has laid lines and did not repair correctly. It keeps popping holes that need to be repaired. **Deanna Durrett moved, seconded by Kenny Pearson, to send the John McCorkle Drain petition to the surveyor to get a report for the next drainage board meeting August 25, 2008. Motion carried, 4-0. Not voting was Bill McCormick.**

Carolyn Kenyan Drain Petition (Does not have a drain #.)

Speaking were Ron Masten, Kent Campfield, and T.J. Horn representing Maxwell Farm Drainage. Old clay tiles were put in ground in 1800's or early 1900's. It is from east of 500 W. to 750 N. and the last 1000 feet from the outlet is all broken down. Mr. Cummins and Mrs. Durrett both stated that this drain has been off assessment since 1968. **Deanna Durrett moved, seconded by Bill McCormick, to send the Carolyn Kenyan Drain petition to the surveyor to get a report for the next drainage board meeting August 25, 2008. Motion carried, 5-0.**

Phil Rice inquired after the vote if a private tile that was connected to the legal drain is now in poor condition would it be reconnected to the new drain. Mr. Cummins responded that if the private tile was connected before and is damaged, the surveyor may authorize the contractor not to reconnect until the private tile is restored to an acceptable condition at landowner expense.

Old Business Continued

Tom Cummins presented bids for the **John Gobin #2** from the following contractors:

Birge Farm Drainage	\$162,095.50
Maxwell Farm Drainage	\$130,382.50
Wood Water Management	\$141,064.00

Foster Farm Drainage \$171,043.68

Tom Cummins presented bids for the **Alvin Sparks Drain** from the following contractors:

Maxwell Farm Drainage	\$56,997.50
Wood Water Management	\$59,433.70
Foster Farm Drainage	\$76,517.66

Bill McCormick moved, seconded by Deanna Durrett, to take all of the bids under advisement pending a recess at the end of the meeting. Motion carried, 5-0.

New Business

James Servies Drain #703 Maintenance Report: Mr. Cummins stated that dredging was necessary along the open ditch, approximately 3,500 ft. After talking to contractors it would cost \$68. per foot at a total cost at \$25,000 to \$30,000. He recommends a reconstruction proposal. Mr. Cummins stated he would proceed forward on getting a petition from landowners to reconstruct.

Raymond Weliever Drain #564 Report

Two years ago engineers went out and looked at the area, they are on standby to do a study. Possibly doing an open ditch as it runs through woods would be more feasible and that is what the study is for. Surveyor Cummins is to proceed forward on getting a petition from the landowners before getting a study done.

Bill McCormick asked about the **Odin Stafford Drain #591** just south of a swine facility. Tom is to check on getting a report before the next meeting from the engineer.

Claims Submitted

Maxwell Farm Drainage for \$12,000 for the road crossing on the **Basil Van Cleave Drain #559**. *Jack Grimble moved, seconded by Bill McCormick to pay this claim. Motion carried 5-0.*

Recessed

Bill McCormick moved, seconded by Jack Grimble to recess to look at bids. Motion carried 5-0.

Reconvened

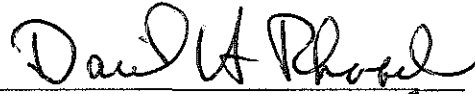
Dave Rhoads after the recess brought the meeting back to order, after looking at the bids. *Deanna Durrett moved, seconded by Kenny Pearson, that the drainage board accept the bid from Maxwell Farm Drainage for the John Gobin #2 Drain #520 in the amount of \$130,382.50. Motion carried 5-0.*

Bill McCormick moved, seconded by Jack Grimble to accept the bid from Maxwell Farm Drainage for the Alvin Sparks Drain #554 in the amount of \$56,997.50. Motion carried 5-0.

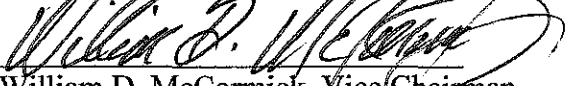
Bill McCormick moved, seconded by Jack Grimble, to adjourn the meeting at 11:20 a.m.

Respectfully Submitted

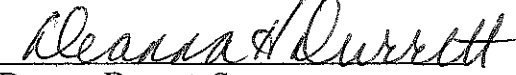
Vicki Emmert
Montgomery County Drainage
Board Secretary



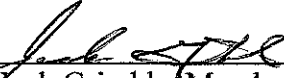
David Rhoads, Chairman



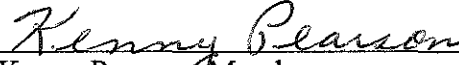
William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

Montgomery County Drainage Board
Monday, August 4, 2008
Special Meeting

The Montgomery County Drainage Board held a special meeting on August 4, 2008 at 110 West South Boulevard, Crawfordsville, IN in the conference room.

Dave Rhoads brought the meeting to order.

Board members in attendance were David Rhoads, Chairman; Commissioner William McCormick, Vice Chairman; Jack Grimble, and Kenny Pearson members. Tom Cummins, Surveyor and Vicki Emmert Montgomery County Drainage Board Secretary were present. Deanna Durrett was not present.

Mr. Cummins, Surveyor, presented the report on the **Thomas Wilkins Drain #589** reconstruction plans from Banning Engineering. The report covered three phrases of the study. The first study will be the field survey of approximately 1.75 miles of tile reconstruction plans at a cost of \$10,000, plus expenses. The second study will be a field survey of approximately 2.5 miles of open drain from the beginning at the old Norfolk and Western Railroad grade to the Tippecanoe/Montgomery County Lines at a cost of \$8,000, plus expenses. The third study will be an evaluation of impact of clearing and dipping approximately 1000 linear feet of open channel immediately downstream of the **Thomas Wilkins Drain** Tile outlet at a cost of \$2,500, plus expenses.

Bill McCormick moved, seconded by Kenny Pearson to accept the scope of the services from Banning Engineering on the **Thomas Wilkins Drain**. In discussion it was asked what was meant by plus expenses. Mr. Cummins stated that in case something arose that was not known about that is where this cost could come from.

Mr. McCormick moved to amend his motion, seconded by Jack Grimble to accept the scope of services from Banning Engineering on the Thomas Wilkins Drain at Mr. Cummins discretion if a problem would arise. Motion carried, 4-0.

Mr. Rhoads inquired about the **John Galey Drain #518**. It was stated to contact landowners in the railroad area to get permission after the crops are out to get a closer look at the problems there.

Mr. Rhoads also inquired about the **James Servies Drain #703**. Could you use improvement funds for work on this drain? Mr. McCormick stated we would need a petition from the landowners to do a reconstruction to start the process.

Dave Rhoads stated that Maxwell Farm Drainage would be working on the **Alvin Sparks Drain #554**.

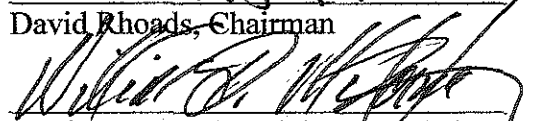
Bill McCormick said to Mr. Cummins to make a note for a new project for Deanna Durrett on the **E.P. McClaskey Drain #544**.

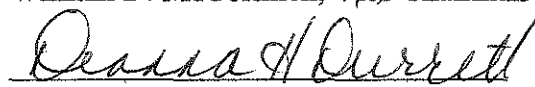
Mr. McCormick moved, seconded by Mr. Grimble, to adjourn the meeting. 8:18 a.m.

Respectfully Submitted,

Vicki Emmert
Montgomery County
Drainage Board Secretary


David Rhoads, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Secretary


Jack Grimble, Member


Kenny Pearson, Member

Handwritten scribbles or faint markings.

Montgomery County Drainage Board

Monday, August 25, 2008

Minutes

The Montgomery County Drainage Board met on August 25, 2008, at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by President David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Charles Hart.

Board members in attendance were David Rhoads, Chairman; William McCormick, Vice Chairman; Deanna Durrett, Secretary; Kenny Pearson and Jack Grimble, members; Tom Cummins, Surveyor; Drainage Board Recording Secretary, Vicki Emmert; and attorney, Suanne Milligan.

Also present were Marc Bonwell, Randy McCormick, Carl Gwin, Ruth Gwin, Anita Hardwick, Charles Hart, Andrew McCorkle, Marion Lindow of League of Women Voters, Cle Wett, David L. Burget and Randy Lowe of PRKD Properties, Inc, Gary Hardwick, Dan Gwin, Donya Lester, Joe Miller of Banning Engineering, Wade Bennett, Jeff Myers, and Ed Chenoweth.

There were no minutes to be approved.

Reports per IC 36-9-27-49 and 50 Surveyor Cummins presented reports for the following drains.

Linn-Himes #533

Tom Cummins recommended this drain for Reconstruction for 2008. Tile needs replaced from west side of C. R. 400 E. to the headwall outlet in Lynn Fellows field. Open drain needs to be de-brushed and possibly dipped to allow sufficient drainage of tile. Current maintenance assessment: \$6.50/acre

Glennard Miller #538

Tom Cummins recommended this drain for Reconstruction for 2008. Tile needs replaced from C. R. 1000E. west to the headwall outlet in Wayne McCutchan's field. Tile needs to be installed deeper to minimize tile problems. Current maintenance assessment: \$1.06/acre.

John McCorkle #608

Tom Cummins recommended this drain for Reconstruction for 2008. Tile needs replaced from C.R. 900 N., northwest to C.R. 1000 W. in Phil Rice's field. Tile location needs to be verified, and the Wingate tile needs to be investigated. Current maintenance assessment: \$1.15/acre

Carolyn Kenyon #N/A

Tom Cummins recommended this drain for Reconstruction for 2008. Tile needs replaced from C.R. 750 N. to the outlet. According to the records, the tile in question has no record of being established as regulated drain. Tile location is questionable and needs to be verified. Drain is currently un-assessed.

Dave Rhoads inquired whether the drains that were taken off of assessment in the 1960's if a hearing was needed to put them back on assessment. Deanna stated that the approach we have taken is that the legal drains were never vacated and their assessment is now at zero.

Tom Cummins stated that he is currently creating new watersheds for the **Linn-Himes#533, Glennard Miller #538, John McCorkle #608** and the **Carolyn Kenyon #N/A** drains and will have reports for you at the next meeting. .

Randy McCormick was present and asked the status of the **Schenck #506 Drain**. Randy McCormick stated that Chris Torp from Soil and Water had been out to the site and suggested to fix the holes and use risers and no pond. The **Guy Little #534 Drain** is also in that area and needs work. Mr. Cummins suggested contacting a contractor to survey the area and he will have a report at the September 8, 2008 meeting.

Mr. Cummins gave an update on the **Odis Stafford #591 Drain** from the study done by Banning Engineering. Based on their observations and evaluation there are three options.

1. Maintain the Open Ditch along the county road, extending from the Hall Drive to the unnamed tributary to Sugar Creek (I-74 culvert).
2. Reconstruct the subsurface drain from the open ditch, under the Hall Drive to the outlet of the borrow pit pond; recommended size 24-30 inch, solid tile with gasketed, watertight joints.
3. a. Reconstruct the subsurface drain from east side of County road 600 East and extend to an outlet at the head of the open ditch, approximately 710 linear feet, recommend 24-inch. Or
b. Reconstruct the subsurface drain from the west side of county road 600 East and extend to an outlet under I-74 (36-inch corrugated metal pipe, CMP), approximately 1,600 linear feet, recommend 24-inch.

Deanna Durrett moved, seconded by Jack Grumble, to continue the discussion on the Odis Stafford #591 Drain to September 8, 2008 and send a reminder letter by regular mail to the landowners involved. Motion carried, 5-0.

Deanna Durrett inquired about canceling the September 22, 2008 meeting due to harvest. ***Kenny Pearson moved, seconded by Bill McCormick, to hold the September 22, 2008 meeting and to cancel the October 13, 2008 meeting due to harvest. Motion carried, 5-0.***

Deanna Durrett reported that the 2nd hearing on the county budget has not been held yet. She had a good meeting on the possible shared position between the Soil & Water Conservation District and the Drainage Board.

Old Business

Storm Water Plan: Mark Kessler swine facility. Mr. Kessler was not present. Mark Bonwell the Montgomery County Building Department Administrator said he was contacted on Friday by Michael Veehinger of Livestock Solutions who had been out of state working on another project. Mr. Veenhuizen contacted Mr. Bonwell for more information and said he would have it ready at the next meeting. Bill McCormick stated that the Drainage Board has been working with Mr. Kessler for about a year on this problem with no solution as of yet. ***Bill McCormick moved, seconded by Deanna Durrett, to have Marc Bonwell send a certified letter that a storm water drainage plan should be submitted to the Drainage Board at its next meeting and approved by the Drainage Board, along with a copy of the Stormwater Ordinance, highlighted about fines to be incurred. Motion carried, 4 to 0. Jack Grumble abstained from voting.***

Deanna Durrett, reported the County Recorder will record Stormwater Plans and at no charge.

Deanna Durrett stated that the **Shelley Drain** is not designated as an urban drain. The **Shelley Drain** was taken off of assessment in the mid 60's and there are no funds available to fix the problems there. In the 60's there was no zoning in the city and county. This drain could be put back on assessment and there are approximately 900 property owners involved. David L. Burget of PRKD Properties, Inc. speaking about the Meadow Wood Apartments, stated that when heavy rains come the people in that area have to move their cars as their back ends of their cars start to float. He said there is an overgrown area that he feels could be dredged and cleaned out that would help the situation. It will not solve all the problems but would help in the short term. Bill McCormick along with Tom Cummins and Marc Bonwell will go over the Christopher Burke Report. Mr. Cummins would like to see this drain classified as an urban drain with separate commercial, residential and industrial assessments. ***Bill McCormick moved, seconded by Jack Grumble, to hold an urban drain hearing for the Shelley Drain on October 28, 2008, at 6:30 p.m., to put the Shelley Drain back on assessment in the council chambers in the city building. Mr. McCormick then amended his motion to state that the Surveyor and his staff will establish a location to hold the meeting. Motion carried, 5-0.***

Joe Miller of Banning Engineering gave a report on the **Foster Fletcher Drain**. This drain involves 450 acres. He stated that the drainage works fine for the agricultural portion but it is the commercial area that is being addressed now. He presented the different options. **Deanna Durrett moved, seconded by Jack Grimble, for Mr. Miller to get further details. This will be continued to the September 8, 2008 meeting. Motion carried, 5-0**

John Gobin Hearing Continuation

Tom Cummins reported that Vester and Associates did a study on Tributary 1. To find the real source of the problem a camera needs to be used under the railroad bed at a cost of \$250 to \$300. Most likely it will have to be jetted first before the camera can go through at a cost of \$3,000 to \$4,000. and have contractor dig up the area for \$300. to \$400. These activities can come out of the maintenance fund. **Bill McCormick moved, seconded by Jack Grimble, to continue the reconstruction hearing on the John Gobin Tributary 1 Drain until the September 8, 2008 meeting at 10:00 a.m. Motion carried, 5-0**

New Business

Raymond Weliever #564 Petition

Tom Cummins reported that the Drainage Board has received a petition for advancing the date of reconstruction per IC 36-9-2 7 and 36 on the **Raymond Weliever Drain** from Gary and Anita Hardwick. Mr. Rhoads stated that the **Raymond Weliever Drain** is still in the red. Deanna Durrett stated after the assessments this year it will be in the black. Anita Hardwick stated that they have had the property for 12 years and the holes just keep getting bigger and more soil keeps washing away. This is at 1000 East, South of I-74 to 900 E to 300 S. Mrs. Hardwick says it is all tile and there are 6 huge holes. Mr. Cummins stated that it is basically functioning as an open ditch and it is a 475-acre watershed. **Bill McCormick moved, seconded by Jack Grimble, to refer the Raymond Weliever Drain to the surveyor for his cost estimates and the cost estimates of an engineering study for a landowner hearing on October 27, 2008 at 10:00 a.m. Motion carried 5-0**


Public Comment

Andrew McCorkle from Wingate spoke on the problems of the **Charles Ludlow #2** an open drain that is blocked by cornstalks from heavy rains. This maintenance will be over \$1,500. Tom Cummins will check with Merritt Excavating on his estimate as to the cost of the project.

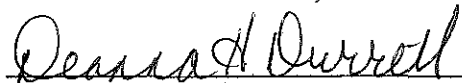
Bill McCormick moved, seconded by Kenny Pearson, to adjourn the meeting. 11:46 a.m. Motion carried, 5-0.

Respectfully Submitted

Vicki Emmert
Montgomery County Drainage
Board Secretary


David Rhoads, Chairman

William D. McCormick, Vice Chairman


Deanna Durrett, Secretary


Jack Grimble, Member

Kenny Pearson, Member

Montgomery County Drainage Board
Monday, September 8, 2008
Minutes

The Montgomery County Drainage Board met on September 8, 2008, at Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by President David Rhoads, followed by the Pledge of Allegiance and a prayer by Allen Goff.

Board members in attendance were David Rhoads, Chairman, William McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grimble and Kenneth Pearson, Members; Tom Cummins, Surveyor, Vicki Emmert, Drainage Board Recording Secretary, and Suanne Milligan, attorney,

Also present were Marc Bonwell, Carl Gwin, Ruth Gwin, Rob Durrett, Ed Chenoweth, Randy McCormick, Marion Lindow of the Montgomery County League of Women Voters, Cle Wett, Adrien McClain, Joe Miller of Banning Engineering, Jay Heater of the Journal Review.

Approval of Minutes

Deanna Durrett moved, seconded by Bill McCormick to approve the minutes of the following meetings: June 9, 2008, June 23, 2008, July 14, 2008, July 28, 2008 and August 4, 2008. Motion carried, 5-0.

Reports

Deanna Durrett said she met with the SWDC Board concerning the Deputy Surveyor position and have created a proposed agreement and proposed job description. She asked the Drainage Board to sign this agreement with the SWDC. This will be presented to the County Council on Tuesday, September 9, 2008.

It was reported that Kenny Pearson, Dave Rhoads, Jack Grimble, Vicki Emmert and Suanne Milligan attended the Drainage 101 Seminar sponsored by Indiana Farm Bureau on August 27, 2008. All in attendance agreed it was an educational day.

Deanna Durrett reported that Kathy Traugher of the Records Office would record Storm Water Plans at no charge.

Tom Cummins stated he is still working on the *Odin Stafford Drain* concerning highway department spraying.

Tom Cummins gave an update on the *Chrineyance Schenck Drain*. He reported that Dave Foster dug up both sides of the tile, and stated it was in good condition. Mr. Cummins said some of the tiles could be wrapped to prevent more problems and all this could be done through maintenance instead of doing a reconstruction. Randy McCormick, landowner, inquired, about using breather pipes in some areas. Mr. Cummins stated that would help the situation. Deanna Durrett inquired of the cost and Mr. Cummins stated it would be approximately \$3,000. Randy McCormick wanted to know about the *Guy Little Drain* and Mr. Cummins said that would actually have to be a reconstruction. We have a petition for reconstruction on the *Guy Little Drain*. Deanna Durrett moved, seconded by Jack Grimble, to give Mr. Cummins the authority to make repairs on the *Chrineyance Schenck Drain* out of maintenance. Following discussion, both withdrew their motion. *Bill McCormick moved, seconded by Jack Grimble to dismiss the reconstruction petition for the Chrineyance Schenck Drain #506. Motion carried, 5-0.* Mr. Cummins will get quotes from contractors, as this project is over \$1,500. at the September 22, 2008 meeting, as there is enough money in the maintenance fund to perform the work.

Mr. Cummins stated he is still waiting on a petition for reconstruction for the *Allie Peterson#549*.

Mr. Cummins presented a report for the *Linn-Himes #533* reconstruction project.

1,800 ft. 15" Smooth-Core Tile	\$18,900.
1,800 ft. Destruction of old tile	\$1,800.
1,800 ft. De-brushing and dip out	\$18,000.
1 Gravel Road Crossing	\$10,000.
<u>1 Railroad Crossing (30 ft.)</u>	<u>\$10,500.</u>
<i>Total project:</i>	\$59,200.

Deanna Durrett moved, seconded by Bill McCormick, to schedule a reconstruction hearing for the Linn-Himes #533 for Monday, November 10, 2008 at 10:00 a.m. Motion carried, 4-0. Dave Rhoads abstained from voting, as he is a landowner.

Mr. Cummins presented a report for the **Glennard Miller #538** reconstruction project.

800 ft 18" Smooth-Core Tile	\$11,200.
2,000 ft. 15" Smooth-Core Tile	\$21,000.
<u>2,800 ft. Destruction of old tile</u>	<u>\$2,800.</u>
<i>Total project</i>	\$35,000.

Bill McCormick moved, seconded by Deanna Durrett, to schedule a reconstruction hearing for the Glennard Miller #538 Drain for Monday, November 10, 2008 at 10:00 a.m. Motion carried, 5-0.

Mr. Cummins presented a report for the **John McCorkle #608**.

1,400 ft 24" Smooth-Core Tile	\$28,000.
1,400 ft Destruction of old tile	\$1,400.
<u>1 Asphalt Road Crossing</u>	<u>\$12,500.</u>
<i>Total project</i>	\$41,900.

Deanna Durrett moved, seconded by Bill McCormick, to bring this report back to the September 22, 2008 meeting with a schedule of assessments. Motion carried, 5-0.

Mr. Cummins presented a report for the **Carolyn Kenyon #N/A** reconstruction project.

1,400 ft. 15" Smooth-Core Tile	\$14,700.
1,400 ft 18" Smooth-Core Tile	\$19,600.
2,800 ft. Destruction of old tile	\$2,800.
1 Asphalt Road Crossing	\$12,500.
<u>1 Gravel Road Crossing</u>	<u>\$10,000.</u>
<i>Total project</i>	\$59,600.

Deanna Durrett moved, seconded by Bill McCormick, to schedule a hearing on the Carolyn Kenyon #N/A reconstruction project and assessment rate increase for Monday, November 10, 2008 at 10:00 a.m. Motion carried, 5-0.

Hearings

Mr. Cummins stated that due to weather conditions he has not been able to schedule the camera work on the **John Gobin II, tributary I** and would like to continue to the September 22, 2008 meeting. Landowner Ed Chenoweth was present for the Tributary II.

Bill McCormick moved, seconded by Jack Grimble, to continue the reconstruction hearing on the John Gobin II Tributary I to the September 22, 2008 meeting. Motion carried, 5-0.

Mr. Cummins discussed the Raymond Weliever #564 project. He said the petitioners, Gary and Anita Hardwick, were at the last meeting. **Bill McCormick moved, seconded by Jack Grimble, to hold a landowner petitioner hearing on September 22, 2008 for the Raymond Weliever #564. Motion carried, 5-0.**

Public Comment

Landowners from the **Thomas Wilkins #589** Carl and Ruth Gwin, Ed Chenoweth, and Cle Wett were present as they thought the continuation was today, instead of September 22, 2008. Joe Miller of Banning Engineering was present and stated that the survey is almost complete and needs a few more working days to complete. Dave Rhoads reported that Dan Gwin had called and stated he was willing to pay the extra expense on his land

to go the extra length on 1100 South. Mr. Cummins and Ms Durrett stated that the Sarah Kincaid landowners would eventually be involved with this drain as they both have the same outlet. The hearing is continued to September 22, 2008.

Old Business

Marc Bonwell reported a phone call from Michael Veenhuizen to inform him that he would be delivering a drainage plan on Tuesday morning, September 9, 2008, for Mark Kessler's swine facility. Mark Kessler was not present. Mr. Bonwell stated that he had sent the information from the last meeting to Mr. Kessler certified mail and received delivery confirmation of it. **Bill McCormick moved, seconded by Deanna Durrett, to discuss the Storm Water Plan. Motion carried, 5-0.** Bill McCormick stated that it would be a year in October that the Drainage Board has been working with Mr. Kessler on this project. Mr. Bonwell stated that he has walked both Mr. Veenhuizen and Mr. Kessler through the procedure steps. After the plan has been submitted it is to be reviewed and cleared by DLZ Engineering, before the Drainage Board can approve it. **Dave Rhoads moved, seconded by Kenneth Pearson, to recommend the Montgomery County Commissioners impose fines pursuant to the Montgomery County Stormwater ordinance against Mark Kessler, beginning September 9, 2008, for failure to comply with the ordinance's requirements. Motion carried, 4-0.** Jack Grimble abstained from voting.

Joe Miller of Banning Engineering gave an update on the **Foster Fletcher #573** urban drainage plan, on the 3rd alternative to put in larger pipe or an additional pipe. The cost is approximately \$300,000 to reconstruct. Since this is in the two-mile area of Crawfordsville they will also be involved. Mr. Cummins is to check to see who has commercial properties versus agriculture properties on the **Foster Fletcher**. Marc Bonwell will contact the Crawfordsville Planning Department, MS4, Tom Cummins, and Joe Miller to have a joint meeting on this project.

Bill McCormick left at 10:34 a.m. during this discussion.

New Business

Marc Bonwell presented stormwater plans for Steel City Truck Stop, located on 23 acres next to I-74 and State Road 32 East. It will be a twelve-auto and eight-truck fueling pump site. This plan has been reviewed and cleared by DLZ Engineering. Dave Rhoads inquired as to who maintains the detention ponds. Mr. Bonwell stated it is up to the owner. Marc Bonwell will inspect the detention ponds every two years. **Jack Grimble moved, seconded by Deanna Durrett, to approve the stormwater drainage plan for Steel City Truck Stop. Motion carried, 4-0.**

Tom Cummins reported he is still working on the **Shelley Drain** reclassification.

Board Discussions on landowners doing own work and change of watersheds will be postponed to September 22, 2008. Kenneth Pearson inquired if there were landowners wanting to do their own work at this time. Mr. Cummins stated none at the moment. Adrien McClain inquired if he had Bart Maxwell out at his property doing private work could he work on a legal drain also at the time. Tom Cummins said for the landowner to give him a call before work is done.

Other Business

Deanna Durrett reported on the on-going problem with the Auditor's office. On August 28, 2008, the Drainage Board was informed that the rate increases for the **James Servies Drain** were not put on assessment when tax statements were sent out. She read a letter that she proposed for the Drainage Board to send to the Auditor. **Jack Grimble moved, seconded by Deanna Durrett, to send the letter to the Auditor's office. Motion carried, 4-0.**

Tom Cummins stated it would cost approximately \$1,800. to repair the **Charles Ludlow Drain**. *Jack Grimble moved, seconded by Kenny Pearson to do the repairs on the Charles Ludow#537. Motion carried, 4-0.*

Marc Bonwell stated that he had sent the board members a new stormwater ordinance proposal by e-mail and would like their comments especially on the maintenance section.


Mr. Cummins stated that he had been contacted by Hendricks County Surveyor and they are ready to meet on the **Albert Hysong Joint Drain**. Mr. Cummins will schedule a meeting.

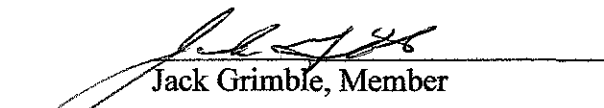
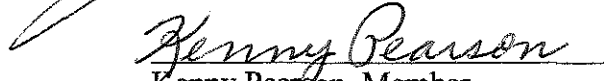
Jack Grimble moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:05 a.m. Motion carried, 4-0.

Respectfully Submitted

Vicki Emmert
Montgomery County Drainage
Board Secretary


David Rhoads, Chairman

William D. McCormick, Vice Chairman

Deanna Durrett, Secretary


Jack Grimble, Member

Kenny Pearson, Member

Montgomery County Drainage Board
Monday, September 22 2008
Minutes

The Montgomery County Drainage Board met on September 22, 2008, at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by President David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Allen Goff.

Board members in attendance were David Rhoads Chairman, Deanna Durrett Secretary; Jack Grimble and Kenneth Pearson, Members; William McCormick, Vice Chairman was absent; Tom Cummins Surveyor, Vicki Emmert, Drainage Board Recording Secretary, and Suanne Milligan, attorney. .

Also present were Marc Bonwell, Mary Rose Duncan, Mark Kessler, Curt McClain-Jesse Evans Ditch observer, Ron Cunningham of Vester and Associates, Michael Veenhuizen of Livestock Engineering Solutions, Cle Wett, Auditor Michelle Cash, Stacy Ellsbury property deputy of the Montgomery County Auditor's office, Brenda Foster, Dan Gwin, Donya Lester, Anita Hardwick, Rick Bymaster, Carl Gwin, Ruth Gwin, Rob Durrett, Ed Chenoweth, Marion Lindow of the Montgomery County League of Women Voters, Joe Miller of Banning Engineering, Jay Heater of the Journal Review and Adrian McClain.

Old Business

An update was given by Michel Veenhuizen of Livestock Engineering Solutions for the Kessler Swine Facility Storm Water Plan. Mark Kessler was also present. Mr. Veenhuizen stated that their plans are nearly ready for review. Mr. Veehuizen's will have the Plan and DLZ approval for the Drainage Board's October 27, 2008 meeting.

Reports

Mr. Cummins stated that after discussing the **James Servies Drain** with several contractors he felt that a reconstruction is not needed and repairs could be made out of maintenance funds.

Dave Rhoads reported that at the last County Council meeting the proposal was turned in by the Drainage Board and the SWCD for the joint deputy surveyor position. The county Council has made no decision.

Deanna Durrett presented the quarterly budget for the Drainage Board and said the Board is on target for the year. Auditor Michelle Cash said she will send a transaction form and a history of the contract services for Amy Woodall to Mr. Cummins.

Mr. Cummins stated that he is still working on the **Odis Stafford Drain** and asked to keep it on the agenda for the next meeting.

Tom Cummins reported that he has two bid proposals for the **Chineyance Schenck Drain** project. One from Frank James for \$13,415. and the other from Foster Farm Drainage, Inc. for \$5,919.90. Deanna Durrett stated that after assessments this year the **Chineyance Schenck** will be out of debt and will have enough money to cover this project. *Jack Grimble moved, seconded by Kenneth Pearson, to accept the bid of \$5,919.90 from Foster Farm Drainage, Inc. to do the work on the Chineyance Schenck Drain. Motion carried, 4-0.*

Deanna Durrett provided a reconstruction process summary, for the board members.

Deanna Durrett reported that last week she received notice that Office of Community and Rural Affairs awarded the **James Hose Drain** planning grant. The reconstruction study will be done by Banning Engineering. Ms. Durrett stated that the town of Linden was built over a farm drain and has caused many problems over the years.

Mr. Cummins stated he is still waiting on the **Allie Peterson Drain** petition.

Tom Cummins presented a reconstruction report for the **Guy Little #534 Drain** with a schedule of assessments.

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2,050 ft.	18" Smooth-Core Tile	\$28,700.00
1,500 ft.	15" Smooth-Core Tile	\$15,750.00
2,750 ft.	Destruction of old tile	\$ 2,750.00
800 ft	Tree Cutting and painting	
	Stumps through easement	\$10,000.00
1	Install new connection to	1,500.00
1	10% "incidental"	\$ 5,870.00
<u>Total project</u>		<u>\$64,570.00</u>

Deanna Durrett moved, seconded by Jack Grumble, to accept the proposal for reconstruction report and the schedule of assessments for the Guy Little #534Drain. Motion carried, 4-0. Deanna Durrett moved, seconded by Jack Grumble, to hold the landowners hearing for reconstruction on the Guy Little #534Drain Monday, November 24, 2008 at 9:30 a.m. Motion carried, 4-0.

Auditor Michelle Cash, and Stacy Ellsbury of the Auditor's office came to the meeting at the request of the Drainage Board about the **James Servies Drain** tax assessment that was not put on property tax statements correctly this year. Michelle Cash stated it was her fault for not catching the problem. Ms. Cash says they have no special training in understanding the county drain accounting system. Ms. Cash reported that they have had problems with the computer programs not being compatible at the courthouse. Ms. Cash stated she will send out an assessment statement to landowners on the **James Servies Drain** after the surveyor supplies a list of landowners. The assessment will not be due until November 10, 2008. Mr. Cummins states it would be easier if he could update from his office and be able to edit. Michelle Cash will make a phone call to get Mr. Cummins the ability to run reports and edit. Ms. Cash and Mr. Cummins will work on this together.

Tom Cummins presented the three proposals for feasibility studies from engineering firms on the **Raymond Weliever Drain**:

Vester and Associates Inc.	\$3,574.
Banning Engineering	\$1,650.
VS Engineering, Inc.	\$4,520.

Mr. Cummins stated there were approximately 488 acres in the watershed of the **Raymond Weliever Drain**. Mr. Cummins stated that there were 8,000 feet of tile, which should probably be converted to an open ditch and that is the reason for the studies. Suanne Milligan inquired to whether we should commit to a study without the landowner hearing, because of the cost of study. Mr. Cummins replied that the study is needed to figure the cost of such a reconstruction project to be able to present a cost to the landowners as he does not feel he is qualified to give an actual cost estimate. It was stated that the cost of the study would be taken out of maintenance. Landowner petitioner Anita Hardwick was present and inquired about the people who came out last summer and if the landowner across the road would be put in the watershed. Mr. Cummins stated that was a field day of several drains last year and no one was charged to get an evaluation of what was needed and, "Yes" in the new watershed that he is creating the landowner across the road would be included. Rob Durrett inquired and was told that Hardwick's percentage is 10% of the landowners.

Jack Grumble moved, seconded by Deanna Durrett, to accept the Banning Engineering proposal on the Raymond Weliever Drain. Motion carried, 4-0 The Surveyor will report on the Raymond Weliever Drain on October 27, 2008.

Mr. Cummins reported on the **John Gobin 2 Tributary 1** reconstruction that he is still working with a local firm to set up camera work and would like to look at using an outside firm. The board was in agreement to try the local firm one more time, then try an outside firm to get the job done if deemed necessary. The **John Gobin 2 Tributary 1** will be continued to October 27, 2008..

Joe Miller of Banning Engineering presented options for reconstruction costs of the **Thomas Wilkins Drain**.

These are approximate figures
 3/8" co \$250,000 construction and engineering @ \$332. Acre

½ "co. \$270,000 construction and engineering @ \$357. Acre
¾ "co. \$335,000 construction and engineering @ \$449. Acre.

Landowners in attendance were Mr. and Mrs. Dan Gwin, Mr. and Mrs. Carl Gwin, Ed Chenoweth, Rick Bymaster and Mary Rose Duncan.

Dan Gwin stated that tiling machines only go up to 24" and using 30" tile would substantially raise the price. Mr. Gwin also suggested cleaning up open ditches on some of their properties there. Mr. Rhoads asked what level of cost the landowners feel comfortable with. Mr. Rhoads recommends using option two.

Dave Rhoads moved, seconded by Deanna Durrett, to examine the \$270,000. option by Banning Engineering. The Thomas Wilkins continuation hearing is October 27, 2008 meeting at 9:30 a.m. Motion carried, 4-0.

The Foster Fletcher Drain meeting between the city of Crawfordsville and the Montgomery Drainage Board will be Tuesday, September 23, 2008, at 2:30 p.m. at the Drainage Board Office.

Tom Cummins presented the report for reconstruction and the schedule of assessments on the John McCorkle #608 Drain.

1,400 ft	24" Smooth-Core Tile	\$28,000.
1,400 ft	Destruction of old tile	\$ 1,400.
1	Asphalt Road Crossing	\$12,500.
<i>Total Project</i>		\$41,900.

Jack Grimble moved, seconded by Kenneth Pearson, to accept the report for the John McCorkle #608 Drain and to hold a landowner hearing on Monday, November 24, 2008 at 9:30 a.m. Motion carried 4-0.

Mr. Cummins had no report on Charles Ludlow Drain and the Allie Peterson Drain.

New Business

Mr. Cummins presented a report on for the William Shelley Drain #N/A as follows. It was constructed in 1911.

This watershed area covers approximately 695.4 acres. Mr. Cummins states that the tile length is 23,100 ft. and tile size is unknown. The number of parcels involved is 949. There are numerous tile breakdowns, with flooding in many areas. The tile runs under a large residential and commercial area inside of Crawfordsville with the drain functioning as a storm sewer in some areas. The tile location is in question.

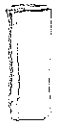
Administrator's Recommendations:

The administrator classifies this drain as an urban drain for 2008. It has not been assessed for many years. This drain needs serious investigation, to determine its functionality. The drain is no longer an agricultural drain; it is a storm sewer for the residential and commercial areas on the east side of Crawfordsville. The proposed maintenance assessment is \$5.00 per acre; \$10.00 per lot minimum, would yield \$10,000 per year.

Deanna Durrett moved, seconded by Kenneth Pearson, to cancel the hearing previously scheduled for October 28, 2008 for the William Shelley Drain #N/A and to keep this drain on the agenda for the October 27, 2008 meeting. Motion carried, 4-0. The classification report will be discussed at the October 27, 2008 meeting.

Tom Cummins stated that there are several absentee landowners on the Smith Elmore Drain and more information is needed as to whether maintenance or reconstruction is needed, and he asked that it be put it on the agenda for the next meeting.

Marc Bonwell discussed the new storm water ordinance draft that covers sub divisions, and ownership agreements, and responsibility for storm water upkeep. Deanna Durrett moved, seconded by Jack Grimble, to recommend approval by the County



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Commissioners of the maintenance agreement section of the storm water ordinance.
Motion carried, 4-0.

Public Comment

Dave Rhoads thanked Michelle Cash and Stacy Ellsbury for attending.

Claims

None

Kenneth Pearson moved, seconded by Jack Grimble, to adjourn the meeting at 11:25 a.m. Motion carried, 4-0.


Respectfully Submitted

Vicki Emmert
Montgomery County Drainage
Board Secretary



David Rhoads, Chairman

William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

**MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, OCTOBER 27, 2008
MINUTES**

The Montgomery County Drainage Board met on October 27, 2008 at 9:30 a.m., at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Allen Goff.

Board members in attendance were David Rhoads, Chairman, Deanna Durrett, Secretary; Jack Grimble and Kenneth Pearson, Members; William McCormick, Vice Chairman was absent: Tom Cummins, Surveyor, Vicki Emmert, Recording Secretary, and Suanne Milligan, attorney.

Also present were Marc Bonwell, Mary Rose Duncan, Mark Kessler, Cle Wett, Mr. & Mrs. Dan Gwin, Donya Lester, Gary and Anita Hardwick, Carl Gwin, Ruth Gwin, Rob Durrett, Ed Chenoweth, Marian Lindow of the Montgomery County League of Women Voters, Mark Barclay, Marion West, Barb Hall, Jeff Healy and Joe Miller of Banning Engineering and Frank Phillips of the Journal Review.

Approval of Minutes

Deanna Durrett moved, seconded by Jack Grimble to approve the minutes of the following meetings: August 25, 2008, September 8, 2008 and September 22, 2008. Motion carried, 5-0.

Old Business

Marc Bonwell presented the Storm Water Plan for the New Market Volunteer Fire Department. It will be a 6,000 square foot building. There have been revisions since the first presentation in 2003. The DLZ has reviewed the plans and cleared it. The **B & A Van Cleave Drain #559** is 100 feet from the building. **Jack Grimble moved, seconded by Kenneth Pearson to accept the stormwater plans for the New Market Volunteer Fire Department. Motion carried, 4-0.**

Marc Bonwell stated he had received the storm water plans for the Marc Kessler Swine Facility on October 23, 2008 from Mr. Michael Veehuizen and they have been submitted to the DLZ for review. He has not received a report back as of today.

Tom Cummins stated there was no report for the **Raymond Weliever Drain #564** as he has not received the report from Banning Engineering.

Tom Cummins stated that the work on the **Chrineyance Schrenck #506** has been completed.

Joe Miller of Banning Engineering stated that they had met with the city of Crawfordsville on the **Foster Fletcher Drain # 573**. It was recommend by Mr. Miller that this be an impact area. Gary Weliever with MS4 from the city of Crawfordsville and Tom Cummins will keep abreast of the drainage works in that area. It was stated that the Wright's Implement has done some improvements on their property and Allen Truck Sales would like to do improvements on their property, both of which could affect the drainage in the future. **Deanna Durrett moved, seconded by Jack Grimble that Suanne Milligan, the Drainage Board attorney, prepare a resolution that this area be an impact area on the Foster Fletcher Drain # 573. Motion carried, 4-0.**

Tom Cummins stated that November 25, 2008 at 9:30 a.m. has been selected to have the joint board meeting with Hendricks County on the **Albert Hysong Drain #618**, followed by a special meeting to cover other business.

Tom Cummins reported on a meeting with the City of Crawfordsville about the **Shelley Drain**. There will be another meeting on November 13, 2008. Mr. Cummins will have information on rates and assessment on November 10, 2008.

New Business

Tom Cummins presented his classification report on the **Smith-Elmore #641 Drain:**

- Tile failing throughout
- Open drain constructed in middle of drain, through Dean Rush's property
- Open drain leads to drop structure which feeds back into tile (insufficient)
- Tile needs immediate replacement from drop structure to outlet
- Open drain which serves as outlet for tile is grown over and needs dredged

Drain Status 08: Active

Drain Classification 08: Reconstruction

Administrator's Recommendations:

Administrator classifies this drain for Reconstruction for 2009. The open ditch constructed on Dean Rush property needs dipped out, and a new, more functional structure is needed to allow the water to flow back into the tile. The tile needs to be replaced from drop structure to the outlet into the open drain on Gary Moore's property. The open ditch also needs to be dredged to allow better drainage.

Current maintenance assessment: \$9.55/acre

Proposed Maintenance Rate: \$2.25/acre (if reconstruction is approved)
\$9.55/ acre (without reconstruction)

Mr. Cummins stated he would need a petition from landowners to move forward on a reconstruction. It was decided to keep this on the agenda for the next meeting.

Hearings

Odis Stafford #591

Tom Cummins and Jeff Healy from Banning Engineering spoke about the three proposals for the **Odis Stafford #591 Drain**. It was stated that there are 144 acres that drain into a borrow pit which overflows and the tile is also surcharging and is breaking down. It should be reconstructed because of the current size of the tile is too small. Barbara Hall stated she was in favor of Alternative B.

Alternative B

1,600 ft. 24" Smooth-Core Tile (West of 600 E.)	@ \$20.00/ft	= \$32,000.00
1 Asphalt lane crossing	@ \$12,500/ ea.	= \$12,500.00
360 ft. Base project outline (24" Smooth-Core solid Tile, From "borrow pit" to open ditch	@ \$20.00/ft	= \$7200.00
385 CY Open ditch)	@ 10.00/cy	= \$3850.00
1 Contingency	@ 10%	= \$5,550.00
	Total	= \$61,105.00

Deanna Durrett moved, seconded by Kenneth Pearson to reconstruct the Odis Stafford #591 using Alternative B at \$61,105. Motion carried 4-0

Mr. Cummins stated he would have the bids ready at the November 10, 2008 meeting. Mr. Healy stated he would be available for consultations with the contractors if needed.

Thomas Wilkins #589 Hearing

Banning Engineering has turned in their report for Mr. Cummins to review. It was stated it would be cheaper to put in 24" tile as you can do that with a tiling machine. It will cost roughly \$340/acre. Estimates need to be sent to landowners; which can be sent out on Tuesday.

Mr. Cummins stated that since there were new costs involved, a new hearing would have to be set and that date is December 8, 2008. **Deanna Durrett moved, seconded by Kenneth Pearson, to continue the hearing on the Thomas Wilkins in accordance with alternative #2 of the Banning Engineering Report. Motion carried, 4-0.**

John Gobin 2 Tributary 1 #520 Drain Hearing

Mr. Cummins stated a camera was run under the railroad and US 231. It showed that the tiles were broken down and bellied under the railroad and were not incased in steel. They were 15" to 12" to 15". Mr. Hudson (A cost share with Wade Bennett) put in his own private drain 40 to 50 feet to the South and his grade is off. There were no property owners present today. Tom Cummins will call landowners and the boring companies for cost. Suanne Milligan stated that additional notices and requirements are required on projects over \$100,000. and that performance bonds are required on projects over \$100,000. The Board decided to continue the **John Gobin 2 Tributary 1 #520** hearing to the next meeting on November 10, 2008.

Claims

Mr. Cummins submitted one claim from Foster Farm Drainage for work done on the **Chrineyance Schenck Drain**. It went over the estimate by about \$800. The total is \$6,702.11. **Jack Grimble moved, seconded by Deanna Durrett to pay the Foster Farm Drainage Claim. Motion carried, 4-0.**

Other Business

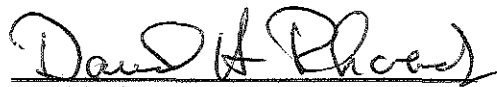
Mr. Cummins stated the Auditor's office is very close to having drain accounts computerized.

Kenneth Pearson stated New Market is adding a culvert under Vine Street. Mr. Cummins stated it may be desirable to extend the **Basil and Annie VanCleave Drain** under the road. He will bring cost figures back to next meeting.

Jack Grimble moved, seconded by Kenneth Pearson to adjourn. 11:00 a.m. Motion carried, 4-0.

Respectfully Submitted

Vicki Emmert
Montgomery County Drainage
Board Secretary


David Rhoads, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Secretary


Jack Grimble, Member


Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, NOVEMBER 10, 2008
MINUTES

The Montgomery County Drainage Board met on November 10, 2008, at 9:30 a.m., at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were David Rhoads, Chairman; William McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grimble and Kenneth Pearson, Members; Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, attorney. Also present were Marc Bonwell, Marian Lindow of the Montgomery County League of Women Voters, Brenda Foster, Robert Walters, Ron Masten, Don Bayless, Greg Morrison, Morris R. Davis, Ray Risner, Janet S. McCutchan, Wayne McCutchan, Everette & Verna Newton, David Sulc of Nucor, Kenneth Campfield, Mark Kessler, Everett Bamish.

Approval of Minutes

Deanna Durrett moved, seconded by Jack Grimble, to approve the minutes of the October 27, 2008 Drainage Board meeting. Motion carried, 4-0. Bill McCormick abstained from voting.

Old Business

Marc Bonwell stated the Stormwater plan for the Marc Kessler swine facility is still being reviewed and he expects comments back this afternoon. Bill McCormick said the matter has been turned over to the county attorney to pursue the late fee fines. Deanna Durrett stated that the Drainage Board should hold a special meeting as soon as the plan is reviewed favorably by DLZ to stop the fines.

Suanne Milligan, Drainage Board attorney, presented copies of the resolution to the Board for the **Foster Fletcher Drain # 573** impact area. Ms. Milligan stated that she spoke with Joe Miller of Banning Engineering and used his information from the Foster Fletcher Reports and used his Alternative # 1 as the source. **Bill McCormick moved, seconded by Deanna Durrett, to pass the following resolution; Be it hereby resolved that the Foster Fletcher Watershed be and hereby is declared a special impact drainage area pursuant to Montgomery County Ordinance § 154.82, and all future development with the watershed is hereby limited to 0.015 cfs per acre of drainage discharge into the Foster Fletcher #573 Drain, and that all the landowners on the Foster Fletcher Drain #573 be notified. Motion carried, 5-0.** The resolution is on file at the Surveyor's office and has been recorded at the office of the County Recorder.

Deanna Durrett presented copies of the Drainage Maintenance and Improvement Report to the Drainage Board. This report gives information on each drain that has been worked on this year and who did the work. It does not balance with the Auditor as of yet. Ms. Durrett stated progress is being made by the Auditor's office in computerizing all the drains.

Deanna Durrett reported that she is getting the required signatures and working with the Auditor on the **James Hose #572** Planning Grant.

Tom Cummins stated that there was not a report from Banning Engineering for the **Raymond Weliever #564 Drain** and he expects to have it at the November 24, 2008 meeting.

Two sealed bids were opened for the **Odis Stafford #591** reconstruction: Maxwell Farm Drainage for \$54,061.40 and Foster Farm Drainage for \$53,368.73. Mr. Cummins stated they both meet the required specifications. **Bill McCormick moved, seconded by Jack Grimble, to award the Odis Stafford #591 reconstruction project to Foster Farm Drainage for a total of \$53,368.73. Motion carried, 5-0.**

Mr. Cummins stated that specifications have changed for the **James Servies #703 Drain** due to a crossing and he will have a report at the November 24, 2008 meeting.

Mr. Cummins stated there is nothing new to report on the **Smith Elmore Drain #641** and the **Shelley Drain**.

Tom Cummins reported that to extend the **Basil & Annie Vancleave #559 Drain** tile would be no more than \$2,500. **Deanna Durrett moved, seconded by Jack Grimble, to extend the tile at a cost of \$2,500 on the Basil & Annie Vancleave #559 Drain. Motion carried, 4-0.** William McCormick was absent from the room.

The hearing on the John Gobin and Tributary 1 was reconvened. Mr. Cummins presented his report. Notice was given to the landowners on the hearing. Mr. Cummins reported that this is a two-phase project.

Phase 1:

· 4,000 ft.	15" Smooth-Core Tile	@ \$1.50/ft	\$42,000.00
· 125 ft.	New railroad and highway bore	@ \$700.00 /ft	\$87,500.00
	18" Steel-casing w/15" tile inside		

Phase 2:

· 2,000 ft.	Destroy existing tile	@ \$1.00/ft.	\$ 2,000.00
· 1	Contingency	@ 10%	\$13,150.00
Total Estimated Reconstruction Cost			\$144,650.00

Indiana Underground and Reline are the two companies that Mr. Cummins has been able to contact about working with the railroad and getting the permits that are needed. **Deanna Durrett moved, seconded by William McCormick, to precede with the first phase of the reconstruction on the John Gobin #2 Tributary #1 #520 under the railroad at an approximate cost of \$87,500. Motion carried, 5-0.**

The hearing on the **Linn-Himes #533 Drain** was convened. Mr. Cummins presented his report and that stated notice was given to the landowners on the hearing. Replacement of 1,800 feet of tile and dipping out of 1,800 feet of the open ditch is required. There are beaver problems in the area.

1,800 ft.	15" Smooth-core Tile	@ 10.50/ft	\$18,900.00
1,800 ft.	Destruction of old tile	@ \$1.00/ft	\$1,800.00
1,800 ft.	De-brushing and dip out	@ \$10.00/ft	\$18,000.00
1	Gravel road crossing	@ \$10,000/ea.	\$10,000.00
1	Railroad Crossing (30ft.)	@ \$ 350/ft.	\$10,500.00
1	10% Contingency	@ 10%	\$5,920.00
Total			\$65,120.00

Landowners that were present were Bob Walters, Don Bayless, Greg Morrison, Wayne & Janet McCutchan, Mark Kessler, and David Rhoads. Landowners gave comments and inquired about the project. Deanna Durrett spoke on the reconstruction procedure that the Drainage Board goes through when doing a reconstruction according to the Indiana Code. **Bill McCormick moved, seconded by Jack Grimble, to move forward with the reconstruction of the Linn-Himes #533 Drain at an estimated cost of \$65,120.00. Motion carried, 4-0. Dave Rhoads abstained.**

Mr. Bayless inquired about the cost of the reconstruction of the **Timothy Lane** that he has paid on. Mr. Cummins will go out to his property to look at the drainage layout.

The hearing on the **Glennard Miller #538 Drain** was convened. Tom Cummins presented his report. He stated that notice was given to the landowners on the hearing. Mr. Cummins stated that a new contour watershed has been created for the **Glennard Miller #538** and it covers approximately 314 acres. Landowners present were Everette (EJ) Newton and Everett Bamish.

800 ft.	18" Smooth-Core Tile	@ \$14.00/ft	= \$11,200.00
2,000 ft	15" Smooth-Core Tile	@ \$10.50/ft	= \$21,000.00
2,800 ft	Destruction of old tile	@ \$1.00/ft	= \$2,800.00
1	Contingency Feed	@ 10%	= \$3,500.00
Total			= \$38,500.00

Landowners Everette Newton and Everett Bamish gave comments and made inquiries. Mr. Bamish inquired about work done on his own land and that now drains a different direction. Mr. Cummins will meet with Mr. Bamish. Following discussion, **Bill McCormick moved, seconded by Jack Grimble, to move forward with the reconstruction of the Glennard Miller #538 at an estimated cost of \$38,500.00. Motion carried, 5-0.**

The hearing on the Carolyn Kenyan Drain was convened. Mr. Cummins presented his report and stated notice was given to the landowners on the hearing. This drain was taken off of assessment in the 1968. Notice was sent about a possible reconstruction and an assessment of \$5.00 an acre.

1,400 ft.	15" Smooth-Core Tile	@ \$10.50/ft.	= \$14,700.
1,400 ft.	18" Smooth-Core Tile	@ \$14.00/ft	= \$19,600.

2,800 ft.	Destruction of old tile	@	\$1.00/ft=\$2,800.	
1	Asphalt Road Crossing	@	\$12,500/ea.	=\$12,500.
1	Gravel Road Crossing	@	\$10,000/ea.	=\$10,000.
10	Tree Removal	@	\$500/ea.	=\$5,000.
1	10% Contingency	@	10%	=\$6,460.
				Total = \$71,060.

Landowners present were Kenneth Campfield, Ron Mastan, Morris Davis, and Ray Risner. Landowners gave comments and made inquiries. Following discussion, **Mr. McCormick moved, seconded by Jack Grimble, to move forward with the reconstruction of the Carolyn Kenyan Drain at an estimated cost of \$ 71,060.00. Motion carried, 5-0.** Deanna Durrett moved, seconded by William McCormick, to set the yearly assessment of the Carolyn Kenyan Drain at \$5.00 an acre. Motion carried, 5-0.

Mr. Davis spoke about the penalty that 13 landowners had to pay on the Emmerson Drain a few years ago. Mr. McCormick stated this took place under a previous Auditor. Deanna Durrett stated that she would look into appealing the penalty.

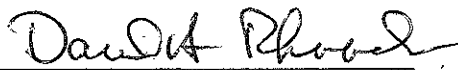
Other Business

Mr. Newton asked how to put the **George Conrad Drain** back on assessment. Mr. Newton was advised to come to the Drainage Board office and speak with Mr. Cummins about having a hearing on raising the rates and putting it back on assessment.

Deanna Durrett reminded members of a joint meeting concerning the **Albert Hysong Drain** on Tuesday, November 25, 2008. The time is 1:00 p.m. instead of 9:30 a.m. and a special Drainage Board meeting will follow.

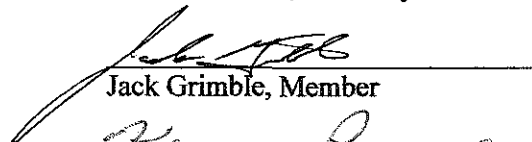
Jack Grimble moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:00 a.m. Motion carried, 4-0. William McCormick was not present. Respectfully Submitted

Vicki Emmert
Montgomery County Drainage
Board Secretary


David Rhoads, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Secretary


Jack Grimble, Member


Kenny Pearson, Member

**MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY NOVEMBER 24, 2008
MINUTES**

The Montgomery County Drainage Board met on November 24, 2008 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were David Rhoads, Chairman; Deanna Durrett, Secretary; Kenneth Pearson, Member, William McCormick, Vice Chairman. Board member Jack Grimble was not present: Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, attorney, were present.

Also present were Marc Bonwell, Rob Durrett of the League of Women Voters, John Collier, Nancy Donica Collier, Donald Carrell, Ethel Reeves, Harold Reeves, Phil Rice, Steve Gentry, Dave White, Morris R. Davis, Rex Ballard, Randy L. McCormick, Joe Schalk, Brenda Foster, Mark Kessler, John H. McCorkle, Dennis Thomas, Andrew McCorkle, and Joe Miller of Banning Engineering.

Approval of Minutes

There were no minutes to approve.

Hearings

John McCorkle # 608

Mr. Cummins stated that he had received a petition for reconstruction of the **John McCorkle #608** and that notice was given to all landowners and the public was notified by publication. This drain is located near the town of Wingate in Coal Creek Township. The surveyor reported the following estimated cost of reconstruction.

1,400 ft.	24" Smooth-Core Tile	@	\$20.00/ft	\$28,000.
1,400 ft.	Destruction of old tile	@	\$1.00/ft	\$1,400.
1	Asphalt Road Crossing	@	\$12,500/ea.	\$12,500.
1	Contingency	@	10%	\$4,190.
				Total \$46,090.

Landowners present were Phil Rice, Morris Davis, and Donald Carroll. Landowners gave comments and inquired about the project. Deanna Durrett stated that there was just over \$6,000.00 in the **John McCorkle #608** maintenance fund. She stated it is being assessed at \$1.25 an acre. With reconstruction the assessment rate should be adequate.

Following discussion, Kenneth Pearson moved, seconded by Deanna Durrett, to approve the reconstruction of the John McCorkle #608 Drain for an estimated cost of \$46,090.00. Motion carried, 4-0.

Mr. Rice asked to connect his laterals at his own expense to the **John McCorkle #608 Drain** while they are working on the reconstruction project as this is the most cost efficient method. It would be a six inch tile. *William McCormick moved, seconded by Deanna Durrett to give permission to Phil Rice to connect his laterals to the John McCorkle #608 Drain at his expense and subject to approval of the Surveyor. Motion carried, 4-0.*

Guy Little #534

Mr. Cummins stated that he had received a petition for reconstruction of the **Guy Little #534 Drain**, and that notice was given to all landowners and the public was notified by publication. The Surveyor reported the following estimated cost of reconstruction.

2,050 ft.	18" Smooth- Core Tile	@	\$14.00/ft	\$28,700.
1,500 ft.	15" Smooth-Core Tile	@	\$10.50/ft.	\$15,750.
2,750 ft.	Destruction of old tile	@	\$1.00/ft	\$2,750.

800 ft.	Tree cutting and painting Stumps through easement	\$10,000.
	1 Install new connection to Chrineyance Schenck (outlet)	\$1,500.
1	10% "incidental"	\$5,870.
Total		\$64,570.00

Mr. Cummins stated that the project is projected to cost \$133.60 per acre. Landowners present were Randy McCormick and Rex Ballard. Landowners gave comments, inquired about the project and were concerned about the cost. Mr. Ballard would like to possibly do it in two phases and Mr. McCormick would like to fix tile holes tearing up his pasture and explore from edge of woods and tile through. They would like a price option on various tile sizes. **William McCormick moved, seconded by Deanna Durrett, to continue the Guy Little #534 Drain hearing to the December 8, 2008 meeting at 9:30 a.m. and to have Mr. Ballard and Mr. McCormick work with Tom Cummins to come up with a workable tile size and a better scope of project. Motion carried, 4-0.**

Old Business

Marc Bonwell stated that the storm water plan for the Mark Kessler Swine Facility is in review with DLZ. Mark Kessler was present and inquired as to who was in charge of the penalties that were being imposed on his facility. Mr. McCormick said it is the Montgomery County Commissioners.

Mr. Cummins reported that his office is still working with the Auditor's office on the positive and negative numbers in the computerization program.

Mr. Cummins reported that he will with Joe Miller of Banning Engineering concerning the **Raymond Weliever Drain #564**.

Tom Cummins received seven bids for the **James Servies #703 Drain Reconstruction**, as follows:

Akers Construction	\$22,609.53
Wilson Construction	\$13,683.00
Connor Excavating	\$30,448.00
Maxwell Farm Drainage	\$31,808.00
Glenco	\$14,800.00
Foster Farm Drainage	\$14,210.65
John Wilcox	\$23,513.00

There was discussion regarding the wide range in the bids.

William McCormick moved, seconded by Deanna Durrett, to take the bids under advisement and have Mr. Cummins study the bids and bring back his recommendation to the December 8, 2008 meeting. Motion carried, 4-0.

Tom Cummins reported that there was nothing new to report on the **Smith Elmore #641**, as no petition for reconstruction has been filed.

Mr. Cummins stated that there was a meeting with the City of Crawfordsville discussing the **Shelley Drain**. Landowners present today were Dave White, Steve Gentry, and Morris Davis. Landowners gave comments and inquired about the project. **Deanna Durrett moved, seconded by Mr. McCormick, to hold a public meeting on the Shelley Drain on January 12, 2009 at 6:30 p.m. with the location to be announced and to raise assessment to \$10.00/acre/\$100.00 maximum. Motion carried, 4-0.** Mr. Cummins inquired as to who was to pay for the certified mailings for the **Shelley Drain** as there is no money in the **Shelley Drain** account.

Tom Cummins reported that the **Foster Fletcher #573 "Resolution"** previously passed by the Board would go out tomorrow to all landowners.

Deanna Durrett is looking into the penalties on the **James Emmerson** drain for Mr. Davis.

New Business

Mr. Cummins stated he had received a petition for attachment of a private tile from Dave Turner to the Jesse Snoddy Drain #553. **Deanna Durrett moved, seconded by William McCormick, to approve the petition and allow Mr. Turner's private drain to connect to the Jesse Snoddy Drain #553. Motion carried, 4-0.**

Other Business

Kenneth Pearson asked to attach a private tile to the **Basil and Anna VanCleave Drain #559**. **William McCormick moved, seconded by Deanna Durrett, to allow Kenneth Pearson to attach a private drain to the Basil and Anna VanCleave Drain #559. Motion carried 3-0.** Kenneth Pearson abstained from voting.

Public Comment

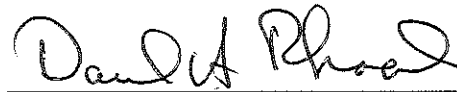
Phil Rice thanked the Drainage Board for their hard work on the John McCorkle Drain.

Deanna Durrett stated there will be a joint meeting with Hendricks County representatives on November 25, 2008 with a special meeting of the Board to follow.

William McCormick inquired about the bank loans. He suggested that paperwork be sent to Council and Auditor to get emergency checks out to contractors on Friday. **William McCormick moved, seconded by Kenneth Pearson to adjourn at 10:50 a.m. Motion carried, 4-0.**

Respectfully Submitted

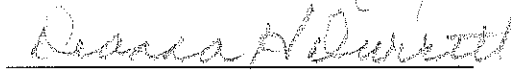
Vicki Emmert
Montgomery County Drainage
Board Secretary



David Rhoads, Chairman



William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, DECEMBER 8, 2008
MINUTES

The Montgomery County Drainage Board met on December 8, 2008, at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Gary Lewis.

Board members in attendance were David Rhoads, Chairman; William McCormick, Vice Chairman; Deanna Durrett, Secretary; Jack Grimble and Kenneth Pearson, Members; Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, attorney. Also present were Marian Lindow of the Montgomery County League of Women Voters, Mark Kessler, CK Wilkins, Joe Schalk, Carl Gwin, Ruth Gwin, Dan Gwin, Ethel Reeves, Harold Reeves, Rev. Gary Lewis, Alan Goff, Ed Chenoweth, Donya Lester, Rex Ballard, and Randy McCormick.

Approval of Minutes

Deanna Durrett moved, seconded by Jack Grimble, to approve the minutes of the November 10, 2008 Drainage Board meeting. Motion carried, 5-0.

Thomas Wilkins #589 Drain Hearing

Tom Cummins reported that landowners from the **Thomas Wilkins #589 Drain** were re-noticed as new calculations were presented on this reconstruction project of \$254,180.00 total at \$339.89 per acre. Joe Miller of Banning Engineering reported that the scope of this project related to what the landowners had discussed at a previous meeting. Landowners present were Mr. and Mrs. Dan Gwin, Mr. and Mrs. Carl Gwin, CK Wilkins, and Ed Chenoweth. Dan Gwin reported that the price of tile had come down and felt that bids would be lower than projected. Ms. Durrett inquired about doing this project in phases. It was reported that ninety percent of the tile will be replaced. Both Tom Cummins and Joe Miller felt that it was not feasible to do in phases. Suanne Milligan reported that with the size of this project that special forms from the State Board of Accounts would have to be used and she would work on the wording of the notice for bids.

William McCormick moved, seconded by Jack Grimble, to proceed with the reconstruction of the Thomas Wilkins #589 Drain according to the Banning Engineering design at an approximate cost of \$254,180.00. Motion carried, 5-0.

Guy Little #534 Drain continuation hearing

Mr. Cummins reported that he had met with Rex Ballard and Randy McCormick. Randy McCormick reported that he is going to be in the Equip USDA Program. After discussion and inquiring from landowners and Board members, the landowners decided they do not want to do a reconstruction project, but go through maintenance to finish this project. **Jack Grimble moved, seconded by Kenneth Pearson, to deny the petition for reconstruction of the Guy Little Drain #534. Motion carried, 5-0.** Deanna Durrett moved, seconded by Jack Grimble, to hold a rate assessment hearing for the Guy Little Drain #534 to raise the rates from \$3.00 to \$6.00 an acre at the January 26, 2009 meeting. Motion carried, 5-0.

Old Business

Mark Kessler presented Tom Cummins with a revised drainage plan to give to Marc Bonwell. He also reported that a copy had been sent to DLZ.

Mr. Cummins reported that after working with the Auditor, a pattern has been found of negative and positive numbers on their bookkeeping practices. The Auditor and the Treasurer's office balance with maintenance and improvement funds as of December 5, 2008.

Tom Cummins reported that he met with Joe Miller of Banning Engineer and Anita Hardwick concerning the **Raymond Weliever Drain #564** project. Mr. Miller is working on the study now.

Contractors have received their checks Mr. Cummins said for reconstructions projects; however a new quicker process is still needed.

Mr. Cummins reported that he has reviewed all the bids for the **James Servies Drain #703** and recommended that the Board accept the Wilson Construction's bid of \$13,683. Mr. Kessler discussed dipping on the east side of road and Mr. Cummins and William McCormick said the

tenant farmer had previously dipped on that side of the road. The Board stated that if need be in the future it could be done out of maintenance. **Deanna Durrett moved, seconded by Kenneth Pearson, to accept Wilson Construction's bid of \$13,683.00 for reconstruction of the James Servies Drain #703 with work to start as soon as weather permits. Motion carried, 5-0.**

Mr. Cummins reported that after settlement, the **Smith Elmore Drain #641** is no longer in debt and feels that the assessment rate of \$9.50 per acre should not change. The drain needs work. He has been unable to get a reconstruction petition from any landowners and feels it best to do the work from the maintenance fund.

Deanna Durrett reported that the hearing date for the **Shelley Drain** is in conflict with the city council meeting. Suanne Milligan, attorney, suggested with the high cost of noticing the landowners it might be best to hold a public meeting instead of a hearing to let landowners know of the **Shelley Drain** situation. **William McCormick moved, seconded by Deanna Durrett, to postpone the scheduling of a legal public hearing for the Shelley Drain. Motion carried, 5-0.** Joe Miller of Banning Engineering suggested that it is best to come very prepared with information and displays at such public meetings. **William McCormick moved, seconded by Deanna Durrett to have public informational meeting tentatively on Tuesday, January 13, 2009 at 6:30 p.m. at the 4-H Grounds in Crawfordsville regarding the Shelley Drain. Motion carried, 5-0.**

Mr. Cummins presented a proposal of work from Kenny Cain for the reconstruction of the **Allie Peterson Drain #549**. Mr. Cain has completed work on the tile that crosses his property out of maintenance. Mr. Gable may sign the reconstruction petition. Mr. Cummins suggested the Board pay Mr. Cain's bill. Mr. Cummins will bring an invoice to the next meeting.

David Rhoads reported that the **Albert Hysong #618** joint meeting with Hendricks County will be Tuesday, January 20, 2009 at the Ladoga Library at 6:00 p.m. We are waiting on the list of property owners from Hendricks County.

William McCormick reported that the **EP McClaskey #544 Drain** was dredged about four years ago near the Rocky Ridge Golf Course and is again filling up with silt. According to Kenny Cain some farmers are not farming responsibly. Mark Kessler responded with that the Farm Service Agency has the right to take government payments away from landowners who are not farming responsibly on ground that highly erodes.

Other Business

Dan Gwin/Cox-Kelly Farms presented a petition for attachment to the **Charles Leas #532 Drain**. Mr. Gwin is the tenant farmer of this ground. It was noted that the assessment on this drain is seventy five cents per acre. Deanna Durrett stated that she would look into a report for raising the assessment rates on the **Charles Leas #532 Drain**. **William McCormick moved, seconded by Kenneth Pearson to grant the petition to connect to the Charles Leas # 532 Drain, if Mr. Gwin will get the required landowner signature on the petition by 4:00 p.m. Friday, December 12, 2008, to Mr. Cummins office. Motion carried, 5-0.**

New Business

The Drainage Board received a letter of resignation from Jack Grimble effective December 31, 2008. The reason given was not enough time to devote to the Drainage Board. **William McCormick will take the resignation to the Commissioners to select a new Board member after conferring with the Soil and Water Conservation District Board.**

Other Business

It was discussed whether to raise Mr. Cummins maintenance fund spending authority from \$1,500.00 to \$5,000.00 without going to the Drainage Board for approval. **Deanna Durrett moved, seconded by William McCormick, to give Tom Cummins maintenance fund spending authority up to \$5,000.00 if the amount is in the drain account. Motion carried, 5-0.**

Discussion on a more timely method of securing reconstruction loans for contractors was brought up as it takes too long in the processing and the payment to the contractors doing the work. Joe Schalk suggested that possibly going to the bank before the reconstruction and getting a 15 % loan until final bill is submitted. Dan Gwin felt that contractors would submit lower bids if they knew they were going to be paid quicker. Donya Lester attended the Indiana Farm Bureau Conference in Evansville, IN and stated that the drainage code was a topic of discussion and if the code needed to be updated our board should bring it to the attention of the Indiana Farm Bureau. Deanna Durrett stated that the problem is with the timeliness of the Auditor and the Council, not the code.

The Board discussed the fee required for an obstruction **Deanna Durrett moved, seconded by Jack Grimble, to lower the petition fee from \$175 to \$100.00 for an obstruction petition. Motion carried, 5-0.**

Public Comment

Mark Kessler reported that he has a beaver dam on a legal drain and would like to know if he took out the dam himself at no cost to anyone would he be fined or anything. The Drainage Board responded that they did not have the authority, either way to give on taking out beaver dams. William McCormick stated that the when the county takes out dams or log jams out of Sugar Creek they are not allowed to use a motorized vehicle in the water and that county highway employees go out in the water and hook up chains to the logs to bring them to the banks to cut up.

Deanna Durrett moved, seconded by William McCormick, to cancel the December 22, 2008 Drainage Board meeting. Motion carried, 5-0.

The next meeting will be Monday, January 12, 2009.

Suanne Milligan expressed thanks to Jack Grimble and William McCormick for their service on the board.

William McCormick moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:00 a.m. Motion carried, 5-0.

Respectfully Submitted

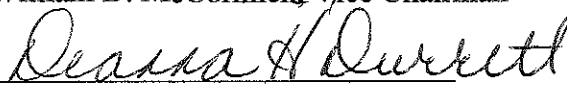
Vicki Emmert
Montgomery County Drainage
Board Secretary



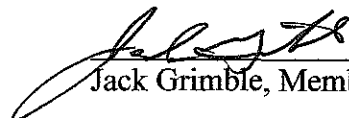
David Rhoads, Chairman




William D. McCormick, Vice Chairman



Deanna Durrett, Secretary



Jack Grimble, Member



Kenny Pearson, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, JANUARY 12, 2009
MINUTES

The Montgomery County Drainage Board met on January 12, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Rob Durrett.

Board members in attendance were David Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Member; Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, attorney.

Also present were Rob Durrett of the Montgomery County League of Women Voters, Marc Bonwell, Mark Kessler, CK Wilkins, Jim Bowling of M & D Excavating, Anita Hardwick, Dave White, Tim Wilson of Wilson Construction & Excavating, Ed Chenoweth, Brenda Foster of Foster Farm Drainage, Wayne McCutchan, Jason McCutchan, Joellyn Maxwell of Maxwell Farm Drainage, Jacob Arthur of Arthur's Excavation and Phil Rice.

There were no minutes to approve.

Chairman David Rhoads welcomed Commissioner Terry Hockersmith to the board. Election of officers as follows. **Kenneth Pearson moved, seconded by Deanna Durrett, to elect Dave Rhoads as chairman of the board. Motion carried, 4-0. Deanna Durrett moved, seconded by Terry Hockersmith to nominate Kenneth Pearson as vice chairman. Motion carried, 4-0.**

David Rhoads moved, seconded by Kenneth Pearson, to hire Suanne Milligan as the Montgomery County Drainage Board attorney. Motion carried, 4-0. It was stated that the County Council has appropriated funds for an attorney.

Discussion on times and places for Drainage Board meetings was conducted. The meetings are currently held on the second and fourth Monday of the month. Brenda Foster and Terry Hockersmith stated they would prefer evening meetings. It was tabled until the next meeting to set the schedule for the year as the fifth board member has not been selected yet. **Deanna Durrett moved, seconded by Kenneth Pearson, to hold the next meeting on Monday, February 9, 2009 at 9:30 a.m. at the Crawfordsville District Public Library.**

Old Business

Marc Bonwell presented to the board his recommendation that the Drainage Board approve the Storm Water Drainage Plan for the Kessler Hog Farm with one Variance. The Project is located in Section 4, Township 17 north, Range 4 west, Scott Township, Montgomery County, Indiana. **Deanna Durrett, moved seconded by Kenneth Pearson, to approve the storm water drainage plan for Kessler Hog Farms with the variance. Motion carried, 4-0.**

Deanna Durrett reported that the **Shelley Drain** landowner meeting previously scheduled for Tuesday, January 13, 2009, is cancelled due to not enough information available to present to the public from the city of Crawfordsville and the Surveyor's office.

Joe Miller of Banning Engineering presented a study on the **Raymond Weliever Drain # 564**, which is in Walnut Township North of New Ross. It is approximately 400 acres. The last known maintenance occurred in 1995. The study was from 900 E. to the outlet which is approximately 350 acres. The tiles have deteriorated due to trees. There are numerous tile holes. He recommended the tiles be upgraded to fifteen and eighteen inch tiles and a grass water way through the woods be constructed. There could possibly be a wet land issue in the woods. He presented three (3) alternatives:

Alternative 1 (Reconstructed tile along existing alignment)

Based on slope calculations estimated from a Banning Engineering field survey a 15' smooth interior wall tile is recommended through the wooded area just east of CR 900 East. From the downstream edge of the woods to the outlet an 18" tile is recommended. As part of this alternative it is recommended that the wooded area be cleared at least 40' to 50' each side of the installed tile to lesson the likelihood of root infiltration into the subsurface tile. Within the cleared area of the woods it is recommended a grassed waterway be installed to pass the overland flow to two 60" corrugated CMPs under CR 300 south. There is the potential need for environmental permits from the Indiana Department of Environmental Management or United States Army Corps of Engineers if this alternative is chosen.

Alternative 2 (Reconstructed tile north along CR 900 East)

A second alternative to divert the subsurface flow away from the wooded area north to Walnut Fork of Sugar Creek was also analyzed. A 21' tile would be required to pass the subsurface flow. This alternative passes through a high point along CR 900 East, and would require tile depths of 10' or more to outlet as shown on the exhibit. With the diversion of the upstream flow the existing regulated drain tile would be abandoned through the wooded area. At the edge of the wooded area the tile would be capped to cut off flow from the abandoned tile through the woods. Maintenance would be performed on the remainder of the existing regulated drain so it could adequately serve the grassed area just south of CR 300 South. This portion of the drain could potentially be abandoned by the County and become a mutual drain, or maintained by the county as a separate regulated drain.

Alternative 3 (Construct a ditch from CR 900 East to Walnut Fork of Sugar Creek)

The third, and final option considered was constructing a 2' to 3' deep open ditch through the woods and grassed field west of CR 900 East. An additional pipe would need to be installed under CR 300 South to serve as the outlet for the ditch since the current 60" diameter pipes are not low enough. The regulated drain tile downstream of CR 300 South would be abandoned, and all existing lateral connections would need to day lighted into the constructed open ditch. There is the potential need for environmental permits from the Indiana Department of Environmental Management or United States Army Corps of Engineers if this alternative is chosen.

This project could cost approximately \$65,000- \$80,000 at an approximate cost to landowners of \$200.00 an acre. Anita Hardwick stated she would prefer underground tiles. Tom Cummins is to contact Soil and Water about the hay field and the wetland issues. **Deanna Durrett moved, seconded by Kenneth Pearson, to have Mr. Cummins present an estimated cost for Alternative #1 at the February 9, 2009 meeting for the Raymond Weliever Drain # 564. Motion carried, 4-0.**

Mr. Cummins asked to keep the **Smith Elmore #641 Drain** on the agenda for the next meeting for classification and maintenance rates.

Mr. Cummins asked to keep the **EP McClaskey #544 Drain** report on the agenda for the next meeting to.

Deanna Durrett reported that a joint landowners meeting with Hendricks County will be held at Ladoga Public Library at 6:00 p.m. January 20, 2009. This is a meeting of the landowners, not a hearing to discuss the drainage issues on the **Albert Hysong #618 Drain**.

Tom Cummins opened and read sealed bids for the **John McCorkle Drain # 608** reconstruction project. His cost estimate is \$46,090.00 for the project. The bids were as follows:

Wilson Construction & Excavating	\$37,402.00
Glenco, Inc.	\$39,450.00
Maxwell Farm Drainage	\$28,292.00
Jacob Arthur Excavating	\$27,601.00
Jay Busse	\$32,572.00
Foster Farm Drainage	\$34,963.68
Wells Excavating	\$43,376.00
Eaton Excavating	\$47,746.00
McCullough & Devenedetto	\$72,124.81
Darrell Birge	\$38,968.00
Akers Constructions	\$32,566.00

Mr. Cummins stated that given the wide range of bids he would come back to the next meeting with his recommendation. Mark Kessler landowner suggested possibly having a special meeting as all of the contractors that submitted bids, had also turned in a 5% cash bond. **Deanna Durrett moved, seconded by Terry Hockersmith, to refer the bids to Mr. Cummins and to hold a special meeting on Friday, January 16, 2009 at 8:00 a.m. at the Surveyor's office at 110 W. South Boulevard, Crawfordsville, IN to select a bid. Motion carried, 4-0.**

Tom Cummins opened sealed bids for the **Glennard Miller #538 Drain** reconstruction project. His cost estimate is \$32,500.00 for the project. The bids were as follows:

Glenco, Inc.	\$56,620.00
Arthur Excavating	\$27,384.00
Maxwell Farm Drainage	\$27,662.00
Akers Construction	\$33,140.00
McCullough & Divenedetto	\$81,194.74
Eaton Excavating	\$62,514.00

Wells Excavating	\$35,236.00
Foster Farm Drainage	\$37,311.37

In discussion Wayne McCutchan asked if the contractors will be using an excavator or a tile machine. Tom Cummins answered that contractors may use either but the excavator option is more expensive since a stone fill is required. Mr. McCutchan stated that he had put in a lot of laterals and asked if the contractor will connect these to the tile. Mr. Cummins said laterals reconnection will be part of the project and that Mr. McCutchan's identification of lateral locations will be helpful. **Deanna Durrett moved, seconded by Kenneth Pearson, to take the bids under advisement and for Mr. Cummins to report back to the board on Friday, January 16, 2009 at 8:00 a.m. at the special meeting be held that morning. Motion carried, 4-0.**

New Business

Deanna Durrett presented the Drainage Board 2008 Annual Report to the Board. A copy of this report is attached.

Dave Rhoads inquired about the **James Hose #572 Drain** Grant. Joe Miller of Banning Engineering stated that the study will start this coming week. While the engineer is there would be the time to run cameras through the tiles at Linden.

Marc Bonwell stated that Wendy's Frosty Management requesting to build at the corner of US 231 and Industrial Boulevard in the **Foster Fletcher #573 Impact Area** and they have gotten permission from the state highway to drain off into the state ditch. They are requesting a variance from the city Storm Water Ordinance in the **Foster Fletcher #573 Impact area**, which would direct all overflow water into the **Foster Fletcher**. Mr. Cummins will attend the TAC (Technical Advisory Committee) with the city. **Deanna Durrett moved, seconded by Terry Hockersmith, to continue this discussion to the special meeting on January 16, 2009 at 8:00 a.m.**

Other Business

Mr. Cummins presented a claim for the **Minn-Miser-Corn Drain #539 Drain** from Maxwell Farm Drainage for \$9,160.46. The claim is higher than the original estimates because a larger tile was required. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve the claim from Maxwell Farm Drainage for \$9,160.46 and to schedule a hearing to raise the assessment to \$4.00 an acre. Motion carried, 3-0. David Rhoads abstained from voting.**

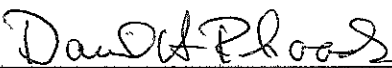
Dave White inquired about the upcoming **Shelley Drain** meeting. Joe Miller stated a good meeting format is to come prepared with displays for the landowners to understand the drainage problems in the area. This will be a joint meeting between the City and County Drainage Board.

Kenneth Pearson inquired about the Allie Peterson Drain. Mr. Cummins stated that he is seeking additional signatures on the petition.


Dave Rhoads moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:17 a.m. Motion carried, 4-0.

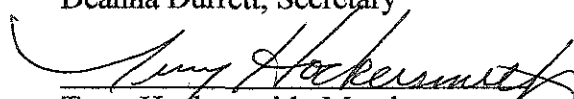
Respectfully submitted,

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member

Financial Report in Exhibit Book

MONTGOMERY COUNTY DRAINAGE BOARD
FRIDAY, JANUARY 16, 2009
MINUTES

The Montgomery County Drainage Board met on January 16, 2009 at 8:00 a.m. at 110 West South Boulevard, Crawfordsville in the conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance.

Board members in attendance were David Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Member; Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, attorney.

Also present were, David Foster of Foster Farm Drainage, Wayne McCutchan, Janet McCutchan, Phil Rice, Jerry Janssen of Janssen LLC, Jacob Arthur of Arthur's Excavation, and Gerald Moore.

Deanna Durrett moved, seconded by Kenneth Pearson, to approve the minutes from the November 24, 2008 and December 8, 2008 meetings. Motion carried, 3-0. Terry Hockersmith abstained from voting.

Mr. Cummins presented a spread sheet with all the bids on the **Glennard Miller #538 Drain** for review. The lowest bid is Arthur Excavating for \$27,384.00.

Landowners stated their views and asked questions about the procedure to award this contract. Gerald Moore of New Ross stated that he has seen some of Jacob Arthur's work and he tends to drag projects out and this would not be beneficial to anyone and he should not be awarded the job. Wayne McCutchan inquired to whether the Drainage Board has to give the bid to the lowest bidder and if the landowners have any say in the decision. Mr. Cummins stated it should go to the contractor who is qualified and has submitted the proper paperwork for the bid. Suanne Milligan stated that the Indiana Drainage Code 36-9-27-78C states the bid should be awarded to the lowest bidder who is qualified with the work experience to back it up. Ms. Milligan also stated the board does take into account what landowners say. Mr. Arthur spoke and stated that he has never done any work for Mr. Moore or Mr. McCutchan in the past, and he does good work, in a timely fashion, at a reasonable price and wants to prove himself on this project. David Foster inquired about how Mr. Arthur is going to put in the ditch. Mr. Arthur said he has purchased a wheel machine. Kenny Pearson stated that the board members should listen to the landowners if they have an objection, as they are the landowners who will pay for the reconstruction.

Deanna Durrett moved, seconded by Kenneth Pearson, to open discussion on the Glennard Miller #538. Motion carried, 4-0.

Deanna Durrett asked if Mr. Arthur has done any work for the county recently. Mr. Cummins stated that he was contacted to complete a maintenance project in spring of 2008, on the **William McBee Drain**. Mr. Arthur was unable to begin the project in a timely manner; therefore Mr. Cummins contacted another contractor to complete the project. Mr. Cummins stated that Mr. Arthur has not worked on any county regulated drains, since before the fall of 2005. Deanna Durrett inquired as to how much supervision Mr. Cummins would give on a project such as this. Mr. Cummins stated he would be on the project site as much as possible during the installation of the tile, due to the grade of the tile and the depth issue. Mr. Pearson inquired about the price of putting in laterals. Mr. Cummins said the price given is for connecting laterals, not putting in new laterals. Mr. Rhoads asked Mr. Arthur if he has installed 15", 18", and 24" tile before. Mr. Arthur stated he has installed 15" tile with his excavator. Mr. Arthur stated that he has not installed any new tile with his wheel machine yet, as it is new. Terry Hockersmith asked, as he is new to the Drainage Board, if there are standards to go by to ensure that all drains will work when the project is complete. Mr. Cummins stated that the specifications used by the county are the manufacturer's specifications. Mr. Arthur stated that all of his equipment is on auto-grade, and uses lasers to establish depth. Mr. Arthur assured the board that he tries to do the best work possible, and strives to install tile at the optimal grade. Mr. Arthur stated that he is only 28 years old and he works to preserve his reputation. He also stated that he tries to bid jobs competitively and would like to be able to work for the county. Mr. Arthur pleaded with the board to give him the opportunity to prove himself, as he had a bad experience with the past County Surveyor.

Deanna Durrett moved, seconded by Terry Hockersmith, to accept the bid from Arthur Excavating for \$27,384.00 for the Glennard Miller Drain #538 reconstruction project. Motion carried 3-1. Kenny Pearson voted against.

The **John McCorkle #608 Drain** bids were received by Tom Cummins. The lowest bid was for \$27,601.00 from Arthur Excavating and meets all the requirements in the bid packet. Phil Rice, landowner, inquired if Mr. Arthur received both of the bids would he be able to get both projects

done before crop season. He stated that most of the work would be done on his land. He would like to be able to re-seed before April 1, 2009. It has lots of laterals and wanted to know if the road, when fixed, will not break down in the future. Mr. Arthur said yes. **Deanna Durrett moved, seconded by Terry Hockersmith, to open the John McCorkle #608 Drain for discussion with the board. Motion carried, 4-0.**

Wayne McCutchan inquired about the cost of a 24" T. He feels the bid is too low. Mr. Cummins stated that is why there is a 10% contingent clause in the project. Mr. Cummins says the bids are for T taps. Deanna Durrett inquired as to the size T taps were bid. Mr. Cummins says they are for 6" tiles. No one will know for sure what size is out there until the tiles are opened up. David Foster inquired of Mr. Cummins if the depth tile diagram would be submitted before working. Mr. Cummins stated he would be out there most of the time and it would be submitted when the project is done along with the bill. Phil Rice inquired about destroying the old tile. Mr. Cummins said it would be destroyed. **Deanna Durrett moved, seconded by Terry Hockersmith, to award the bid to Arthur Excavating for \$27,601.00 for the John McCorkle #608 Drain reconstruction project. Motion carried, 4-0.**

David Rhoads inquired of Mr. Cummins about the **Foster Fletcher #573 impact area** and the Wendy's that Frosty Management would like to build. Mr. Cummins has created a new contour watershed with real changes along 231 with little change of outlet. Mr. Cummins stated he had been in contact with the City engineer and he would also be attending the TAC Meeting on **January 20, 2009**. He stated the city would not approve this variance until the Drainage Board approves. Terry Hockersmith inquired as to if we have any recourse if Wendy's water flows into the watershed. Mr. Cummins says yes. **Deanna Durrett moved, seconded by Kenneth Pearson, to give Tom Cummins the authority to speak for the Drainage Board to the city of Crawfordsville and to hold firm on the release rate in the impact area based on the variance they have submitted to the City. The Drainage Board will remove the property from the Foster Fletcher #573 as long as all water from the Wendy's goes into the state ditch. Motion carried, 4-0.**

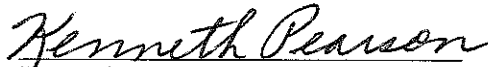
Deanna Durrett moved, seconded by Terry Hockersmith, to adjourn at 8:52 a.m.

Respectfully submitted,

Vicki Emmert,
Recording Secretary



David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, February 9, 2009
MINUTES

The Montgomery County Drainage Board met on February 9, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff

Board members in attendance were David Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice members; Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, attorney.

Also present were Marion Lindow of the Montgomery County League of Women Voters, Marc Bonwell, Mark Kessler, CK Wilkins, Anita Hardwick, Leslie Ebaugh, Randy R. McCormick, Jim Fry, Mike Emmert, Adrian McClain, Curtis McClain, Rob Durrett, Jeff Linn, Rex Ballard, Jennifer Bentley, John Bronaugh, and Ruth Bronaugh.

Swearing In

Jennifer Bentley of the Montgomery County Clerks office swore in new board members, Terry Hockersmith representing the commissioners, and Phil Rice representing Soil & Water and area landowners.

Deanna Durrett read the Drainage Board mission statement.

Approval of Minutes

Deanna Durrett moved, seconded by Kenneth Pearson, to approve the minutes of the January 12, 2008, Drainage Board meeting. Motion carried, 4-0. Phil Rice abstained from voting.

Scheduling of meetings

Deanna Durrett stated that the area newspapers The Paper and The Journal Review have not been able to attend our Drainage Board meetings due to conflicts. **Kenneth Pearson moved, seconded by Phil Rice to hold the Drainage Board meetings on the second and fourth Fridays of the month at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Guy Little Drain #534 Assessment Increase Hearing. Surveyor Cummins's reported as follows:

- Proper notice of the hearing was given to all landowners on this drain.
- Current per acre assessment- \$3.00
- Current yearly assessment- \$1,463.78
- Proposed per acre assessment- \$6.00
- Proposed yearly assessment- \$2907.66

The **Guy Little #534 Drain** is in need of maintenance, specifically a project to dredge the open drain which serves as the outlet for the tile. There is also approximately 1,500 ft. of 15" tile, which needs to be investigated and possibly replaced.

- Maintenance balance as of 2/1/09 - \$3,421.89
- Improvement balance as of 2/1/09 -\$2,205.30

The **Guy Little Drain** is located in Wayne Township. The **Guy Little Drain** improvement project will be done out of maintenance instead of a reconstruction project. Randy McCormick has agreed to be in an equip program to keep his cattle out of the water and would like to be involved with the maintenance when the contractors come to work. Rex Ballard is in favor of the rate increase.

Kenneth Pearson moved, seconded by Terry Hockersmith, to raise the Guy Little Drain #534 assessment from \$3.00 to \$6.00 an acre. Motion carried, 4-0. Phil Rice abstained from voting.

Minn-Miser-Corn Drain #539 Assessment Increase Hearing. Surveyor Cummins's reported as follows: Proper notice of the hearing was given to all landowners on this drain.

- Current per acre assessment - \$1.25
- Current yearly assessment - \$1528.69
- Proposed per acre assessment - \$4.00
- Proposed yearly assessment - \$4,794.92

The **Minn-Miser-Corn drain** was repaired in December 2008, for the amount of \$9,160.46. This repair was to replace 985 ft. of 15" tile. This repair has left the drain in a deficit.

Maintenance balance as of 2/1/09 - \$0.00
Improvement balance as of 2/1/09 - (\$2,736.83)

This **Minn-Miser-Corn Drain** is in Walnut Township. The assessment needs to be raised to take the drain out of debt. It will need more work in the future.

Deanna Durrett moved, seconded by Kenneth Pearson to raise the assessment rate from \$1.25 to \$4.00 per acre for the Minn-Miser-Corn Drain #539. Motion carried, 3-0. David Rhoads and Phil Rice abstained from voting.

Deanna Durrett has spoken to the Mayor of Crawfordsville about a **Shelley Drain** landowner meeting. It was stated that the new board members should be briefed about this project and this could be done at the strategic planning meeting.

Mr. Cummins presented the **Raymond Weliever #564 Drain** report. This drain is in Walnut Township.

1,500 ft. 18" Smooth-Core Tile @ \$14.00/ft.	= \$21,000.00
900 ft. 15" Smooth-Core Tile @ \$10.50/ft.	= \$ 9,450.00
2,400 ft Destruction of old tile 1.00/ft	= \$ 2,400.00
900 ft 100' wide x 900' long Tree removal and waterway installed	= \$50,000.00
1 Asphalt Road Crossing (300 S.)	= \$10,000.00
Total	= \$92,850.00

Mr. Cummins is still working with the Soil and Water, as to whether any of the ground is considered a wetland. Landowners in attendance were Anita Hardwick, Leslie Ebaugh, Jeff Linn, Jim Fry, John & Ruth Bronaugh. John & Ruth Bronaugh stated that the ditch on their property is broken down and does not drain properly. Jeff Linn agreed that the Bronaugh's have a problem too. Mr. Cummins will meet with Mr. Bronaugh and look at his property. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a reconstruction landowners hearing for the Raymond Weliever #564 Drain on Friday, March 27, 2009 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Mr. Cummins reported the **Smith Elmore # 641 Drain** is in need of a reconstruction. He cannot get a petition from landowners and recommends keeping the assessment rate of \$9.55 to pay back the deficit of this drain.

Mr. Cummins recommends keeping the **EP McClaskey #544 Drain** on the agenda.

Mrs. Durrett believes the Auditor's office has not processed the correction of errors for the over payment by landowners for 2006 on the **Kirkpatrick One and Martin Gray Drains**, joint drains with Tippecanoe County. Mike Emmert, in attendance stated he has not received any payment. Terry Hockersmith will meet with the Auditor about this matter.

Deanna Durrett reported that there is an issue with the Auditor concerning drain accounts. The Surveyor's office has not received an official listing of drain account balances for 18 to 24 months from the Auditor's office. The Surveyor is to turn in a list of drains that should be taken off of assessment by March 1, 2009, because they have over four years' assessment in their accounts. The Surveyor needs a list in order to balance with the fund balances. Mr. Hockersmith will discuss this with the Auditor also.

It was stated that the Montgomery and Hendricks County Surveyors and landowners met on January 20, 2009 to discuss the **Albert Hysong Joint Drain #618**. There was good attendance and much information was brought forth. The Surveyor will gather more information and report back.

A hearing on a petition to advance the date of reconstruction on the **Allie Peterson Drain #549**, was set for Friday, February 27, 2009 at 9:30 a.m. in the Crawfordsville District public Library.

Mr. Cummins presented the need of a strategic planning meeting. It was decided to hold a public strategic planning meeting on Friday, February 20, 2009 at 9:30 a.m. at 110 W. South Boulevard, Crawfordsville.

Mr. Cummins will present an off list for 2009 to the Drainage Board for their approval.

Mr. Cummins recommends assessment rate increases on the **Wm. McClamroch #543**, **Charles Newkirk #594**, and **Wm. Z. McBee #610** drains. **Deanna Durrett** moved, seconded by **Kenneth Pearson**, to hold assessment rate increase hearings for Wm. McClamroch #543 and to raise the rate from \$1.51 to \$4.50, the Charles Newkirk #594 from \$1.18 to \$4.00 and the Wm. Z. Mc Bee # 610 from \$1.15 to \$5.00 on Friday, March 13, 2009 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 5-0.

Mr. Cummins stated he did not recommend lowering the **Wm. Buchanan #505 Drain** from \$8.96 to \$4.00 as may need reconstruction. Mr. Cummins feels we need to talk to more of the landowners before making a decision to lower the rates. Jeff Linn and Ruth Bronaugh both asked questions about payments on the Raymond Weliever and Mr. Cummins stated more information would be provided at the reconstruction hearing. **Deanna Durrett** moved, seconded by **Terry Hockersmith**, to lower the rates on the Rebecca Flaningam #516 from \$7.82 to \$.4.00, the Raymond Weliever #564 from \$6.28 to \$4.00 and the Odis Stafford #591 from \$11.19 to \$3.50. Motion carried, 5-0.

Deanna Durrett proposed having Gary Weliever of MS4 come to our February 27, 2009 meeting and brief the Board on the Sugar Creek Watershed.

There were no claims.

David Rhoads moved, seconded by **Kenneth Pearson**, to adjourn the meeting at 10:30 a.m. Motion carried, 5-0.

Respectfully submitted,

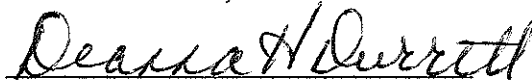
Vicki Emmert,
Recording Secretary



David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member

Phil Rice, Member

MONTGOMERY COUNTY DRAINAGE BOARD
Strategic Planning Meeting
Friday February 20, 2009
MINUTES

The Montgomery County Drainage Board met on February 20, 2009 at 9:30 a.m. in the conference room at 110 W. South Boulevard.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance.

Board members in attendance were David Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice Members; Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, attorney.

Also present Marian Lindow of the Montgomery County League of Women Voters, Marc Bonwell, CK Wilkins, Michelle Cash, Auditor; Donna Bowling, Treasurer, and Ed Stephens..

Mr. Rhoads welcomed everyone, and then turned the meeting over to Deanna Durrett. Changing the meeting dates from Friday to Tuesday was discussed. **Kenneth Pearson moved, seconded by Phil Rice, to move the Drainage Board meetings from the second and fourth Friday to the second and fourth Tuesday of each month. Motion carried, 4-1.**

Deanna Durrett reported that the Board will attend a field trip to the **Shelley Drain** along with the Crawfordsville city officials on Tuesday, February 24, 2009 at 10:15 a.m. following the Drainage Board meeting. We will be using the county van for transportation.

The Surveyor's ditch listing report as of February 11, 2009 is current with claims. Ms. Durrett referred to a listing with miles of tiles and waterways.

Mr. Cummins discussed the assessment rate inventory spread sheet. The drains that should be raised are highlighted.

Michelle Cash stated that Mr. Cummins should enter rate changes starting in November for the coming year. She will let Mr. Cummins know the deadline for this year, possibly the second week of March 2009.

Mr. Cummins presented the list of fifty-three drains to be taken off assessment as they have hit the four year cap. Two will be left on as they need additional maintenance. Mr. Cummins will take these off the ditch listing for the Auditor.

Tom Cummins gave the Board members the 2009 list of contractors who will be available to work for the Surveyor's office this year. These contractors all have their rates and insurance on file in the office. Deanna Durrett will make a list of contractors we used in 2008.

Mr. Cummins reported that he is working on drawing new watersheds for all the drains. He asked about the procedure the board would like. Mr. Rhoads discussed the area in which he lives and that open ditches and tiles may need to be assessed at different rates. Deanna Durrett suggested bringing the watersheds to the board as Mr. Cummins finishes them.

Correction of Error Report

Deanna Durrett reported that a letter from Tippecanoe County to the Surveyor's and the Auditor's offices that their county has taken the **Kirkpatrick One** and the **Martin Gray** drains off of assessment in 2006. After discovering that nothing was done to correct this situation a correction of error letter was sent to all landowners to file for a refund of assessment for 2006. Ms. Durrett reported that after sending these forms onto the Auditor's office that they did not credit the landowners tax forms as they stated they had done. Ms. Cash cannot run them through MVP. Michelle Cash has talked to the State Board of Accounts. She states that the Surveyor will have to file a claim, with property owner, address and parcel number to receive their refunds. These may be submitted to either Michelle Cash or Charlie Leslie. Ms. Durrett inquired about interest on these refunds. Suanne Milligan stated the county pays no interest in this situation. The Auditor stated if a landowner owned more than one parcel to put them all on the same claim. **Deanna Durrett moved, seconded by Terry Hockersmith to direct the Surveyor to prepare claims for the 2006 year for the Kirkpatrick One and Martin Gray Drains with no interest and to pay each landowner no matter the sum of refund. Motion carried, 5-0.**

Drain Account Balances

Michelle Cash explained her procedure with the Harris Computer System in tracking the drain account balances. She stated that all transfers have to be signed by the Surveyor, Tom Cummins and Terry Hockersmith, Commissioner. Ms. Durrett will get back with Ms. Cash on account balances.

Deanna Durrett presented a handout of information regarding the Stormwater Ordinance 90-5 and the Mark Kessler Stormwater plan for his hog farm facility. It was stated that on January 12, 2009, DLZ approved the Kessler plan. At this time the commissioners have not resolved the situation with the fine. Ms. Milligan will prepare a letter to the commissioners to impose the fine. Michelle Cash noted that this is a Class C infraction by the county. **Kenneth Pearson moved, seconded by Deanna Durrett, to request Attorney, Suanne Milligan to draft a letter to the County Commissioners regarding the Mark Kessler Swine Facility Stormwater Plan fines. Motion carried, 3-0. Phil Rice and Terry Hockersmith abstained from voting.**

Policies and Procedures

The Drainage Board policies and procedures were presented to Board Members. They will be discussed on March 10, 2009.

Other Business

Deanna Durrett turned the meeting back to David Rhoads.

Donna Bowling inquired about a parcel of land that was taxed on a reconstruction that was incorrect. She has found the correct landowner. Tom Cummins will look into this issue.

C K Wilkins inquired as to what has to be done to put drains back on assessment that were taken off in 1968. It was stated that a hearing has to be held to raise the assessment.

Ed Stephens inquired if the county's windmill ordinance will affect drainage. Phil Rice reported that on his property that is leased, the lessee will fix all tiles due to weight of their equipment that runs over the tiles. Marc Bonwell reported that Montgomery County Commissioners are looking into the drainage requirements. If a drain easement is affected, they will need Board approval and have to submit, a plan, etc. to the Board. The meeting was adjourned at 11:00 a.m.


Respectfully submitted,

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member

Phil Rice, Member

MONTGOMERY COUNTY DRAINAGE BOARD
Tuesday, February 24, 2009
MINUTES

The Montgomery County Drainage Board met on February 24, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the Donnelly basement conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Mr. Anderson.

Board members in attendance were David Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice Members; Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary.
Also present Marian Lindow of the Montgomery County League of Women Voters, Terry Cain, Dave White, Ed Gable, Joe Miller of Banning Engineering, Frank Phillips, Journal Review.

There were no minutes to approve.

Allie Peterson #549 Drain petition by landowners.

Terry Cain presented a petition for reconstruction of the Allie Peterson #549 Drain, located in Sugar Creek Township. Landowners in attendance were Terry Cain and Ed Gable. It is approximately 1,200 to 1,300 acres. The outlet is a 24" tile which is eroding away. The culvert on CR 1050 was put in during the WPA days and has given way on both sides. Mr. Cain stated that it seemed unfair that the Surveyor has to set a high estimate as that sometimes keeps landowners from wanting to do the required work that is needed on the drains. Mr. Cain inquired as to whether Mr. Cummins has the right to walk on property owners land. The answer is, "yes", and Mr. Cain and Mr. Gable may walk with him. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a reconstruction hearing on the Allie Peterson #549 Drain on Tuesday, April 14, 2009 at 9:30 a.m.**

Deanna Durrett presented a copy of the 2009 Drainage Board meeting dates.
Ms. Durrett reported on items discussed at the February 20, 2009 strategic planning meeting. Items discussed: the **Shelley Drain**, correction of errors concerning the **Kirkpatrick One** and **Martin Gray Drains**, Kessler Swine Farm Stormwater plan.

New business

Mr. Cummins presented the list of drains to take off assessment for 2009. He will turn it in to the Auditor's office.

Board members signed the order to raise the assessment rates for the **Guy Little #534 Drain** to \$6.00 and the **Minn-Miser-Corn #539 Drain** to \$4.00.

Mr. Rhoads inquired about holding a rate increase hearing for the drains that were taken off assessment in 1968 as they have a zero balance. Hearings will be scheduled as needed or requested by landowners.

Mr. Rhoads inquired about contractors who can spray ditches. Mr. Cummins reported there are two county licensed sprayers, Glenco and Turner. Dalton's from northern Indiana inquired about spraying for the county. They agreed to look over the drains that need maintenance free of charge, and give an estimate. Mr. Rhoads suggested a rotation for spraying drains. Deanna Durrett suggested that Mr. Cummins look into becoming licensed to spray, not to spray, but to be knowledgeable. Mr. Cummins said it would be easier to inquire of herbicides, etc. that can be used if he were licensed as no one wants to give out information if you are not licensed. Mr. White inquired as to how wide an area would be sprayed. Mr. Cummins said only the slopes are sprayed to get rid of underbrush and trees, not the grass. Joe Miller stated that only certain types of grass can be seeded as some kill wildlife.

Terry Hockersmith reported that someone had inquired of him what to do about a neighbor who was dumping water on their property with a six inch pipe. Do we have recourse? Tom Cummins said the issue is not within the jurisdiction of the Drainage board. It will require legal action by the aggrieved landowner under the "Common Enemy" law.

Terry Hockersmith also reported that a landowner on the west edge of New Market owns a pond which overflows onto another property. Due to the absence of Planning and Zoning in the county, the landowner has no recourse.

There were no claims.

Deanna Durrett moved, seconded by Kenneth Pearson, to adjourn the meeting and proceed to the Shelley Drain field trip at 10:16 a.m. Motion carried, 5-0.

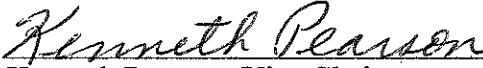
Attending the **Shelley Drain** field trip were:


Dave Rhoads
Deanna Durrett
Terry Hockersmith
Phil Rice
Tom Cummins, Surveyor
Vicki Emmert
Marian Lindow, LWV
Frank Phillips, Journal Review
Mayor Charles Coons
Gary Weliever, MS4
Tom Mitchell, Crawfordsville Waste Water
Marc Bonwell
Dave White, landowner


Respectfully submitted,

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member

Phil Rice, Member

MONTGOMERY COUNTY DRAINAGE BOARD

Tuesday, March 10, 2009

MINUTES

The Montgomery County Drainage Board met on March 10, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the Donnelly basement conference room.

The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were David Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Member. Phil Rice, member, was not present. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary and attorney Suanne Milligan. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, Frank Phillips, Journal Review, Marc Bonwell, Gary Weliever, Chris Kaufman of BLM, David Peebles, Tom Mitchell, Rob Durrett, Mayor Charles Coons, Frank T. Luse of INDOT and Barry Lewis The Paper

Minutes approved

Deanna Durrett moved, seconded by Kenneth Pearson, to approve minutes from the February 9, 2009, February 20, 2009, and the February 24, 2009 Drainage Board meetings. Motion carried, 4-0.

Assessment Rate Increase Hearings

Charles Newkirk #594 Drain Proper notice was given to all landowners. The drain, located in Madison Township was constructed in 1917. Mr. Cummins created a new contoured watershed. There are 568.23 acres in the drain; the tile length is 5,500 foot, with 8", 10", 12", 15" and 18" tiles. On October 14, 2008 the Surveyor inspected and classified the drain.

Surveyor's Notes:

- Drain consist of two tributaries
- Outlets into the Joe Hall Ditch
- Outlets clear and functioning well
- Few tile holes repaired in 2008
- South tributary is structurally sound
- North tributary needing sections replaced
- New contoured watershed created on 3/6/09

Drain Status: Active

Surveyor's Recommendations: The Surveyor classifies this drain for Maintenance for 2009. Northern tile needs to be investigated and replaced in a couple of troubled sections, and possibly re-sized. The current maintenance assessment is \$1.18 and should be increased to \$4.00 per acre.

Deanna Durrett moved, seconded by Kenneth Pearson, to raise the maintenance assessment from \$1.18 to \$4.00 per acre on the Charles Newkirk #594 Drain. Motion carried, 4-0.

Wm. Z. McBee #610 Drain Proper notice was given to all landowners. Cox-Kelly Farms, Inc. was returned by mail as they are out of town. Mr. Cummins received one phone call from Mary Winger inquiring about the hearing. The drain was constructed in 1898 and is in Madison Township. There are 455.75 acres in the drain and the tile length is 8,900 feet with 12, 14, 15, 16, 18, 20,22,24,27, and 30 inch tiles. On June 10, 2008 the Surveyor inspected and classified the drain.

Surveyor's Notes

- Tile broken down on downstream end
- Outlets into the Ermentrout tributary of the Lye Creek Ditch
- Outlet replaced in 2008; 40 ft. of 30" tile under CR 900 N.
- Few tile holes need repaired in 2009
- New contoured watershed created on 3/5/09

Drain Status: Active

Surveyor's Recommendations: The Administrator classifies this drain for maintenance for 2009. Tile holes need repaired on downstream end and possible investigation to

determine quality of tile. The current assessment rate is \$1.25 per acre and should be raised to \$5.00 per acre.

Deanna Durrett moved, seconded by Kenneth Pearson, to raise the maintenance assessment rate from \$1.25 to \$5.00 on the William Z. McBee #610. Motion carried 4-0.

Benjamin Remley #597

The **Benjamin Remley #597** Drain is in North Union Township. Mr. Cummins stated there are repairs that need to be done and if the Drainage Board would allow raising the rates, it could all be done out of maintenance. The current rate is \$3.00 and he would like to raise it to \$6.00. Mr. Cummins has been in contact with Richard Harshbarger who farms the Caster farm. Deanna Durrett suggests that Mr. Cummins contact some of the larger landowners and explain the situation, prior receiving a hearing notice in the mail. She also inquired if the **Detchon Adams Drain**, which is not assessed, has an impact on this drain. Mr. Cummins said no. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a rate assessment hearing for the Benjamin Remley #597 on April 14, 2009 at 9:30 a.m. at the Crawfordsville District Public Library to raise the rates from \$3.00 to \$6.00. Motion carried, 4-0.**

Old Business

Mr. Cummins received a petition from Randy Borden and Wayne Kessler who comprise approximately 20% of the **John Galey Drain #518**. **Deanna Durrett moved, seconded by Kenneth Pearson, to hold a hearing on the petition to advance the date for reconstruction on the John Galey Drain #518 on March 24, 2009 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Mr. Cummins reported on the **Moses Maxwell Drain # 603**. He said that beaver have been causing major problems there and he has contractor Frank James working to clear the beaver dam and brush in area. The contractor has completed 7/10 of a mile at a cost of \$5000. The drain needs more work up to the county line, plus the northern and southern sections need work. Mr. Cummins stated there is money in the drain account to finish this project. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow Mr. Cummins to finish cleaning the Moses Maxwell Drain #603 and not to exceed the amount in the account. Motion carried, 4-0.**

Mr. Cummins reported that **Lye Creek Drain #535** in Madison Township also has a beaver problem. Both outlets are blocked. A contractor destroyed the beaver dams, but new dams appeared again. Contractor John Wilcox provided an estimate to clean out 5 log jams, brush removal and ditch cleanout at for a total of \$38,620 with a 10% contingent clause. The drain has approximately \$49,000 in the account. **Deanna Durrett moved, seconded by Kenneth Pearson, to award John Wilcox the Lye Creek Drain #535 project and to complete it by August 1, 2009. Motion carried, 4-0.**

Foster Fletcher Drain #573

Mr. Cummins reported that the Hampton Inn would like to connect a private tile which is in the urban **Foster Fletcher** impact area into the farm **Foster Fletcher Drain #573**. Mr. Cummins spoke to Nikki Copeland about this tile as the Hampton Inn has opened their private tile and allowed slit to fill it up partially. At this point the Drainage Board will not allow it to connect to the **Foster Fletcher Drain #573**. Chris Kaufman from BLM stated that a letter has been sent to landowners from the City of Crawfordsville requiring the landowners to fix the problem before they will be given the permit to allow occupancy of the Hampton Inn. Joe Miller of Banning Engineering said when the study was done this tile is not sufficient in size for the area. **Deanna Durrett moved, seconded by Terry Hockersmith, to authorize Tom Cummins to hire a contractor to dig a silt basin to protect the Foster Fletcher Drain #573. Motion carried, 4-0.**

Other Business

Mr. Cummins reported that Joe Carter and Hobb Mennon contacted Mr. Cummins and both have agreed to new specifications on the **Ottis Stafford Drain #591**.

Phase I – Completed @ \$15,166.55

Phase II -- Completed @ \$9,625.00

Phase III- Change Order

- Approved to install 1,600 feet of 24' tile from west side of CR 600 E. to outlet
- Requested change to install 500' of 15" smooth-core tile at outlet, 2,486' corrugated tile across Carter/Mennen property line, to connect to existing 12" tile.

Mr. Cummins reported that the watershed changed due to new information regarding drainage area, and inaccurate tile maps. Less watershed acreage negated the need for a 24" tile. New calculations performed, called for a 15" smooth-core tile at the outlet. This change was agreed to by affected landowners and contractors.

Mr. Cummins stated there will be 50 acres less in the watershed and a cost increase of 16% to landowners. **Terry Hockersmith moved, seconded by Kenneth Pearson, to give permission to the change order for the Ottis Stafford Drain #591. Motion carried, 4-0.**

Public Comment

Suane Milligan reported that Montgomery County, Montgomery County Drainage Board and the Montgomery County Highway Department are being sued by Marcella Anderson of New Market, Indiana, filed February 26, 2009. The suit has been referred to the county attorney and the county's insurance carrier.


Deanna Durrett moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:04 a.m. Motion carried, 4-0.

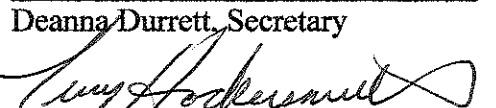
Respectfully submitted,

Vicki Emmert,
Recording Secretary

David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member

Phil Rice, Member

**MONTGOMERY COUNTY DRAINAGE BOARD/ CRAWFORDSVILLE
SHELLEY DRAIN MEETING
Tuesday, March 10, 2009**

MINUTES

The Montgomery County Drainage Board met with representatives of the City of Crawfordsville on March 10, 2009 at 11:10 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman David Rhoads, who stated that the meeting would last one hour. The meeting was then turned over to Deanna Durrett. Board members in attendance were David Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Member. Phil Rice, member, was not present. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary and attorney Suanne Milligan. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, Frank Phillips, Journal Review, Marc Bonwell, Gary Weliever, Chris Kaufman of BLM, David Peebles, Tom Mitchell, Rob Durrett, Mayor Charles Coons, Frank T. Luse of INDOT and Barry Lewis The Paper.

It was reported that a one million dollar economic stimulus grant application has been submitted to the State for the Shelley Drain. Storm water fees and drain assessment were discussed. Chris Coffman City engineer, said at the moment there is no money for capital projects in the city fund. The city will have a meeting on March 30, 2009 to propose rates for the stormwater utility fees, possibly \$6.00 per household and \$10.00 commercial per month. Deanna Durrett inquired if landowners on the Shelley Drain would have to pay the utility fee and the assessment. The answer was yes, even though not all landowners will understand the benefit of both fees.

The possibility of a joint drainage board with the city was discussed. Ms. Milligan referenced the Indiana Code that does not provide for a city/county board. Discussion about whether the assessment would stay on the drain if it was turned over to the city was questioned. Suanne Milligan and the city's attorney David Peebles would look into this and joint board issues.

Tom Cummins presented three project ideas to eliminate some of the water problems. They would cost approximately \$18,000, \$40,000 and \$15,000. Mr. Cummins stated if done by reconstruction, the landowners would see an immediate benefit and would pay over the next five years.

This meeting was continued to March 24, 2009 at 11:00 a.m. in the Crawfordsville District Public Library.

Respectfully submitted,

Vicki Emmert,
Recording Secretary

David Rhoads, Chairman

Kenneth Pearson
Kenneth Pearson, Vice Chairman

Deanna Durrett
Deanna Durrett, Secretary

Terry Hockersmith
Terry Hockersmith, Member

Phil Rice
Phil Rice, Member

David Rhoads, Chairman

Kenneth Pearson, Vice Chairman

Deanna Durrett, Secretary

Terry Hockersmith, Member

Phil Rice, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, March 24, 2009
MINUTES**

The Montgomery County Drainage Board met on March 24, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the Donnelly basement conference room.

The meeting was called to order by Vice Chairman Kenneth Pearson, which was followed by the Pledge of Allegiance and a prayer given by Suanne Milligan.

Board members in attendance were Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Phil Rice members. David Rhoads, chairman, was not present. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary and attorney Suanne Milligan were present.

Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, Frank Phillips, Journal Review, Marc Bonwell, John R. Mayotte, Everette J. and Verna Newton, Helen Bronaugh, Cheryl McClaskey, John & Ruth Bronaugh, Leslie H. Ebaugh, Anita Hardwick, Brenda Foster, Jimmie Vogel, Bill Demaree, Jan Tate, Wayne Kessler, Mary & Sonny Reed, and Randy Borden

Deanna Durrett moved, seconded by Kenneth Pearson, to approve minutes from the March 10, 2009, and the March 10, 2009 Shelley meetings. Motion carried, 4-0.

Raymond Weliever #564 Reconstruction Hearing

Proper notice was given to all landowners. Landowners in attendance were Helen Bronaugh, John & Ruth Bronaugh, Bill Demaree, Leslie H. Ebaugh, Anita Hardwick, Everette J. & Verna Newton, Mary & Sonny Reed, Jan Tate, and Jimmie Vogel. Tom Cummins Surveyor presented the **Raymond Weliever #564** reconstruction project report. A study was done by Banning Engineering. This drain is in Walnut Township. The proposed project consists of the following:

1,500 foot	18" Smooth-Core Tile @ \$14.00/ft	= \$21,100.00
900 foot	15" Smooth-Core Tile @ \$10.50/ft	= \$ 9,450.00
2,400 foot	Destruction of old tile @ \$ 1.00/ft	= \$2,400.00
900 foot	100' wide x 900' long	
	Tree removal and waterway installed	= \$50,000.00
1	Asphalt Road Crossing (300 S.)	= \$10,000.00
	Total	= \$92,850.00

Landowners in attendance inquired about the area that would be reconstructed and where it would stop and start. Anita Hardwick inquired if Mr. Cummins had heard if the Soil and Water Conservation would be working with this project as well. Mr. Cummins stated at this time no. Said a field would have to be farmed at least one year for the Soil and Water to be involved. Mrs. Hardwick stated that hay has been harvested from the field and asked if that would count. Mr. Cummins did not think so and will check on this issue. Fortunately the area through the woods is not a designated wetland. This project will go through the normal bid process as it is under \$100,000.00. Landowners in attendance felt the Drainage Code interest of 10% is very high. The payments may be spread over a five year span or all paid for up front by landowners. Mr. Reed inquired about whether maintenance assessment collected would stay in the **Raymond Weliever #564 Drain** account under maintenance. Mr. Cummins stated "yes". **Deanna Durrett moved, seconded by Phil Rice, to reconstruct the Raymond Weliever #564 Drain pursuant to the Surveyor's Report at an approximate cost of \$92,850. Motion carried, 4-0.**

John Galey #518: Landowner petition to advance the date of reconstruction.

Petition landowners in attendance were Randy Borden and Wayne Kessler. Mr. Cummins reported camera work showed that the tile is running at about 40% capacity. It looks like when the tile was put in under the railroad it was not bedded properly and with the weight of the trains has settled over the years; now it is not functioning to full capacity. There are two options: (1) to bore under the railroad and reconnect the tile (2) run a new tile alongside the track line to the creek. Either option will cost approximately \$40,000. The existing tile under the railroad will take care of the twelve acres on the

other side of the railroad. Mr. Cummins will remove those acres from the watershed. **Deanna Durrett moved, seconded by Terry Hockersmith, to schedule a reconstruction hearing for the John Galey #518 Drain for May 26, 2009 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried 4-0.**

Old Business

Mr. Cummins reported contractor Frank James is two-thirds of the way done with the **Moses Maxwell #603 Drain** and is on the third phase.

Mr. Cummins reported contractor John Wilcox is working on tree removal on the **Lye Creek Drain #535**.

Mr. Cummins reported that a silt basin along the property line of Wright Implement in the **Foster Fletcher Impact Area** had been dug.

Deanna Durrett reported that the **Martin Gray and Kirkpatrick One Drain 2006** refunds have been sent out from the Auditor's Office. Ms. Durrett has contacted some of the landowners and they said they have received their refund checks.

Mr. Cummins reported that Curt Hudson of the **John Gobin #520 Drain** would like to see the reconstruction go a different direction and use a pumping station. Deanna Durrett inquired as to why he did not present this at the reconstruction hearing. Joe Miller of Banning Engineering doesn't know if pumping stations are even legal to use. Phil Rice stated there are major costs for pumping stations and overseeing them. Mr. Cummins stated they will not bore until after crop season. The reconstruction will proceed as ordered on November 10, 2008.

New Business

Deanna Durrett moved, seconded by Phil Rice, to hold a rate increase assessment hearing for the Wm McClamroch #543 Drain to raise the rates from \$1.51 to \$4.50 per acre on April 28, 2009 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.

Deanna Durrett moved, seconded by Terry Hockersmith, to cancel the June 9, 2009 Drainage Board meeting. Motion carried 4-0.

Other Business

Deanna Durrett collected from the Drainage Board their correct e-mail addresses. Ms. Durrett presented a listing report of contractors used since 2004 and the amounts awarded them. She stated in 2008, forty-five drains were worked on and two reconstructions were completed.

Under Policies and procedures Deanna Durrett reviewed the Drainage Board mission statement adopted June 12, 2007. **Deanna Durrett moved, seconded by Terry Hockersmith, to again adopt the mission statement. Motion carried, 4-0.** "The mission of the Montgomery County Drainage Board is to assure that the county's regulated drain system complies with state and county laws and professional drainage standards; provides adequately functioning and financially sound drains; and earns public and landowner trust."

Deanna Durrett reported on Drainage Board member qualifications. **Deanna Durrett moved, seconded by Terry Hockersmith, to approve the revised Board Member expectations and qualifications. Motion carried 4-0. Exhibit A**

Deanna Durrett moved, seconded by Phil Rice, to approve the procedure for a drain repair. Motion carried, 4-0. (Revised Exhibit B)

Other Business

Tom Cummins presented a petition for attachment to the **George McClain Drain #541** from Louis Manson. **Deanna Durrett moved, seconded by Phil Rice, to allow connection to the George McClain Drain #541. Motion carried 4-0.**

Tom Cummins reported that he would like to see a county ordinance to have 30 foot filter strips along all regulated drains. Phil Rice would like to know who would oversee this

project. Would it be the Drainage Board or Soil and Water? Joe Miller stated Hamilton County has standards on filter strips. Ms Milligan was asked to research and draft an ordinance. Mr. Cummins and Mrs. Durrett will provide information from other counties.

Terry Hockersmith moved, seconded by Deanna Durrett, to adjourn the meeting at 10:43 a.m. Motion carried 4-0.

Respectfully submitted,

Vicki Emmert,
Recording Secretary

David Rhoads, Chairman

Kenneth Pearson

Kenneth Pearson, Vice Chairman

Deanna Durrett

Deanna Durrett, Secretary

Terry Hockersmith

Terry Hockersmith, Member

Phil Rice

Phil Rice, Member

**MONTGOMERY COUNTY DRAINAGE BOARD/ CRAWFORDSVILLE
SHELLEY DRAIN MEETING
Tuesday, March 24, 2009**

MINUTES

The Montgomery County Drainage Board met with representatives of the City of Crawfordsville on March 24, 2009 at 11:00 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Vice Chairman Kenneth Pearson; the meeting was then turned over to Deanna Durrett who welcomed everyone.

Board members in attendance were: Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice, members. David Rhoads chairman was not present. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary and attorney Suanne Milligan were present.

Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Frank Phillips, Journal Review, Marc Bonwell, Gary Weliever, Chris Kaufman of BLM, David Peebles, and John R. Mayotte.

David Peebles stated the City Council will hold a first reading of the Storm Water Ordinance on March 30, 2009. It could possibly all be in place by the end of May 2009. The City will have to decide on billing options. The rates would be on residences and non residences possibly \$6.00 with tiers based on square footage of \$10.00 up to \$150.00.

Dave White landowner stated he would like to see the Drainage Board keep moving forward on the drainage issues of the Shelley Drain.

Mr. Cummins stated the tile is over 100 years old. Tom Cummins has made four different rate assessment options per parcel (minimum) per year. As for assessments, if we start high the Board may always lower the rates as needed.

<u>Rates</u>	<u>Total drain revenue per year</u>
\$5.00	= \$6,429.90
\$10.00	= \$12,859.40
10 acre min/\$50.00	= \$50,744.10
10 acre min/\$100.00	= \$99,349.00

Deanna Durrett moved, seconded by Terry Hockersmith, to hold a public meeting and advertise it in the newspapers on Tuesday, April 28, 2009 at 6:30 p.m. at the Montgomery County 4-H Fairgrounds. Motion carried 4-0. Joe Miller of Banning Engineering offered to help with presentation.

The Board asked Surveyor Cummins to obtain a letter of understanding from the landowner who has offered ground for a pond.


Terry Hockersmith moved, seconded by Deanna Durrett, to move the Drainage Board meeting on April 28, 2009 from 9:30 a.m. to 4:30 p.m. and to hold it at the fairgrounds prior to the Shelley public meeting. Motion carried 4-0.

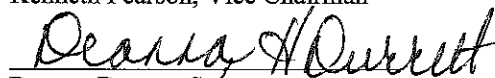
Phil Rice moved, seconded by Deanna Durrett, to move the Wm B McClamroch # 543 Rate increase assessment hearing to April 28, 2009 at 4:30 p.m. at the Montgomery County 4-H Fairgrounds.

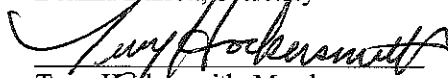
Terry Hockersmith moved, seconded by Phil Rice, to adjourn the meeting at 11:45 a.m.


Respectfully submitted,

Vicki Emmert,
Recording Secretary


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, April 14, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, April 14, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the Donnelly basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Mr. Anderson.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Phil Rice members. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary and attorney Suanne Milligan were present. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, Marc Bonwell, Gary Weliever MS4 Director, Shawn Ramey, Roger Harshbarger, Jim Biddle of Biddle Construction, Dan Booher, John Binder, Greg Miller Attorney, Mark Kessler, Donald C. Whitehead, Mike Patton, Roger Long, Ed Gable, John Cook, Ethel Cook Price, Anndra Pepple, Dan Leaman and Sandra Hovermale.

Deanna Durrett moved, seconded by Phil Rice, to approve minutes from the March 24, 2009, and the March 24, 2009 Shelley meetings. Motion carried, 4-0. Dave Rhoads abstained.

Deanna Durrett moved, seconded by Kenneth Pearson, to approve minutes from the January 16, 2009 meeting. Motion carried, 4-0. Phil Rice abstained.

Hearings

Benjamin Remley #597 Rate Assessment Hearing

Mr. Cummins reported that proper notice was given to landowners. It was stated that drain is in need of repair and is still in debt (\$587.62). The outlet is broken down and about 300 feet from outlet it is covered with willow trees. It will cost approximately \$10,000.00 to repair. Landowner Roger Harshbarger stated the outlet is not working properly and Shawn Ramey attended to be informed. **Kenneth Pearson moved, seconded by Deanna Durrett, to raise the assessment on the Benjamin Remley #597 from \$3.00 to \$6.00. Motion carried, 5-0.**

Allie Peterson #549 Reconstruction Hearing

Mr. Cummins reported that proper notice was given to landowners.

The project would entail:

3,564 ft.	30" Smooth-Core Tile	@	\$31.00/ft.	=\$110,484.00
1,350 ft.	24" Smooth-Core Tile	@	\$20.00/ft	=\$27,000.00
4,914 ft.	Destruction of old tile	@	\$1.00/ft	=4,914.00
1%	Contingency	@	1%	=\$1,423.00

Landowners in attendance were John Cook, Ed Gable, Sandra Hovermale, Anndra L. Pepple, and Daniel Leaman. Dan Leaman inquired as to the timing of the reconstruction in a down economy. Mr. Rhoads stated a petition had been filed by landowners. Ed Gable stated he would have liked to see the project done on a larger scale. John Cook inquired as to when it would be repaired. Mr. Cummins stated it would be done after the bid process and hopefully could be done in the dry summer months. **Deanna Durrett moved, seconded by Phil Rice, to reconstruct the Allie Peterson #549 Drain at an approximate cost of \$143,821. Motion carried, 5-0.**

Old Business

Deanna Durrett stated that it may be on the Montgomery County Commissioner's agenda to resolve the issue of the Kessler Swine Facility fines.

Deanna Durrett stated that each year a review is done of policies and procedures. Policies on repairing drains that are in debt and reimbursement of landowners for repair of deficit drains were reviewed. Deanna Durrett moved, to resend the policies as they are no longer needed. There was no second to the motion. Dave Rhoads stated policies would stay in affect.

New Business

Tom Cummins reported that the **Jesse Snoddy #553 Drain** needs an emergency repair as there is an open tile hole at an electric pole. This hole is close enough to the road that the contractor can sit on the road to repair it. He has a contractor ready to repair it. This drain is on assessment at \$7.72 per acre and is still in debt. Several years ago work was done in the area and the contractor hit quick sand and the drain went into debt at this time trying to repair it. Board granted Mr. Cummins permission to repair.

Mr. Cummins presented a petition and diagram from Beck's Hybrid's to connect to the **John Wilkinson Drain**. This tile crosses I-74 on the north side and is west of the Frey Farm. Mr. Cummins stated connection to the John Wilkinson Drain would not hinder the drainage in the area. **Kenneth Pearson moved, seconded by Phil Rice, to allow Beck's Hybrid to attach to the John Wilkinson #565 Drain. Motion carried, 4-0. Deanna Durrett abstained.**

Jim Biddle of Biddle Construction presented a diagram for expansion of the old Bertsh Food building. The owners would like to expand on the southwest corner to build office spaces. The building expansion will be either a 28 x 32' or 24 x 28'. Marc Bonwell stated this area is gravel and is semi impervious and is in the **Shelley Drain** watershed. At this time there is a no build ordinance on the **Shelley Drain**. It was stated that Ceres Solution has mentioned they would like to expand and they are also in the **Shelley Drain**. There are no existing stormwater tactics in area. More information is needed and this request will be kept on the agenda for the next Drainage Board meeting on April 28, 2009.

Tom Cummins reported on the **Prince Croy** and the **George Conrad Drains** that are both off of assessment at the present. These drains both tie into the **William McClamroch #543 Drain**. He recommends that they both be put back onto assessment at a rate of \$5.00 per acre. **Deanna Durrett moved, seconded by Kenneth Pearson, to schedule rate assessment hearings to raise the rates from zero to \$5.00 per acre for the Prince Croy and the George Conrad on Tuesday, May 26, 2009 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Ms. Milligan reported she is waiting on more information before proceeding with a filter strip ordinance. She will report on May 26, 2009.

Mr. Greg Miller attorney for landowners Dan Booher and John Binder presented information on their drainage problem on Memorial Drive. They have come to the Drainage Board to present their case, not knowing for sure if this is the place to start or not. It was stated that a report was made by Deckard Engineering in June 2008. These landowners did not have a drainage problem until Memorial Drive was completed. At this time they have a continuous water flow across their property. A tort claim can only be filed within the time limit of 180 days and that timeline starts March 16, 2009. Deanna Durrett inquired as to why a drainage plan was never submitted. Marc Bonwell and Tom Cummins stated they never received a drainage plan for the road when it was built. This road project was paid for by county, state and federal money. Marc Bonwell stated that INDOT should have done a study of the area. Mr. Miller said their agenda is not to find blame, but to get the problem solved. Terry Hockersmith will have this problem put on the commissioner's agenda. Dan Booher said he would never have hired a lawyer if Brett Cating had not told him they had all the required permits and would not do anything about the drainage. Mr. Booher said he would meet with Steve Yeager of the Highway Department over a fence issue.

Gary Weliever, of MS4 of the City of Crawfordsville, gave a presentation and history of MS4. MS4 stands for Municipal Separate Storm Sewer System. MS4 currently affects only the city and the two mile zone. Mr. Weliever stated he has mapped 1,400 outlets in Crawfordsville. He showed examples of water filtration gardens and two-stage ditch design to slow down water and allow water filtration back into the ground water level. Mark Kessler inquired as to how well two-stage ditch designs work without overgrowth maintenance becoming a problem. Mr. Weliever stated native plants stop invasive plants. Joe Miller stated that 2-stage meander ditches works very well with less sediment. MS4's time frame to start collecting fees is August 2009.

Public Comment

Mark Kessler reported that when the second phase of Ladoga road project was done they took a reduced amount for their land in exchange for a crossing. There is now an erosion problem as the culvert is under sized. The crossing is a 15" and should have been a 40". The county says it is his problem. He would like some suggestions of what to do? The **Joel Tobin #576 Drain** is only 150 feet away. Terry Hockersmith said the county is going to go back and look at who the engineer was at the time and the legal aspect of it all. Mr. Rhoads asked Mr. Kessler to keep the Drainage Board informed of the situation.

Suanne Milligan reported that the county insurance will provide the legal defense for the Marcella Anderson lawsuit.

Tom Cummins presented a petition from Mike Patton to accept a private drain into the **Charles Cowen #510 Drain**. When the landowner had the tile worked on it was found that the tiles run parallel of each other and were put in at the same time. It is highly likely both tiles are county tiles.

Phil Rice moved, seconded by Deanna Durrett, to accept the petition to make a private drain a part of the Charles Cowen #510 Drain. Motion carried 5-0.

Mike Patton stated he would like to be reimbursed for recent work on the private tile that has now become part of the **Charles Cowan #510 Drain**. Deanna Durrett proposed that Mr. Patton and Mr. Cummins work together, and then submit the cost of the project to the next meeting.

Claims

Mr. Cummins reported that the **George Hutchinson #527 Drain** was in need of an emergency repair as tiles and the headwall were dangerously near a county road.

Deanna Durrett moved, seconded by Kenneth Pearson, to pay the claim of \$6142.54 to Bart Maxwell for the work that was completed on the George Hutchinson#527 Drain. Motion carried, 5-0.

Mr. Rhoads inquired as to the status of the **Thomas Wilkins #589 Drain**. Mr. Cummins and Ms. Milligan are working on this project because it requires additional federal bidding procedures since it is over \$200,000.00.

Mr. Rhoads inquired on the time line for the **Linn-Himes #533 Drain** reconstruction as he had heard there was going to be a new fertilizer plant in the area. Mr. Cummins stated that tile rates are going down in price. Mr. Rhoads thought Mr. Cummins should look into this situation possibly as this could affect the reconstruction.

Deanna Durrett moved, seconded by Kenneth Pearson, to adjourn the meeting. Motion carried, 5-0. 11:40 a.m. Respectfully submitted,

Vicki Emmert,
Recording Secretary

David Rhoads, Chairman

Kenneth Pearson

Kenneth Pearson, Vice Chairman

Deanna Durrett

Deanna Durrett, Secretary

Terry Hockersmith

Terry Hockersmith, Member

Phil Rice, Member

**Montgomery County
Drainage Board
Tuesday, April 28, 2009
Public Meeting
Shelley Drain
Minutes**

The Montgomery County Drainage Board held a public forum for the Shelley Drain on Tuesday, April 28, 2009 at 6: 30 p.m. at the Montgomery County 4-H Fairgrounds. The meeting was called to order by Chairman David Rhoads. Mr. Rhoads welcomed guests and introduced city and county officials. Approximately fifty people attended. An attendance sheet has been filed in the office of the county Surveyor. The meeting was then turned over to Tom Cummins, Surveyor.

Tom Cummins stated we have a new working relationship with the city of Crawfordsville. Mr. Cummins gave a history of the Shelley Drain that was built in the early 1900's as an agricultural drain and was established as a county drain in 1911. It has 23,000 feet of sub-terrarium tile. He explained the difference between subsurface water and surface water. Numerous studies have been done over the years. The 1999 Christopher Burk, 2004 Army Corp of Engineers and the Multi Hazard study in 2006. Areas within the Shelley Drain with drainage problems are the Raybestos factory, Meadow Wood, Eastern Acres, and Cloverdale Heights housing developments. There is a western and an eastern leg of the Shelley Drain with most of the drainage problems occurring in the eastern leg. The money spent on the studies was allocated by the county as the Shelley Drain is not on assessment and has no money for repairs or anything else. A lot of mistakes have been done in the past and we are trying to work through them and correct some of the water issues in the Shelley Drain for the community.

Mr. Cummins stated there are four assessment options: 986 parcels

	Minimum charge per acre	Highest rate	Total
Option # 1	\$5.00	\$157.00	\$6,429.90
Option #2	\$10.00	\$315.80	\$12,589.40
Option #3	\$10.00/\$50.00	\$315.80	\$50,744.40
Option #4	\$10.00/\$100.00	\$315.80	\$99,349.00

Mr. Cummins presented the following repair options;

Install approximately 800 ft. of 24" tile from junction of tributaries (Exhibit A.) to existing outlet behind Raybestos. 800 ft. of 24" tile @ \$20.00 per foot = \$16,000)

Install and re-direct approximately 3,000 ft. of 18" tile between First Baptist Church and Montgomery Place Condominiums, across SR 32, northwest across the crop field, and west behind Jiffy Lube. (Exhibit B.) 3,000 ft of 18" tile @ \$14. per = \$42,000

Repair broken down areas of existing tile through wooded area, and west of Eastern Acres Subdivision. (Exhibit C.) Approximately 10 areas @ \$1,000/ ea. = \$10,000

Examine the need for retention/detention in trouble areas; Cloverdale/Meadow Wood apartments and Eastern Acres (Exhibit D.).

Deanna Durrett stated that no one has paid an assessment or taxes on the Shelley Drain since 1968.

Mr. Cummins and the Drainage Board answered questions about the following issues:

- Drainage problems. Mr. Cummins showed problem areas on the overhead.
- Who will pay for assessments and repairs? Mr. Cummins described various rate options and the process for payment of assessments.
- Mr. Cummins explained the watershed and the provision of the state law
- When would the project begin? Mr. Cummins said repairs can begin as soon as an assessment has been ordered by the Board

- Are there other watersheds within the City? Shelley Drain is the main watershed in Crawfordsville.

When there is a hearing on an assessment rate scheduled, all landowners will be notified by certified mail with date, time and place to be announced in a notice.

It was moved and seconded to adjourn the meeting. Motion carried.

Respectfully submitted,

Vicki Emmert,
Recording Secretary

David Rhoads, Chairman

Kenneth R. Pearson
Kenneth Pearson, Vice Chairman

Deanna Durrett
Deanna Durrett, Secretary

Terry Hockersmith
Terry Hockersmith, Member

Phil Rice, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, April 28, 2009
MINUTES**

The Montgomery County Drainage Board met on April 28, 2009 at 4:30 a.m. at the Montgomery County 4-H Fairgrounds. The meeting was called to order by Chairman David Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were Chairman, David Rhoads; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Phil Rice members. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary and attorney Suanne Milligan were present.

Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, John R. Mayotte, Fredrick Crum, Peggy A. Fyffe, Jim A. Bittle, Marion Fyffe, Mike Patton, Jeff Troike, and Ken W. Presslor,

Assessment Hearing

The Surveyor reported that **William McClamroch # 543 Drain** is in North Union Township and is currently in debt \$2,486.79. Landowners in attendance were Fredrick Crum, Marion Fyffe, and Peggy Fyffe. Mr. Crum stated that at this time no more improvements were needed on the drain and feels the proposed rate of \$4.50 is too high and would like to see it at \$3.00. Mr. Fyffe stated his water runs north and does not feel he should have to pay the assessment. Mr. Cummins reported that new contour watersheds have been created, instead of using the old squared off maps. Mr. Cummins showed the landowners where their properties were in the watershed with the GIS program. **Phil Rice moved, seconded by Kenneth Pearson, to raise the assessment rate from \$1.51 to \$3.00 on the William McClamroch #543 Drain. Motion carried, 5-0.**

Old Business

Mr. Rice reported that the Montgomery County Soil and Water District would like to be involved in the filter strip process for the open ditches. At this time all open drains have a seventy-five foot easement from the top of each drain. Each drain needs to be accessible for repair and spraying. **Deanna Durrett moved, seconded by Phil Rice to have Ms. Milligan along with the Soil and Water District to prepare a draft ordinance for the May 26, 2009 Drainage Board meeting. Motion carried, 5-0.**

Suanne Milligan reported that the in Marcella Anderson lawsuit the Drainage Board is being represented by counsel provided through the county's insurance.

Mr. Cummins reported that he spoke with John Wilcox on the work that was done on the **Charles Cowen Drain #510** and the costs were divided according to private work versus public. **Deanna Durrett moved, seconded by Terry Hockersmith to pay \$2,900.00 to John Wilcox for work done on the Charles Cowen Drain #510. Motion carried, 5-0.**

Mr. Cummins reported that Banning Engineering has about 60% of the study completed on the **James Hose**.

Ms. Durrett reported that the Auditor's office is working with the Harris System and cannot locate the contract #. Ms. Durrett asked to keep the review of polices and procedures on the next agenda.

Terry Hockersmith reported that the Commissioners will impose a fine for the Kessler Swine Farm and would like to know a fair amount. This matter will be tabled until the May 26, 2009 meeting to get the exact dates, before recommending a fine amount.

Shelley Drain building expansions:

Deanna Durrett reported according to the 1998 Shelley Drain Resolution that in order to build in the Shelley Drain an exception is allowed if the proposed building will not increase the runoff by more than 10%. Mr. Rhoads inquired about how much is 10%. Mr. Cummins says there are several factors to consider, roof size, ground, etc.

Old Birge Building expansion continued from the April 14, 2009 meeting.

Deanna Durrett moved, seconded by Kenneth Pearson, to allow Biddle Construction to expand the old Bertch Food building according to his submitted plans in the Shelley Drain Area, as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1.

Mr. Cummins reported that Dan Allridge would like to demolish his home of 1,344 square feet and build a new one with 1,417 square feet which results in a 3% increase in runoff in the Shelley Drain area. **Deanna Durrett moved, seconded by David Rhoads, to allow Mr. Allridge to**

build his home, as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1.

Ken Pressler, 400 Louise Ave. would like to demolish his 21 x 12 foot garage and replace it with a 24 x 20 foot garage. It results in a 9% increase in runoff. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow Mr. Pressler to build his garage, as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1.**

April White, Fairlane Drive would like to build a 7 x 40 foot deck. It results in a 2% increase in runoff. **Deanna Durrett moved, seconded by Phil Rice to allow Ms. White to build her deck, as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried 4-1.**

Ray Faber would like to demolish his 13 x 20 garage and replace it with a 9 x 14 garage. This results in a decrease in runoff. **Deanna Durrett moved, seconded by David Rhoads, to allow Mr. Faber to build his garage, as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 5-0.**

Jeff Troike of Ceres Solution would like to expand their building with a 20 x 12 breezeway and a 50 x 104 building expansion. This results in a 3% increase in runoff. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow Ceres Solution to expand their building and breezeway, as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1.**

New Business

Mr. Cummins reported he has received a petition for the **Smith Elmore Drain #641** from more than 10% of the landowners. **Deanna Durrett moved, seconded by Kenneth Pearson, to advance the date of reconstruction on the of the Smith Elmore Drain #641 and hold a hearing with the petitioners on Tuesday, May 26, 2009 at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins reported he has received a petition to attach to the **James Sanders #550 Drain** from Phil Campbell. Mr. Cummins stated a contractor reports the tiles are clean. **Mr. Cummins recommends allowing the attachment. Phil Rice moved, seconded by Kenneth Pearson to allow attachment to the James Sanders #550 Drain. Motion carried, 5-0.**

Mr. Cummins reported that he has received settlements from Boone County on the **A.F. Ward Drain #561**. It is in debt \$1,000.00. The drain is in need of repairs and the assessment is \$0.62 an acre. More information is needed. This matter will be kept on agenda for next meeting.

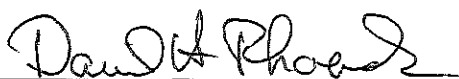
Other Business

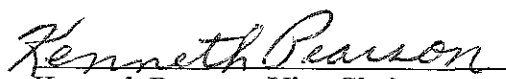
Mr. Cummins reported that the open ditch portion of the **Joe Hall #581 Drain** on Curt Hudson's property on needs dipping. Mr. Hudson has requested that Bart Maxwell do the work while he is there doing private tile work for him. **Phil Rice moved, seconded by Kenneth Pearson, to allow Bart Maxwell to work on the Joe Hall #581 Drain while he is there working for Mr. Hudson. Motion carried, 5-0.**

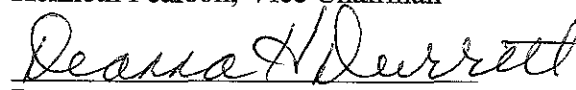
David Rhoads moved, seconded by Kenneth Pearson to adjourn the meeting at 6:00 p.m. Motion carried 5-0.

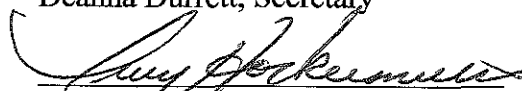
Respectfully submitted,

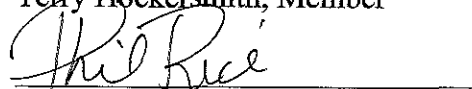
Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

Montgomery County Drainage Board
Tuesday, May 26, 2009
MINUTES

The Montgomery County Drainage Board met on Tuesday, May 26, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Vice Chairman Kenneth Pearson, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; and Terry Hockersmith. Board members Dave Rhoads and Phil Rice were not present. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary and attorney Suanne Milligan were present.

Also present Marian Lindow of the Montgomery County League of Women Voters, Tom McCormick, Stan Hamilton, Mike Spragg, Frank Phillips Journal Review, Bill Miller, Bill and Linda Richmond, Sam & Janet Valliere, Dan and Sheila Sering, Gary Moore, Tom Melvin, Wayne Kessler, Roy Sillery, Wilbert Renick, Bill Clifton, Dean Rush, and Marc Bonwell.

Deanna Durrett moved, seconded by Terry Hockersmith, to approve minutes from the April 14, 2009, drainage board meeting and the April 28, 2009 Shelley landowner meeting. Motion carried, 3-0.

John Galey #518 Reconstruction Hearing

Mr. Cummins reported that proper notice was given to landowners.

The project would entail:

1,350 ft.	30" Smooth-Core Tile	@	\$32.00/ft.	= \$43,200.00
70 ft.	Filling of old tile w/concrete	@	\$1,500/ea.	= \$ 1,500.00
1	Cap 24 "tile west of railroad	@	\$600. /ea.	= \$600.00
1	Contingency Fee	@	10%	= \$4,530.00

This drain is in South Union Township. Mr. Cummins presented a robotic video of the waterway under the railroad, which showed the major breakdown of the waterway. There were no landowners in attendance. **Deanna Durrett moved, seconded Terry Hockersmith, to reconstruct the John Galey #518 Drain at an approximate cost of \$\$49,830.00. Motion carried, 3-0.**

George Conrad #705 Assessment Hearing

Mr. Cummins reported that proper notice was given to landowners. He stated that the **George Conrad #705 Drain** has not been on assessment since 1968. It is in North Union Township. The proposed rate is \$5.00 an acre. Part of this drain runs under the North Montgomery Northridge Middle School and there are no accurate records of where it runs. North Montgomery High School is also in the watershed. Any work that has been done on the drain in that area has been done at the landowner's expense. With the building of the schools it has caused drainage problems for Clark Truck Equipment Co. and they are putting their ground in the CPR program because of the surface water. Landowners in attendance were Jeff Myers and Bill Clifton. Mr. Myers stated that Clark Truck Equipment Co., Ione R. Clifton, William D. Clifton, William Curtis Sidener Jr. and him self were not in favor of putting it back on assessment. **Deanna Durrett moved, seconded by Terry Hockersmith to not raise the assessment on the George Conrad #705. Motion carried, 3-0.**

Smith/Elmore Drain Petition

Mr. Cummins has received a landowner petition to advance the date when a regulated drain will be referred to the county surveyor from Gary Moore, Kenneth Moore, Dan Rush, Mark Barclay and Danny Sering. The **Smith/Elmore Drain** is in Ripley Township northwest of Alto. The landowners discussed the problems and possible costs with the Smith/Elmore with the Drainage Board. **Deanna Durrett moved, seconded by Terry Hockersmith, to schedule a reconstruction hearing on the Smith/Elmore Drain for Tuesday, August 11, 2009 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 3-0.**

John Galey Drain Reconstruction

Deanna Durrett moved, seconded by Terry Hockersmith to rescind her motion to reconstruct the John Galey #518 Drain as the landowners hearing notice stated 10:00 a.m. instead of 9:30 a.m. and it was not 10:00 a.m. when the first motion was made. Motion carried, 3-0.

Landowners present were Wilbert Renick, Linda Richmond, Roy Sillery, Richard and Janet Valliere, Wayne Kessler, Tom Melvin.

Mr. Cummins presented the following information.

The project would entail:

1,350 ft.	30" Smooth-Core Tile	@	\$32.00/ft.	= \$43,200.00
70 ft.	Filling of old tile w/concrete	@	\$1,500/ea.	= \$ 1,500.00
1	Cap 24 "tile west of railroad	@	\$600. /ea.	= \$600.00
1	Contingency Fee	@	10%	= \$4,530.00

This drain is in South Union Township. Mr. Cummins presented a robotic video of the waterway under the railroad, which showed the major breakdown of the waterway. It was reported that to re-bore under the railroad would cost approximately \$70,000.00. All the tile holes that have been fixed on this drain have been due to back pressure. **Deanna Durrett moved, seconded by Terry Hockersmith, to reconstruct the John Galey #518 at an approximate cost of \$49,830. Motion carried 3-0.**

Moses Allen Drain

Mr. Cummins reported that Ross Foxworthy presented a petition to advance the date when a regulated drain will be referred to the county surveyor on the **Moses Allen Drain**. This drain is in North Union Township. **It is a small watershed of approximately 100 acres. Deanna Durrett moved, seconded by Terry Hockersmith to schedule a reconstruction petitioner's hearing on Tuesday, August 11, 2009 at 9:30 a.m. at the Crawfordsville Public Library on the Moses Allen Drain. Motion carried 3-0.**

Mr. Cummins has received a petition to attach to the **Clarence Widner Drain** from Tom Hedrick. He would like to attach two six inch tiles to the 12 inch **Clarence Widner Drain**. **Terry Hockersmith moved, seconded by Deanna Durrett, to allow Mr. Hedrick to connect his two six-inch tiles to the Clarence Widner Drain. Motion carried, 3-0.**

Mr. Melvin from Elmdale reported that he has a problem with road water because of there are no side ditches in the area. He also stated he is going to the County Commissioners meeting today. His family has owned the property for the past 35 years and nothing has been done to solve the problem. He stated he did not feel he was benefiting from the **Kenneth Hudson Drain** on which he pays assessment. It was stated he does get benefits from it but cannot see it as it is subsurface water. Mr. Cummins stated we have a new highway department head now and will contact him as to whether all the culverts are open in the area.

The **John Cochran Drain** will be on the agenda for discussion at the June 23, 2009 meeting.

Marc Bonwell presented drainage plans from the St. Bernard's Church that is in the Shelley Drain watershed. They would like to add to their building under the 1998 Shelley Drain Resolution. They own 12.5 acres and this would be a 1% increase in runoff. Gary Weliever reported to Mr. Bonwell that a city stormwater sewer is in that area. **Deanna Durrett, moved seconded by Terry Hockersmith, to allow the St. Bernard Church to expand their building as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 2-1.**

Tom McCormick of 211 Vine St. Waynetown, Indiana, stated that after the heavy rain on April 14, 2009 they had a flooding issue. Mr. Cummins reported that Rex Ballard farms the Henthorn farm and is in the CRP program and that there is a distribution box at the corner of Vine St. and

St. Rd 25. Mr. Cummins, acting as a facilitator only, he met with Paul Rusk of Waynetown Maintenance and Mark Hoffman of the State Highway Department. Neither one told him "No" when asked if work could be done to alleviate the problem on the Henthorn farm from the washing out of his field. At this point the restrictor plate has been removed. Mr. McCormick felt it was in the better interest of the community to keep the homes from flooding in the area than to have useable farm land. He stated the homeowners involved do not have the resources to fix problems after each heavy rain. He has lived in the area for 33 years and has never seen it this bad before.


Terry Hockersmith moved, seconded by Deanna Durrett, to adjourn the meeting at 11:05 a.m. Motion carried 3-0.

Respectfully submitted,

Vicki Emmert,
Recording Secretary


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member

**Montgomery County
Drainage Board
William T. Shelley
Landowner Assessment Hearing
June 23, 2009**

The William T. Shelley landowner assessment hearing was brought to order by David Rhoads chairman of the Montgomery County Drainage Board. It was held at the Montgomery County 4-H Fairgrounds on June 23, 2009 at 6:30 p.m.

Mr. Rhoads presented ground rules for the evening and introduced the Drainage Board. Present were Kenneth Pearson vice-chairman; Deanna Durrett, secretary; Terry Hockersmith and Phil Rice members.

Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary and attorney Suanne Milligan were present. There were approximately 300 people in attendance. The list of landowners may be found in the exhibit book.

Tom Cummins, Surveyor, presented background of the **William T. Shelley Drain**. Old County records show that it was established as a legal drain in 1911, and consists of approximately 23,000 linear feet of sub-surface tile. The drain location is Twp. 18 N., Range 4 W: Sections 3 & 4 Twp. 19 N. Range 4 W: Sections 33 & 34. The drain has had many problems in the past, due to many different reasons. This drain was designed for subsurface water not above ground (surface water). The **William T. Shelley Drain** affects 986 parcels and 594.48 acres, most of which are developed.

Mr. Cummins stated it will take money to fix the affected areas. The proposed assessment rate is from zero to \$10.00 per acre with a \$100.00 minimum. There are four proposed projects.

1. Install approximately 800 ft. of 24" tile from junction of tributaries to existing outlet behind Raybestos. 800 ft. of 24" tile @ \$20/ft. = \$16,000.
2. Install and re-direct approximately 3,000 ft. of 18" tile between First Baptist Church and Montgomery Place Condominiums, across SR 32, northwest across the cropfield, and west behind Jiffy Lube. 3,000 ft. of 18" tile @ \$14/ft. = \$42,000.
3. Repair broken down areas of existing tile through wooded area, and west of Eastern Acres Subdivision. Approximately 10 areas @ \$1,000/ea. = \$10,000.
4. Examine the need for retention/detention in troubled areas: Cloverdale/Meadowood Apartments and Eastern Acres.

Mr. Cummins stated that after repairs are made the assessment may be lowered in approximately 2 to 3 years.


David Rhoads opened the meeting for landowners' comments and questions. Landowners spoke for and against the assessment. Tom Cummins and the Drainage Board answered their questions.

Following discussion by the board, **Deanna Durrett moved, seconded by Kenneth Pearson, to raise the William T. Shelley Drain assessment from zero to \$10.00 an acre with a \$100.00 minimum. Motion carried 5-0. This vote was signified by a hand vote.**

Respectfully submitted,

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman

Deanna H Durrett
Deanna Durrett, Secretary

Terry Hogkersmith
Terry Hogkersmith, Member

Phil Rice
Phil Rice, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, June 23, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, June 23, 2009 at 4:30 p.m. at the Montgomery County 4-H Grounds. The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Mr. Howey Lange.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Phil Rice members. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary and attorney Suanne Milligan were present. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Howey Lange, Dick Inskeep, Adrian McClain, and Donya Lester.

Deanna Durrett moved, seconded by Phil Rice, to approve minutes from the April 28, 2009 and the May 26, 2009 meetings. Motion carried, 5-0.

Hearings and Petitions

Mr. Cummins presented a petition to attach from landowner Curt Hudson to attach to the Arthur Fraley #596 Drain. Deanna Durrett suggested that we should postpone the petition until Mr. Hudson could be present. No action was taken on this petition.

Tom Cummins brought forth a petition from Mark Barclay to attach to the **Charles O. McFarland # 545 Drain**. Mr. Barclay would like to attach 600 feet of six inch tile to the drain. Deanna Durrett inquired as to the condition of the drain. Mr. Cummins reports that it is in good condition. **Kenneth Pearson moved, seconded by Deanna Durrett to allow the attachment to the Charles O. McFarland #545 Drain by landowner Mark Barclay. Motion carried, 5-0.**

Tom Cummins presented a petition to take over jurisdiction of a private tile from landowner Dick Inskeep. It is an eight inch tile. Mr. Cummins reported that it is in good condition. **Deanna Durrett moved, seconded by Phil Rice to take over jurisdiction of landowner Dick Inskeep's private tile and this would be called tributary four on the Allen Lewis #578 Drain. Motion carried, 5-0.**

Mr. Cummins presented a petition to attach another section of tile to the Allen Lewis #578 Drain from Dick Inskeep and inquired as to a cost share. This tile is in horse shoe clay. Dave Rhoads stated that this could set a new standard and has no problem attaching, just the cost share. Phil Rice inquired about the depth of the tile; even with no-till six inches deep is not very deep when applying anhydrous. Mr. Pearson said a tile needs to be deep enough to seal it. **Deanna Durrett moved, seconded by Terry Hockersmith to bring in an engineer to study the Allen Lewis #578 Drain before allowing attachment by Dick Inskeep. Motion carried, 5-0.**

Old Business

Phil Rice and Suanne Milligan reported the need for more input from the Drainage Board before writing a filter strip ordinance. Ms. Milligan met with David Stanley of the Soil and Water Conservation office and suggests that we put this issue on the strategic planning agenda.

It was stated that the July 14, 2009 regular Drainage Board meeting will now be the strategic planning meeting.

Terry Hockersmith stated he was in need of more information on the Storm Water fines for the Kessler Swine Farm. Deanna Durrett will provide that information to him.

Mr. Cummins reported that there were fifteen applications for the new position as Deputy Surveyor and watershed conservation specialist with the Soil and Water Conservation

office. Five candidates were interviewed. Dave White inquired about the job description of this new position. It was stated that this is a pilot program and may be unique in the state of Indiana. Both groups will be working together to protect the land from erosion. There will be an Executive Drainage Board meeting Thursday, June 25, 2009 at 8:30 a.m. at the Montgomery County Surveyor's office to select the new Deputy Surveyor.

Mr. Cummins reported there was nothing new to report on the Allie Peterson Drain.

New Business

Salaries and Wages

Discussion on salaries and wages will be on July 14, 2009 with the department heads.

Discussion on the long-range plan for the Surveyor's office is always changing as projects are completed. Deanna Durrett moved, seconded by Terry Hockersmith to approve the Surveyor's Long Term plan presented at the May 26, 2009 meeting. Motion carried, 4-0. Phil Rice abstained.

Other Business

Donya Lester inquired about bids on the Thomas Wilkins Drain bids. It should have been removed from the agenda on the Surveyor's website but was not. It will be on the agenda for the July 28, 2009 Drainage Board meeting.

Adrian McClain inquired about the Jesse Evans Drain as it needs to be redirected along the east side on higher ground. Approximately 500 feet needs repair. Dave Rhoads asked Mr. McClain to meet with Mr. Cummins to discuss what should be done.

Public Comment

Dave Rhoads inquired of Terry Hockersmith what was done at the County Council meeting about drain loans. It was stated that the Auditor was given approval to get rates on the Glennard Miller and John McCorkle Drains. Deanna Durrett stated that the contractors have been paid out of the general improvement fund. Councilman Jim Fulwider has been given general authority to sign for all Drainage Board reconstruction loans. From now on after receiving the contractor's bids the loan process will start, instead of waiting until the project is completed.

There were no claims

Phil Rice moved, seconded by Kenneth Pearson to adjourn the meeting at 5:30 p.m. Motion carried, 5-0.

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

Montgomery County
Drainage Board
Strategic Planning
Meeting
July 14, 2009

The Montgomery County Drainage Board met on Tuesday, July 14, 2009 at 9:30 a.m. at 110 South Boulevard office.

The meeting was called to order by Chairman Dave Rhoads.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Phil Rice members. Tom Cummins, Surveyor.

Greg Woods, deputy surveyor was introduced. He expressed interest in working with the county highway department as drains are reconstructed or repaired. He plans to use the Ben Remley and James Servies Drains as pilot projects for the collaborative effort.

Members discussed the outcome of the William T. Shelley Drain meeting including whether to respond to a letter to the editor critical of the meeting. The Board members felt that no response is appropriate. Mr. Hockersmith did calculations, based on the tax records, of assessment based on square foot of impervious ground. His thought is that square foot of impervious might be a better assessment strategy. No decision was made. The Board encouraged the Surveyor to keep press aware of progress on the William T. Shelley Drain.

Foster Fletcher watershed issues: The Board needs to be brought up-to date concerning urban drain status. Surveyor is to bring a recommendation to the Board. New Board members should read the Banning Report.

Filter strip ordinance: SWCD and Deputy Woods are continuing to develop a positive approach. This issue should remain on the agenda. The Drainage Board may wish to create leverage about the strips at the time of reconstruction. Board should consider the language in the Indiana Drainage Board Handbook for "best practice." Attention to the need for a filter strip should be included in the surveyor's classification of drains. Members expressed concern that a policy must take into account the unique nature at each situation.

Also:

- The 4-H Fair booth schedule
- Drainage 101 plans
- Plans for upgrading the grade on the county salary matrix for the surveyor position.
- Anderson lawsuit is in "discovery."

Ms. Durrett will draft a letter to contractors stating that any work on county drains must be brought to the Board. Failure to do so might result in their being taken off the approved contractor list. The letter will be reviewed at an upcoming meeting.

A. F. Ward: Dave Rhoads and Deanna Durrett will serve on the joint board.


No information concerning the Albert Hysong Drain has been received from Hendricks County.


Meeting was adjourned at 11:00 a.m.

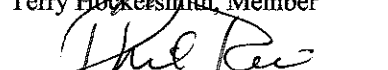
Respectively Submitted,
Deanna Durrett,
Drainage Board
Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, July 28, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, July 28, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Phil Rice members. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary, attorney Suanne Milligan was absent. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, Marc Bonwell, Mary Rose Duncan, CK Wilkins, John T. Binder, Ward Wilkins, Greg Miller, Jake German, Dan Booher, Dan Gwin, Donya Lester, Larry Cain and Frank Phillips Journal Review.

There were no minutes to approve.

Hearings and Petitions

Mr. Cummins reported that Curt Hudson was unable to attend and would like to move the petition for the Arthur Fraley #596 to our next Drainage Board meeting August 11, 2009.

Mr. Cummins reported that Vestor & Associates is studying the area of the Allen Lewis #578 drain for the petition to attach with Dick Inskeep and will have information at our next Drainage Board meeting August 11, 2009.

Old Business

Greg Miller attorney representing Dan Booher and John Binder gave the Board an update of the drainage problem along Memorial Drive. Mr. Miller reported that Tom Cummins and Terry Hockersmith both have been to the site. Mr. Miller stated that no drainage plan was submitted to the county or city that can be found. His client has 180 days from the date of the letter to file a tort claim. The claim asks the county to fix the problem or be liable for suit. The intention is not to sue but to fix the problem. There is a two year statute of limitation. The beginning date to file a Tort Claim is when the owners received their information from Deckard Engineering, which was March 16, 2009; deadline to file is September 16, 2009. Mr. Cummins has requested a copy of the plans for Memorial Drive from the County Highway Department. Mr. Booher stated that back in 1978 when the railroad maintained the tracks the drainage worked. Random House has always had problems. Deanna Durrett stated that Suanne Milligan the Drainage Board attorney will be involved in this issue too, but is not here today.

Phil Rice reported there was nothing new to report on the filter strip ordinance.

Mr. Cummins reported that he was contacted to furnish the final sketches and a completion date concerning work at in New Market for the Anderson lawsuit. The County Highway Department was also contacted.

Joe Miller of Banning Engineering reported that there are draft reports of the **James Hose** and there will be an additional public meeting at the end of August and will meet again afterwards. Stated he has information to pass out to the board after the meeting.

Deanna Durrett reported that work is still being done on the financial report.

Ms. Durrett submitted a letter to the personnel committee. The committee will meet on Friday to consider change in the grade matrix for the Surveyor. The recommendation of the committee will be sent to the board.

Terry Hockersmith reported that Deanna Durrett recently updated him on the time frame of the Mark Kessler swine operation. Marc Bonwell reported that Mr. Kessler has until August 1, 2009 to complete the Stormwater drainage plan that was submitted last fall. There is still a question as to who will levy the fine of non compliance. **Deanna Durrett moved, seconded by Kenneth Pearson, that Marc Bonwell and Tom Cummins make a site visit to the Kessler Swine**

facility before our next Drainage Board meeting which is August 11, 2009. Motion carried, 5-0.

It was stated by Marc Bonwell that new language for the Stormwater Ordinance that imposes fines is with the county attorney now and that the amount of money for the fine will be determined by the courts. Terry Hockersmith stated that after reviewing the information and also reviewing the Memorial Drive and Ladoga Rd issues. He wonders if we are treating individuals differently than the county. Deanna Durrett stated that there was on going communication with Mr. Kessler over his project and the circumstances are not quite the same.

Tom Cummins reported that he has met with Mr. Adrian McClain over the Jesse Evans #514 Drain over what could be done to fix the drain. Mr. Cummins said the repair would cost about \$12,000.00. It is a small watershed of approximately 500 acres. Mr. Cummins stated that if the rate is raised there would be enough money in the drain to cover the cost of the project with at least within two years. **Deanna Durrett moved, seconded by Terry Hockersmith, to have a rate assessment hearing to raise the rates from \$3.00 an acre to \$10.00 an acre for the Jesse Evan #514 Drain on August 25, 2009. Motion carried 5-0.**

New Business

Larry Cain landowner with property in the **William Buchanan #505 Drain** stated that the drain is working as an open ditch rather than using the tile as it is overgrown and the water cannot get away. It works fairly well on the east side CR 675. Mr. Cummins recommends leaving the rate the same and work through maintenance as the rates were raised a while back to \$8.96 an acre. Mr. Cain stated he was glad that Tom walked the area with him.

Tom Cummins reported Dave Price has requested a building permit to build on Traction Road East of Daugherty Lane. It is in the **Shelley Drain** area and is under the 10% runoff that is permissible. It is not required, but Mr. Cummins would like to see a stormwater drainage plan as the water from his property runs into the **Shelley Drain** area. **Deanna Durrett moved, seconded by Terry Hockersmith to change the resolution of the William T Shelley #705 Drain to an impact resolution that meets the criteria of the area by our next meeting of August 11, 2009. Motions carried, 5-0.**

Deanna Durrett moved, seconded by Kenneth Pearson, to allow Dave Price to build according to his submitted plans in the William T. Shelley #705 Drain Area, as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1. Terry Hockersmith voted no.

Terry Hockersmith inquired as to whether there had been any objections to the **William T. Shelley #705 Drain** assessment since the letter had been sent out to the landowners. The answer is no.

Tom Cummins reported originally we were to open bids for the **Thomas Wilkins #589 Drain** and that twenty-five to thirty firms have requested plans. On Friday, July 24, 2009 Mr. Cummins was contacted by the Indiana Department of Labor about the prevailing wage that would be used on the **Thomas Wilkins #589 Drain** reconstruction project. Suanne Milligan is attending a meeting today to better understand what our Surveyor needs to do to prepare for a project of this size. It was stated that there is to be a five member board with representatives from the state, labor, drainage board, a taxpayer who pays on the projects and a taxpayer appointed by the commissioners who also will be paying for the reconstruction. The Department of Labor only meets once a month on these issues and that is the meeting that Ms. Milligan is attending today. We may be able to have a private meeting with the Department of Labor. It will also require a special meeting of the Drainage Board. Representative from the Drainage Board will be Deanna Durrett, Dan Gwin, taxpayer and name being brought to the County Commissioners will be taxpayer, Mary Rose Duncan. The meeting is August 26, 2009.

Mr. Cummins will propose an earlier meeting with the Department of Labor since if we get too late in the season, this project will not be able to be completed in good weather conditions. Mr. Cummins reported that for a project over \$150,000.00 a performance bond is required or an irrevocable line of credit. CK Wilkins inquired if the landowners have a say as to what contractor gets the bid. Mr. Cummins stated yes, with a project of this size. Ward Wilkins then inquired as to if the landowner wants the middle of the road bid. Can they select him over others? Mr. Cummins reported that he would inquire about this with our attorney Suanne Milligan. CK Wilkins stated that years ago a drain was vacated; reconstruction of a ditch was done by landowners, than the drain was turned back over to the county. If the meetings can be moved up with the state, our plan is to open the bids on August 25, 2009 and make the decision that afternoon.

Other Business

Deanna Durrett reported that Sullivan County Soil & Water would like our help in setting up a drainage board.

Greg Woods will be attending drainage board meetings on Monday, August 3, 2009 in Clinton County and Wednesday, August 5, 2009 in Tippecanoe County.

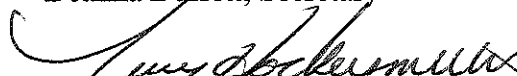
**Kenneth Pearson moved, seconded by Phil Rice to adjourn the meeting at 11:15 a.m.
Motion carried, 5-0.**

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, August 11, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, August 11, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, Phil Rice members. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary, and Suanne Milligan attorney. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, Marc Bonwell, Bud Rose, Richard Myers, Larry W. Myers, Ray Risner, Jeff Jacob, Mary Hile of Creek Run, John and Ruth Bronaugh, Gary and Anita Hardwick, Dean and Edith Rush, Mark Barclay, Gary Moore, Kenneth Moore, Ron and Ramona Masten, Jeffery S. Linn, Dan and Sheila Sering, Mike Spragg, Larry Davis, Bart Maxwell, Leslie and Loraine Ebaugh, Judy Bengochea, of Sullivan County Soil and Water Conservation District, Brenda Foster, and Mark Kessler.

Deanna Durrett introduced Judy Bengochea of Sullivan County Soil and Water Conservation District. Sullivan County would like to set up a Drainage Board. Dave Rhoads introduced Greg Woods who is the Deputy Surveyor/Soil and Water employee.

Deanna Durrett moved, seconded by Phil Rice, to approve the minutes of the Drainage Board meeting and the William T. Shelley landowner rate assessment hearing minutes on June 23, 2009. Motion carried, 5-0.

Smith/Elmore # 641 Reconstruction Hearing

Tom Cummins reported on the Smith/Elmore #641 Reconstruction Hearing. Proper notice was given to all landowners. This reconstruction encompasses 1023.14 acres. The estimated cost is \$99,610.00 to:

- Construct a new structure at open ditch inlet to tile.
- Install 1,590 feet of 18" dual wall tile.
- Install 1,800 feet 24" dual wall tile.
- New tile under CR 925 W.
- Install 850 ft. 30" dual wall tile.

Discussion followed and landowners questioned the size of tiles needed.

Deanna Durrett moved, seconded by Kenneth Pearson, to have Mr. Cummins contact an engineer about tile size and to continue the Smith/Elmore #641 reconstruction hearing to August 25, 2009 meeting at 9:30 a.m.. Motion carried, 5-0.

Tom Cummins reported on the petition from Ross Foxworthy to advance the date for reconstruction for the Moses Allen #500 drain. It is in Madison Township. The tiles are shallow and break easily. It is now a 110 acre watershed, but with using the new contours it would include 230 acres. Mr. Cummins would like to talk to Mr. Foxworthy again. **Terry Hockersmith moved, seconded by Phil Rice, to continue the petition for the Moses Allen #500 drain to August 25, 2009 meeting at 9:30 a.m. Motion carried, 5-0.**

Tom Cummins reported that Jay Clifton has presented a petition to attach to the Charles Newkirk # 594 Drain. Would like to clean a petroleum land problem and then connect. Mary Hile of Creek Run stated it would take a week to clean the soil and they have a permit from the State. It will be clean water running to the tile. Mr. Cummins recommended, they be allowed to attach. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow Jay Clifton to attach a tile to the Charles Newkirk #594 Drain. Motion carried, 5-0**

Opening of Bids

Mr. Cummins opened four sealed bids from the following contractors for the **Raymond Weliever # 564 Drain.**

Bud Rose at \$68,830.00

Jacob Arthur Excavating at \$31,130.00

Maxwell Farm Drainage at \$31,889.00

Foster Farm Drainage at \$37,735.18

All have bid bonds in place.

Dave Rhoads stated they would take the bids under advisement and will look at them at the end of meeting.

Mr. Cummins opened two sealed bids from the following contractors for the **Carolyn Kenyon Drain.**

Maxwell Farm Drainage at \$28,188.00

Jacob Arthur Excavating at \$30,472.00

All have bid bonds in place.

Dave Rhoads stated they would take the bids under advisement and will look at them at the end of meeting.

Old Business

Mr. Cummins reported that he and Marc Bonwell went out to the Kessler Swine Farm on August 3, 2009. Everything was in place except for an emergency overflow that was in the original design. Mr. Cummins and Mr. Bonwell spoke to the contractor and again went out on August 5, 2009. Everything was in place on August 5, 2009, the work has been completed.

Mr. Rice reported that there is nothing new to report on the filter strip ordinance.

Joe Miller of Banning Engineering reported on the **James Hose Drain** with the town of Linden. There will be a public hearing on August 25, 2009. The next grant cycle is to be submitted in September. Deanna Durrett inquired as to what information Mr. Miller has received from the landowners. Mr. Miller stated there have not been as many floods in the last few years. One landowner remembers when they had to use canoes to get around Water Street. Deanna Durrett inquired of Marc Bonwell whether he gets building permits from the town of Linden. Marc says yes, anything over the 10% runoff cannot build. Mr. Miller reported that reworking the drain through town is the best option. If the town of Linden cannot demonstrate a need from the landowners, they cannot receive grant money. Ms. Durrett inquired of Terry Hockersmith if we have competition from Office of Community and Rural Affairs grants with other projects in the county. Mr. Hockersmith was not sure. It was suggested to check with Shannon McCleod. Dave Rhoads reported he agrees with Mr. Miller on the drainage problem. Mr. Cummins reported work has been done on the **George Nichols #546 drain** in that area. Shannon McCleod, the grant administrator, is taking care of publication of the hearing.

Deanna Durrett reported that fines are pending on the Kessler Swine Farm and a memo should be sent to the County Commissioners to refer it to the courts.

Tom Cummins reported he spoke with Adrain McClain concerning his petition to attach and will have information at the August 25, 2009 meeting on the **Jesse Evans Drain.**

Mr. Cummins reported on the **Arthur Fraley #596 Drain** about taking over jurisdiction of the area on the Curt Hudson property. Mr. Cummins knows there are legal issues. Mr. Cummins reported it may have been a legal drain at one time. There is no file from the **Arthur Fraley #2.** Landowners have worked to keep the drain fairly clean. The outlet is bad. Mr. Cummins would like to talk to Mr. Hudson and discuss that again at the September meeting.

Tom Cummins reported on the **William T. Shelley Drain.** There has been water testing in the area of Raybestos, East side of First Baptist Church and Montgomery Place II. Testing indicated e-coli particles of 172 to 400. The Health Department reported the tests results are within acceptable limits. A dye test also has been done. Mr. Cummins reported that at St. Rd. 32 and St.

Rd. 47 the dye came out where the tile runs under the bridge. It is partially broken and much of the water at St. Rd. 32 runs along St. Rd. 47.

Terry Hockersmith inquired of Suanne Milligan as to distributing cost on urban drains. At this time Ms. Milligan does not have information.

Deanna Durrett reported on the proposal to change the Surveyor's salary matrix rate. Ms. Durrett and Mr. Cummins will meet this afternoon with the Board of Review on this issue.

Deanna Durrett moved, seconded by Terry Hockersmith, to relinquish her position for the Department of Labor and common wage committee for the Thomas Wilkins #589 Drain and assign Tom Cummins to the position. Motion carried, 5-0. Terry Hockersmith reported that Mary Rose Duncan was selected by the Commissioners to sit on the committee.

New Business

Bart Maxwell reported on work to be done on the Linn Himes Drain. Mr. Rhoads reported that he had not heard any changes from the fertilizer plant. Bart Maxwell asked if bids would be let soon on the Linn Himes Drain. Mr. Cummins said he will prepare the bid package as soon as possible. Mr. Maxwell also inquired about the Minn-Miser-Corn Drain. Mr. Cummins reported that he should be able to get the Minn-Miser-Corn information ready by the next Drainage Board meeting on August 25, 2009. Mr. Maxwell also inquired about work on the Jeff Lynn property and tiles that are silted. There seems to be a problem on the Montgomery County Foundation property. Mr. Cummins stated more information is needed on this project and possibly a petition and to please keep it on the agenda.

Other Business

Terry Hockersmith inquired about the memo that was to be sent to the Commissioners on the Kessler Swine Farm. Phil Rice asked to refresh his memory on past occurrences. Marc Bonwell reported that the fines were to start in September of 2008. Mark Kessler reported he had IDEM approval and did not know he was required to get approval from the Montgomery County Drainage Board.

Dave Rhoads stated he was not in favor of a fine. Phil Rice spoke as a citizen and said that mistakes were made on both sides of the issues between Mark Kessler and the Drainage Board. Mr. Kessler stated that the property around his swine facility was rented by him and if the drainage was not working properly he would have been hurting himself. Deanna Durrett stated the Drainage Board should have not allowed hogs in the building until the drainage problem was fixed. Marc Bonwell reported any fine money would go in the Stormwater fee fund. **Dave Rhoads moved, seconded by Deanna Durrett, to recommend to the County Commissioners to levy a fine of \$1.00 to the Kyle Kessler Hog Farm. Motion carried, 3-2.**

Public Comment

Gary Hardwick inquired as to why there was such a difference in bids between the contractors on the Raymond Weliever. Mr. Cummins reported that he attempts to estimate high to cover all facets of the project. The Drainage Board will look at all the figures to see that they are accurate. Mr. Cummins said he will supervise the reconstruction to assure it is in accordance with the specifications.

There were no claims.

The Board took a ten minute recess to review the bids for the Raymond Weliever and the Carolyn Kenyon reconstruction projects.

Tom Cummins reported both bids were in line with the specifications and recommended Maxwell Farm Drainage for the reconstruction of the Carolyn Kenyon. **Kenneth Pearson moved, seconded by Phil Rice, to accept the bid of \$28,188.00 from Maxwell Farm Drainage to reconstruct the Carolyn Kenyon. Motion carried, 5-0.**

Tom Cummins recommended Jacob Arthur Excavating for the reconstruction of the Raymond Weliever #564 Drain. **Deanna Durrett moved, seconded by Phil Rice, to accept the bid of \$31,130.00 from Jacob Arthur Excavating to reconstruct the Raymond Weliever Drain. Motion carried, 5-0.**

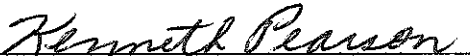
Greg Woods presented an activity report for July 2009 to the Board. He reported that on Thursday there would be a wildlife habitat field day at the Chad Schenck farm.

Mr. Rhoads reported that he had attended the Boone County Drainage Board meeting along with Mr. Woods.

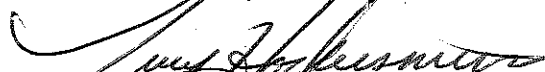
Deanna Durrett moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:25 a.m.
Motion carried, 5-0.

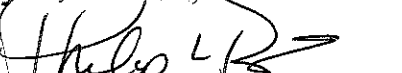
Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, August 25, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, August 25, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith & Phil Rice members. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary, attorney Suanne Milligan was absent.

Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, Marc Bonwell, Norman Long, Dan and Sheila Sering, Adrian McClain, Curtis and Rosemary McClain, Larry W. Myers, Ken Davis and Frank Phillips Journal Review.

Deanna Durrett moved, seconded by Terry Hockersmith to approve the July 28, 2009 Drainage Board Minutes. Motion passed 4-0.

Hearings & Petitions

Tom Cummins reported that information was still being gathered on the Smith/Elmore #641 Drain and would like to keep it on the agenda for the next meeting on September 22, 2009.

Larry Myers inquired if the landowners could be notified when the information gathered would be ready to be presented to the board. Mr. Cummins said a letter would be sent out to the landowners before the final hearing.

Tom Cummins reported the Surveyor's office received a petition for the Moses Allen #500 Drain It is in Madison Township and drains into the Joe Hall. There were no landowners present. Mr. Cummins would like to keep on the agenda for the next meeting on September 22, 2009.

Tom Cummins reported that landowners were properly noticed on the Jesse Evans #514 Drain concerning the assessment hearing today. Mr. Cummins reported that Adrian McClain's property needs work done. The project is estimated to cost between \$8,000 and \$10,000.00. It is a larger watershed with three new landowners added, Ken Davis, David Dillard, and Sheila Hill. There is a total of 486.19 acres. The old rate is \$3.00 and would like to raise it to \$10.00. The drain is now out of debt. Norman Long inquired about where the money has gone over the years.

Deanna Durrett moved, seconded by Kenneth Pearson to raise the rate from \$3.00 an acre to \$10.00 an acre on the Jesse Evans #514 Drain. Motion carried, 4-0.

Ken Davis inquired if the assessment will go back down after the work is completed. Mr. Cummins says he makes a note in the file to lower it later.

Tom Cummins reported that Curt Hudson could not attend today. Please keep the Arthur Fraley #596 Drain on the agenda for the September 22, 2009 meeting. Mr. Cummins has gathered more information and there is a blue line stream involved and DNR permitting will be necessary to complete this project. Mr. Cummins stated that the Surveyor's office will work with Tippecanoe County also as it drains into Tippecanoe.

Tom Cummins reported the engineers and surveyors are still working on the Allen Lewis #578 Drain and the crops have not been harvested yet. Please keep this on the agenda for the September 22, 2009 meeting.

Old Business

Terry Hockersmith reported that Monty Harris, County attorney will meet with Dan Booher's attorney concerning the drainage problem along Memorial Drive. It is in the Crawfordsville city limits.

No reports were available for the Anderson lawsuit and the Filter strip ordinance.

Joe Miller of Banning Engineering reported that will be a public hearing with the town of Linden on the James Hose planning grant at 6:30 p.m. It was published in the paper and the town of Linden sent out notices.

Deanna Durrett reported that the financial report is very close in being completed with the Auditor's office.

Marc Bonwell reported that a Stormwater draft ordinance when completed will be sent to the Drainage Board.

Terry Hockersmith reported the fine that was imposed by the Drainage Board for the Kessler Swine Farm died for a lack of a motion at the County Commissioners meeting. Mr. Hockersmith stated that elected officials should impose fines not boards.

Deanna Durrett met with the Board of Review concerning the salary matrix change of the Surveyor's salary. It was reported that the Surveyor's position was undervalued according to the work that is performed. The salary will be reset in 2010.

Dave Rhoads and Terry Hockersmith reported the County Council is still working on the County budget.

Tom Cummins reported that today at 12:30 p.m. he will be meeting with the Indiana Department of Labor with the wage committee concerning the **Thomas Wilkins** reconstruction project.

New Business

Kenny and Larry Cain were not present concerning the **William Buchanan Drain**. Please keep on the agenda for the next meeting on September 22, 2009.

Deanna Durrett reported that instead of holding our usual Drainage Board meeting on September 8, 2009. Ms. Durrett would for the Drainage Board to attend the Mills Farm in-service meeting. It sponsored by Soil and Water and the NCRS on managing the water table under agricultural cropping with gated control systems.

Deanna Durrett moved, seconded by Dave Rhoads, to cancel the regular meeting and attend the Mills Farm in-service day on September 8, 2009 from 8:30 to 11:30 a.m. Motion carried, 4-0.

Deanna Durrett reported the Drainage Board will meet with the Crawfordsville City officials at 3:00 p.m. on Tuesday, September 8, 2009 at the Surveyor's office concerning the Shelley Resolution and what needs to be changed. It is a public meeting.

Deanna Durrett reported that on Wednesday, September 26, and Thursday, September 27, 2009 the Soil and Water at Kenny Cain's will hold their annual event for the area 4th grade school students, including home school.

Other Business

Dave Rhoads inquired if the loans for the **Raymond Weliever** and the **Carolyn Kenyon** reconstruction projects could be gotten sooner, since the bids have been awarded. Mr. Cummins says he had prepared to get the loans processed.

Phil Rice Drainage Board member came in at 10:09 a.m.

Dave Rhoads reported that he received a call from Randy McCormick concerning the **Guy Little Drain** and would like for Tom Cummins to call him. Mr. Cummins reported that in order for work to be done on the **Guy Little**. Mr. McCormick will have to keep the cattle out of the creek and will need to fence the cattle out of the open ditch following the guidelines of the Equip program. Mr. Cummins does not want to see the work on the drain completed until Mr. McCormick has submitted a plan or put up a fence.

Deanna Durrett reported that she received a letter from Gary Weliever the MS4 coordinated and is in the process of applying for a federal grant to create a water-shed for Sugar Creek. He would like a partnership with the drainage board and put a representative from the Board on the steering committee. Ms. Durrett said she would be on the committee.

Dave Rhoads moved, seconded by Kenneth Pearson to appoint Deanna Durrett to the steering committee for the grant. Motion carried, 5-0.

Greg Woods reported on research being done on culverts under roads and sizing. Mr. Woods is also locating drains that have been off assessments for years.

Mr. Woods, along with Phil Rice and Vicki Emmert will attend Drainage 101 tomorrow in Indianapolis.

Mr. Woods reported that Steve Yeager of the Highway Department is concerned about cornstalks that block drains along the county roads. Stated this should be discussed more at the March Road School meeting as this is a huge problem throughout the corn-belt.

Deanna Durrett inquired about Mr. Cummins use of the gator from Soil and Water. Mr. Cummins will use it on Friday to go out along with contractors and receive estimates for work on the open drains.

Claims

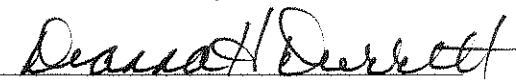
Tom Cummins presented a claim from Bart Maxwell for work completed this spring on the **John Cochran Drain** on the Hob Mennon Farm for \$8,908.38. The drain only has about \$5,000 in the account and have already spoke to Mr. Mennon about a rate increase, from \$2.26 to approximately \$10.00. Mr. Cummins would like to schedule a rate increase hearing for the **John Cochran** on October 27, 2009 Drainage Board meeting. This assessment will only be for a couple of years. **Deanna Durrett moved, seconded by Kenneth Pearson to pay Bart Maxwell 8,908.38 for the work done on the John Cochran Drain. Motion carried, 5-0.**

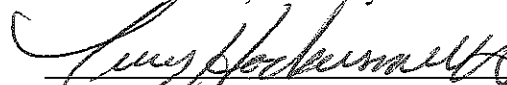
Kenneth Pearson moved, seconded by Dave Rhoads to adjourn the meeting at 10:30 a.m. Motion carried, 5-0.

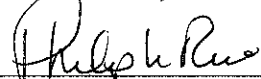
Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, September 22, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, September 22, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith & Phil Rice members. Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary, attorney Suanne Milligan. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Leroy Bunnell, Horace Tomey, and Jacob Arthur.

Deanna Durrett moved, seconded by Kenneth Pearson, to approve the July 14, 2009 strategic planning meeting, the August 11, 2009, August 25, 2009 Drainage Board minutes. Motion carried, 5-0.

Mr. Cummins requested for a continuation of the **Smith/Elmore #641 Drain** until the next Board meeting. **Deanna Durrett moved seconded by Terry Hockersmith, to continue the Smith/Elmore #641 Drain reconstruction hearing to the next Drainage Board meeting on October 27, 2009. Motion carried, 5-0**

Tom Cummins reported the landowner Ross Foxworthy has not been able to be present for the **Moses Allen #500 Drain** petition to advance the date for reconstruction due to conflicts. Mr. Cummins reported that a reconstruction will be necessary. **Deanna Durrett moved, seconded by Kenny Pearson, to advance the date for a reconstruction hearing on the Moses Allen #500 to the November 10, 2009 Drainage Board meeting. Motion carried, 5-0.**

Mr. Cummins reported the attachment and cleanup by Jay Clifton to the **Charles Newkirk #594 Drain** has been completed.

Tom Cummins reported that Curt Hudson could not attend today for the petition to attach to the **Arthur Fraley #596 Drain**. **Deanna Durrett moved, seconded by Dave Rhoads, to continue the Arthur Fraley Drain #596 petition to the November 10, 2009 Drainage Board meeting. Motion carried, 5-0.**

Old Business

Suanne Milligan reported there are no updates on the Dan Booher Memorial Drive drainage problem. Terry Hockersmith reported a notice of Tort Claim has been filed.

Suanne Milligan reported the Drainage Board is represented by counsel and a deposition was taken from Tom Cummins concerning the Anderson lawsuit.

Ms. Milligan reported the filter strip ordinance need not be on the agenda anymore as it was discussed at the strategic planning meeting. Mr. Cummins will encourage landowners to use filter strips whenever possible and will include them, when necessary, as part of drain reconstruction specifications.

Deanna Durrett reported on the Salary Matrix grade scale. Mr. Cummins' grade has been increased from 1.5 to 2.3. Ms. Durrett also reported that for every certified mile of drains and for each section corner found the Surveyor will receive \$2.00 from the County General Fund each year.

Kenneth Pearson reported that the Drainage Water Management Demonstration Day at the Mills Farms was very informative.

Mr. Cummins reported on the following drains:

James Hose #572 Drain

The Commissioners and the town of Linden accepted the Banning Engineering report.

James Sanders Drain

Mr. Phil Campbell will wait till crops are harvested to attach to the **James Sanders Drain**.

Arthur Fraley Drain

Waiting on Mr. Hudson.

William T. Shelley

The Surveyor has received information from various landowners concerning the drain. A camera and more dye testing are scheduled for October. Progress has been made concerning location of the drain; 30% of the drain is located in places no one knew about. The drainage "Bowl" in Montgomery Place II works well. Mr. Tomey is looking into grants.

Minn-Miser- Corn

There is a petition from Lowell McMullen to attach to the **Minn-Miser-Corn**. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow Mr. McMullen's attachment to the Minn-Miser- Corn Drain. Motion carried, 4-0. Dave Rhoads abstained.**

William Buchanan

Mr. Cummins is still working on a meeting with Kenny and Larry Cain.

Guy Little

Randy McCormick is to submit a sketch of where the new fence will be placed.

Allen Lewis

Waiting till crops are harvested to complete work.

Thomas Wilkins Reconstruction

Bart Maxwell is working on the project now.

Allie Peterson

It is an approved reconstruction. The landowners have requested possibly changing the layout of some of the tile. Mr. Cummins is checking with Soil and Water at landowner's request regarding proposed changes.

Linn-Himes

Will receive bids at the October 27, 2009 Drainage Board meeting.

John Gobin #2

This project will include boring under Highway 231 and the railroad. Getting approval from the railroad is the most difficult part. Hopefully the work will be completed by summer 2010.

John Galey

Will receive bids at the October 27, 2009 Drainage Board meeting.

Albert Hysong

Working with DNR and Army Corp of Engineers to obtain permits. Work has been delayed with Hendricks's County due to permit issues.

EP McClaskey

Deanna Durrett reported that Chris Torp of SWCD will give information. Mr. Cummins will contact Mr. Torp again.

Marion Connor

Mr. Cummins will call Everett Newton, as he is the largest landowner, about whether this drain should go back onto assessment or be vacated.

George Kendall

Mike Emmert says there are no issues with this drain.

A F Ward

1-4-11

Waiting on information from Boone County

New Business

Tom Cummins, along with Leroy Bunnell, reported on a drain in Wayne Township. The area landowners feel that it was on assessment years ago but no one knows the name of the drain. Three landowners have signed a petition to put it back on assessment. It is in need of reconstruction, although it has a good outlet. Mr. Cummins will create a watershed and will research whether this drain has been assessed in the past.

Deanna Durrett read the mission statement of the Board and she explained that the Surveyor's Office and the Auditor's Office are working on a solution to reconcile the accounts.

Greg Wood was not present to give his report.

Other Business

Dave Rhoads would like the Drainage Board approval to explore the **James Servies Drain**. Mr. Cummins suggested digging up the tile to find out what condition it is in. **Dave Rhoads moved, seconded by Terry Hockersmith, to explore the James Servies Drain. Motion carried, 5-0.**

Public Comment

Dave White inquired about the jet to be used on the **William T. Shelley**. Mr. Cummins explained that it will be used with the camera to explore the condition of the drain.

Horace Tomey reported that he was present to observe a Drainage Board meeting. His interest is in surface water.

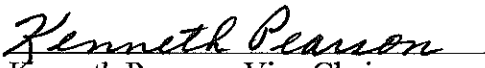
Claims

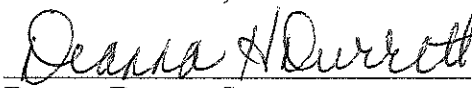
Mr. Cummins presented a claim from Grant McBee for grass seed he purchased and spread on the **Lye Creek Drain**. **Terry Hockersmith moved, seconded by Phil Rice, to deny the claim as it was not a pre-approved purchase. Motion carried, 5-0.**

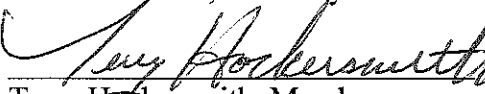
Phil Rice moved, seconded by Kenneth Pearson, to adjourn at 10:27 a.m. Motion carried, 5-0.

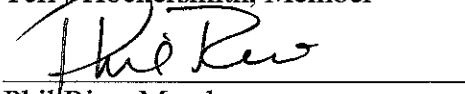
Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

1000 1000

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**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, October 27, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, October 27, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Phil Rice.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith & Phil Rice members. Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary, and Greg Woods Deputy Surveyor, attorney Suanne Milligan was absent.

Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Joe Miller of Banning Engineering, Marc Bonwell, Evelyn Miles, Lauri Shillings, Shawn Aker, Greg Woods, Dave Deckard of Deckard Engineering, Rand L. McCormick, Brenda Foster, Morris R. Davis Mark Kessler, Jacob Arthur, Bart Maxwell, Mr. Clossy and Frank Phillips, Journal Review.

Kenny Pearson moved, seconded by Terry Hockersmith, to approve the minutes of the September 8 and September 14, 2009 minutes. Motion carried, 5-0.

Mr. Cummins reported that they are still waiting on the crops to be harvested to start the Smith/Elmore #641 project. **Deanna Durrett moved, seconded by Terry Hockersmith, to continue the Smith/Elmore #641 reconstruction hearing to December 8, 2009. Motion carried, 5-0.** Deanna Durrett requested that reminder notices be sent to landowners.

Tom Cummins reported he has not heard from Mr. Hudson concerning the petition to attach to the Arthur Fraley #596. **Deanna Durrett moved, seconded by Phil Rice, to continue the Arthur Fraley #596 petition to attach to the November 10, 2009 meeting. Motion carried, 5-0.**

Deanna Durrett moved, seconded by Kenneth Pearson, to hold an assessment rate increase hearing for the John Cochran #621 from \$2.26 to \$10.00 at the November 24, 2009 meeting. Motion carried, 5-0.

Shelley Drain Building permits requests;

Tom Cummins has received a request from Mrs. Coffing 303 N. Grace Ave. Crawfordsville to build an addition to their house of 22' x 24'. It is an increase of 5% runoff. Mr. Cummins recommends the use of downspouts and that the water is diverted to run into the ditch along the road. A notation to the city about the downspouts should be presented along with the plan. There are concerns about the drainage in that area as an adjoining neighbor's property retains water. **Deanna Durrett moved, seconded Phil Rice, to allow Mrs. Coffing to build her addition, as it meets the 1998 Shelley Drain Resolution runoff exemption and the downspout recommendation be part of the permit. Motion carried, 4-1.**

Mr. Cummins also received another request from Mrs. Coffing as she has an adjoining property and would like to build a 24' x 24' garage without a driveway. This is an increase of 9% runoff. Discussion concerned the need for a driveway. Whether it is stone or just grass either way the ground will become compacted and affect the impervious percentage. **Kenneth Pearson moved, seconded by Phil Rice, to deny the request to build a garage and to wait and see how the addition drains first. Motion carried 5-0.**

Tom Cummins received a request from Mr. Mike Stark on Eastgate Drive to build a 24' x 32' garage without a driveway. It is an increase of 8% runoff. It is just south of 32 and west of Montgomery Place II and the water flows towards 32. Dave White inquired if Mr. Cummins has been out in that area recently with a camera crew. Mr. Cummins responded two to three weeks ago they were out in that area. Marc Bonwell reported that city of Crawfordsville does not have drainage tackies. Mr. Deckard says the drainage goes to the street. **Deanna Durrett moved, seconded by Kenneth Pearson, to deny the garage permit as there were no driveway specifications. Motion passed 5-0.**

Mr. Cummins inquired if there is a plan to meet to change the Shelley Drain resolution? Deanna Durrett said a change in the resolution is being prepared. Marc Bonwell reported that there is Stormwater ordinance being written at this time. Ms. Durrett will pursue the issue.

Mr. Cummins opened up bids for the **Linn-Himes #533**.

Maxwell Farm Drainage \$27,648.00
Arthur Excavating \$36,730.00
McCullough/Dibenedetto Excavating \$59,716.00
Clossy Excavating \$59,113.00

Deanna Durrett moved, seconded by Phil Rice, to take the bids under advisement for the Linn-Himes #533 and to recess at the close of the meeting to examine the bids. Motion carried, 5-0. Deanna Durrett inquired as to why the range of bids. Mr. Cummins stated he always projects high.

Mr. Cummins opened up bids for the **John Galey #518**.

Maxwell Farm Drainage \$38,276.50
Arthur Excavating \$48,310.00
McCullough/Dibenedetto Excavating \$ 45,811.00
Clossy Excavating \$57,869.00

Deanna Durrett moved, seconded by Kenneth Pearson, to take the bids under advisement for the John Galey #518 and to recess at the close of the meeting to examine the bids. Motion carried, 5-0.

Old Business

Ms. Milligan was not in attendance to give a report on the Dan Booher Memorial Drive drainage issue or the Anderson lawsuit.

Deanna Durrett reported on the Salary Matrix grade scale. Mr. Cummins' grade has been increased from 1.5 to 2.3. Ms. Durrett also reported that for every certified mile of drain and for each section corner found the Surveyor will receive \$2.00 from the County General Fund each year.

Mr. Cummins reported that he was still working with Kenny and Larry Cain on the **William Buchanan #505 Drain**.

Mr. Cummins reported that he is still working on the size of the water shed along with Leroy Bunnell on the unknown drain in Wayne Township.

Randy McCormick landowner on the **Guy Little #534 Drain** was present to discuss the variance of the fence which is to be placed after the Guy Little is dredged and reseeded. The request is from a 75 foot variance from the top of the bank to a 30 foot variance along the open ditch. Mr. McCormick is in the Equip program which allows the grazing of the ditch when conditions are favorable for a short period of time to keep the grass under control. Mr. McCormick wanted to know why it was taking so long to get this project underway as it was approved early in 2009. Deanna Durrett reported there were changes in the plan and now we are moving on. Mr. McCormick also reported there is a breather that was put into place on the **Chrin. Schenck #506**. It is approximately 9 ft tall. He would like for it to be cut off as the cattle will rub on it at this height and break it off. Mr. Cummins will contact the contractor who put it in and have him cut it off. **Deanna Durrett moved, seconded by Phil Rice, to allow the variance of 30 feet from the top of the bank. Motion carried, 5-0.**

New Business

Greg Woods reported on the research he has done on the inactive drains that are now not assessed. At present there are 37 that have not been vacated and are inactive. Some of these landowners have paid for the work that has been done to improve drainage. The **Detchon-Adams Drain** covers 10,000 acres and is in poor shape. Deanna Durrett inquired as to when a drain should be put back on assessment. Mr. Cummins reported the research is the last step before deciding if a drain should be vacated or put back on

assessment. Mark Kessler inquired as to who is responsible for putting a drain back on assessment? Mr. Cummins reported a legal hearing would have to be held for each drain before anything could be done.

Deanna Durrett gave reports on fund balances, interest and indebtedness to the board. The assessments that were turned into the Auditor's Office were not raised or lowered this year. There is still miss-communication with the Auditor's Office. Dave Rhoads inquired as how to fix the process. Phil Rice reported the reconstruction on the John McCorkle Drain payable in 2010 the bills have already been sent out and have been very confusing, especially to the older generation. Mr. Cummins reported the special assessment reports are not easy to read and the Auditor is working on a more reader friendly version.

New Business

Mr. Cummins reported that Mr. Dave Deckard of Deckard Engineering was here today to discuss the proposed Chemical Fertilizer Plant at Ceres Solution at Whitesville. The concern is drainage that needs to outlet into the **Linn-Himes #533**. There was discussion as to cost share of upgrading the tile size, detention ponds, and chemical run-off. Mr. Deckard is to get a survey report completed in the next ten days and let Mr. Cummins know what their project entails.

Dave Rhoads moved, seconded by Kenneth Pearson, to award bids today and the contractor who is awarded the bid will be put on hold until advisement from Deckard Engineering at the next Drainage Board meeting on November 10, 2009. Motion carried, 5-0. Mark Kessler stated he was opposed to the project due to runoff concern.

Other Business

Dave White would like to know if money for the **Shelley Drain** will be used to fix the Whitlock Avenue problem. Mr. Cummins reported that issue is not part of the **Shelley Drain**. Terry Hockersmith says that is a stormwater issue with Crawfordsville.

Dave Rhoads reported that Waveland and New Richmond have grants and wondered why we can't get a grant. Mr. Cummins reported that these are planning grants which do not cover the cost of construction.

Mr. Cummins reported the meeting with the town of Linden is tonight and will need at least one Drainage Board member and one commissioner in attendance along with him. Mrs. Durrett and Mr. Hockersmith will attend.

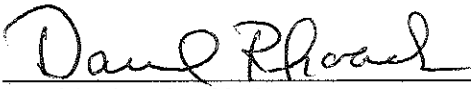
Dave Rhoads moved, seconded by Phil Rice, to recess to go over the bids for the Linn-Himes and the John Galey. Motion carried, 5-0.

The meeting was reconvened and Mr. Cummins recommended the **Linn-Himes #533** be awarded to Maxwell Farm Drainage at \$27,648.00. **Kenneth Pearson moved, seconded by Deanna Durrett, to accept the Maxwell Farm Drainage bid of \$27,648.00 for the reconstruction of the Linn-Himes #533. Motion carried, 4-0.** Jacob Arthur inquired as to what process would be used to go under the railroad. Mr. Cummins reported the railroad company has not gotten back with him yet.

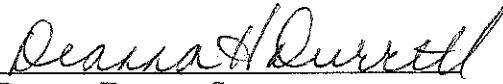
Mr. Cummins recommended the **John Galey #518** be awarded to Maxwell Farm Drainage at \$38,276.50. **Kenneth Pearson moved, seconded by Deanna Durrett, to accept the Maxwell Farm Drainage bid of \$38,276.50 for the reconstruction of the John Galey #518. Motion carried, 5-0.**

Phil Rice moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:20 a.m. Motion carried, 5-0.

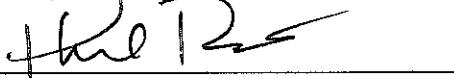
Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, November 10, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, November 10, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Alan Goff.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; and Terry Hockersmith member. Member Phil Rice was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary, and Greg Woods Deputy Surveyor, and attorney Suanne Milligan. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Randy McCormick, Jeanette Shelton, and Ron Cunningham of Vester and Associates.

Deanna Durrett moved, seconded by Kenneth Pearson, to approve the September 22, 2009 and October 27, 2009 with an addition that Dave Rhoads abstained from voting on the Linn-Himes motion of October 27, 2009. Motion carried, 4-0.

Tom Cummins reported he has talked to Curt Hudson concerning the **Arthur Fraley #596** petition. He thought Mr. Hudson would be attending today. Since Mr. Hudson was not in attendance, no further action will be taken.

Moses Allen #500 Hearing

Tom Cummins reported on the proposed reconstruction of the **Moses Allen #500 Drain**.

After discussion with area landowners, the watershed was enlarged to a total of 299.09 acres.

The petition to reconstruct was submitted by landowner Ross Foxworthy. Notice was sent to landowners. The surveyor reported as follows:

Replace 2,011 feet of 12 inch with 15 "
Install 2,011 feet of 15" smooth core tile @ \$10.50 /ft = \$21,115.50
Replace 1,604 feet of 10 inch with 12"
Install 1,604' feet of 12" smooth core tile @ \$8.50/ft = \$13,634.00
Total \$34,749.50

It is old clay tile and very shallow in some areas.

The original drain was built in 1898. Landowners in attendance were Donald Redden and Jeanette Shelton.

Deanna Durrett moved, seconded by Kenneth Pearson, to approve the Surveyor's report and reconstruct the Moses Allen #500 Drain at a cost of \$34,749.50 and instructed Mr. Cummins to prepare to receive bids for the December 8, 2009 meeting. Motion carried, 4-0.

Mr. Cummins reported that following with the installation of a new computer last week, his e-mail program was not sending and receiving correctly. Hence, not all contractors received information on the **Guy Little #534** maintenance project. The time to receive quotes has been extended to the end of the week. The estimated cost is \$15,000 which will come out of maintenance. **Deanna Durrett moved, seconded by Kenneth Pearson, to authorize the Surveyor to accept the best quote from contractors for the Guy Little #534 Drain maintenance project and to e-mail the Drainage Board with the information. Motion carried, 4-0.**

Old Business

Suanne Milligan reported there were no new updates on the Dan Booher Memorial Drive drainage issue or the Anderson Lawsuit.

Mr. Cummins reported they are still waiting on harvest for the **William Buchanan Drain** and working with landowners on the **Unknown drain** in Wayne Township.

Deanna Durrett reported there is a new strategy to resolve the resolution with the William Shelley build policy and will be sending out an e-mail.

Dave Rhoads inquired if Mr. Cummins has spoken with Mr. Deckard on the **Linn-Himes #533**. Mr. Cummins said he had no new information. Discussion on whether Ceres Solution should have its own outlet was brought fourth. Mr. Deckard was to present information for this drainage board meeting but was not present. Mr. Cummins is looking into the legal issue of Ceres Solution using the **Linn-Himes** easement. **Deanna Durrett moved, seconded by Kenneth Pearson, to authorize Maxwell Farm Drainage to reconstruct the Linn-Himes #533 Drain as designed and bid. Motion carried 3-0. Dave Rhoads abstained as he is a landowner.**

Deanna Durrett reported that there will be a rate increase assessment hearing for the **John Cochran #621 Drain** at the November 24, 2009 Drainage Board meeting.

Deanna Durrett reported the **Robert Niven #637** is in debt and the rates should be increased to cover this debt. **Deanna Durrett moved, seconded by Dave Rhoads, to schedule a rate assessment hearing for the Robert Niven #637 on December 8, 2009 to raise the rates from \$1.25 to \$20.00 an acre. Motion carried, 4-0.**

Deanna Durrett and Mr. Cummins met with the Auditor and reported that the rate changes were entered three times, but the Mantron program rejected the changes. They lock the system at certain times of the year. We need to know when this deadline is. Terry Hockersmith reported that he spoke with the Auditor. In the near future Mr. Cummins should be able to access the computer program and enter the changes himself.

Greg Woods presented his report for October. Mr. Woods has now completed his research on un-assessed drains. He spoke with some of the landowners about the condition of various drains and some will probably be put back on assessment in the future.

Other Business

Deanna Durrett inquired of Tom Cummins on reconstructions. Mr. Cummins reported it has been a busy year and the most difficult ones are being completed.

Tom Cummins reported that a Jet-eye truck was used on sections of the **William T. Shelley Drain**. At Raybestos outlet 130 feet west there is an obstruction. At state roads 32 and 47 at the state bridge about 110-120 feet there is a concrete blockage. From 32 and 47, 530 feet west the tile is in good shape but has lots of debris. Concerning the western tile along Wabash Avenue, the city doesn't know if there are storm sewers or not but the tiles have lots of debris. It flows well from the West. The tile is clear at the "Bowl" at Montgomery Place II. This work was all done free as a contractor is interested in purchasing similar equipment.

Deanna Durrett is enlisting Soil and Water for help with the **EP McCaskey**.

Deanna Durrett inquired of Mr. Cummins as to if he has heard from Hendricks Co. concerning the **Albert Hysong** joint drain. Mr. Cummins said he has not heard anything from Hendricks Co. but did receive an e-mail from DNR and they need to be kept informed and permits will be needed when work is now. It is best to work on this next year. Ms. Durrett says there are a few Montgomery County landowners who have real issues on this drain. Mr. Cummins still is waiting on a landowner list from Hendricks's County. The **Albert Hysong** will be put on the February 2010 agenda.

Tom Cummins reported he has been in contact with Boone County concerning the **AF Ward** and a rate increase is in order. This will be on the agenda for the December meeting.

Other Business

Don Redden inquired as to why he pays on two drains. Mr. Cummins displayed the watershed and showed Mr. Redden that the **Moses Allen** is inside of the **Joe Hall** watershed.

Kenneth Pearson moved, seconded Terry Hockersmith, to adjourn the meeting at 10:30 a.m. Motion carried, 4-0.

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member

Phil Rice, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, November 24, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, November 24, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Dave Rhoads.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; and Terry Hockersmith member. Member Phil Rice was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary, and Greg Woods Deputy Surveyor, and attorney Suanne Milligan.

Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Ron Cunningham of Vester and Associates, Dave Deckard, Brenda Foster, Jeremy Potten, Chris Patterson, Troy Stahl, Curt McClain, Darrell Birge, Bart Maxwell, Marc Bonwell and Frank Phillips of the Journal Review.

There were no minutes to review.

John Cochran #621 Hearing to raise assessment:

Tom Cummins reported on the **John Cochran #621 Drain**. It is in debt \$3,750.19. Earlier this year 9,000 ft of tile were replaced. Mr. Cummins recommended raising the assessment from \$2.26 to \$10.00 and then in 2012 lower to it to \$6.00 when the debt has been paid back. No landowners were at the meeting. Mr. Cummins has talked to several of them about this and they are agreeable with the increase. **Kenneth Pearson moved, seconded by Deanna Durrett, to raise the assessment from \$2.26 to \$10.00 for the John Cochran #621 Drain. Motion carried 4-0.** A hearing to lower the assessment will be necessary in 2012.

Petitions

William T. Shelley

Mr. Cummins reported that Damon Myers did not get back with him on a building permit. Mike Stark re-submitted his building plan for a storage building that will be 24'x32'. He will be storing his boat in the building. There will be no driveway. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow Mike Stark to build a storage building as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 3-1.**

Boswell Clough Drain

Troy Stahl of Bonar Group presented a report for the town of New Richmond. The town has been award a \$570,000.00 grant. Currently the ponds overflow, there is flooding on the ball diamonds, and Wabash Street is the flooded area. The **Boswell Clough Drain** is not in good condition. The town would like to build a dry detention pond and expand the two ponds that are already in the town park and to disconnect two 8-inch tiles and connect a 2-inch tile to the **Boswell Clough drain**. Landowner Darrell Birge reported the ponds are already full of water and believes the plan will not work. Following further discussion, **Deanna Durrett moved, seconded by Kenneth Pearson, to allow the petition to connect to the Boswell Clough Drain with a maximum 2-inch tile from the dry pond and to disconnect the two 8-inch tiles. Motion carried, 4-0.**

Old Business

Mr. Cummins reported landowners are still working in the fields on the **William Buchanan** drain.

Mr. Cummins reported that he has created a watershed draft of the **Unknown drain**. Mr. Bunnell does not own land in the watershed but farms ground for a landowner within it. **Deanna Durrett moved, seconded by Terry Hockersmith, to invite landowners to the January 12, 2010 Drainage Board meeting, to discuss the watershed of the Unknown drain. Motion carried, 4-0.**

Mr. Cummins reported that the **Guy Little** maintenance project was awarded to Foster Farm Drainage for \$1,999.99. Mr. Foster's bid was low because he is doing work for landowners in that area. There were five bids submitted.

Deanna Durrett reported she is still researching the **William T. Shelley** Impact Area Resolution.

Linn-Himes

Mr. Cummins reported on the reconstruction of the **Linn-Himes Drain**. Dave Deckard presented site plans to the Board. Mr. Deckard apologized for being absent at the last meeting. Mr. Deckard is representing Ceres Solution. Ceres Solution would like to replace the proposed 15" tile with a 24" tile. Mr. Deckard explained the drainage plan. Ceres Solution has not been paying assessment and an adjustment in the watershed will need to be made to include Ceres Solution. Ceres Solution will have to waive objections to be included in the watershed. Mr. Deckard reported that the water from the detention pond is a controlled flow. Mr. Deckard and the Drainage Board discussed the different types of tile that could be used and if two tiles should run side by side or use one large tile, whether to use incased tile or perforated tile. Mr. Maxwell reported that one tile is better than two. Mr. Deckard reported that IDEM will be working closing with Ceres Solution on the construction site. Marc Bonwell and Tom Cummins reported that perforated tile will be better than encased as the water will still outlet in the same spot. Terry Hockersmith spoke his concerns of contamination with the detention pond and inquired if it could hold three million gallon. Mr. Deckard reported no. A petition to attach and waivers of landowner objections will be needed. **Deanna Durrett moved, seconded by Terry Hockersmith, that the Ceres Solution-Linn Himes project be on the agenda for the December 8, 2009 Drainage Board meeting. Motion carried, 4-0.**

Ms. Milligan reported there was no new information on the Dan Booher drainage problem along Memorial Drive or the Anderson lawsuit.

New Business

Tom Cummins reported that he has received a Petition to Attach by Harold and Ethel Reeves to the **Margaret Remley #615 Drain**. Bart Maxwell has already installed a 6-inch tile. Mr. Cummins recommended that the tile be attached.

Deanna Durrett moved, seconded by Terry Hockersmith, to allow attachment to the Margaret Remley #615 Drain. Motion carried, 3-0. Kenneth Pearson abstained.

Tom Cummins received a petition from Max Suitor to attach to the **Richard Virts #560**. Mr. Cummins reported the drain still needs work but is in better condition than it used to be. **Kenney Pearson moved, seconded by Terry Hockersmith, to allow attachment by Max Suitor to the Richard Virts #650 Drain. Motion carried, 4-0.**

Mr. Cummins would like to keep the **Foster Fletcher #573** drain on the agenda for the December 8, 2009.

Public Comment


There were none.

There were no claims.

Terry Hockersmith moved, seconded by Kenny Pearson, to adjourn the meeting at 11:12 a.m. Motion carried 4-0.

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member

Phil Rice, Member

September 8, 2009
Shelley Drain Meeting
Drainage Board & Crawfordsville

The Montgomery County Drainage Board met on Tuesday, September 8, 2009 at 3:00 p.m. at 110 W. South Boulevard in the conference room.

The meeting was called to order by Chairman Dave Rhoads, introductions were given and the meeting was turned over to Deanna Durrett.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith & Phil Rice members. Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary, and Greg Woods Deputy Surveyor, and attorney Suanne Milligan were present.

Also present Dave White, Marc Bonwell, Gary Weliver, Horace Tomey, Mary Ellen Collun, Brandy Allen, Mayor Charles Coons, and Frank Phillips, Journal Review.

Mr. Rhoads turned the meeting over to Deanna Durrett. Ms. Durrett reported that Tom Cummins, Surveyor has many positive plans for the Shelley Drain. Ms. Durrett reported the Drainage Board is working with a dated resolution from 1998. Brandy Allen from the city always recommends a no build in the Shelley Drain area. Terry Hockersmith always votes no to building in the Shelley Drain area and Deanna Durrett votes according to the resolution.

Tom Cummins reported that water dye test have begun and it will be at least 6 months before we dig and make repairs. There have been 8 building permits approved.

Marc Bonwell says the 10% runoff comes from the stormwater ordinance in Montgomery Co.

Mr. Rhoads discussed the idea of making the Shelley Drain an urban drain. Mr. Cummins says with an urban drain designation you have the right to change to a higher assessment on commercial versus residential. It is a flat rate now.

Deanna Durrett reported to have the same language in all ordinances about stormwater.

Gary Weliver reported it is best to define the area better and use a stormwater board. Mr. Rhoads says it is a possibility to vacate the drain and turn it over to the city but questioned whether this is that the best way to handle it.

Suanne Milligan reported that the city and county are out of sync with each other as to what the ordinance should do within the 2 mile radius of the city and what the Drainage Board is to impose.

Deanna Durrett reported that before 2006 the Drainage Board consisted of all commissioners. Today, there seems to be more cooperation between the city and county.

Mr. Rhoads inquired of landowners what they would like to see done. Mr. While explained how the "Bowl" has helped the Montgomery Place II drain better but there is still room for improvement.

Horace Tomey reported that he would like to see the assessment used properly. His property drainage issues, go back 50 years. After Montgomery Place II did work his drainage problems are better. Mr. Tomey would like to find grants to help fund Shelley Drain.

Deanna Durrett says there are three goals.

- 1) Bring the 2 stormwater codes together.
- 2) Change existing and update to coe efficient instead of percentage.
- 3) The Surveyor is investigating solutions with positive action. Tom Cummins and Greg Woods to try to map sub surface and surface water.

Mary Collun says no build until the problems have been fixed. Her basement fills with water with every rain.

Phil Rice inquired of Suanne Milligan if we go to a no build will it cause a problems with our votes in the past. Suanne says no we acted in good faith.

Horace Tomey inquired about application for grants etc. Fred Davis says there is FEMA money. Mr. Cummins and Ms. Durrett did apply in March 2009 for OCRA, and stimulus money

Marc Bonwell reported he would be sending out a draft ordinance for everyone to look at for MS4.

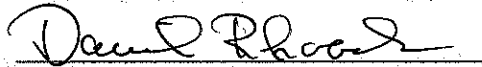
Deanna Durrett would like to see the following as goals.


- 1) up-date the code
- 2) Surveyor along with MS4 to map and work with others for solutions
- 3) Pursue grant action

Dave Rhoads inquire of the members in attendance with there were any more comments. Mary Ellen Collun says she does not want to hear about another study of the problem. Ms. Collan says with the four studies that have been done much of that money could have been used to solve the problem.

Mr. Rhoads thanked everyone for coming.


Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
Tuesday, December 8, 2009
MINUTES**

The Montgomery County Drainage Board met on Tuesday, December 8, 2009 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer given by Phil Rice.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary, and Greg Woods Deputy Surveyor, and attorney Suanne Milligan. Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Ron Cunningham of Vester and Associates, Dave Deckard, Brenda Foster, Bart Maxwell, Marc Bonwell, Raymond Snellenbarger, Bud Rose, Jay Busse, Jacob Arthur, Doug E. Mill, and Jeff Troike.

Deanna Durrett moved, seconded by Terry Hockersmith, to approve the November 10, 2009 Drainage Board minutes. Motion carried 4-0. Phil Rice abstained.

Kenneth Pearson moved, seconded by Terry Hockersmith, to approved the November 24, 2009 Drainage Board minutes. Motion carried 4-0. Phil Rice abstained.

Hearings and Petitions

Robert Niven #637 Drain Assessment Hearing

Tom Cummins reported the **Robert Nivens #637** required maintenance work earlier this year and is now in debt \$13,327.64. Mr. Cummins recommends raising the maintenance assessment to \$20.00/acre for the 2010 and 2011 tax years, and lowering the assessment to \$5.00/acre for future years. This plan will bring the drain out of deficit after the assessments are collected, and ensure that the necessary funds are collected to adequately maintain the drain in the future. **Kenneth Pearson moved, seconded by Deanna Durrett, to raise the Robert Niven #637 assessment to \$20.00 per acre for the 2010 and 2011 tax years, and lowering the assessment to \$5.00/acre after the two years of assessments are collected. Motion carried, 5-0.**

Opening of Bids

Tom Cummins opened sealed bids for the **Moses Allen #500** reconstruction from Maxwell Farm Drainage in the amount of \$21,525.00 and Arthur's Excavating in the amount of \$24,993.15. **Deanna Durrett moved, seconded by Terry Hockersmith, to take the bids for the Moses Allen #500 under advisement till the end of the meeting to give the Surveyor time to review the bids and make a recommendation. Motion carried 5-0.**

Old Business

Tom Cummins reported that Ivy Tech would like to put in a new parking lot on the Allen Trucking property. This is in the **Foster Fletcher #573** impact drainage area. Mr. Cummins passed out the Banning Engineering study to the Board which showed the 1st alternative that is in effect now. Dave Rhoads requested that Mr. Cummins look into the ways other counties handle these growth areas and cost of assessments. Deanna Durrett stated that for Crawfordsville to keep growing something needs to be done. Marc Bonwell reported that of January 1, 2010 Crawfordsville will have stormwater assessment in this area. Deanna Durrett requested before our next meeting that information be gathered about the **Foster Fletcher #573** assessments and expansion from landowners. Mr. Rhoads would like a special meeting to brainstorm possibly on January 12, 2010.

Tom Cummins requested keeping the **Arthur Fraley #596** on the agenda for the January 12, 2010 meeting.

Tom Cummins reported he would be sending information to the Board and Suanne Milligan in the near future on the **Unknown Drain**.

Deanna Durrett reported there are no new updates on the **William Shelley #706**.

Dave Deckard of Deckard Engineering thanked Suanne Milligan for getting the legal forms prepared regarding the **Linn-Himes Drain #533**. Ceres Solution has signed their part and the rest has been forwarded to Nucor, which sent them on to their corporate office for approval. Mr. Deckard submitted the latest plan, which mostly has to do with the railroad drainage area. Jeff Troike was present from Ceres Solution. Mr. Troike reported this is a big project with lots of state and federal rules and regulations to follow for containment. The large tanks will be double walled and the small tanks will be dyked. Dave White inquired about what happens when the overflow valve is shut down. Mr. Deckard reported the pond is designed for a 100year flood. Bud Rose inquired about the cost of future problems, concerning the new pipe size of 24" and who will pay the cost. Mr. Cummins stated it would be shared by all, but the watershed will be larger and it should be less per acre. The **Linn Himes #533 Drain** is 90% open ditch. Concerns about a train derailment were discussed and it was reported that CSI Railroad has regulations about the distance from the track to the tanks. Kenneth Pearson inquired of Jeff Troike if this plant would

look similar to the plant in Danville, Ill. and he said yes. No action was taken pending signatures of all parties to the agreement for payment.

New Business

Deanna Durrett reported that the financial report is currently be prepared for the end of the year report. At this time Mr. Cummins does not have authority to change the rates himself on the MVP computer program. Phil Rice inquired as to why the Auditor's Office was able to send out statements concerning the **John McCorkle #608 Drain** for bills not due until fall of 2010 but cannot get the assessments entered. Deanna Durrett reported that the Auditor's office entered the numbers three different times but the data was rejected by the computer software each time. Terry Hockersmith will look into why the authority cannot be given to Mr. Cummins to enter the rates.

Deanna Durrett reported that the January 12, 2010 meeting will be an organizational meeting. Mr. Rhoads is up for re-election. Phil Rice is appointed from the Soil and Water and served out Jack Grimbles' unexpired term; he is up for re-election. All board members are elected for three years with the exception of the Commissioner position which is a one year term. Suanne Milligan agreed to be legal council for 2010. Ms. Durrett reported the Library is available on the 2nd Tuesday of the month and inquired if that is a good time for everyone. Terry Hockersmith stated Monday would be better for him. Deanna Durrett will check to see if Monday is available.

New Business

Mr. Cummins reported that the Mace Methodist Church is planning to expand and he is waiting on a site plan. It is in the **Moody Drain** and is next to an existing water problem.

Greg Woods presented his activity report for the month. Mr. Woods reported that contour watersheds have been made for many of the un-assessed drains with landowner parcels. This information will be used eventually to put these drains back on assessment as needed. Mr. Wood's report included work with the NRSC Office with the grass water way projects.

There were no public comments.

Mr. Rhoads stated they would take a five minute break for the Surveyor to go over the bids.


The meeting reconvened.

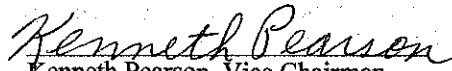
Mr. Cummins recommended the Board accept the bid from Maxwell Farm Drainage for \$21,525.00 to reconstruct the **Moses Allen #500 Drain**. **Kenneth Pearson moved, seconded Phil Rice, to accept the bid from Maxwell Farm Drainage for \$21,525.00 to reconstruct the Moses Allen #500 Drain. Motion carried, 5-0.**


There were no claims.

Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting @ 10:50 a.m. Motion carried, 5-0.

Vicki Emmert,
Recording Secretary


David Rhoads, Chairman


Kenneth Pearson, Vice Chairman


Deanna Durrett, Secretary


Terry Hockersmith, Member


Phil Rice, Member