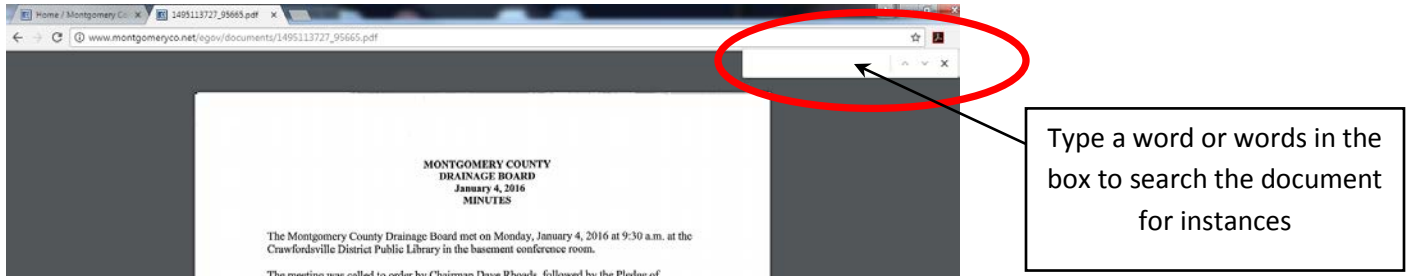
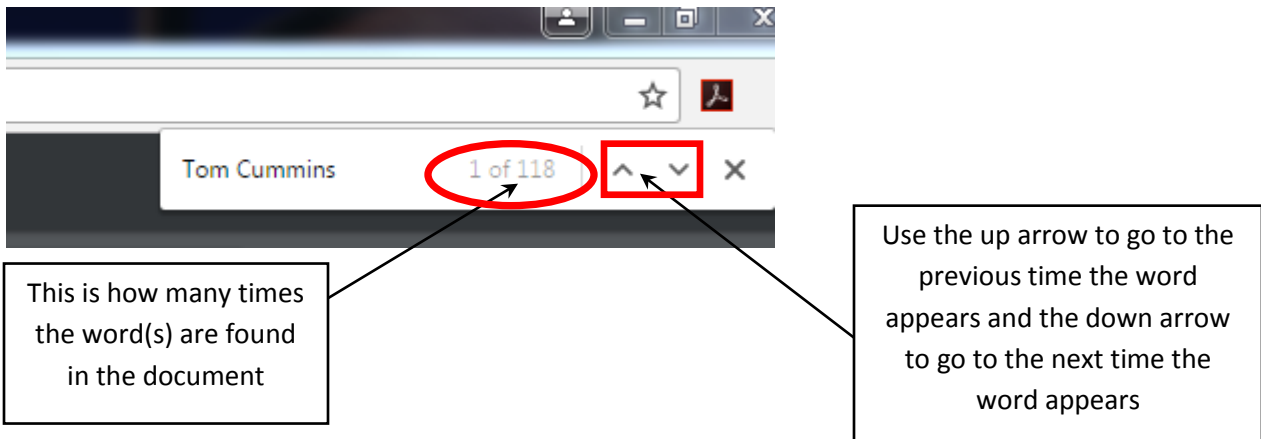


TO FIND A WORD OR WORDS IN THE DOCUMENT:

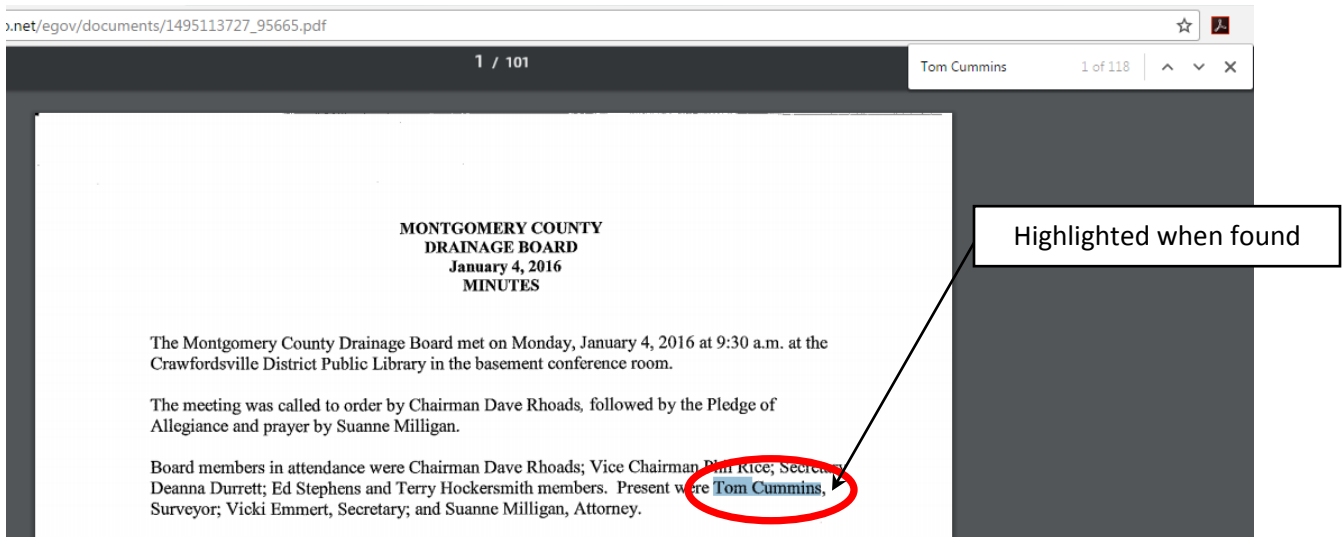
- **Hold down the CTRL key and the letter 'F' at the same time. A search box appears in the upper right hand corner. Type a word(s) in the box to search the document for the word(s).**



- **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	191,
501	Peter Barley A	
502	Wiley Bastion	75,78,181,
503	Brown, Fred/Bessie	59,101,105,119,
504	Will Brown	
505	Wm. Buchanan	83,105,116,124,131,137,
506	Chrin. Schenck	145,161,174,180,189,
507	Nancy Clark	
508	Howard Cline	
509	Clifton J Coon	
510	Charles S Cowen	31,32,37,
511	Benjamin Crabbs	39,52,56,208,
512	Urshull Cross	99,208,
513	Carper Crowder	16,24,33,41,52,55,84,90,98,105,119,135,157,193,202,
514	Jesse Evans	59,101,105,119,
515	Richard Faust	
516	Reb. Flaningam	73,105,109,123,131,132,
517	James Fleming	59,105,119,
518	John V Galey	11,16,24,28,48,52,55,84,90,125,154,174,180,184,187,197,202,208,
519	James Gilliland	47,174,183,
520	John Gobin #2	7,9,10,11,16,24,28,40,43,51,52,55,56,61 61,61,67,74,78,84,90,101,113,115,120,162,168,180,184,188,
521	James B Grimes	47,
522	William Hawker	
523	Levi Hawkins	
524	George Hinkle	73,105,133,137,
525	Kenneth Hudson	
526	Samuel Humphrey	
527	George Hutchinson	
528	George Hutton	180,183,202,
529	George Kendall	43,
530	Sarah Kincaid	73,77,90,99,106,113,137,208,
531	John Lane	63,74,77,106,202,
532	Charles Leas	
533	Linn-Himes	83,106,124,132,139,146,147,151,154,157,187,195,
534	Guy Little	33,37,121,139,145,
535	Lye Creek	17,
536	Lough Miller	
537	Chas Ludlow #2	47,52,55,56,69,70,134,138,145,161,174,
538	Glennard Miller	63,74,77,106,109,111,115,120,124,127,132,145,
539	Minn-Miser- Corn	
540	Martin Mcbee	
541	George McClain	83,106,133,
	L.B.	

542	L.B. McClamroch	
543	W.B. McClamroch	23,63,74,77,99,106,133,145,151,
544	E.P. McClaskey	73,106,133,133,137,168,
545	C.O. McFarland	32,37,84,93,111,115,
546	George Nichols	
547	Albert Nobes	19,24,69,74,116,124,180,188,189,206,
548	Edward Patton	
549	Allie Peterson	33,37,47,144,
550	James Sanders	3,10, 11, 16,24,28,32,52,55,56,74,84,90,98,106,124,133,139,145,157,174,180,183,187,193,195,201,203,205,
552	Chas Schoen #1	75,124,125,
553	Jesse Snoddy	63,73,84,90,93,97,99,101,104,105,106,109,111,115,120,123,127,132,133,152,158,162,168,180,
554	Alvin Sparks	191,
555	Stanford-Elmore	1,10,13,14,15,16,52,56,56,60,191,202,
556	Anthony Stingley	83,106,109,123,133,
557	Swear-Runyon	11,15,16,
558	Theo. Templeton	33,37,138,139,145,
559	B. & A. Vancleave	161,167,179,180,188,189,194,195,197,201,202,203,205,207,208,
560	Richard Virts	33,37,63,77,101,106,119,
562	John Ward	48,99,124,139,145,153,168,174,179,180,183,193,197,201,202,207,
563	George Washburn	93,
564	Raymond Weliever	63,74,77,106,109,123,134,174,205,
565	John Wilkinson	17,39,
567	Martin Young	154, 61,68,69,78,84,87,93,106,110,116,120,124,127,132,138,145,148,157,162,174,190,
572	James Hose	
573	Foster Fletcher	
574	Isaac Shotts	
576	Joel Tobin	185,
577	Miller & White	181,
578	Allen Lewis	
579	Rankin Walkup	
580	Wm. T. Linn	
581	Joe Hall	20,24,33,43,52,53,56,56,57,83,85,89,102,106,110,121,124,128,141,144,147,
582	Clarence Widener	33,37,125,127,132,139,
584	Phillip Dewey	
585	Fred Maxwell	32,37,43,112,
586	Joseph Ludlow	109,111,115,120,124,127,132,
587	Chas Schoen #2	31,37,
588	James W Wilson	
589	Thomas Wilkins	98,99,101,102,105,109,111,112,113,115,120,124,127,133,141,145,161,162,167,174,193,197,
590	Thom. & Alfred Taylor	47,63,74,102,107,109,123,
591	Odis Stafford	73,106,124,131,135,138,145,174,180,187,195,202,204,207,
592	Roy S Harper	73,106,109,123,

594	Charles Newkirk	39,181,
595	Boswell Clough	47,93,125,181,208,
596	Arthur Fraley	145,
597	Ben. F Remley	59,106,119,124,128,208,
598	Moore Heights	
599	John D Coyner	47,
600	Wm. M Davis	31,37,112,
602	Timothy Lane	70,78,84,93,102,109,111,115,116,120,124,127,132,139,145,154,157,208,
603	Moses Maxwell	
604	John M Walkup James Walkup	53,56,57,70,74,84,90,110,120,124,127,132,138,116,
605	Charles E Warren	
606	Joseph H Gray	
607	John Martz	31,37,39,84,106,133,137,
608	John McCorkle	37,39,47,
610	William Z McBee	
613	Nancy Hollingsworth	63,74,77,84,106,116,119,128,133,134,
614	Edward Dykes	
615	Margaret Remley	
616	Jennings Miller	84,89,106,109,123,
617	Harrison Doyle	144,145,208,
619	Thomas Clark	
620	Smith John W.	
621	John H Cochran	
622	William Epperson	19,84,89,
623	Richard Graham	84,89,
624	Robert A Rutan	
625	Richard Thomas	23,28, 29,32,208,
626	Isaac N. Linn	
627	Francis M Hoss	
628	John H Pogue	
629	Francis W Powers	63,74,77,101,106,119,
630	Oscar Flaningam	
631	Clarence Murphy	
632	Thomas Armstrong	
633	George Downing	
634	Albert Flaningam	
635	Wm. Kirkpatrick	

637	Robert Niven	
638	David Thewlies	
640	Needham Booher	
641	Smith & Elmore	15,16,60,60,106,124,
700	Joseph Conway	59,60,106,
702	Emmerson James	17,21,23,25,27,33,52,56,78,84,90,146,
703	James Servies	90,93,97,100,101,102,106,109,111,115,120,124,127,132,154,157,
704	Carolyn Kenyon	
706	William Shelley	11,16,52,56,
	Prince Croy	99,145,
	George Conrad	99,145,
566	Frank Kirkpatrick	25,
569	Elijah Fugate	25,
570	Rebecca Grimes	25,
575	Martin P. Gray	
601	Jenkins	
611	Shawnee Creek	25,
612	Kirkpatrick One	48,51,53,55,56,61,67,154,
639	Marsh Samuel	
642	Leader/Newt on	25,
	Armentrout Drain	11,17,
	James Gobin	1,61,68,69,
561	A.F. Ward	106,133,
571	Ziegler	154,
	James Gobin	32,174,
	<i>Unknown drain</i>	
568	Oscar Stevenson	39,
618	Albert Hysong	55,106,133,158,159,165,174,181,190,
	Graham	90,
	Detchon-Adams	157,
	Reconstructio ns	
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	
	George Hinton	174,
705	Edger Henry	
707	Joseph A Schmoltzer	
0	Funds Without Drains	52,56,
	Marion Connor	112,120,124,127,132,

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, JANUARY 3, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, January 3, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Building Administrator Marc Bonwell; Highway Director Brett Cating; Surveyor Larry Utz; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Marian Lindow, Virginia Servies, League of Women Voters; Deanna Durrett, Rob Durrett; Wade Bennett; Treasurer Sue Howell; Assessor Peg Hudson; Dick Thompson; Dean Rush; Daniel McGrady; Tim McGrady, Francis McGrady; Jim Hamilton, Butler, Fairman & Seufert; Joe Edwards, SRI; Amy Woodall; Jim Swift; and Drainage Board Secretary Lori Dossett.

Drainage Board President Phil Bane called the meeting to order @ 8:00 AM and led the Pledge of Allegiance followed by Reverend Mike Wren leading the prayer.

Drainage Board Reorganization

Commissioner Bane opened the nominations for the Office of President.

Commissioner McCormick nominated Commissioner Bane as President of the Drainage Board and Commissioner Stephens seconded. 3-0 votes in favor.

Office of Vice President – Commissioner Stephens nominated Commissioner McCormick as Vice President of the Drainage Board and Commissioner Bane seconded. 3-0 votes in favor.

Commissioner McCormick moved to set the Drainage Board meetings on the same dates as the Commissioner meetings which are the 1st, 2nd & 4th Tuesdays of the month beginning at 8:00 a.m. and Commissioner Stephens seconded. 3-0 votes in favor.

Commissioner Bane requested a motion for approval of the December 13, 2005 minutes and the December 20, 2005 minutes. Commissioner Stephens moved to approve the December 13, 2005 and December 20, 2005 minutes and Commissioner McCormick seconded. 3-0 votes in favor.

Old Business:

Butler, Fairman & Seufert – Agreement for General Land Surveying Services associated with Section Corner Perpetuation. The contract should have been placed under the Commissioners agenda instead of the Drainage Board. The decision to sign the contract is a decision made by the Commissioners. Surveyor Utz stated that it was his mistake, he requested that the matter be placed on the Drainage Board agenda. He stated, “always before it was brought before the Drainage Board with no problem”.

Surveyor Utz's Report. Surveyor Utz reminded the Drainage Board that there are two hearing set next week, Stanford/Elmore – January 10th @ 6:00 p.m. and James Gobin Drain – January 12th @ 6:00 p.m.

Other Business.

Commissioner McCormick moved to appoint Deanna Durrett to the Montgomery County Drainage Board and Commissioner Stephens seconded. 3-0 votes in favor. Mrs. Durrett will be sworn in immediately following the Drainage Board meeting by the Clerk of the Courts.

Public Comment:

Francis McGrady questioned the Board of the status of the proposal to set up an advisory board. The Board stated that it would prefer to wait until the five board members are in place. All five board members should be in place by the next Drainage Board meeting.

Commissioner McCormick moved to adjourn and Commissioner Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 3-0 votes in favor.

Meeting adjourned @ 8:15 a.m.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, JANUARY 10, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, January 10, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett; Member; Tom Cummins, Surveyor's Office; Building Administrator Marc Bonwell; Highway Director Brett Cating; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Marian Lindow, Virginia Servies, League of Women Voters; Rob Durrett; Wade Bennett; Treasurer Sue Howell; Assessor Peg Hudson; Francis McGrady; and Drainage Board Secretary Lori Dossett.

Drainage Board President Phil Bane called the meeting to order @ 8:00 AM and led the Pledge of Allegiance followed by Reverend McFarland leading the prayer.

Commissioner Bane requested a motion for approval of the January 3, 2006 minutes Commissioner Stephens moved to approve the January 3, 2006 minutes and Commissioner McCormick seconded. 4-0 votes in favor.

James Sanders Drain. Tom Cummins, Deputy Surveyor advised the Board that Surveyor Utz is waiting on information regarding a 10 year reconstruction loan as requested. He advised that he is in the process of reconciling the Surveyor's records with the Auditor's records. It was discussed that the landowners should be notified if it is found that the drain is in the negative. Reconstruction will have to be put on hold. Deputy Surveyor Cummins advised that Larry is "waiting on a bank decision." Commissioner McCormick commented that the bank has nothing to do with it. Commissioner Bane added that this situation shows the importance of having adequate records for the Board to refer to. Deanna Durrett commended that at the reconstruction hearing she questioned the balance and Surveyor Utz had indicated there was a balance but no monies were owed to the improvement fund. Commissioner Stephens stated that the landowners should be notified and Commissioner Bane suggested waiting until all of the figures are ready and to revisit the matter at the next Drainage Board meeting on January 24th. Auditor Dossett that the incorrect figures are, "no fault of Larry", he stated "not a whole lot has been done correctly for a few years" (indicating in the Auditor's Office). Commissioner McCormick stated, "As a Drainage Board we have to get something done, but until our County Surveyor gets it in gear. It can't go on that way. The problem is with the Surveyor not doing what he should be doing." The problem Auditor Dossett stated, "We have been working together for about two days and we are making progress. We have all the claims and we are getting close to balancing them out. It's just that we had a lot of work to do. He (Tom) is bringing up three years of work." The Board questioned if Notice to Bidders were sent out and Attorney Taylor commented that that would depend on the size of the project. Currently projects under \$75,000 do not have to be put out for bid. Commissioner McCormick advised that the Drainage Board needs to be copied whenever Notice to Bidders are sent out. Commissioner Bane questioned if the Surveyor's office received annual bids like the Highway Department. Deanna Durrett added that other counties do have an annual bidding process wherein anyone who wishes to work on drains submits their qualifications, per hour fee, etc. It was added that some farmers have the capability and can file a bid on a per hour basis and provide insurance, etc. Commissioner Bane questioned if Deputy Cummins was comfortable working on a drainage plan and he advised that he was. Wade Bennett asked to continue the discussion on an annual bid process for tiles. He stated that businesses would most likely sell tile to the County cheaper thereby getting better pricing. Commissioner Bane questioned if there is room at the Highway Department for storage of drainage tiles. Highway Director Cating advised that the Surveyor's office has a barn north of the old County home. Director Cating added that there could be places at the Highway Department where the tiles could be stored. Deputy Cummins stated this is the first time he's heard of a barn, he would be glad to take a look at it and take an inventory of what is out there. Attorney Taylor suggested that the Surveyor be requested to submit a rough Drainage Improvement Plan at the first Drainage Board meeting in March and then schedule it for a public meeting. Deanna Durrett added that the Surveyor is supposed to develop drain classifications and submit them by June 1st. Taylor commented that it would be best to get it started in March before the final is due on June 1st.

Commissioner McCormick moved to send a letter to the Surveyor requesting a preliminary draft of a DIP (Drainage Improvement Plan) over the next 10 year period which will

be due by March 7, 2006 and Commissioner Stephens seconded. Deanna Durrett added that she has samples of DIP's that could be used as a reference. 4-0 votes in favor.

Other Business: Deanna Durrett questioned the term of the new Drainage Board members. The ordinance states that the freeholder will serve terms of three years and they are to be staggered. She was advised that the Commissioners would take care of the clarification on that issue.

Commissioner Stephens stated he was in favor of the concept of forming a sub-committee on each drain. Francis "Doc" McGrady will be on the agenda for the next Drainage Board meeting on January 24th.

Commissioner McCormick requested that the Surveyor's office provide documentation when landowners come in with complaints on drains.


Commissioner McCormick questioned the status on the sonar equipment purchased by the Surveyor, Building Department and Health Department. Building Administrator Bonwell stated that the Health Department currently uses the equipment. He asked Administrator Bonwell to see what he could find out as far as the equipment is concerned. Commissioner Stephens added it was his impression that the company that sold the County the equipment has gone "belly up".

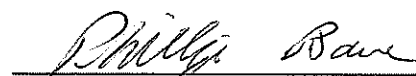
Commissioner Bane stated that William Aerial is in the process of delivering the final product to the County. He and other County officials attended a presentation of William Aerial with examples of the photographs and Commissioner Bane stated the County will have good information to work from with the new aerials. Deanna Durrett added that she also attended the meeting and the information will be very useful to the Drainage Board and will be available very soon. She stated when the contour maps are imposed it will show the actual drainage shed, how many acres it covers and which parcels of land. Commissioner Bane stated that the County needs to make an investment on a screen, laptop computer and a projector for the actual photos to be displayed during Drainage Board meetings. He instructed Drainage Board Secretary Lori Dossett to get quotes and submit them at the next Drainage Board meeting. Commissioner Stephens added that "a lot of folks don't understand and if you have a detailed map you can show where they live which will help". Wade Bennett stated that he felt you would get more support from landowners. Treasurer Sue Howell stated this information has been a long time coming. Building Administrator Bonwell that that equipment would also be useful to the Plan Commission as well.

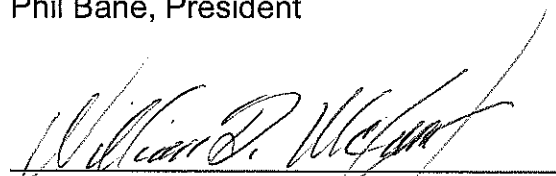
Other Business. Deanna Durrett questioned if there was a way to record the questions that are posed to the Surveyor. Deputy Cummins stated he takes 99% of the calls and he records the concerns as they are received. Deanna Durrett added that there is still a problem at the 36 & 37 mile marker on I74. Commissioner Bane agreed that a log is important. On the issue of mapping, Commissioner Bane stated that the new County maps do not match the old County maps that were revised in 2000. Before other maps are printed the County will need to make sure the drains are in the right place. Commissioner Bane added that notes can be made on each identified drain; pictures of the drains could also be attached with a history.

Commissioner Stephens moved to adjourn and Commissioner McCormick seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

Meeting adjourned @ 8:40 a.m.


Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots, Member

Informational Hearing on the John Gobin #2 Drain
Thursday, January 12, 2006

Meeting called to Order by President Phil Bane.

Deputy Surveyor reports the updated figures for the Gobin maintenance fund balance. Reports that the balance is currently \$5,723.84. Commissioner Bane asks for the approximate percentage of landowners present. Deputy Surveyor apologizes for the lack of information, due to computer problems at his office.

Wade Bennett describes the work that is being suggested which is the tile known as Tributary #1 and Tributary #2. He also advised that Trib. #2 will need to be resized when replaced. He shows on the map that Tributary #1 runs to the east, while Tributary #1 is the furthest west.

Jeff Myers agrees with the problem with trib #1, but was unaware of the prospect of replacing #2.

Dan Gwin advises that trib #2 does have problems, and points out the standing water you can always see from the overpass on 231.

Jeff Myers asks if we can come up with more than one reconstruction figure. Commissioner McCormick asks if there have been any estimates given for the replacement of trib #1. Commissioner Bane advises that the last estimate was from Hughes Excavating, and the total was \$4,800, just for the tile from the railroad east. Commissioner Ed Stephens suggests that the surveyor's office prepare more than one reconstruction figure, to help clarify the landowners' options. Dan Gwin adds that some landowners will benefit from this project while some will not. He notes that the trib #1 has no effect on his land or the land that he is representing. He feels that it would be fair for the landowners to be responsible only for the tile that directly affects their land.

Commissioner Phil Bane interjects that there is currently a sinkhole between the railroad and 231. He advises that this is a problem which warrants immediate attention. Dan Gwin offers that when the railroad was involved in a separate project, the railroad took control of the bore, and paid for it. He admits that is not always the case. Drainage Board Member Deanna Durrett asks about the permit procedures for the railroad and highway department. Brett Cating offers a list of people to Deputy Surveyor to contact. Jeff Myers asks about the State Highway's involvement, and he is advised that the railroad is the one that will take time and effort.

Commissioner McCormick adds that the landowners have a lot of good ideas, but the drainage board is bound by the drainage laws. Deanna Durrett offers that while some projects might not show immediate benefit, there are ways that all work involved benefits the whole watershed.

Commissioner Phil Bane suggests that we need more information about the possible reconstruction, as well as some information from the railroad and highway department. Wade Bennett advises that there are holes currently in trib #1 and trib #2. Kurt Hudson suggests that the reconstruction include an equal amount spent on both tributaries. This appears to be "fair", so that everyone sees some benefit.

Commissioner McCormick asks the other commissioners if either of them has the petition that was gathered at the surveyor's office. After the commissioners agree that they don't have the petition, Deputy Surveyor advises them that Surveyor Utz had the petition and it hasn't been made available since.

Commissioners decide to recess this hearing until a week from today, on January 19, 2006. Commissioners note that without the petition present, nothing can be decided on or agreed. Commissioners charge Deputy Surveyor with finding the petition, or get

with the landowners and draw up another one, and contacting the railroad and highway dept. for preliminary information.

Minutes taken by Tom Cummins.

Lori Dossett
Lori Dossett, Secretary

Phillip Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna H. Durrett
Deanna Durrett, Member

Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD
THURSDAY, JANUARY 19, 2006
JOHN GOBIN DRAIN INFORMATIONAL MEETING RECONVENED

The Montgomery County Drainage Board met on Thursday, January 19, 2006 in the Commissioner's Room at the Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Edward A. Stephens, Member; Deanna Durrett, Member; Drainage Board Attorney Daniel Taylor; Auditor ~~Carole Barton~~; Barry Lewis, The Paper; Deputy Surveyor Tom Cummins; and

Property owners/representatives: Jeff Myers, Wade Bennett, Dan Gwinn.


Commissioner Bane reconvened John Gobin Drain hearing @ 6:00 p.m.

Discussions:

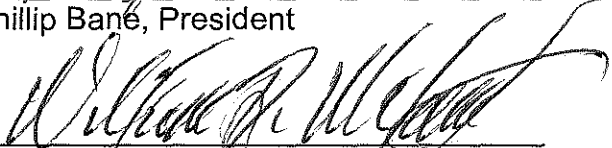
1. Discussion by Jeff Myers.
 - Does not believe this reconstruction is beneficial to his father-in-law, Horner or others;
 - Tributary 1 & 2 would affect him;
 - Tributary 3 & 4 would not benefit.
2. Deanna asked whether railroad might have to pay some?
 - I.C. 36-9-27-2-71 would seem to support.
3. Problems now?
 - Wade Bennett believes the 15" on Tributary 2 is too small;
 - Dan Gwin agreed.
4. Discussion of separation of tributaries.
5. Horner would share some cost.
6. Agreed to gather cost estimates.

Meeting adjourned @ 6:55 p.m.

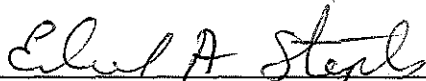
Minutes taken by County Attorney Daniel Taylor.



Phillip Bane, President



William D. McCormick, Vice President



Edward A. Stephens, Member

Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, JANUARY 24, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, January 24, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett; Member; Tom Boots, Member; Tom Cummins, Surveyor's Office; Building Administrator Marc Bonwell; Highway Director Brett Cating; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Gert Cowan, League of Women Voters; Rob Durrett; Wade Bennett; Treasurer Sue Howell; Francis McGrady; Daniel McGrady; Charlene Siminds; Dick Hunsicker; Sam Bayless; Stacey Dietzer; and Drainage Board Secretary Lori Dossett.

Drainage Board President Phil Bane called the meeting to order @ 8:005 a.m.

Commissioner Bane requested a motion for approval of the January 10, 2006 minutes. Commissioner McCormick moved to approve the January 10, 2006 minutes and Deanna Durrett seconded. 4-0 votes in favor.

Commissioner Bane requested a motion for approval of the January 10, 2006 hearing regarding Stanford/Elmore and Deanna Durrett advised she had not had an opportunity to read the minutes and was not in a position to approve them. The minutes will be presented for approval at the next Drainage Board meeting on February 7th.

Commissioner Bane requested a motion for approval of the January 12, 2006 Gobin drain hearing. Commissioner McCormick moved to approve the January 12, 2006 Gobin drain minutes and Commissioner Stephens seconded. 4-0 votes in favor.

Old Business.

James Sanders Drain Deputy Surveyor Cummins advised that he has the reconstruction report. He is however still working on reconciling the books with the Auditors office. No bids have gone out. The loan can only go five years, not ten years as discussed at the reconstruction hearing. The landowners will be notified when the figures are together for the reconstruction cost and the fact that the loan can only go out five years. If the landowners chose, they can back out of the vote to reconstruct.

The Board questioned why Surveyor Utz did not attend the meeting this morning and Deputy Surveyor Cummins advised that Surveyor Utz had advised him that he had a doctor's appointment. Commissioner Bane commented on the good job the Deputy Surveyor Cummins is doing under the circumstances.

Francis "Doc" McGrady – Advisory Board Concept. Francis McGrady read his advisory board concept into the record. **{SEE ATTACHED}**. Attorney Taylor commented the concept of the Advisory Board is fine and workable to give advice to the Drainage Board. It will be a "better vehicle" to know what landowners want. If the concept is approved the Commissioners would have to pass an ordinance. The only problems that he saw in the proposal involved #2 & #3. The final approval of the bids is the decision of the Surveyor who in turn recommends the bids to the Drainage Board. When tile work is inspected the Surveyor has a legal right inspect where a landowner would not unless he is accompanied by the Surveyor. The Board discussed several options on how the Advisory Board could be set up. Tom Boots stated he felt it should be offered and up to the landowners discretion if they want to form an advisory board. If landowners want to be involved they should be allowed to set up an Advisory Board. Deanna Durrett advised that some sort of leadership would have to be established for each Drain Advisory Board. She stated the concept is valid and now there is the question of how to do it. Commissioner Stephens moved to take the matter under advisement for more research and to think the concept through and Commissioner McCormick seconded. Deanna Durrett asked for a definition of what additional information is needed. She was advised a more refined proposal. Commissioner McCormick stated he'd like time to think it over and requested that Attorney Taylor draft an ordinance. Commissioner Bane a drain Advisory Board should at least meet annually to be apprised of what monies are in their drain funds. Commissioner Bane brought up the subject of landowners doing the own tile repair. If a landowner wants to

bid they can, no one is exempt from the process as long as they follow the guidelines. He stated he'd also like to see an annual bid process in place. Attorney Taylor stated that he requested a proposal from the Surveyor and he has not yet received it. The current list used by the surveyor's office is an old list of contractors in the area. Deputy Surveyor Cummins advised that he can obtain the OSHA rules from the Internet and that information could be provided during the bidding process when the Surveyor's office meets with the bidders. 5-0 votes in favor.

Armentrout Drain. Property owner Dick Hunsicker advised the Board that he had a potential buyer of 10 acres of his property. The prospective buyer is requesting that the easement on one side be dropped from 75 ft. to 15 ft. Mr. Hunsicker stated 1,264 feet were need. Commissioner McCormick stated he'd like to see the Board visit the site before any decision is made. Deanna Durrett questioned the Board's past history of granting variances of this type. Deputy Surveyor Cummins advised that Surveyor Utz looked at the site and stated that he didn't have a problem with the request to change the easement to 15 ft. Deanna Durrett moved to take the matter under advisement and Commissioner McCormick seconded. 5-0 votes in favor.

Drain Processes and Procedures. Deanna Durrett questioned what control the Board has? It is a requirement that the Surveyor report annually to the Board. The report is due on June 1st. Commissioner Bane stated that the report needed to be comprehensive. Surveyor Utz has been requested to present a draft of an annual report to the Board on March 7th. Deputy Surveyor Cummins advised that he is working on the report without the assistance of Surveyor Utz. He is using the reports Deanna Durrett provided as a model.

Deanna Durrett stated that she has been provided a call log from Tom, but has not had an opportunity to review it. She stated there is a lot of reference to drains, but no resolutions. Tom stated, "Larry doesn't convey what he's done. If I don't hear back I assume it is taken care of."

Drains Pending.

John Galey Drain – The drain has been put "on hold". Cain's found new information and they advised that the project should be put on hold advised Deputy Surveyor Tom Cummins.

John Gobin Drain – Tom advised he is getting the figures together and they are waiting on word from the railroad. They have the INDOT permits in order.

James Sanders Drain – Waiting on verification of the amount in the improvement fund.

Stanford/Elmore Drain – The bid amount is \$40,400 and it was bid by the foot. There is a question regarding the amount.

Swearingen/Runyon Drain – The assessments were raised.

It was questioned how the Treasurer's office is notified when there has been a raise in assessment. Sue Howell stated that there is a form in the Auditor's office that will need to be filled out and then that information is passed to her office. Tom will look into the other drains that have had assessments raised in the recent months to make sure that the proper paperwork has been filed with the Auditor.

Other Business: Commissioner McCormick advised that the new owners of Meadowood Apartments would like to donate land to the County to build a retention pond. He stated, "They want to move fast". He questioned if the County could go ahead and put in the retention pond before the Shelly Drain project is ready. He also advised that if the County does not build the retention pond the new owners will. It will be a way to keep the north end from flooding. Dan Taylor and Marc Bonwell will meet to discuss the County's options. Commissioner McCormick stated that it is necessary to put the Shelly Drain back on assessment. It is a big watershed.

Other Business: Deanna Durrett stated that she feels that the Surveyor's office should take whatever steps necessary to enable the Surveyor to have remote access to the Auditor's records. Commissioner McCormick stated that he could not say enough about the work that Tom is doing in the Surveyor's office.

Deanna Durrett moved to adjourn and Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 9:08 a.m.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett, Member

Tom Boots, Member

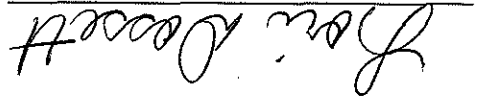
0-75 00003
William D. McCormick/Vice President



Phil Bane, President



Lori Dossett, Secretary



Meeting adjourned @ 9:08 a.m.

Deanna Durrett moved to adjourn and Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

DRAINAGE BOARD MEETING - JAN. , 2006

I AM PROPOSING THAT THE DRAINAGE BOARD OF MONTGOMERY CO. AUTHORIZE A PROCEDURE WHEREBY MAJOR LANDOWNERS AFFECTED BY ANY REGULATED DRAIN IN THE COUNTY COULD FORM AN ADVISORY BOARD TO HAVE INPUT AND OVERSIGHT ON THE AFFAIRS OF THEIR PARTICULAR DRAIN. I WOULD SUGGEST THAT PERHAPS 75% OF THE AFFECTED ACRES SHOULD BE REPRESENTED ON THIS BOARD.

I AM PROMPTED TO MAKE THIS PROPOSAL BECAUSE OF MY EXPERIENCES WITH THE MANAGEMENT OF THE TWO DRAINS IN WHICH I OWN LAND: THE STANFORD-ELMORE AND THE SWEARINGEN-RUNYON DRAINS. I DO NOT THINK THE LANDOWNERS WHO ARE PAYING THE COST SHOULD CONTINUE TO HAVE NO CONTROL (EXCEPT TO REJECT PROPOSALS) OVER THE WORK THAT IS DONE OR THE SPENDING OF THEIR FUNDS. THE FUNCTIONS I AM PROPOSING FOR THESE ADVISORY BOARDS ALL ADDRESS SPECIFIC AREAS OF CONCERN THAT ARE A PROBLEM IN THIS COUNTY.

THIS ADVISORY BOARD COULD :

- 1) ADVISE THE DRAINAGE BOARD AS TO REPAIR NEEDS AND RECONSTRUCTION PROJECTS. (THERE HAVE BEEN FUNDS SPEND ON WORK THE LANDOWNERS DID NOT FEEL WAS NEEDED AND RECONSTRUCTION PROPOSALS THAT TOTALLY MISS THE MARK.)
- 2) REVIEW AND APPROVE BIDS AND COST ESTIMATES. (REPAIR CHARGES HAVE GOTTEN OUT OF LINE, ESPECIALLY THE LAST FEW YEARS.)
- 3) INSPECT COMPLETED WORK BEFORE FINAL PAYMENTS ARE MADE. (THE LAND OWNERS HAVE EXPECTED AND TRUSTED THAT THERE WAS SOME OVERSIGHT ON WORK PREFORMED, BUT NOW REALIZE THEY NEED TO TAKE THIS INTO THEIR OWN HANDS.)
- 4) MAINTAIN A FILE OF RECORDS OF REPAIR WORK DONE, INCLUDING THE LOCATION IN THE DRAINAGE SYSTEM. (A DRAINAGE SYSTEM HAS A LONGER LIFE THAN THE TERMS OF ADMINISTRATORS AND EVEN LANDOWNERS. IT WOULD BE USEFUL FOR SUCCESSORS TO BE ABLE TO REVIEW AND ANALYSE PREVIOUS WORK.)

ALSO, WE URGE THE DRAINAGE BOARD TO MOVE TO CLARIFY THE LEGAL AND INSURANCE ISSUES REGARDING LANDOWNERS DOING REPAIR WORK ON THE REGULATED DRAINS ON THEIR OWN LAND, AND THEIR QUALIFICATION TO BID ON RECONSTRUCTION PROJECTS ON THE DRAINS THAT AFFECT THEM.

FRANCIS G. McGRADY

MONTGOMERY COUNTY DRAINAGE BOARD
STANFORD/ELMORE RECONSTRUCTION HEARING
TUESDAY, JANUARY 10, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, January 10, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett; Member; Tom Cummins, Surveyor's Office; Attorney Jim Capehart; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Gert Cowan, League of Women Voters; Rob Durrett; Daniel McGrady; Tim McGrady; Dean Rush; John Wilbur; James Fruits; Francis McGrady.

Drainage Board President Phil Bane called the meeting to order @ 6:00 PM.

Deputy Surveyor Tom Cummins gave a brief history of the Stanford-Elmore Drain, the drain's location, and a description of the proposed reconstruction. Proposed 900 ft. of 24" tile to be installed in the "problem area" that was brought to our attention at the informational hearing on December 6, 2005. The breakdown is as follows:

Discussion: Commissioner McCormick advised Deputy Surveyor Cummins that the drain's negative improvement balance is to be added to the reconstruction figure, and estimated the percentage of increase. Deputy Surveyor Cummins stated that he was not aware of the negative balance or the procedure for combining the balance and the reconstruction. Francis McGrady confirmed that the area selected for reconstruction was a problem area that needed immediate attention. Francis McGrady asked if the reconstruction amount was high enough to warrant bidding for the job, and Commissioner McCormick advised him that the statute states that jobs costing less than \$75,000 were not, by law, required to accept bids for the work. Commissioner McCormick went on to say, that in his opinion, all work for the county should be put up for bids. Francis McGrady asked if the loan is increased to pay back the negative \$6800 balance to the improvement fund, if that would be billed along with the reconstruction costs. Deanna Durrett advised him that the reconstruction will be billed separately from the improvement, and Commissioner McCormick agreed. Commissioner McCormick estimated the increase for the improvement balance, and advised Landowner James Fruits that the reconstruction amount for his first parcel of land was \$1,987.15; but with the approximately 48% increase would total about \$2,881. Commissioners Bane and McCormick explained to those attending, the problems that are present in the offices dealing with these issues, and the steps that are being taken to resolve those issues. They asked for patience while the surveyor's office and the auditor's office reconcile the drain balances in maintenance and improvement. Francis McGrady asked if any progress has been made toward his proposal to assemble an advisory board for the Stanford-Elmore drain. Commissioner McCormick, again, agreed with the idea, but wants to wait until the fifth and final Drainage Board member was added. Commissioner McCormick advised Mr. McGrady that the proposal is on the agenda for the Drainage Board meeting on Jan. 24, 2006. Commissioner Bane added that the Drainage Board is requesting a Drain Improvement Plan from the Surveyor's office, for each of the county drains. Deanna Durrett explained the yearly classification of drains report, and offers that between the two reports, existing problems should not go unattended.

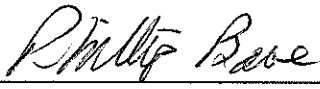
Commissioner McCormick instructed Deputy Surveyor Cummins that all bids should be brought before the commissioners, before going anywhere else. Deputy Surveyor assured the commissioners that he would comply. Commissioner Bane advised Mr. McGrady, that if they wanted the opportunity, than they should bid on the job. Commissioner McCormick agreed and advised them to make sure the county has a copy of their insurance information, as well as anything else the county requires before contracting. Commissioner McCormick asked Mr. McGrady if every reconstruction should be legally surveyed before and after, to make sure the job is done correctly. Mr. McGrady agreed that he is correct, and also added that soil knowledge, and the trust of the surrounding landowners is helpful, also; thus, his idea of landowners doing their own work. Tim McGrady asked Deputy Surveyor if the numbers are correct, and if the estimates for the cost of the tile were current. Deputy Surveyor advised him that the numbers were, to his knowledge, the most current and accurate. Tim McGrady also suggested to Deputy Surveyor to include all of the specs in the bids, such as size of tile, type of tile, etc., to promote fair bidding.

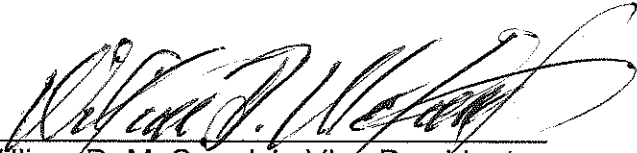
The consensus of the landowners present is to reconstruct the Stanford-Elmore drain. Commissioner Bane to move forward with the reconstruction, Commissioner Stephens seconded. 4-0 votes in favor.

Commissioner Stephens moved to adjourn and Commissioner McCormick seconded. There being no further business before the Drainage Board, the meeting was adjourned.

Meeting adjourned @ 6:45 a.m.


Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member

Deanna Durrett, Member

Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, FEBRUARY 7, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, February 7, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Deputy Surveyor Tom Cummins; Auditor Jeff Dossett; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Gert Cowan, League of Women Voters; Darrell Birge; Rob Durrett; Wade Bennett; Treasurer Sue Howell; and Drainage Board Secretary Lori Dossett

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance. Reverend David Douth led the prayer.

Commissioner Bane requested a motion for approval of the January 10, 2006, January 19, 2006 and January 24, 2006. Commissioner McCormick moved to approve the minutes of January 10, 2006, January 19, 2006 and January 24, 2006. Deanna Durrett pointed out there is a correction on January 19th minutes. Carole Barton's name should be omitted. Commissioner Stephens seconded with the correction on January 19th. 5-0 votes in favor.

Old Business.

Francis "Doc" McGrady – Advisory Board Concept.

Attorney Taylor presented a draft of an ordinance regarding forming Advisory Board's for County drains and explained the contents of the ordinance. The Board discussed the wording, "There shall be for each regulated drain in Montgomery County an advisory board comprised of the affected landowners of each drain. ..." The meetings would have to be published and notices posted and open to the public. Deanna Durrett questioned why the meetings would have to be open to the public. Attorney Taylor explained it is still a public meeting wherein information will be gathered and deliberations will be discussed. Commissioner McCormick asked that the term "shall" be removed from Section 33.02(J) (1). The formation of an advisory board should be voluntary. He stated landowners should come to the Drainage Board with their drain issues and then at that time form the advisory board for that particular drain. Tom Boots added that formation of an advisory board for a particular drain should be voluntary and offered but not required. Commissioner McCormick moved to take the proposed ordinance under advisement and ask that the section be re-worded wherein the formation of an advisory board is an option, not forced. Commissioner Stephens seconded 5-0 votes in favor.

Drain Repairs Processes & Procedure.

Attorney Taylor presented a draft of an ordinance regarding establishing a policy of drain repairs and procedures. He stated that he checked with other counties and in some counties it is preferred that the landowners do their own work. The purpose of the ordinance will be to develop specific factors for the policy, i.e. experience, equipment, insurance, etc. Before the ordinance can be passed a criteria will need to be established. The Board discussed getting input from private contractors. Commissioner McCormick suggested a public discussion as a way of getting and sharing ideas. The suggested June 30th deadline is only a beginning date that could be moved up. Deanna Durrett stated she is in favor of moving forward, but the requirements will be needed first and she is uncomfortable approving claims given the fact the accounts are not reconciled. It is unfortunate, but there may be contractors ready to do work but until the accounts are in order she would prefer to wait. Darrell Birge stated that the Board should take into consideration the possibility of a farmer performing his own work and the project goes beyond his ability and the work performed causes more problems and thus the need for a professional to finish the job. There is also an issue of work causes more problems for landowners downstream. Commissioner McCormick moved to take the ordinance under advisement and Deanna Durrett seconded. 5-0 votes in favor.

Raised assessments.

Deputy Surveyor Cummins stated he has turned in the orders for raising assessment to the auditor for the following drains: Smith/Elmore, Stanford/Elmore, Swearingen/Runyon. He stated the reports are in the file and he will keep records. Deanna Durrett suggested keeping a record book of official acts. The book will be maintained by the Drainage Board Secretary.

Sonar Equipment.

Marc Bonwell advised that they have the equipment all in one place and they can take readings. They plan to take the equipment out and test it.

Inventory of Barn.

Deputy Cummins advised that he has been unable to locate a key to the barn. Commissioner McCormick stated that there is no lock on the barn. He stated it is for the most part empty, there is some old tile at the north end and a compressor with a U-Rent-It Center sign on it. Tom will check to see if the County purchased the compressor. He added there are some marking poles and an old generator. He said it was obvious no one has been in the barn for several years. Deputy Cummins was instructed to put a padlock on the barn and to supply a key to the Drainage Board.

Status of laptop, screen & projector.

Board Secretary Lori Dossett advised that she has obtained several price quotes for the equipment. A pull down screen to be mounted in the Commissioners Room has also been priced. Commissioner Bane stated he will review the prices with Lori to make the final decision.

Meadowood Pond & Putting Shelly Drain back on assessment.

Marc Bonwell advised that he spoke to Jacob Hurt and Tom Mitchell and they agree that a pond is definitely needed in the area of Shelly Drain, but it all comes down to funding. Commissioner McCormick stated that if the grant goes through, it will be taken care of. Attorney Taylor suggested that the County make contact with the City and suggest that if the owner appears before the Plan Commission it would be possible to require installation of a detention/retention pond. Shelly Drain is a legal drain and is ultimately the County's responsibility.

Phone log from Surveyor's Office.

Deanna Durrett questioned if Deputy Surveyor Cummins had an updated phone log. He stated that he supplied a copy of the log last week. Deanna Durrett requested that he supply the log at each meeting. The Drainage Board does not have any authority to require that a log is provided.

Drains Pending.

James Sanders Drain – Tom Cummins stated they are still working on figures. Auditor Dossett advised that past mistakes have been found and the books are now close to accurate.

John Galey Drain – Tom Cummins advised that Surveyor Utz spoke to Cain's and he does not know what the new information is.

John Gobin Drain – Tom Cummins advised that he spoke to the railroad and they do not show an existing agreement with the County. The last agreement was in the early 80's. He was advised that the County would need to apply for a new agreement at a cost of \$4,000. Deanna Durrett questioned what fund the fee would be paid out of and she was advised it would have to be paid out of the John Gobin reconstruction. Darrell Birge added that you can go underneath the railroad if the easement still belongs to the farmer. Attorney Taylor added that title work would have to be done to determine if there is an easement.

Smith/Elmore Drain – New assessments have been turned into the auditor.

Stanford/Elmore Drain – Tom Cummins stated he spoke to Mr. McGrady and he is working on getting accurate measurements.

Swearingen/Runyon Drain – The new assessments have been turned into the Auditor.

Wade Bennett stated that the ***Carper/Crowder*** drain needs to be set for hearing to raise the assessments. The landowners denied a request to for reconstruction. The matter is set for hearing on Thursday, March 30th @ 6:00 p.m. in the Circuit Courtroom. Deanna Durrett questioned if there is any way to know, based on the reconciliation of the books, how many drains will need to have assessments raised. Tom Cummins stated the majority of them if not all of them.

Deanna Durrett checked on the hole in the interstate near John Wilkinson Drain because thought it was on her land. It is actually near her land. She stated she contacted the state highway department to find out who would be responsible and she was advised the state highway department is responsible and they have taken over the responsibility of taking care of that drain. It was not taken care of as the minutes reported. Rob Durrett stated the state highway believes the hole is not in the County drain. It is in a drain the state put in when the interstate was built.

Petition Arman Trout Drain.

Tom Boots advised that the potential buyer was concerned that our process would be like a city where he couldn't do anything around a drain. You can build fences on it. He stated since Mr. Hunsicker isn't here he has eased the mind of the buyer. Building out there is not feasible because of the shape of the ground so there isn't anything to worry about. Commissioner McCormick advised that the potential buyer called him and left a message yesterday more than likely to verify what we said out at the drain. He will take care of that this afternoon. Darrell Birge stated that on the Arman Trout Drain is actually known as the Lye Creek Drain.

Other Business.

Petition Forms for & Notebook of Official Acts


Deanna Durrett stated that she is the one that requested that this matter be placed on the agenda. She asked Attorney Taylor to address the issue. Attorney Taylor advised that it is two different issues. One is petition forms because Mr. Hunsicker's request fits squarely into that. It would be helpful for both the Board and the public if petition forms contained fill in the blanks for requests. It would give more information to the Board when a requests are made. For reconstructions, for assessments, for variances we could develop a one or two page form to make those requests. Attorney Taylor stated he will prepare the forms for the Board. It is the same for the official acts, every time you vote on an assessment case, reconstruction case, encroachment, variances, etc. It seems that one of the way to have all of the information all in one place in a binder.

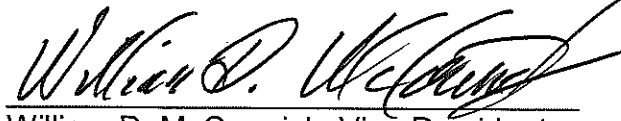
Auditor Dossett – James Emerson Ditch has a negative balance of \$29,000. The account started at zero when the construction was done. The settlements have continued to come in but only their base assessments which we have always charged them instead of the reconstruction which apparently has never been added on. They have been paying their normal assessment and meanwhile there's been five almost \$6,000 payments made to the bank for that reconstruction and yet no reconstruction assessments coming in. Deputy Surveyor Cummins stated, "according to Surveyor Utz he thought he turned in the paperwork to the Auditor. The Emerson Drain is a brand new drain. According to Commissioner McCormick it was created by Morris Davis and some other people. It was not a reconstruction. Commissioner Bane asked if we needed to have a hearing to address the issue to the affected landowners. The last hearing date on the drain was held April the 23rd of 2002. Commissioner McCormick asked where the monies have been coming from and Auditor Dossett stated it has been coming out of the maintenance fund. It is a matter of repaying the maintenance fund and repaying the loan. There are 17 tracts of land. Tom did not know how many landowners are on the drain. An informational meeting with the landowners has been set for Tuesday, February 21st @ 6:00 p.m.

Deanna Durrett moved to adjourn and Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 9:16 a.m.


Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President

Edward A. Stephens

Edward A. Stephens, Member

Deanna H. Durrett

Deanna Durrett, Member

Tom Boots

Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, FEBRUARY 14, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, February 14, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Deputy Surveyor Tom Cummins; Auditor Jeff Dossett; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Marian Lindow, League of Women Voters; Highway Director Brett Cating; Rob Durrett; Wade Bennett; Treasurer Sue Howell; Matthew Moore, RQAW; and Drainage Board Secretary Lori Dossett.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance. Reverend Glen McFarland led the prayer.

Commissioner Bane requested a motion for approval of the February 7, 2006 minutes. Deanna Durrett moved to approve the February 7, 2006 minutes and Commissioner Bill McCormick seconded. 5-0 votes in favor.

DuBose Strapping, Inc. – Storm water plan. Building Administrator Marc Bonwell presented the storm water review plan for DuBose Strapping, Inc. Administrator Bonwell advised that DuBose Strapping, Inc. the 81,500 square feet steel coil processing plant will have concrete drive areas. It is located on 20 acres north of CR400 South which is a half mile east of Nucor Road. All of the existing storm water on the site is collected in a channel that goes into the Epperson Drain. Administrator Bonwell advised that the building on the site will not be increasing the rate of water released. The property releases to it now because it is on that watershed. He stated he did know if that property goes to the drain. The proposed building site is **William Epperson Drain**. Administrator Bonwell advised that there is an existing swail on that site and all of the water on the site came to the swail. It will still come to the swail but through the new proposed detention area. Mrs. Durrett asked if DuBose Strapping will pay assessment to the William Epperson Drain and she was advised that they would. The storm water plan has been reviewed by DLZ. Commissioner McCormick moved to approve the storm water plan for DuBose Strapping, Inc. as proposed by Administrator Marc Bonwell and Deanna Durrett seconded. 5-0 votes in favor.

DuBose Strapping, Inc. rail spur. Highway Director Brett Cating advised that DuBose Strapping, Inc. will be installing a railroad spur across Nucor Road which goes across the William Epperson Ditch. Director Cating stated he requested that Matthew Moore of RQAW to develop ah a plan to meet what size of the structure that exists under Nucor Road and to make sure that it wouldn't hinder any of the water going through the Epperson Ditch. The railroad comes from Nucor to DuBose Strapping, Inc. across Nucor Road and some small ditches. Immediately downstream there is a 108" diameter structure down Nucor Road. The structure chosen is a pre-cast structure by Conspan. It is a 9' x 12' cross sectional area by about 15 to 20 square feet. Commissioner Stephens moved to approve the concrete structure over the **William Epperson Drain** for the DuBose Strapping rail crossing and Commissioner McCormick seconded. Commissioner McCormick questioned why DuBose could not use the existing rail spur used by Heitman Steel and he was advised that there wasn't enough room to curve the track south. Director Cating advised that the new spur will open up future development of the area by Nucor Steel. 5-0 votes in favor.

Surveyor's Report. Deputy Surveyor Tom Cummins provided a copy of the most recent call log to the Drainage Board. He stated that there have not been any resolutions to anything that he is aware of. Deanna Durrett questioned if there were any repairs or maintenance being done to drains at this point. Deputy Surveyor Cummins advised that he was unaware of any, but Commissioner McCormick added that there is work being done on the **Albert Nobes Drain**. There are monies in that maintenance fund account to do the work to be done by Dick Smith as contracted by Surveyor Utz according to Commissioner McCormick.


Other Business:

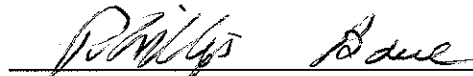
Auditor Jeff Dossett presented a claim from Surveyor Larry Utz for the Joe Hall Ditch in the amount of \$13,200 to pay Wilson Construction. The claim proposed to transfer monies out of other drain maintenance funds to the improvement fund. Deanna Durrett stated that the Board cannot do that. Commissioner McCormick moved to deny the claim and Commissioner Stephens seconded. 5-0 votes in favor.


Deanna Durrett advised that there are still drains pending, but they have been postponed due to the need to shorten today's meeting.

Commissioner McCormick moved to adjourn and Commissioner Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 8:20 a.m.



Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member


Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD
INFORMATIONAL MEETING
JAMES EMERSON DRAIN
TUESDAY, FEBRUARY 21, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, February 21, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; Deputy Surveyor Tom Cummins; Auditor Jeff Dossett; Drainage Board Attorney Daniel Taylor; Rob Durrett; Mike Patton; Harold Mennen; Tim Nannet; Tyler Nannet; Mark McClamroch; Morris Davis; Larry Davis; and Drainage Board Secretary Lori Dossett.

Drainage Board President Phil Bane called the meeting to order @ 6:00 p.m. and led the Pledge of Allegiance.

Auditor Jeff Dossett reported the maintenance fund for the James Emerson Drain has a negative balance of \$29,630.20. He advised that the payments for the loan should be coming out of the improvement fund and not the maintenance fund. He also advised that the improvement fund has a negative balance of \$7,376.67. The total shortfall for the Emerson Drain is \$37,306.21. Auditor Dossett advised that he cannot locate any records that the Auditor's Office received any orders when the new drain was established to withhold the additional assessments to pay back the original loan in the amount of \$55,000. To date the loan payments have been paid out of the maintenance fund. Commissioner McCormick commented that when the tax statements were sent out to the landowners it should have been a red flag when the additional assessments were not shown. Morris Davis commented that he didn't think it was the fault of the taxpayer. Surveyor Utz stated that he gave the paperwork to the previous Auditor Nelda Hester reporting that the new drain was established and the amounts to be withheld for repayment of the construction loan. The original construction cost for the Emerson Drain totaled \$73,000. Soil & Water paid \$17,500 towards the construction. The property owners questioned two payments for maintenance on the drain; Hughes & Cains Homelike Farms. Surveyor Utz stated he would check to see what the payments were for. The Board discussed options to bring the improvement fund and the maintenance funds current. Auditor Dossett suggested requesting an additional appropriation from the Council to pay the \$37,306.21 balance and when assessments are paid in 2007, those assessments will be used to repay the Council.

Commissioner Stephens moved to request an additional appropriation in the amount of \$37,306.21 for the James Emerson Drain accounts and Commissioner McCormick seconded. Surveyor Utz advised that between now and when the first assessment payments are received in 2007 there will be at least two payments to National City Bank where the loan was acquired and the maintenance money will not be enough to cover the payments. Auditor Dossett advised that the June payment and the January payment total \$11,973.98. Commissioner Stephens amended his motion to request an additional appropriation from the Council in the amount of \$49,280.19 for the James Emerson Drain and Commissioner McCormick seconded. 5-0 votes in favor.

Deanna Durrett requested that Surveyor Utz appear before the Drainage Board at the next meeting to explain what the two expenditures for repairs to the James Emerson Drain were for. Commissioner McCormick moved to instruct Surveyor Utz to bring the invoices from Hughes Excavating and Cains Homelike Farms to the next Drainage Board meeting and Commissioner Stephens seconded. 5-0 votes in favor.

Harold Mennen and Mark McClamroch questioned what the procedure would be to rename the James Emerson Drain. Attorney Taylor advised that he will research the question and report back to the Drainage Board.

Surveyor Utz added that the original loan amount was \$55,000 for the construction of the James Emerson Drain but the invoice received from Cains Homelike Farms for the actual construction amounted to \$54,279.36.

Commissioner McCormick moved to adjourn and Commissioner Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 6:38 p.m.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots
Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, FEBRUARY 28, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, February 28, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; Deputy Surveyor Tom Cummins; Auditor Jeff Dossett; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Rob Durrett; Wade Bennett; Treasurer Sue Howell; Mark McClamroch; Mayor John Zumer; and Drainage Board Secretary Lori Dossett.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance. Reverend Rob Brown led the prayer.

Commissioner Bane requested a motion for approval of the February 14, 2006 minutes. Commissioner McCormick moved to approve the February 14, 2006 minutes and Member Tom Boots seconded. 5-0 votes in favor.

Old Business:

Francis "Doc" McGrady – Advisory Board Concept. Attorney Taylor distributed the proposed ordinance entitled "Ordinance 2006-5 - An Ordinance of the Montgomery County Drainage Board of Commissioners Establishing Drain Advisory Boards of the Montgomery County Drainage Board" with the revisions as requested by the Drainage Board. He stated that he added, "Upon request..." to the last paragraph (1). Tom Boots questioned the wording regarding "each" drain. He stated it should read "that" drain. Attorney Taylor explained that the statement "upon request" is a trigger point. Deanna Durrett questioned if only one property owner wants to establish an Advisory Board. Attorney Taylor stated that the Advisory Board is merely advisory and will report to the Drainage Board copies of who attended the meeting, minutes, etc. Member Tom Boots moved to make the requested changes to the ordinance and forward the Ordinance to the County Commissioners and Commissioner Stephens seconded. 5-0 votes in favor.

Drain Repair Processes & Procedures. Attorney Taylor distributed the proposed ordinance entitled "Ordinance 2006-6 - An Ordinance of the Montgomery County Drainage Board of Commissioners Establishing Policies Regarding Landowners Performing Work on Drains and Ditches. The ordinance would enable landowners to perform drainage work on their properties as long as such landowners meet requirements for such work as established by the Drainage Board. The Drainage Board shall by June 30 of each year establish minimum requirements for performing work on behalf of the County. The minimum requirements shall include requirements concerning experience, liability insurance, workers compensation insurance, equipment, and other factors. The Drainage Board shall by July 15 of each year provide public notice of the requirements and shall accept qualifications until October 1 for work to be performed the following year. Commissioner McCormick moved to pass Ordinance 2006-6 to the County Commissioners and Member Deanna Durrett seconded. 5-0 votes in favor.

Phone log from Surveyor's Office. Deputy Tom Cummins distributed a phone log of calls to the Surveyor's Office to the Board. The phone log indicated that Terry Cain called for approval to do work on the **Richard Thomas Drain.** Surveyor Utz stated, "The drain that he was working on was Richard Thomas, the open drain there at Coal Creek and we cannot pay on that anyway, so he dredged that a little bit – a part of Coal Creek to help this tile, but that's all he was doing, working on an open drain that he thought was a legal drain, but it's not so we can't act on it anyway." Deanna Durrett questioned when the dredging was done. Surveyor Utz advised it was done last week and Deanna Durrett questioned what approval he had of the Drainage Board. Surveyor Utz stated, "It's not a legal drain, so we have nothing to do with it."

Surveyor Utz's Report. Surveyor Utz advised that the claim on the **James Emerson Drain** from Hughes Excavating was an error and should have been put on the **William McClamroch Drain.** Surveyor Utz stated that the other claim on the Emerson Drain had to do with work done by Cain's that was not covered by construction costs. He stated they were "unknown". Surveyor Utz stated that he had waited on maintenance money to pay the claim. At this time there is money in the account.

Drains Pending:

James Sanders Drain - Surveyor Utz advised that they are still waiting on updated figures for the reconstruction. A hearing will need to be held to discuss the loan for the reconstruction and to address the negative balance in the James Sanders Drain.

John Galey Drain – Surveyor Utz advised that Cain's are working with S&W to put waterways on three different properties and that the drain has a problem at the railroad. The openings have been blowing up at the railroad. The ground is wet and sloppy and difficult to get near. If reconstruction is needed the area will need to be checked into closer.

John Gobin Drain – Deputy Surveyor Cummins has made contact with the railroad inquiring about the agreement and the additional cost of \$4,000 for a new permit. Attorney Taylor stated he is still looking into whether a permit will be required to do work under the railroad. The Surveyor's office stated they have the highway permits applications, but they have not been filled out and turned into the State Highway Department. Commissioner Bane raised the following questions: what is the total amounts to prepare the drains; what will need to take place; should an engineer or a licensed surveyor investigate where the laterals have been attached to County drains; and may we receive a detailed map of the drain. Surveyor Utz stated no one knows where the laterals are. Each area would have to be dug up to find out. Mark McClamroch agreed it would be difficult to determine where the laterals are.

The majority of the landowners have expressed mixed opinions on the issue of whether the entire drain needs reconstruction. Wade Bennett stated he didn't hear very much negative comment regarding reconstruction of the drain. Mr. Bennett also stated that it is obvious that Surveyor Utz isn't going to do anything about it. He added he's been coming to meetings for two years and the project has not moved forward. Jim Swift added that to know where the laterals are coming in you would have to have some "honest confessions" from farmers. It is not a cut and dried engineering issue. Commissioner Bane stated, "two years is more than people can stand" waiting on progress on the drain. The project would encompass 7,000 feet of tile on the west side of 231 and 1,500 feet on the east side of 231. Member Tom Boots questioned Surveyor Utz' opinion on how the project should proceed. Surveyor Utz commented that what started out as a little project on the east side now has grown. He has received phone calls from Gwin's against the project. Mr. Bennett stated he that the project does not need Gwin's support to go forward. Any engineering fees would have to be paid by the landowners. Commissioner Bane stated he is willing to meet with Jim Swift and Mr. Bennett to get some idea of costs for the project. Any fees charged by Mr. Swift could be paid out of contract services line item in the Drainage Board budget. Commissioner McCormick moved to request that Commissioner Bane meet with Jim Swift and report back to the Drainage Board at the next meeting and Member Tom Boots seconded. 5-0 votes in favor.

Carper-Crowder Drain – It is set for hearing to raise assessments on Thursday, March 30th @ 6:00. The Surveyor's office has advised that the letters have been sent to the landowners. A previous request for reconstruction had been denied.

Albert Nobes Drain – Commissioner McCormick stated he authorized the work to be done on the Albert Nobes Drain. He stated he contacted the Auditor's office to make sure there were monies in the account. He stated he was contacted by the property owner who had been unsuccessful contacting the Surveyor to have the work done.

Commissioner Bane stated that he had been contacted by Mr. Wilson regarding payment of his \$13,200 claim for work previously performed on the Joe Hall Drain. Surveyor Utz stated that there is \$13,500 in the maintenance fund. The improvement fund is in the negative. Attorney Taylor questioned what kind of work was done to the drain. Surveyor Utz advised that two miles of the drain was dredged, beaver dams were cleared, trees were cleared. Everything had been flooding out; it was definitely maintenance on the drain. Surveyor Utz stated that Mennen's appreciated the work being done. Member Boots stated that the claim needs to be paid. He stated that if it is a matter of a clerical error, that is not the fault of Mr. Wilson. Tom Boots moved to approve the claim and Commissioner McCormick seconded. Deanna Durrett asked if Mr. Wilson would itemize the bill. She stated she would prefer to see an itemized bill before authorizing payment. Commissioner McCormick moved to pay the bill to Wilson Construction upon receiving an itemized bill at the next Drainage Board meeting and Tom Boots seconded. 5-0 votes in favor.

Commissioner Bane questioned how the problems can be fixed of spending money that it not there to spend. Commissioner McCormick questioned whose responsibility it is to see that the improvement funds and maintenance funds are brought back in the black. Attorney Taylor stated it is the responsibility of the Drainage Board and then it falls upon the Auditor to deal with the State. The Surveyor is required to bring claims to the Drainage Board for approval. He stated that the statute states that the drains should be classified as in maintenance drains, reconstruction drains, construction drains, drains to be vacated. The annual classification is comparable to approving the work in advance.

Non assessed drains should not have negative balances. Deanna Durrett stated there are three non assessed drains that have negative balances.

Attorney Taylor stated that the mechanism is the classifications of drains and having a long range plan. By June 1st the Surveyor is supposed to have a Drain Improvement Plan in place which can be compared to a type of budget process for the Drainage Board. The Surveyor makes recommendations of work on all the drains and if a negative balance is shown on a given drain, then a decision would be made to either reconstruct or raise assessments. Attorney Taylor advised the only way to solve the problem is to start doing it "by the book" this spring and be disciplined and follow Drain Improvement Plan which is due on March 7th by the Surveyor's Office.

Deanna Durrett stated the Drainage Board should receive a spread sheet from the Surveyor's Office. The Surveyor is the bookkeeper of the drains and should provide balances that are certified by the Auditor and the Surveyor. Auditor Dossett explained the process of reconciling the maintenance and improvement funds. Commissioner Bane stated if the Drainage Board is going to approve the claims then they should know what is going on in advance.

Mark McClamroch commented on the James Emerson Drain. He stated at the meeting held recently the property owners discussed changing the name of the drain. He stated if the drain name can be changed, they would like the new name to be Grady Chadwick Ditch. Tom Boots moved to request that Attorney Taylor research the procedure to rename the James Emerson Drain and Commissioner Stephens seconded. 5-0 votes in favor.

Other Business: Wade Bennett offered his farm tiles on the John Gobin Drain for Administrator Bonwell and Deputy Surveyor Cummins to experiment with the sonar equipment and try to figure out how it works.

Claims. Auditor Jeff Dossett presented the following claims to be paid to the Tippecanoe County Drainage Board for joint drains:

Frank Kirkpatrick #566 - \$239.58

Elijah Fugate #569 - \$40.16

Rebecca Grimes #570 - \$45.00

Leader/Newton #642 - \$189.86

Shawnee Creek #611 - \$191.08

Commissioner McCormick moved to pay the claims to the Tippecanoe County Drainage Board as presented and Tom Boots seconded. 5-0 votes in favor.

Commissioner McCormick moved to adjourn and Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 9:15 a.m.



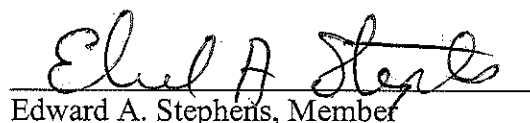
Lori Dossett, Secretary



Phil Bane, President



William D. McCormick, Vice President



Edward A. Stephens, Member



Deanna Durrett, Member



Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, MARCH 7, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, March 7, 2006 in the Commissioners room, Montgomery County Courthouse.

Those present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; Deputy Surveyor Tom Cummins; Deputy Auditor Donna Sobolick; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Rob Durrett; Sharon Gerow; Virginia Servies, League of Women Voters; Recorder Michelle Cash; Wade Bennett; Treasurer Sue Howell; Mayor John Zumer; Jim Swift; and Drainage Board Secretary Lori Dossett.

Drainage Board President Phil Bane called the meeting to order @ 8:20 a.m. and led the Pledge of Allegiance. Jim Capehart led the prayer.

Commissioner Bane requested a motion for approval of the February 21, 2006 and February 28, 2006 minutes. Member Boots questioned the wording regarding the Richard Thomas Drain. The minutes were tabled and will be presented for approval at the next Drainage Board meeting.

Commissioner McCormick questioned the status of the sonar equipment. Deputy Cummins advised that they can get readings and now it is a matter of interpreting the readings. They will continue to work on those.

Surveyor Utz advised that he is ill and may have to leave the meeting from time to time.

Old Business:

Surveyor Phone Logs – Deputy Cummins stated that he does not have a log for this week.

New Business:

Resolution 2006-1 – A Resolution of the Montgomery County Drainage Board Declaring a General Moratorium on Work Performed on Ditches and Drains. {See Attached Resolution}. Deanna Durrett moved to accept the Resolution 2006-1 and Tom Boots seconded. 5-0 votes in favor.

Resolution 2006-2 – A Resolution of the Montgomery County Drainage Board Authorizing the Appointment of Qualified Deputies and Contract Deputies to Perform Certain Necessary Work. {See Attached Resolution}. Commissioner McCormick moved to pass Resolution 2006-2 and Commissioner Stephens seconded. 5-0 votes in favor.

Surveyor Utz's Report.

James Emerson Drain – Deputy Surveyor Cummins advised that now that the reconciliation is done and they have gone as far as they can, they will be getting numbers on what the balance is in the improvement fund. Deanna Durrett questioned if the Board will be going to the Council for an additional appropriation or a loan to put money back into the *Emerson Drain* improvement fund. The Drainage Board will be requesting an additional appropriation. Attorney Taylor advised that if the Drainage Board were to request a loan from the County those monies would have to be paid back by December 31st. Commissioner McCormick moved to have Board President Phil Bane appear before the Council to request the additional appropriation and Tom Boots seconded. 5-0 votes in favor.

Deanna Durrett questioned the status of the claims that appeared on the *Emerson Drain* and exactly what the nature of those claims was. Surveyor Utz had stated that the Hughes claim had been put on the Emerson Drain inadvertently, but the claims for Mr. Cain for the additional work has not been itemized to the Board. She requested that the itemized bill be presented to the Drainage Board at the next meeting.

Attorney Taylor stated he is still looking to the changing the name of the *James Emerson Drain* to the Grady Chadwick Drain as requested by Mark McClamroch.

Deputy Surveyor Cummins handed out an itemized invoice from Wilson Construction. The invoices are not completely itemized. At the last Drainage Board meeting the claim was approved pending the approval of the itemized invoice. Commissioner Stephens moved to take the invoice under advisement and Deanna Durrett seconded. The invoices should all include hours of labor, unit cost, etc.

as specified on the State Board of Accounts approved claim form. Commissioner Bane will contact Mr. Wilson and ask for a more itemized statement that does include hours of work, unit costs and where the work was performed. 5-0 votes in favor to take the Wilson Construction invoice under advisement.

Deputy Surveyor Cummins handed out a Preliminary Draft of the Drainage Improvement Plan. Surveyor Cummins stated he took the first 20 drains off of the list and gave a brief explanation of what needs to be done on the drains. He asked for suggestions from the Drainage Board what to include on the list. Commissioner McCormick moved to instruct the Surveyor's office to keep moving forward and present an additional part of the Drainage Improvement plan at every meeting and Tom Boots seconded. 5-0 votes in favor.

James Sanders Drain - The drainage account has a negative balance which will have to be added to the reconstruction costs. The landowners will need to be notified.

John Galey Drain – Surveyor Utz advised that his office has spoken to Dick Feck from the railroad and he was advised that the railroad will go out and dig themselves with a crew and make sure it is clear. Attorney Taylor advised that he spoke to Rex Cass of the railroad who is the bridge manager for this area and he advised Attorney Taylor to send a letter to the railroad's legal department in Jacksonville, Florida to obtain information about who will be ultimately responsible for the repairs needed under the railroad on the ***John Galey Drain*** and the ***John Gobin Drain***. The Board discussed notifying the landowners after all of the information is gathered and the exact figures are obtained.

John Gobin Drain – Tom Boots advised that Dave Stanley from Soil & Water has offered free help on the Gobin Drain and Tom Boots will present that information at the next meet. Commissioner Bane advised that recently he met with Jim Swift and Wade Bennett to look at the Gobin Drain. Jim Swift handed out his written report to the Board of his preliminary findings and presented several possible solutions. (Report attached.) The Board discussed scheduling a formal hearing with the landowners on the drain. Deanna Durrett moved to schedule a hearing to do two things, raise the assessments and discuss the repair on the west side. Commissioner McCormick seconded. Jim Swift will be asked to attend the meeting to make a presentation of his suggestions for repair of the drain. The previous reconstruction meeting with the landowners will be reconvened on June 7th @ 6:00 p.m. 5-0 votes in favor.

Deanna Durrett requested that when the notices are sent out to landowners that more information is included. Attorney Taylor offered to work with Deputy Cummins to draft a one-page informational sheet to go along with the official notice of the hearing. Commissioner McCormick moved to instruct Attorney Taylor to write up an informational sheet to go along with the official notice to landowners and Commissioner Stephens seconded. 5-0 votes in favor.

Deanna Durrett stated into the record as follows:

“At our last Drainage Board meeting, February 28, 2006, you were asked about a phone call you received concerning the Richard Thomas Drain. You responded that the Richard Thomas Drain on the phone log is not a legal drain. The county had nothing to do with it.

In fact, the Richard Thomas Drain is a legal drain, listed on all your records, collecting assessment (per the auditor's office) from individual landowners (per the treasurer's office.)

If you did not return the phone call concerning the Richard Thomas Drain, the Board requests that you do so and report back to us, in writing, on or before March 14 at the next Board meeting. Kindly provide details.

The issue prompted us to review the accounts for the Richard Thomas Drain at the auditor's office. That review raises more concerns.

On January 11, 2005, you directed the auditor's office to transfer from Drain Maintenance to Drain Improvement \$50,440.00 from the individual accounts of twenty-two drains. On December 16, 2005, you again directed the auditor to transfer \$60,900.00 from drain maintenance to improvement from the individual accounts of twenty-seven drains. These transfers were made without the knowledge of the Drainage Board.

Among the drains whose funds were transferred was Richard Thomas in the amount of \$2500.00 in January and \$2500.00 in December.

- **What was the purpose of these transfers?**
- **Was there a plan or a mechanism for reimbursing the individual drains?**

- **Are you aware that transferring money from individual drainage maintenance accounts is not legal, except in rare and specific instances, and then only with Drainage Board approval?**
- **Are you aware that no drain should carry a positive balance in the improvement fund?**

Today, Richard Thomas, with an annual assessment of \$1,267.74 has a maintenance balance of \$1,666.83 and an improvement account balance of \$5,000.00. Most other drains also carry positive balances, suggesting similar transfers over a long period of time

The reason for this prohibition is that when a drain has collected four times its yearly assessment in the maintenance account, its assessment is to be suspended. If you move maintenance funds to improvement, you never reach that point and landowners are overpaying. Perhaps, as we are seeing today, they are paying for someone else's drain.

- **Is there any conclusion to be reached other than that you took money from individual landowner accounts? That you did so without Drainage Board Approval and in violation of Drainage Code and State Auditing laws?**

Your thorough response to all the bulleted questions is expected by the Drainage Board on or before the March 14 Drainage Board meeting."

Commissioner Stephens moved to send the letter to Surveyor Utz as read by Deanna Durrett and Commissioner McCormick seconded. Tom Boots stated that he disagree that Surveyor Utz said it was not a legal drain, he stated that Cain's were working too far away from the legal drain. Excluding that statement he agreed that the other matters should be addressed. Commissioner Stephens stated he is questioning a drain that he pays on and wants to know why monies were moved. If monies had not been moved the four years would have been triggered and the drain would have been taken off of assessment. He advised that no work has been done on the drain. Deputy Surveyor stated to the Drainage Board that "it is a problem worse than you think". He stated there is no level ground to start.

Deanna Durrett stated into the record as follows: To: Larry Utz, Montgomery County Surveyor

"You have the Updated Ditch Listing, dated 2/23/06, prepared by Tom Cummins. This list is the "line in the sand" drawn by Jeff and Tom as they reconciled the books between the auditor and the surveyor. Where figures did not reconcile, they simply used the best they had at the auditor's office.

The next step is to move all positive balances from improvement to maintenance. (Positive maintenance funds should not have been transferred by the surveyor to improvement.)

When Jeff makes that correction, the total addition to the maintenance balance is \$275,566.09. (The maintenance balance should be a very healthy number—somewhere from 0 to 4 times the yearly assessment of each drain. Sometime I will figure the amount of the total yearly drain assessment.)

After Jeff's correction, the improvement balance is -\$293,655.83. In addition, if you encumber enough from the improvement account to correct for the negative amounts in maintenance -\$36,067.21--, the total indebtedness in improvement is \$329,723.04. (There should be no negative amounts in maintenance. When expenses for maintenance exceed the amount in the maintenance fund, the Drainage Board encumbers funds from the improvement account. The improvement is repaid at the next settlement.)

If you want to get dramatic, you can divide that debt by the total population in Montgomery County—37,957 in 2002-- and arrive at a bill for each person—man, woman, and child—of \$8.69.

In fact, we do have to repay the improvement account debt. It is done by the council by appropriating money from the county general fund.

IC 36-9-27-73 ©

The county fiscal body, at the request of the board and on estimates prepared by the board, shall from time to time appropriate enough money for transfer to the general drain improvement fund to maintain the fund at a level sufficient to meet the costs and expenditures to be charged against it, after allowing credit to the fund for assessments paid into it.

To my knowledge, the last time the Council put money into the improvement fund was in 1991 in two appropriations of \$20,000 and \$40,000. I am fairly certain that approximately \$60,000.00 is still in a sub-account of the improvement fund called "Funds without Drains."

There are, however, three additional sub-accounts in the improvement account that are not on the 2/23/06 list. They have negative balances in the amount of minus \$23,465.75 for three non-assessed drains. Engineering studies were done on these drains in 2000."

Commissioner McCormick stated that he would like to thank Deputy Surveyor Cummins for the work he's done trying to get the figures correct. It was an insurmountable job. Commissioner Stephens asked if the Drainage Board should ask if an audit would be "beneficial". Attorney Taylor stated, "I think it is too early,"

Motion carried 5-0 to send the letter as written to Surveyor Utz.

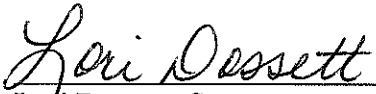
Deputy Surveyor Cummins stated that Auditor Dossett is supposed to be starting the process of balancing out the funds. He asked if that was something that he needed to wait on. Commissioner McCormick stated Auditor Dossett had stated to him that he is only going to balance the funds that he can.

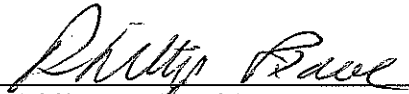
Other Business – Surveyor Utz provided to Drainage Board members Tile Hole Questionnaire forms that have been gathered in the recent months. Deputy Surveyor Cummins stated he was unclear what the Surveyor Utz's intention was in handing out the forms to the Board. Resolution 2006-1 is a moratorium on work performed on drains and ditches. Commissioner McCormick moved to put the Tile Hole Questionnaire on the next Drainage Board agenda and ask for an explanation by the Surveyor and Commissioner Stephens seconded. 5-0 votes in favor.

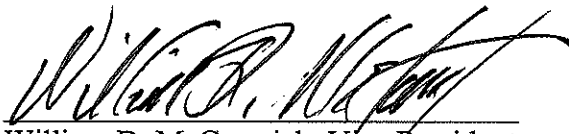
Claims – There are no claims this week.

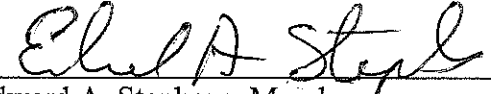
Commissioner McCormick moved to adjourn and Commissioner Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 10:10 a.m.



Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member


Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, MARCH 14, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, March 14, 2006 in the Commissioners room, Montgomery County Courthouse.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; and Drainage Board Secretary Lori Dossett.

Also present: Auditor Jeff Dossett; Drainage Board Attorney Daniel Taylor; Deputy Surveyor Tom Cummins; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Rob Durrett; Marian Lindow, League of Women Voters; Russ Nelson; Union Township Assessor Sue Sams; Recorder Michelle Cash; Wade Bennett; Treasurer Sue Howell; Jim Swift; Mike Patton; William Dice; Jim Fruits; Jim Swift; and Councilman Jim Fulwider.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and the prayer.

Commissioner Bane requested a motion for approval of the February 21, 2006, February 28, 2006 minutes and March 7, 2006 minutes. Deanna Durrett moved to approve the February 21, 2006, February 28, 2006 minutes and March 7, 2006 minutes and Ed Stephens seconded. 5-0 votes in favor.

A S Alliances – Building Administrator Marc Bonwell presented a storm water plan for approval of the A S Alliances ethanol plant in Linden. He stated a detention pond will be constructed on the south part of the project. He advised that the storm water plan has been reviewed by DLZ. The ditch has been relocated around the site as previously approved by the Drainage Board. Ed Stephens moved to approve the storm water plan for A S Alliances. Bill McCormick seconded. Discussion: McCormick questioned if there was a need for a retention pond and administrator Bonwell advised that there was not. 5-0 votes in favor.

Old Business:

Surveyor Phone Logs – Deputy Cummins distributed the phone log to the Board.

Tile Hole Repair Requests

#607 – ***John Martz Drain*** – Surveyor Utz advised that the tile has two holes by a headwall that need to be repaired. The Martz Drain is currently showing a negative balance of \$6,953. Deanna Durrett moved to put this drain on a list until it is known what the money situation is. Bill McCormick seconded. Tom Boots questioned how critical the problem was. He stated a concern of waiting until the accounts are balanced to a point where the tiles deteriorate and cause more problems later by waiting. 5-0 votes in favor.

#510 – ***Charles S. Cowen Drain*** – Surveyor Utz advised that the tile has three holes on the outlet. The drain is currently showing a positive balance in maintenance \$4,205.14 and a negative balance of \$2,319.18. Deanna Durrett moved to put this drain on a list until the accounts are balanced by the Auditor and the account shows a positive balance. Bill McCormick seconded. Tom Boots questioned what the cost of the repair to the tile would be and Surveyor Utz advised that there was no way to get a true estimate. The books are close to being reconciled and should be ready by the next Drainage Board meeting. 5-0 votes in favor.

#600 – ***Davis Drain*** – Surveyor Utz advised that the tile has three holes to be repaired. Deanna Durrett moved to put this drain on the list for consideration when the account balances are reconciled. Bill McCormick seconded. The maintenance account has \$1,296.87 and the improvement balance is \$4,000. Tom Boots questioned why this work could not be approved if there is sufficient money in the improvement fund. Bill McCormick seconded. McCormick questioned Surveyor Utz why he could not give an estimate on the repair of a tile. Surveyor Utz commented that contractor's cannot tell what the charge will be until they start the work. Tom Boots suggested putting a limit on the contractors for tile repair. 5-0 votes in favor.

#587 – ***Charles Schoen #2*** - Surveyor Utz advised that there is one tile hole to be repaired. Bill McCormick moved to put this drain on the list for consideration when the account balances are reconciled. Ed Stephens seconded. 5-0 votes in favor.

#545 – **Charles McFarland** – Deanna Durrett moved to put this drain on the list for consideration when the account balances are reconciled. Ed Stephens seconded. 5-0 votes in favor.

Ed Stephens moves to schedule a Special Drainage Board meeting to consider the reconciled records on Monday, March 20, 2006 @ 3:00 p.m. Bill McCormick seconded. 5-0 votes in favor.

Surveyor Utz advised that Mr. Patton is here regarding the Charles Cowan Drain. There are three holes in his tile and Mr. Patton was advised that there is money in his drain account. Until the account balances are reconciled the repair request will not be approved.

Preliminary Draft of Drainage Improvement Plan – Deputy Surveyor Tom Cummins advised that his office is experiencing computer problems and he was unable to print out the next 20 drains of the Drainage Improvement Plan. He will present the draft to the Board this afternoon.

Classification of Drains and Adoption of Long-Range Plan – Attorney Taylor distributed information for Classification of Drains and Adoption of a Long-Range Plan. Taylor explained that the long range plan must be submitted by the Surveyor to the Drainage Board by June 1st of each year. Prior to the submission of the Long Range Plan to the Drainage Board the Surveyor must submit to the Drainage Board a classification of all regulated drains in the County. The Drainage Board must adopt the classification of drains, and then the Surveyor may submit to the Drainage Board the Long Range Plan. The classifications are: 1) Drains in need of reconstruction; 2) Drains in need of period maintenance; 3) Drains that should be vacated.

Deanna Durrett questioned if the Surveyor had submitted an on off list for 2006. She advised that she along with Auditor Dossett discovered 50 drains that could be removed from assessment. The removal of drains from assessment is a separate process from classification of drains. Auditor Dossett advised that it is not too late to submit drains to be removed from assessment. Deanna Durrett moved to remove 50 drains from assessment. Phil Bane seconded. Tom Boots questioned how they could remove drains from assessment if you are uncertain of the balances. Boots stated it would be “nice” to have the classification of the drains to know if they are coming up for reconstruction or in need of something that money won’t be there. Auditor Dossett stated he will present the balances in the maintenance and improvement accounts at Monday’s Special Drainage Board meeting. Deanna Durrett moved to table the request to remove 50 drains until Monday’s special meeting. Bill McCormick seconded. 5-0 votes in favor.

Richard Thomas Drain – Surveyor Utz advised that there is a misunderstanding of what he stated about the Thomas Drain. He is aware that the Richard Thomas Drain is a legal drain. He stated that where Mr. Cain was working is not part of the legal drain. He stated he did return Mr. Cain’s phone call and advised him that any work in that area could not be paid by the Richard Thomas Maintenance Fund.

Updated Ditch Listing and Computation of Drain Indebtedness Response - Surveyor Utz stated, “In regards to the maintenance fund transfers, I did not direct the auditor’s office, merely requested the transfers pending approval of the Drainage Board. The transfers should have been filled out in claim form and then submitted to the Drainage Board for review. It has been my understanding that there must be funds available in the improvement fund. These funds are used to pay for repairs when the maintenance account is inadequate. I was unaware that transferring maintenance funds was not legal, and I believe that we all have a lot to learn about the drainage codes and state auditing laws. I was unaware of any wrongdoing on my part; things were done this way before I was elected. These mistakes have been a problem for years. I feel it is unfair to place all of the blame on myself or my office. I will take responsibility for some, but not all of the blame.”

Commissioner Stephens questioned Surveyor Utz as to why in 2005 monies were transferred from the **Fred Maxwell Drain #585**. He asked if the monies were spent. Surveyor Utz stated that if monies were spent, they were spent on the Maxwell Drain. The records are in disarray and the whole confusion needs to be laid out. Deanna Durrett moved to prepare a comprehensive presentation in a “planful” kind of way of what the laws and the requirements are and what has happened. Tom Boots seconded. Deanna Durrett advised she will work with Auditor Dossett to put together the presentation. They will use the Fred Maxwell drain as an example case. 5-0 votes in favor.

Drains Pending:

James Sanders Drain – Nothing reported at this time.

James Gobin Drain – The matter is set for hearing on June 6th. Tom Boots reported on findings from Dave Stanley from the Soil & Water office.

James Emerson Drain – The construction costs for the Emerson Drain did not get put on the tax rolls. The Drainage Board previously voted to request an additional appropriation to cover the shortfall from the Council which will eventually pay back the general fund. The request will be submitted at the April Council meeting.

Deanna Durrett advised that she spoke to Kenny Cain concerning his claim against the Emerson Drain. She advised that Mr. Cain informed her that the additional work was done during the construction of the drain. While working on the project “water bearing sand” was discovered. Mr. Cain advised that the landowners agreed that the extra work would be needed. The Surveyor’s office advised Cain’s to submit bills for the work in pieces since the amount borrowed to construct the drain was not enough to cover the costs.

Carper Crowder Drain – The notices of the March 30th hearing to be sent to the landowners must include the proposed rate increase. Deputy Surveyor Tom Cummins advised that the notices have been sent to the landowners using the basic statement of the hearing date and that the figures are available in the Surveyor’s office for review. The Board instructed the Surveyor’s office to send out another notice to the landowners notifying them that this meeting will be informational only. Wade Bennett commented that in his opinion the landowners did not vote for reconstruction because they did not have all of the figures and information in front of them. Surveyor Utz stated a majority of the landowners stated that they wanted to raise assessments, not reconstruct.

Claims – Wilson Construction claim in the amount of \$13,200 for work on the ***Joe Hall Drain***. Tom Boots moved to approve the claim for payment and Bill McCormick seconded. Deanna Durrett stated when the claim was voted on at the March 7th meeting there was an understanding that there was money in the account to pay Mr. Wilson. She stated that the Board, “voted to pay something that we don’t have money for”. Surveyor Utz stated there is \$13,500 in the account and the bill is for \$13,200. Auditor Dossett stated that the account is showing \$41,000 in the negative. The \$13,200 work was done to clear a beaver damn obstruction, the Surveyor is obligated to authorize work to clear obstructions on a case-by-case basis. It was suggested to request an additional appropriation from the Council to cover the cost of the claim. The General Fund will be paid back as assessments are received. Russ Nelson commented that when he was Surveyor that the Joe Hall Ditch is a large open drain and he stated drag lines have to be used to clear obstructions. Tom Boots withdrew his motion to pay the claim. Tom Boots moved to approve the \$13,200 claim to pay as an emergency claim. Ed Stephens seconded. 4 in favor – 1 abstain (Durrett).

Phil Bane advised that he had five other claims from Wilson Construction.

\$606.55 – ***Guy Little***

\$407.75 – ***Clarence Widener***

\$2,436.80 – ***Allie Peterson***

\$457.12 – ***Theo Templeton***

\$565.66 – ***Richard Virts***

Bane advised that the work has been done. The Board will take the same approach as the other pending claims for drains, when the records are reconciled and the figures are correct the claims will be considered for payment. Deanna Durrett moved to table the above mentioned drain claims until Monday’s Special meeting when the accounts are balanced. Tom Boots seconded. 5-0 vote in favor.

Other Business – Councilman Jim Fulwider suggested that the Commissioners report to the Council at the March meeting what additional monies will be requested at the April meeting.

Commissioner Stephens moved to adjourn and Commissioner McCormick seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

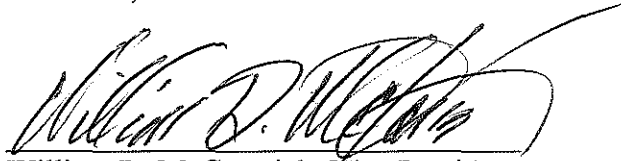
Meeting adjourned @ 10:20 a.m.



Lori Dossett, Secretary



Phil Bane, President



William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots
Tom Boots, Member

SPECIAL
MONTGOMERY COUNTY DRAINAGE BOARD MEETING
MONDAY, MARCH 20, 2006
MINUTES

The Montgomery County Drainage Board met on Monday, March 20, 2006 in the Commissioners room, Montgomery County Courthouse.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; and Drainage Board Secretary Lori Dossett.

Also present: Auditor Jeff Dossett; Drainage Board Attorney Daniel Taylor; Deputy Surveyor Tom Cummins; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Rob Durrett; Marian Lindow, League of Women Voters; Wade Bennett; Jim Swift; Mike Patton; Councilmen Harold Barclay, Phil Boots, and Richard Chastain.

Drainage Board President Phil Bane called the meeting to order @ 3:00 p.m. and led the Pledge of Allegiance and the prayer was led by Alan Goff.

Attorney Taylor demonstrated a hypothetical drain for the Drainage Board which he named the "Barney Fife Drain". The purpose for the demonstration was to show how monies are received into a drain account and the purposes of the improvement balances and maintenance balances.

Reconciled Drainage Records

Auditor Jeff Dossett reviewed with the Board the Updated Ditch Listing which includes the Ditch #, Ditch Name, \$ per acre; Min. Payment; yearly assessments; maintenance balances, improvement balances and X of rate. The Board discussed at length how monies in different drains were transferred and the various possible reasons for shortfalls.

Deanna Durrett read the following into the record: "This memo is in response to the Board's request that I research how landowners overpay assessment and whether landowners are paying for other landowners' drains.

Landowners overpay their assessment because the surveyor transfers money for specific drains from the maintenance account to the improvement account creating the appearance that some of them never reach the four-year cut-off point. Although the Board has exclusive responsibility for the transfer of funds, these transfers were made without the Board's awareness. Furthermore, the surveyor uses the funds that belong to one drain to pay for repairs on other drains that do not have enough money.

In January 2006, the auditor presented a transfer memo (A transfer memo describes the transfer of funds from maintenance to improvement.) to the Board's attention. Since this transfer memo was not addressed to the Board, it was likely not intended for the Board. More of these transfer memos have since been found. Three of them in 2005 totaled \$131,300. There were others in 2004 and more research will find others in previous years.

As a consequence of these transfers, drains that should have come off assessment, some several years ago, never reached the cut-off level. The point is that the trigger mechanism that cuts off assessment for the landowner and which is designed into the process, never gets released.

IC 36-9-27-43

If in any year a maintenance fund established under Section 44 of this chapter (for each regulated drain) has an unencumbered balance equal to or greater than four times the estimated annual cost of periodically maintaining the drain for which the fund was established, the annual assessment for the maintenance of that drain may be omitted for that year.

The county drainage board may collect the drain assessment even though the unencumbered balance of the maintenance fund is equal to or greater than four times the estimated annual cost of periodic maintenance of the drain for which the fund was established if the drainage board does the following:

- 1. Conducts a public hearing in accordance with section 40 of this chapter*
- 2. At the public hearing estimates what the unencumbered balance of the maintenance fund would be, as a multiple of the estimated annual cost of periodic maintenance of the drain, after the collection of the total amount that the board intends to collect in assessments.*

However, the annual assessment for the maintenance of the drain shall be omitted if, according to the estimated of the board, the collection of the intended total amount of assessments would increase the unencumbered balance of the maintenance fund to equal or exceed eight times the estimated annual cost of periodic maintenance of the drain for which the fund was established.

The law also gives the Board exclusive responsibility for the use of funds. IC 36-9-27-45.)

Any drain on your spreadsheet with a positive amount in the improvement fund is the result of a transfer from the maintenance fund. Some, but not all, represent overpayment by the landowner. (Drains have overpaid if the total amount in both maintenance and improvement exceeds the four-year-assessment.)

What can the Board do now?

- Omit the assessments for 2006 for all drains that have reached the 4-year point, omitting them each year thereafter until repair is needed.
- Provide a listing of the omitted drains, their annual and 4-year assessment, and the amount of their credit. This list will be available at the next regular Drainage Board meeting and then at the surveyor's office.
- Assure that from this day forward, the money landowners have paid is in their maintenance account, available when their drain needs repair. This is a bookkeeping process that the Board will ask the auditor to perform.
- Ask the surveyor to evaluate all of the drains that have overpaid. Should these drains need work, they will take priority.
- Raise assessments on drains that have spent more than was in their accounts in order to repay their indebtedness.
- Assure that this will never happen again by developing appropriate procedures and increased oversight.

Now that we know how transfers are made and why landowners never receive relief from assessment, two questions arise:

1. Why does the surveyor need to transfer money from the maintenance account to the improvement account?

On March 14, 2004, when the surveyor was asked about the practice of transferring funds, he stated, "I was unaware that transferring maintenance funds was not legal, and I believe that we all have a lot to learn about drainage codes and state auditing laws. I was unaware of any wrongdoing on my part; things were done this way before I was elected. These mistakes have been a problem for years. I feel it is unfair to place all the blame on myself or my office. I will take responsibility for some, but not all of the blame."

Ignorance of the law is not an excuse. The surveyor took an oath to uphold the law and if he has not followed the law, he and he alone is responsible.

Because the auditor can account for all funds, one might assume that the surveyor transferred funds in order to avoid the work of holding public hearings to increase assessment to eight times the yearly rate called for in IC 36-9-27-43. In addition, the improvement account slush fund also allows the surveyor to avoid the required hearings for the purposes of reconstruction as well as for the raising of assessments. Thus, the surveyor spends money freely without proper oversight.

2. What else does the Board not know?

The Board meetings clearly reveal the strained relationship between the surveyor and the Board. His frequent absences slow and complicate the Board's work. In addition, even when he attends, he often fails to provide information or the information is incomplete and inaccurate. As a result, the Board has found it necessary to set deadlines, give detailed instructions and create procedures that duplicate instructions already covered by the drainage code. In most counties, this is a level of involvement that is not necessary because their surveyors provide complete and accurate information routinely and willingly. Thus, when the surveyor, the key member of the drainage team, is not in the game, the Board's effectiveness is compromised and its workload is greatly increased."

Surveyor Utz commented that the on and off lists need to be looked at again. He stated he turned those requests into the Auditor and he has those records in his office. He stated if a drain shows up that is seven times over the limit, that there is something wrong somewhere. He stated he will supply those records to Durrett. He stated since he became Surveyor that the ledgers have never been done right. He stated that he has brought it to the attention of the previous County Attorney Don Schmidt and County Attorney Dan Taylor. Attorney Taylor stated that he was contacted by Surveyor Utz last summer with this problem and that Utz felt the balances were incorrect.

The Board was advised that they cannot have a private audit. The audit must be done drain by drain. Currently, the net drain improvement balance is \$86,984.60. That is the amount of money on hand right now and is also referred to as the general drain improvement fund. The Board previously voted to request \$13,200 to cover a claim that could be paid out of the general drain improvement fund. Auditor Dossett stated that the DLGF allows investment of the maintenance funds and take the interest that is earned and put it into the improvement, but as the improvement general balance. He stated, "there is already a law to put it into the improvement balance to use for the good of the all." The drains with improvement balances need to be dealt with on a drain by drain basis. The drains with monies in their maintenance balances need to be used for repairs.

Deanna Durrett moved to authorize the Surveyor to proceed with repairs on Charles Cowan Drain; William Davis Drain; Charles Schoen Drain #2; Charles McFarland Drain drains that have money in their accounts to repair them. Ed Stephens seconded. Tom Boots commented that the tile hole repair requests are still the job of the Surveyor unless “we” want to take over his job. Surveyor Utz offered to get two or three contractors’ estimates and bring them back to the Board. Durrett amended her motion to include that the Surveyor will get estimates. Mike Patton stated that his tile holes are now the size of a “pickup truck” and that he will be planting crops soon. He has a contractor ready to go immediately and he wants to expedite his tile repair request and he stated there is money in the Cowan Drain. Durrett questioned if Surveyor Utz had rates of time and material in his office. Surveyor Utz stated he uses the rates that the Highway Department uses. Stephens stated that, “he understood Mr. Patton’s concerns. If there is money in the drain, the repairs should be approved. Surveyor Utz questioned where the stopping point was. He was advised to talk to the landowners and come to an agreement as to how much work would be done. **MOTION WITHDRAWN.**

Deanna Durrett moved to authorize Surveyor Utz to start the proceedings for the repair of the Charles Cowan Drain; William Davis Drain; Charles Schoen Drain #2; Charles McFarland Drain working with the landowners to keep costs within reasonable limits and not go over the amount in the maintenance fund. Ed Stephens seconded. 5-0 votes in favor.

Tom Boots moved to clarify the 10 largest and at some point hold a public hearing and anything that can’t get paid within 12 months or this year to have a public meeting to correct them all. **MOTION DIED FOR LACK OF A SECOND.**

Tom Boots moved to have all of the drains that have negative balances in the drainage improvement funds set for hearing. Deanna Durrett seconded. The drains will need to be set for informational hearings to explain exactly what the situation is. **5-0 votes in favor.** Deputy Surveyor Cummins advised he will start at the top of the drain list and bring the list of negative balanced drains to the next Drainage Board meeting. He stated he will start to prioritize the drains that are in the worst conditions. It will be a matter of looking at the books and finding out what happened. The history of the drains will need to be looked into. Deanna Durrett asked the Surveyor’s office to have the list available in his office for landowners’ review.

John Martz Drain – Deanna Durrett moved to deny the request to repair the John Martz Drain due to the negative balance in the improvement fund. Tom Boots seconded. Durrett suggested starting a list for drains to have the assessments raised. 5-0 votes in favor.

PENDING CLAIMS

- 1) #534-Guy Little Drain - \$606.55;
- 2) #582-Clarence Widener - \$407.75;
- 3) #549-Allie Peterson - \$2,436.80;
- 4) #558-Theodore Templeton - \$457.12;
- 5) #560-Richard Virts - \$565.66.

Deanna Durrett moves to pay the above mentioned claims one through four out of maintenance. Bill McCormick seconded. 5-0 votes in favor.

Richard Virts Drain has a negative balance of \$1,531.57. Tom Boots stated since the work has already been done the claim should be paid. Boots questioned if there were other outstanding claims and he was advised by the Surveyor’s office that this is the last one. *Tom Boots moved to pay the Virts Drain claim in the amount of \$565.66 out of the improvement fund knowing the account has a negative balance. Ed Stephens seconded. 4 votes in favor (Boots, McCormick, Stephens & Bane) 1 abstained (Durrett).*

Fred Maxwell Drain - Deanna Durrett advised that this subject matter was previously addressed.

The request to remove drains from assessment had been previously tabled by the Board. Deputy Surveyor has the classification list and Auditor Dossett advised that he has until March 31st to remove drains from assessment. *Ed Stephens moved to accept the Surveyor’s report for drains to be omitted from assessment. Deanna Durrett seconded. 5-0 votes in favor.* Deanna Durrett requested that the Surveyors’ office have the list available in his office for landowners’ review and that the list include the amount of credit in their maintenance account.

Phil Bane advised that he has been contacted by Phil Rice that the John McCorkle Drain is in need of repair. Bane will advise Mr. Rice to contact the Surveyor’s office.

Bill McCormick moved to adjourn and Deanna Durrett seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 5:07 p.m.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots
Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, MARCH 28, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, March 28, 2006 in the Commissioners room, Montgomery County Courthouse.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Daniel Taylor; Deputy Surveyor Tom Cummins; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Rob Durrett; Marian Lindow & Gertrud Cowan, League of Women Voters; Louis D. Cummins; Wade Bennett; Treasurer Sue Howell; Jim Swift; William Dice.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Ray Hart led prayer.

Board President Bane requested a motion for approval of the March 14, 2006 and March 22, 2006 minutes. Bill McCormick moved to approve the March 14, 2006 and March 22, 2006 minutes and Tom Boots seconded. 5-0 votes in favor.

Surveyor Utz's Report – Deputy Surveyor Cummins advised they are focusing and working on a report for each of the drains in the Drainage Improvement Plan.

John McKorkle Drain – Surveyor Utz advised that the tile holes have been flagged and he will get someone to work on the repairs. There are sufficient funds for the repairs in the drain fund. Surveyor Utz questioned if the Board wanted an estimate for the repair reported to them. Bill McCormick moved to request that the Surveyor bring the estimate for the repair to the John McKorkle Drain at the next Drainage Board meeting and Ed Stephens seconded. 5-0 votes in favor.

John Martz Drain – Surveyor Utz advised that he spoke to Bill Crowe and Mr. Crowe stated he will fix the tile hole himself.

John Wilkinson Drain – Phil Bane advised that he has been contacted by Charlie Quigg regarding the Wilkinson Drain. There are problems with the drain and Mr. Quigg wanted to notify the Board that he will make the repairs himself.

Surveyor's Telephone Log – Received telephone call from Mark McClamroch regarding a tile hole repair on the Charles Newkirk Drain. Surveyor Utz advised that he and Deputy Surveyor Cummins went to look at the area and Mr. McClamroch advised he had already repaired the hole.

Drain Classifications – Deputy Surveyor Cummins advised that the Drain Classifications will be updated at the next Drainage Board meeting.

Other Business: 2004/2005 On-Off List.

Deanna Durrett read the following request to Surveyor Larry Utz. "Since we will have a short Board meeting on March 28, we will continue the discussion of the Off lists on April 4. Please provide to the Board members the following by Friday, March 31 so that we might review them in preparation for the discussion. Your participation on April 4 is important.

- Clarify the name: Is the drain the Steven Oscar or Oscar Stevenson (568)?
- Check the calculation of the maintenance balance divided by the yearly assessment for Benjamin Crabbs.
- Provide a copy of the requests for transfer of funds with the names of the drains from which funds were transferred for the following dates: 1/15/04; 5/28/04; 10/15/04; 1/11/05; 9/13/05; 12/16/05.
- Provide a copy of the off lists for 2004 and 2005.
- Send the 2006 Off list to our neighboring counties as a courtesy in the event that any are joint with them.
- Bring a list of joint drains to the 4/4/06 meeting."

John Gobin Drain – Wade Bennett questioned if the tile holes “south of the church” should be repaired. Bill McCormick moved to request that the Surveyor get an estimate for a repair of the tile holes and report it at the next Drainage Board meeting and Tom Boots seconded. The Board suggested that an advisory board be formed for the Gobin Drain. Surveyor Utz stated that it will be “No trouble getting it fixed if we do it right now. Weather is the only problem. Looks like too wet to fix anything at least for a week.” 5-0 votes in favor.

Claims: No claims were presented for payment.

Bill McCormick moved to adjourn and Ed Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 8:25 a.m.

Lori Dossett
Lori Dossett, Secretary

Phillip Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots
Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD
INFORMATIONAL MEETING CARPER-CROWDER DRAIN
THURSDAY, MARCH 30, 2006
MINUTES

The Montgomery County Drainage Board met on Thursday, March 30, 2006 in the Commissioners room, Montgomery County Courthouse.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; and Drainage Board Secretary Lori Dossett.

Also present: Deputy Surveyor Tom Cummins; Barry Lewis, The Paper; Rob Durrett; Wade Bennett; Harold Barclay; Deborah & Gayle Lough.

Drainage Board President Phil Bane called the meeting to order @ 6:00 p.m. and led the Pledge of Allegiance.

Board President Bane advised the landowners present that the last time the Board met regarding the Carper-Crowder Drain it was decided to raise the assessments on the Drain. The format of this meeting has been changed to an informational meeting given the fact that the landowners were not supplied the figures before tonight's meeting. The Surveyor's office handed out a spreadsheet displaying what the additional costs would be with various percentage raises.


Gayle Lough stated that he had spoken to other landowners and felt the consensus was that a \$2 per acre raise in assessment would not be out of line and would allow the drainage fund to build back up money for the future. After further discussion, Harold Barclay stated he felt the \$2 per acre increase is too high of an increase to request.

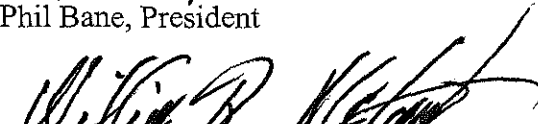
Bill McCormick moved to set the hearing to raise the assessment on the Carper-Crowder Drain to \$3.77 per acre on Thursday, April 13, 2006 @ 6:00 p.m. Tom Boots seconded. 5-0 votes in favor.

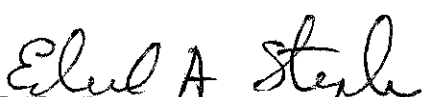
Bill McCormick moved to adjourn and Deanna Durrett seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 6:42 p.m.

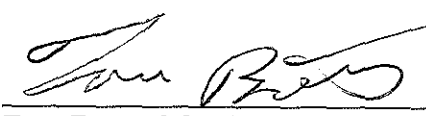

Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member


Deanna Durrett, Member


Tom Boots, Member

MINUTES AND MEMORANDUM

MONTGOMERY COUNTY DRAINAGE BOARD MEETING

TUESDAY, APRIL 4, 2006

The Montgomery County Drainage Board met on Tuesday, April 4, 2006 in the Commissioners Room at the Montgomery County Courthouse.

In attendance were: Commissioners Phil Bane, President; Commissioner Edward A. Stephens, Vice President; Commissioner William D. McCormick, Member; Member; Building Administrator Marc Bonwell; County Attorney Daniel Taylor; Auditor Jeff Dossett; Councilman Phil Boots; Councilman Terry Hockersmith; Brett Cating, Barry Lewis, The Paper, Mel Robertson, Journal Review, Gert Cowan, League of Women Voters; Rob Durrett, Nate Craven, Sharon Gerow, Wade Bennett, Treasurer Sue Howell, Larry Utz and Tom Cummins from the Surveyors office and Auditor Chief Deputy Donna Sabolick.

Commissioner Bane called the meeting to order at 8:00 a.m. and let the pledge of allegiance followed by Mr. Hatle leading the prayer.

Tom Cummins passed out handouts to the board members that were requested by Deanna at a previous meeting. One of six transfers was presented with others to follow.

Larry Utz reported on the Kenny Cain problem. A full bore survey has been done. 1500 acres are involved with only 600 acres that the tile is able to handle. Coordination between the surveyor's office and soil and water will be necessary in order to move forward.

A claim was presented for \$403.80 for repairs to tile holes for Hughes. Commissioner McCormick moved to pay the claim as presented and seconded by Deanna Durrett. The motion passed unanimously.

A presentation was made by Deanna Durrett and Marc Bonwell to inform the board of problems she sees in donor drains and debtor drains. She used Fred Maxell, George Kendal, and Joe Hall drains as examples. She showed how transfers overtime from 1991-2005 affected maintenance and improvement. A discussion will need to be held on the best approach to fixing the problems. A Wednesday evening, April 5 meeting is planned where the situation will begin to be addressed.

The Commissioners thanked Deanna for all her hard work on bringing the detailed information to their attention.

Member Tom Boots asked Attorney Dan Taylor about the rules and timing rate and reconstruction hearings. Thirty three hearings may be needed.

Other Business:

The phone log was observed by all members.

Larry Utz asked for clarification on procedure concerning decisions that need to be made when the need arises. It was suggested a sub-committee be contacted when a decision needs to be made rather than have to wait for a board meeting to get approval on a project. This will be discussed further at the Wednesday evening meeting.

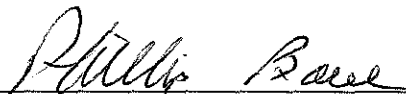
Claims were presented for approval on the Gobin ditch. The first claim was for 4 tile holes repaired. Commissioner Stephens made the motion to approve the claim, seconded by Commissioner McCormick. The motion passed unanimously. The second claim was for one tile hole repaired on the Gobin ditch. Commissioner McCormick made the motion, seconded by Commissioner Stephens to approve the claim. The motion passed unanimously.

Commissioner McCormick made the motion, seconded by Commissioner Stephens to adjourn the meeting. The motion passed unanimously.

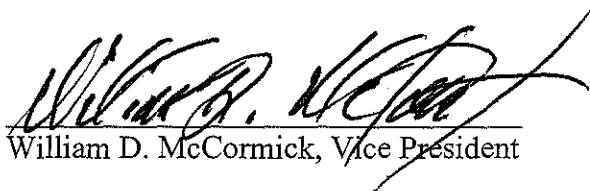
Meeting adjourned at 8:50 a.m.



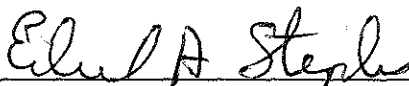
Lori Dossett, Secretary



Phil Bane, President



William D. McCormick, Vice President



Edward A. Stephens, Member



Deanna Durrett, Member



Tom Boots, Member

MINUTES
SPECIAL DRAINAGE BOARD MEETING
WEDNESDAY, APRIL 5, 2006 6:00 PM
MONTGOMERY COUNTY COURTHOUSE – ROOM 103

Members attending: Phil Bane, Bill McCormick, Ed Stephens, Deanna Durrett, Tom Boots. Also attending, Drainage Board attorney, Dan Taylor; County Councilman, Harold Barclay; citizen, Wade Bennett; Journal Review reporter, Mel Robertson. Surveyor Utz and Deputy Surveyor Cummins excused themselves due to prior commitments.

After a call to order by Phil Bane and the Pledge of Allegiance, Dan Taylor led the Board in setting goals. Using a calendar, he scheduled tasks that are required at specific times of the year by the Indiana Code. Members then added additional tasks. Tasks that involve landowners were scheduled around peak farming months. The resulting calendar is attached.

Members listed two tasks for the April 11, 2006 agenda.

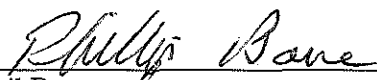
Emergency drainage repair: The Board will develop a subcommittee to coordinate between the Board and the surveyor for emergency repairs. The Board will also develop a process for assuring standard contractor rates through a request for quote (RFQ) process. The process will also require proof of insurance.

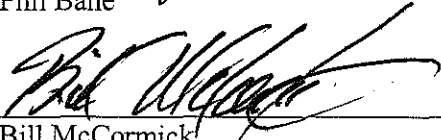
Improvement Fund Deficit: Options to be discussed at the April 11 meeting for communicating to landowners about the problem and potential solutions were proposed. Phil Bane will draft a letter to be sent by the surveyor. The letter will provide an explanation of the problem; expenditures and transfers specific to each maintenance fund; drain account balances; the option of forming an advisory committee; a May-June informational meeting; and a fall hearing for raising assessments. Official notice of the fall hearing will be sent 10 days prior and will include the proposed rate increase as required by the Drainage Code.

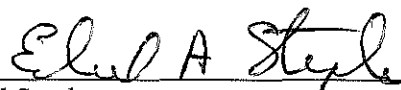
The Board might arrange the drains with deficits into groups of five with similar problems for the May-June landowner meetings. The least problematic groups will be addressed first.

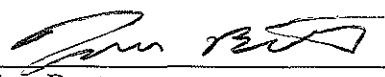
Minutes submitted by Board member, Deanna Durrett



Lori Dossett, Drainage Board Secretary


Phil Bane


Bill McCormick


Ed Stephens


Tom Boots


Deanna Durrett

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, APRIL 11, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, April 11, 2006 in the Commissioners room, Montgomery County Courthouse.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Rob Durrett; Marian Lindow & Gertrud Cowan, League of Women Voters; Wade Bennett; Treasurer Sue Howell; Roger Beach.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Ernie Anderson led prayer.

Board President Bane requested a motion for approval of the March 28, 2006, March 30, 2006, April 4, 2006 & April 5, 2006 minutes. Deanna Durrett moved to approve the March 28, 2006, March 30, 2006, April 4, 2006 & April 5, 2006 minutes. Bill McCormick seconded. 5-0 votes in favor.

Surveyor Utz's Report – Tile Hole Repair Requests

#595 – Boswell Clough Drain- Maintenance - \$1,950.88; Improvement - \$6,000. Tom Boots moved to approve the repair. Deanna Durrett seconded. Surveyor Utz estimated approximately \$500 or less to fix the tile hole. The repair will be paid out of the drain's maintenance account. 5-0 votes in favor.

#599 John Coyner – Maintenance \$-0-; Improvement (\$333.39). Bill McCormick moved deny the repair due to the lack of funds in the John Coyner Drain account. Deanna Durrett seconded. Surveyor Utz advised that the Board has informed three other landowners on three other drains and they have advised that they will repair the drains themselves. Durrett commented that that is another issue of landowners repairing tiles themselves. 5-0 votes in favor.

#519 James Gilliland – Maintenance \$-0-; Improvement (\$1,018.96). Bill McCormick moved deny the repair due to the lack of funds in the James Gilliland Drain account. Deanna Durrett seconded. 5-0 votes in favor.

#521 James Grimes – Maintenance - \$108.00; Improvement \$207.52. Surveyor Utz advised that the landowner wants to install a breather and there are two tile holes that were not flagged. Deanna Durrett commented that the Tile Hole Questionnaire states that there are no tile holes. Bill McCormick moved deny the repair due to the lack of funds in the James Grimes Drain account. Deanna Durrett seconded. 5-0 votes in favor.

#537 Charles Ludlow #2 – Maintenance \$379.61; Improvement \$2,000. Surveyor Utz stated that there drain has a beaver dam that is causing a lot of the tiles to back up. He stated that someone will have to trap the beavers. Bill McCormick stated that in this case since there is an obstruction, the law states, "The Surveyor SHALL remove the obstruction." Ed Stephens moved to approve the repair work on the Charles Ludlow #2 Drain. Tom Boots seconded. 5-0 votes in favor.

#608 John McCorkle Drain – Maintenance \$1,411.12; Improvement \$3,466.73. Surveyor Utz advised that there are two holes by the road and another hole was discovered when he inspected the site. Tom Boots moved to approve the repair on the John McCorkle Drain. Deanna Durrett seconded. 5-0 votes in favor.

#549 Allie Peterson – Maintenance \$2,346.08; Improvement -0-. Deanna Durrett moved to approve the repair request. Tom Boots seconded. 5-0 votes in favor.

#590 Tay-Tom-Alfred – Maintenance \$-0-; Improvement (\$5,471.57). Deanna Durrett moved deny the repair due to the lack of funds in the Tay-Tom-Alfred Drain account. Bill McCormick seconded. 5-0 votes in favor.

#562 John Ward – Maintenance \$932.64; Improvement \$3,300. Surveyor Utz advised that he has not visited the site of the drain. He stated according to the landowner that it is not a huge hole, but he doesn't want it to get any bigger. Tom Boots moved to approve the repair on the John Ward Drain. Ed Stephens seconded. 5-0 votes in favor.

President Bane presented a letter to the Drainage Board from the Tippecanoe County Drainage Board regarding joint drains. Bill McCormick moved to concur with the Tippecanoe County Drainage Board. Ed Stephens seconded. Deanna Durrett questioned **#612 Kirkpatrick One Drain** stated that according to the 3/20/06 report the drain has a yearly assessment of \$2,115.83. If this is a Joint drain with Tippecanoe County the balance should be zero. Surveyor Utz stated that Montgomery County does not control the drain and the monies should be transferred to Tippecanoe County. Durrett stated she'd like to have time to research the Kirkpatrick One Drain account. Tippecanoe County Drainage Board have already raised the assessment on the drain. McCormick withdrew his motion and Stephens withdrew his second. McCormick moved to take the matter under advisement until the next Drainage Board meeting on April 25th. Stephens seconded. 5-0 votes in favor.

#518 John Galey Drain – Surveyor Utz advised that Cain's Homelike Farms have been working on the drain. He advised that 700 feet of 18" tile will need to be moved at a cost of \$13,310. Deanna Durrett questioned why the repairs need to be done now and Surveyor Utz explained that this project is to coincide with a waterway project that Soil & Water is working on with the Valliere's. The work done now will be a positive contribution to any future reconstruction of the drain. Durrett moved to approve the \$13,310 bid proposal by Cain's Homelike Farms. Phil Bane seconded. 5-0 votes in favor.

Other Business:

Deanna Durrett questioned the Board members if they had had an opportunity to review her Fast Facts Drains of Montgomery County. She advised that she attended a Soil & Water Conservation District Board meeting presenting her drainage facts which will be presented as a three-fold pamphlet. She stated that Soil & Water was enthusiastic and were willing to print the pamphlet. She asked for feedback from the Board by April 14th.

Deanna Durrett questioned Attorney Dan Taylor regarding the absence of strategic planning on the Board's 2006/2007 Goals. Taylor advised that the Board did not discuss when strategic planning would be discussed. Deanna Durrett moved to add strategic planning to the June & March calendar. Stephens seconded. 5-0 votes in favor.

Deanna Durrett stated two issues were discussed during last week's planning session which need to be addressed. 1) Emergency drain repair. 2) Dealing with the improvement fund deficit on individual drains. Stephens suggested forming a sub-committee to work with Surveyor Utz on emergency repair situations. McCormick moved to appoint Ed Stephens & Deanna Durrett as a sub-committee to deal with immediate repairs as long as the drain balances are positive up an amount of \$800 and any repairs over \$800 will be brought before the full Board. Tom Boots seconded. 4 votes yes. 1 abstained (Stephens)

Deanna Durrett questioned how the Board plans to deal with the 33 drains that are showing a deficit. Phil Bane drafted a proposed letter to landowners paying drain assessments that are showing negative balances. It has been proposed that five or six drains be discussed at regular Drainage Board meetings. The landowners will be notified of the date that their specific drain will be discussed along with what the proposed new assessments could be. Phil Bane and Deanna Durrett will meet to put the proposed letter to landowners in a final form with the letter including a spread sheet of the drains expenses and income. Tom Boots stated that the landowners need to be informed that the Board is not approving repairs of drains with negative balances.

Drain Classifications – Surveyor Utz stated that Deputy Surveyor Cummins has been out of the office sick this week, but he is working on the Drain Classification updates. The item will remain on the Drainage Board agenda.

Claims: No claims were presented for payment.

Bill McCormick moved to adjourn and Ed Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 8:50 a.m.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots
Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, APRIL 25, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, April 25, 2006 in the Commissioners room, Montgomery County Courthouse.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz

Also present: Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Rob Durrett; Marian Lindow & Gertrud Cowan, League of Women Voters; Wade Bennett; Treasurer Sue Howell; Roger Beach.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Leland Sparks led prayer.

Board President Bane requested a motion for approval of the April 11, 2006 minutes. Ed Stephens moved to approve the April 11, 2006 minutes. Bill McCormick seconded. 5-0 votes in favor.

Surveyor's Report - Ed Stephens advised that he received a telephone call from Surveyor Utz stating that he had had a problem with his foot in the night and would have to go to his physician this morning. Deputy Surveyor Cummins was also unable to attend this mornings' meeting due to car trouble.

Deanna Durrett stated that according to the Indiana Code the Drainage Classification Report is due on June 1st. At the rates that the Board has been receiving the drafts, and it has been three weeks since a draft has been submitted, the June 1st deadline will not be met. The Board can approve a partial classification.

#612 Kirkpatrick One is a joint drain with Tippecanoe County. The Board previously received a notice from the Tippecanoe County Drainage Board of a plan to raise the assessment to \$1.25 from \$1.00 per acre. Deanna Durrett stated that over the past few months she has been looking at joint drains and she has discovered 11 drains with problems. Deputy Surveyor Cummins had prepared a report for the Drainage Board, but unfortunately was unable to attend this morning's meeting. Durrett advised that \$5,300 was paid to Cain's for work on the drain on May 3, 2004. Kirkpatrick One is a drain currently being administered by the Tippecanoe County Drainage Board. The Kirkpatrick One drain is showing a \$918.70 in the maintenance account, \$2,760.31 in the improvement account totaling: \$3,679.01. The question was raised why Montgomery County is showing a balance in the account and who is responsible to transfer the monies from Montgomery County to Tippecanoe County. She stated, "Assuming we do not owe Tippecanoe County, with a rate increase of 25% or \$529 per year, our balance is enough to cover seven years before we need to raise assessments." McCormick questioned if we need to have an unofficial meeting with the Tippecanoe County Drainage Board to receive more information on the joint drain. President Bane stated that the Board needs to know who is responsible for each drain. Kirkpatrick One will be placed on the May 9 agenda. The surveyor will be asked to send a letter to the Tippecanoe County Drainage Board requesting a joint meeting.

2006 RFQ – Deanna Durrett stated it is on the "Drainage Board 2006/2007 Goals" for April. The information for the RFQ has to come from the Surveyor's office. Attorney Taylor stated the 2006 RFQ is intended as a "stop gap measure". The 2007 RFQ's go out in July. The RFQ is to insurance that there are qualified contractors working on the drains. The information needed includes rates and proper insurance coverage. Director Cating stated that he requires contractors to supply a "Proof of Insurance" for every specific job the contractor does. The surveyor will be asked to prepare a 2006 RFQ for Board approval, using the Highway Department RFQ as a model,

#520 John Gobin #2 Drain- The Gobin Drain is scheduled for hearing on June 7th. The notices for the hearing will need to be mailed by May 8th. The Board has not received any information regarding the proposed rate increase or costs of reconstruction. Ed Stephens stated, "The Surveyor should be notified by letter that the information necessary for a Board meeting is to be provided to the Board by Friday, noon before the Tuesday meeting." Deanna Durrett moved to cancel the John Gobin hearing on Wednesday, June 7th until further notice. Bill McCormick seconded. 5-0 votes in favor.

Status of Pending Drains

#513 -Carper-Crowder hearing scheduled on April 13, 2006. The notices did not go out. According to the Surveyor's office they did not receive a draft of the notice from Attorney Taylor. Attorney Taylor stated that he did send the notices via email. The hearing will need to be rescheduled in June, but not until all of the information is provided by the Surveyor's office beforehand.

#518 - John Galey - A response to Cain's is needed. Mr McCormick stated that adequate information was provided by Cains to allow for a reconstruction hearing.

#537 Charles Ludlow - Deanna Durrett and Ed Stephens dealt with an issue on the Charles Ludlow drain and the removal of beaver dams due to a weekend call from the landowner's representative. Durrett questioned if the dams were removed and the beavers trapped and killed. Durrett stated that this is another part of the Drain Improvement Plan as far as proper maintenance of the drains with regular spraying schedules. Beaver dams will be a problem until brush is eliminated.

#550 James Sanders - A reconstruction order is pending. On 2/28/06 Surveyor Utz reported he is still waiting on updated figure for reconstruction. The Board discussed bringing landowners back to inform them of the \$29,000 debt. When will the Board get the updated figures so another landowner meeting can be scheduled?

#555 Stanford/Elmore - The Board voted to reconstruct. What is the progress?

#581 Joe Hall - If the Board authorizes a claim as an emergency due to beaver dams, the money comes out of the improvement account and not the individual drain account. How was this claim registered?

Shelly Drain - Deanna Durrett stated she attended the meeting on the multi-hazard mitigation plan lead by Bill McCormick. After the plan is approved by SEMA the County will be eligible to apply for grants to do the necessary repairs to the Shelly Drain. The Shelly Drain was removed from the tax rolls in 1968 and is having an affect now. Phil Bane stated that that fact only enhances the importance of what the Drainage Board does today will affect what happens in the next 30 years.

#702 James Emerson Drain - Deanna Durrett questioned if Attorney Taylor had any new information on the procedure. Taylor stated he has not been able to find any laws governing changing the names of drains. He is contacting other County attorney's for their input.

The Board discussed sending a letter to the landowners of the 33 drains which are carrying deficit balances. The letter will explain about the balances and when the drains will be initially heard by the board and those formal hearings will be scheduled in November. Bill McCormick moved to request that Drainage Board President Bane send a letter to the property owners of negative balanced drains no later than May 3rd. Tom Boots seconded. 5-0 votes in favor.

Procedure for Notices on Official Hearings - Deanna Durrett read the following letter to Surveyor Utz into the record and requested permission to send the letter on behalf of the Drainage Board.

"To: Surveyor...

General instructions:

- All requested information will be in the Commissioners office, with copies for all Drainage Board members, on or before Friday noon of the week before a scheduled meeting.
- Drainage Board meetings have been cancelled for May 1 and June 13. The next scheduled meeting for the Montgomery County Drainage Board is May 9, 2006.
- The June 7, 2006 hearing on the John Gobin rate increase and reconstruction has been cancelled until all relevant information is available.

Information that will be in the Commissioners office, with copies for all Drainage Board members, by Friday May 5, 2006.

- **Financial Report:** Present an undated spreadsheet of drainage accounts. Correct the entry for Benjamin Crabbs. Provide a one-page summary of the claims paid and claims pending in 2006. Plan to update these financial reports monthly at the first meeting of each month.
- **2006 RFQ:** Prepare a Notice to Bidders. The Highway Departments Notice is attached and may be used as a model for creating a Notice for the Surveyor's Office. Please also include a requirement for proof of insurance.
- **Report on Pending Drains:**
 - James Sanders #550: Provide updated figures on reconstruction.
 - Stanford Elmore # 555: Provide status report on reconstruction.
 - Joe Hall #581: Assure the Board that the emergency claim to remove beaver dams was credited to "Drains without Funds" rather than to the Joe Hall account in the Improvement fund. (IC 36-9-27-73)
 - Charles Ludlow #537: Report on the beaver dam removal. Report on the status of beaver killing or trapping. Report on the physical condition of the open ditch relative to brush and tree growth.

- John Walkup #604: This drain was omitted from the 2006 Off List. Make a physical inspection and report back to the Drainage Board concerning its condition and potential for preventative maintenance. Pay particular attention to the open ditch and the outlet.
- **Joint Drains:**
 - Have a written report on the progress of the investigation of the financial issues concerning all joint drains.
 - Write to the Tippecanoe County Drainage Board requesting a joint hearing with their board about Kirkpatrick One and about our joint drains in general. Suggest a date for this meeting on or after July 11 in Montgomery County.”

Bill McCormick moved to send Deanna Durrett’s letter on behalf of the Drainage Board by certified mail to Surveyor Utz. Tom Boots seconded. 5-0 votes in favor.

Ed Stephens added that information shall be provided in writing to in the Commissioners office on Friday noon before the Tuesday meeting. Ed Stephens moved to notify Surveyor Utz by certified mail stating that he must provide all pertinent information as requested by the Drainage Board in writing by noon on Friday before the scheduled meeting. Bill McCormick seconded. 5-0 votes in favor.

Deanna Durrett requested the Board’s approval of the “Fast Facts of Drains of Montgomery County”. Tom Boots moved to approve the fast facts with co-sponsorship of the Drainage Board. Ed Stephens seconded. 5-0 votes in favor.

OTHER BUSINESS:

Ed Stephens moves to cancel the June 13th Drainage Board meeting. Bill McCormick seconded. 5-0 votes in favor.

Bill McCormick moved to cancel the May 1st Drainage Board meeting. Ed Stephens seconded. 5-0 votes in favor.

OTHER BUSINESS:

President Bane stated he did not go before the Council and request an additional appropriation to help cover the Joe Hall problem. He stated, “because of everything going on with the Drainage Board and the funds, he didn’t feel like it was fair to ask other taxpayers to be subsidizing something out of their control.”

#604 John M. Walkup Drain - Deanna Durrett stated the assessments have been overpaid. Durrett suggested to deal directly with the Surveyor to evaluate the drain to find out if any work needs to be done. Deanna Durrett moves to direct the Surveyor to visit the John M. Walkup Drain and determine if any work needs to be done on that drain and report to the Drainage Board. Bill McCormick seconded. 5-0 votes in favor.

Deanna Durrett moved to include a financial report at the first meeting of the month which includes an spreadsheet of drains and pending claims. Bill McCormick seconded. 5-0 votes in favor.


Deanna Durrett advises that she has been informed by the Surveyor’s office that the computer system is not operating so that he can get information from the Auditor’s office online. He advised it was a matter of a Manatron tech making a change. The Board requested that Manatron be notified.

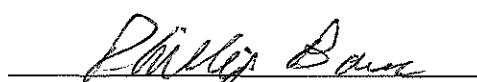
Deanna Durrett moved to accept the schedule of drain discussions as amended. Bill McCormick seconded. The drains marked “special” will be scheduled at the next Drainage Board meeting. 5-0 votes in favor.

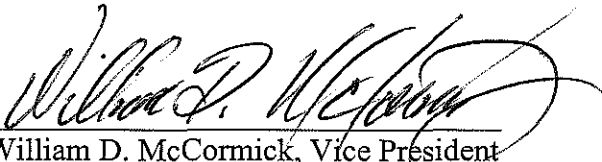
Claims: No claims were presented for payment.

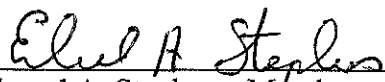
Ed Stephens moved to adjourn and Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 9:45 a.m.

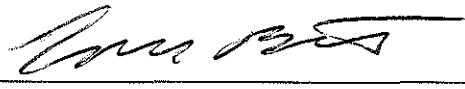

Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member


Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, MAY 9, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, May 9, 2006 in the Commissioners room, Montgomery County Courthouse.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; and Drainage Board Secretary Lori Dossett.

Also present: Deputy Surveyor Tom Cummins; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Gertrud Cowan, League of Women Voters; Wade Bennett; Andrew McCorkle; Michael Sowers; Jim Swift; Mayor John Zumer; Recorder Michelle R. Cash.

.Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Davenport led prayer.

Board President Bane requested a motion for approval of the April 25, 2006 minutes. Deanna Durrett moved to approve the April 25, 2006 minutes. Tom Boots seconded. 5-0 votes in favor.

Surveyor's Report -

Surveyor Utz advised that his office is still working on the Drainage Improvement Plan and the Classification Report. Surveyor Utz was advised that the long range plan needs to be approved by June 1st. Deputy Surveyor Cummins advised that the draft will be ready by May 16th which will give the Board time to study it ahead of time.

Old Business

#612 Kirkpatrick One – The Drainage Board had requested that Surveyor Utz contact the Tippecanoe County Drainage Board regarding a joint informal meeting between the two boards. The Surveyor advised he has not contacted Tippecanoe County. Bill McCormick moved to appoint Deanna Durrett to set up a meeting with Tippecanoe County Surveyor and his secretary. Ed Stephens seconded. Bill McCormick recommended setting up the meeting as soon as possible and a special meeting could be called if necessary. 5-0 votes in favor.

Joint County Drains. Deanna Durrett advised that the County actually has 15, possibly 16 joint drains instead of nine drains mentioned at a previous Drainage Board meeting. **Albert Hysong Drain**

#520 John Gobin #2 Drain- The Gobin Drain is scheduled for hearing on June 7th. The notices for the hearing will need to be mailed by May 8th. The Board has not received any information regarding the proposed rate increase or costs of reconstruction. Ed Stephens stated, "The Surveyor should be notified by letter that the information necessary for a Board meeting is to be provided to the Board by Friday, noon before the Tuesday meeting." Deanna Durrett moved to cancel the John Gobin hearing on Wednesday, June 7th until further notice. Bill McCormick seconded. 5-0 votes in favor.

Status of Pending Drains

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#518 – John Galey – A response to Cain's is needed. Mr McCormick stated that adequate information was provided by Cains to allow for a reconstruction hearing.

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#555 Stanford/Elmore - The Board voted to reconstruct. What is the progress?

#581 Joe Hall – If the Board authorizes a claim as an emergency due to beaver dams, the money comes out of the improvement account and not the individual drain account. How was this claim registered?

Shelly Drain - Deanna Durrett stated she attended the meeting on the multi-hazard mitigation plan lead by Bill McCormick. After the plan is approved by SEMA the County will be eligible to apply for grants to do the necessary repairs to the Shelly Drain. The Shelly Drain was removed from the tax rolls in 1968 and is having an affect now. Phil Bane stated that that fact only enhances the importance of what the Drainage Board does today will affect what happens in the next 30 years.

#702 James Emerson Drain - Deanna Durrett questioned if Attorney Taylor had any new information on the procedure. Taylor stated he has not been able to find any laws governing changing the names of drains. He is contacting other County attorney's for their input.

The Board discussed sending a letter to the landowners of the 33 drains which are carrying deficit balances. The letter will explain about the balances and when the drains will be initially heard by the board and those formal hearings will be scheduled in November. Bill McCormick moved to request that Drainage Board President Bane send a letter to the property owners of negative balanced drains no later than May 3rd. Tom Boots seconded. 5-0 votes in favor.

Procedure for Notices on Official Hearings - Deanna Durrett read the following letter to Surveyor Utz into the record and requested permission to send the letter on behalf of the Drainage Board.

"To: Surveyor...

General instructions:

- All requested information will be in the Commissioners office, with copies for all Drainage Board members, on or before Friday noon of the week before a scheduled meeting.
- Drainage Board meetings have been cancelled for May 1 and June 13. The next scheduled meeting for the Montgomery County Drainage Board is May 9, 2006.
- The June 7, 2006 hearing on the John Gobin rate increase and reconstruction has been cancelled until all relevant information is available.

Information that will be in the Commissioners office, with copies for all Drainage Board members, by Friday May 5, 2006.

- **Financial Report:** Present an undated spreadsheet of drainage accounts. Correct the entry for Benjamin Crabbs. Provide a one-page summary of the claims paid and claims pending in 2006. Plan to update these financial reports monthly at the first meeting of each month.
- **2006 RFQ:** Prepare a Notice to Bidders. The Highway Departments Notice is attached and may be used as a model for creating a Notice for the Surveyor's Office. Please also include a requirement for proof of insurance.
- **Report on Pending Drains:**
 - James Sanders #550: Provide updated figures on reconstruction.
 - Stanford Elmore # 555: Provide status report on reconstruction.
 - Joe Hall #581: Assure the Board that the emergency claim to remove beaver dams was credited to "Drains without Funds" rather than to the Joe Hall account in the Improvement fund. (IC 36-9-27-73)
 - Charles Ludlow #537: Report on the beaver dam removal. Report on the status of beaver killing or trapping. Report on the physical condition of the open ditch relative to brush and tree growth.
 - John Walkup #604: This drain was omitted from the 2006 Off List. Make a physical inspection and report back to the Drainage Board concerning its condition and potential for preventative maintenance. Pay particular attention to the open ditch and the outlet.
- **Joint Drains:**
 - Have a written report on the progress of the investigation of the financial issues concerning all joint drains.
 - Write to the Tippecanoe County Drainage Board requesting a joint hearing with their board about Kirkpatrick One and about our joint drains in general. Suggest a date for this meeting on or after July 11 in Montgomery County."

Bill McCormick moved to send Deanna Durrett's letter on behalf of the Drainage Board by certified mail to Surveyor Utz. Tom Boots seconded. 5-0 votes in favor.

Ed Stephens added that information shall be provided in writing to in the Commissioners office on Friday noon before the Tuesday meeting. Ed Stephens moved to notify Surveyor Utz by certified mail stating that he must provide all pertinent information as requested by the Drainage Board in writing by noon on Friday before the scheduled meeting. Bill McCormick seconded. 5-0 votes in favor.

Deanna Durrett requested the Board's approval of the "Fast Facts of Drains of Montgomery County". Tom Boots moved to approve the fast facts with co-sponsorship of the Drainage Board. Ed Stephens seconded. 5-0 votes in favor.

OTHER BUSINESS:

Ed Stephens moves to cancel the June 13th Drainage Board meeting. Bill McCormick seconded. 5-0 votes in favor.

Bill McCormick moved to cancel the May 1st Drainage Board meeting. Ed Stephens seconded. 5-0 votes in favor.

OTHER BUSINESS:

President Bane stated he did not go before the Council and request an additional appropriation to help cover the Joe Hall problem. He stated, "because of everything going on with the Drainage Board and the funds, he didn't feel like it was fair to ask other taxpayers to be subsidizing something out of their control."

#604 John M. Walkup Drain - Deanna Durrett stated the assessments have been overpaid. Durrett suggested to deal directly with the Surveyor to evaluate the drain to find out if any work needs to be done. Deanna Durrett moves to direct the Surveyor to visit the John M. Walkup Drain and determine if any work needs to be done on that drain and report to the Drainage Board. Bill McCormick seconded. 5-0 votes in favor.

Deanna Durrett moved to include a financial report at the first meeting of the month which includes an spreadsheet of drains and pending claims. Bill McCormick seconded. 5-0 votes in favor.

Deanna Durrett advises that she has been informed by the Surveyor's office that the computer system is not operating so that he can get information from the Auditor's office online. He advised it was a matter of a Manatron tech making a change. The Board requested that Manatron be notified.


Deanna Durrett moved to accept the schedule of drain discussions as amended. Bill McCormick seconded. The drains marked "special" will be scheduled at the next Drainage Board meeting. 5-0 votes in favor.

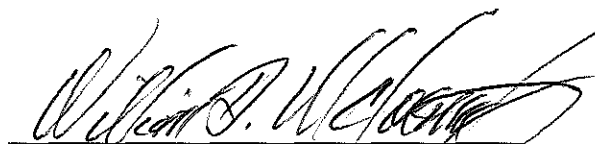
Claims: No claims were presented for payment.

Ed Stephens moved to adjourn and Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

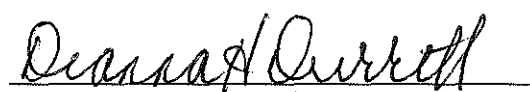
Meeting adjourned @ 9:45 a.m.


Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member


Deanna Durrett, Member

Tom Boots

Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, MAY 23, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, May 23, 2006 in the City Council Chambers at the City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; and Drainage Board Secretary Lori Dossett.

Also present: Deputy Surveyor Tom Cummins; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Gertrud Cowan, League of Women Voters; Wade Bennett;

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Jeff Trion led prayer.

Board President Bane requested a motion for approval of the May 9, 2006 minutes. Tom Boots moved to approve the May 9, 2006 minutes. Ed Stephens seconded. 5-0 votes in favor.

Building Administrator Marc Bonwell – North Montgomery High School Parking Lot addition storm water plan. Administrator Bonwell advised that approximately 106 parking spaces will be added along the west entrance to the administration building and back to Northridge Middle School. He advised the plans is requesting a variance of a decrease of 1 ½ feet. The storm water plan has been reviewed by DLZ. He advised that the water releases directly across CR580 to the open ditch. **Ed Stephens moved to approve the storm water plan for North Montgomery High School Parking Lot. Deanna Durrett seconded.** Phil Bane stated he had received a complaint from Jeff Myers regarding standing water on the south side of Clark Truck. Bonwell advised that he looked at the original drainage plan that was approved in 2001 and stated there is no time release on that, it just runs off. He advised "it has a controlled release there because of the pipe size and storm structures have openings on top of the structures. He also advised that the recent rains that the County has been experiencing are very close to the 100 year rains receiving four inches of rain in one hour. **5-0 votes in favor.**

Surveyor's Report

Adoption of Classification Report & Long Range Plan. Deanna Durrett moved to adopt the Classification Report and then work on the Long Range Plan. Ed Stephens seconded. The Long Range Plan is to be adopted by statute by June 1st. Special meeting scheduled for Tuesday, May 30th @ 8:30 a.m. 5-0 votes in favor.

President Phil Bane opened the informal discussion for drain rate increases. President Bane advised the property owners present that the Board decided to hold the informal discussions during the regular drainage board meeting. He advised that this first set of drains will be out of debt by 2007. The landowners were requested to come forward and state their name for the record. He advised it was their meeting and opened it up for discussion. No one came forward for the following drains: #503-Fred & Bessie Brown; #514-Jesse Evans; #571-James Fleming; #597-Benjamin Remley.

#700 – Joseph Conway Drain –

Larry Pennslinger advised that he is here for information purposes only. He advised that he is not experiencing any problem with the drainage. He advised that he may be interested in forming an advisory group.

Larry Bunnell relayed some history on the drain to the Board. He advised that a 98% reconstruction was agreed to in the amount of \$230,000. He advised that Surveyor Utz downgraded the project. He advised that there are several expenses on the drain that he is requesting an answer to. He questioned why two spray companies are listed and to his knowledge he has never seen the results of spraying. Surveyor Utz advised that the drain had been sprayed. He stated, "somebody needs to oversee the jobs better and make sure the money spent on the ditches the work is being done and that the landowners are not being overcharged."

Clark Sennett stated he feels the \$2,700 paid to Wilson is an error. The draw to the drain should be \$1,800 and that will put the drain \$800 short. There is a need to get a handle on the expenses. Phil Bane suggested that this might be a good drain to get an advisory board set up.

Earl Smith stated he had never seen Mr. Wilson doing work on the drain. Mr. Smith stated he spoke to Mr. Wilson and Mr. Wilson stated he hasn't done any work on that ditch. He suggested that a

mistake had been made and the expense put on the wrong ditch. Deanna Durrett advised that the claim was pulled in the Auditor's office on May 22nd and the claim should have been put on the Smith/Elmore Drain. It was entered in error by the former auditor. Deanna Durrett advised that she found a correction. The sheet that shows the Jones claim 12/30/96 entry Linden Bank should have been billed to Jones & Son Construction \$10,140.33. She stated it appeared like the construction cost minus the rebate had to pay back almost \$17,000 with a construction cost of \$58,000 and a bank loan of \$78,000. The bank repayment came to \$90,000 since the interest was not built into the repayment which left the account \$12,000 short so you should add that to the difference between the construction and the loan. Durrett stated she is satisfied that the account makes sense.

President Bane questioned if the property owners on the Conway Drain wanted to form an advisory committee. Mr. Bunnell stated that Jones was hired and they did not get what they paid for and the oversight comes back to the Drainage Board and the County Surveyor for not overseeing the project. Surveyor Utz advised that his office is unable to locate the file on the Conway Drain.

#555 Stanford/Elmore –

Dean Rush stated that this past winter the Drainage Board held an informal hearing and increased the assessment to \$4 per acre. He asked what the Board is now planning to do. In 2007 the drain account should be out of the red without any unforeseen expenses. He advised that the only problem areas were on McGrady's ground. Surveyor Utz advised that Mr. McGrady had been in his office a couple of months ago and had stated that they would be back with an estimate on how much footage they needed done for reconstruction and had not contacted him regarding that amount. Tom Boots reminded Mr. Rush that no work could be done on the drain while the drain was in debt. The Board expressed a concern of not maintaining drains and then be faced with larger problems. An advisory Board has been set up for this drain.

#641 Smith/Elmore –

Harry Hughes gave the Drainage Board a history of the drain and work that has been done on the drain. He questioned what the money has been spent for since there are no bills or records in the Surveyor's office. He questioned why \$6,000 has been spent on the drain every two years for work and the drain is now \$12,000 in the red. He stated that someone has to be responsible. He blamed the surveyor for not keeping track of the spending and the Commissioners and Drainage Board for approving the claims. Mr. Hughes was advised that the error discovered in the Joseph Conway Drain account should have been on the Smith/Elmore Drain so in reality the Smith/Elmore Drain is in debt approximately \$14,000. Tom Boots questioned Mr. Hughes if he felt that the work was not done and Mr. Hughes explained that he was present when the work was done and they came in with a backhoe and dug everything up and had the wrong size of tile, the next day brought a CAT to level. He stated that the bill should have been half. Deanna Durrett stated that Wilson construction has been paid \$600,000 since August of 2002 for work done in the County and expressed her displeasure that Mr. Wilson did not know how to fill out an itemized claim properly. **Tom Boots moved to require all work to be located and detailed of what the work cured, where on the drain the work was done, details of work performed and landowners names. Ed Stephens seconded.** Rob Durrett commented that the Board should issue specifications for work to be performed to the contractor, how the work is to be performed and a time frame. Bill McCormick stated in order for the Board to do that it would need to come up with a form. Wade Bennett added that as part of the form a GPS ordinance could be included and also provide the contractors with a map. **5-0 votes in favor.** The Board requested that Deputy Surveyor Tom Cummins develop such a form for the contractors.

Dean Rush continued to express his displeasure with how the drains funds are managed and the lack of documentation. Ed Stephens questioned Attorney Taylor if the Board could appoint an investigating committee to contact the contractors and ask for detailed information. Attorney Taylor stated that the Board could do that. Tom Boots stated that he felt that Board Member Deanna Durrett had done enough work and should be paid for her efforts and the Board should pay her as a secretary to the Board for that work. Phil Bane stated that one of the problems is that the Board is dealing with 1950's technology, the drainage fund book only shows that the claim is paid, no description is required. Tom Boots stated that the Board should go to the contractor for answers on the claims. **Ed Stephens moved to form a committee to investigate the contractor to obtain more information on the Smith/Elmore Drain to settle where the monies were paid. Tom Boots seconded. 4 votes in favor 1 vote against (McCormick).** President Bane appointed Ed Stephens & Deanna Durrett to the committee. Attorney Taylor advised he will write up guidelines for the committee to follow. Deanna Durrett commented that the improvement fund over the last three years has been used inappropriately. She stated there should not be balances in the improvement funds. Auditor Dossett is making corrections now so it will not be a duel system.

#612 Kirkpatrick One – Deanna Durrett advised she is waiting on information from Tippecanoe County and trying to set up an appointment with Tippecanoe County Surveyor Steve Murray and Board Secretary Brenda Garrison in order to settle the problem with Tippecanoe County.

#520 John Gobin #2 Drain- Surveyor Utz advised that he needed to leave and requested to table the pending items. **Deanna Durrett moved to take the pending item report and put on the agenda for next drainage Board meeting on July 11, 2006. Ed Stephens seconded. 5-0 votes in favor.**

Other Business:

Deanna Durrett moved to schedule a Strategic planning session for June 27 or June 29th @ 6:00 p.m. Phil Bane seconded. 5-0 votes in favor. Bill McCormick & Dan Taylor advised that they were unavailable on both dates. Surveyor Utz advised that evenings are out for him. Deanna Durrett stated, “she has a problem there”. She questioned if the session started at 3:00 if the Surveyor could attend and he advised that he could. **Deanna Durrett moved to hold the strategic planning session on June 28, 2006 from 3-5 p.m. in the Commissioners meeting room. Ed Stephens seconded. 5-0 votes in favor.**

Other Business:

Wade Bennett stated that there are tile holes on the James Hose Drain at the north edge of Linden on Vine & High Streets half way through the lot. Phil Bane advised that Dean Kiger had contacted the Commissioners office. He requested that Deanna Durrett and Ed Stephens look at the area. Surveyor Utz stated that this was the first he heard of the complaint and asked why he wasn't contacted. He was advised that there was an assumption that he had been contacted. Deanna Durrett stated the following: “In recognition of a long history of problems of and unresolved discussions about the James Hose Drain, I move to instruct the surveyor to investigate and report by telephone to the emergency subcommittee no later than noon on Thursday May 25 his recommendation concerning the hole, reported by landowner, Wade Bennett and Linden official, Dean Kyger, on the John Hose Drain. If the surveyor and subcommittee concur on the need for repair, the Drainage Board authorizes the surveyor immediately to hire a contractor to make an adequate but limited repair. The James Hose Drain has sufficient maintenance funds for a limited repair.

I move that the Drainage Board send a letter postmarked no later than May 30, 2006 to each Montgomery County registered resident land surveyor (list available in the Commissioners' Office) inviting a preliminary proposal to address the steps necessary to make the James Hose Drain adequately drain the town of Linden. The preliminary proposal will be submitted to the Drainage board no later than July 11 at the regular Drainage Board meeting.

The preliminary proposal will address the following:

- potential for and advantages of declaring the James Hose Drain an Urban Drain per IC 36-9-27-67;
- history of problems and action on the James Hose Drain;
- potential for and advantages/disadvantages of combining the James Hose Drain with the east-of-the-railroad side of the James Gobin drain;
- costs and details of several optional solutions;
- other details as determined by the investigator.

Preliminary proposals will be presented at the landowner meeting described below. No compensation is provided for the preliminary proposal.

I move that all landowners on the James Hose and the John Gobin drain be invited to an informational meeting concerning the above preliminary proposal. The surveyor is directed to send a letter to landowners, copied to all members of the Drainage Board, postmarked no later than July 13, with a meeting no later than July 27, 2006.” Bill McCormick seconded. 5-0 votes in favor.

Public Comment:


Ed Newby appeared and stated that he and his wife are landowners on the Jesse Evans Drain. He Stated that they are not experiencing any problems with the tile but questioned if a landowner has his own equipment could he repair tile holes himself. He stated he lives in Boone County and farms in Montgomery County. Mr. Newby was advised that the Board have had discussions regarding farmers doing their own tile work. Any work performed has to be approved by the Surveyor and as long as farmers are willing to follow the same guidelines as contractors it will be allowed. October 1st final guidelines should be approved. It will be possible to be paid for the work done to the tile if the work has the prior approval of the Surveyor.

Claims: No claims were presented for payment.

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

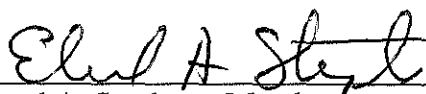
Meeting adjourned @ 9:35 a.m.

Lori Dossett, Secretary



Phil Bane, President

William D. McCormick, Vice President



Edward A. Stephens, Member



Deanna Durrett, Member



Tom Boots, Member

MINUTES
MONTGOMERY COUNTY DRAINAGE BOARD SPECIAL MEETING
TUESDAY, MAY 30, 2006

The Montgomery County Commissioners met on Tuesday, May 30, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse.

In attendance were: Commissioner Phil Bane, President; Commissioner Edward A. Stephens, Vice President; Commissioner William D. McCormick, Member; and Drainage Board Secretary Lori Dossett.

Absent: Member Deanna Durrett; Member Tom Boots; Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Highway Director Brett Cating; Highway Administrator Marc Bonwell; County Attorney Daniel Taylor; Barry Lewis, The Paper;

Commissioner Bane called the meeting to order @ 8:30 a.m. and led the Pledge of Allegiance. Alan Goff led the prayer.

Adoption of Long Range Plan

Deputy Surveyor Tom Cummins advised that he nothing to give to the Drainage Board for a Long Range Plan.

Board President Bane received an email from Surveyor Larry Utz stating the following: "EFFECTIVE TUES MAY 31 I WILL BE GONE ON VACATION FOR TWO WEEKS FOR PERSONAL REASONS THAT I CANNOT DISCUSS AT THIS TIME ED KNOWS I HAVE ASKED HIM NOT TO SAY ANYTHING, BUT THIS IS WHAT I HAVE TO DO AND I WILL NOT BE AT ANY MEETINGS, AND CAN BE ONLY REACHED BY TOM IF YOU WOULD TELL THE OTHER FOUR I AM LEAVING FOR ALABAMA AT NOON TODAY." Bill McCormick stated that it is difficult to act without the Surveyor present. The Drainage Board is supposed to act on the information provided by the Surveyor. Ed Stephens agreed. Surveyor Utz has the final word on any information brought to the Drainage Board. Attorney Taylor advised that the Classification Report is not that big of a step to a Long Range Plan. If the Board does not adopt a long range plan, the Surveyor is in violation of State statute. Bill McCormick advised that he will work with Deputy Surveyor Cummins on a draft of a Long Range Plan.

The Long Range Plan will be kept on the June 6th agenda until Old Business.

The June 6th deficit drains hearings will need to be continued due to the absence of the Surveyor. Commissioner McCormick moved to move the June 6th hearings" #531 John Lane, #538 Glennard Miller, #543 William McClamroch, #560 Richard Virts, #564 Raymond Weliever, #590 Tay-Thom-Alford, #613 Nancy Hollingsworth & #629 Francis Powers to July 11th @ 8:00 a.m. at the City Building. Ed Stephens seconded. 3-0 votes in favor.

#553 Snoddy Drain -- The drain is located north of Alamo on CR825West. The open ditch runs parallel to the County road and loops around and goes through Dean Rush's yard. Bill McCormick suggested that the Highway Department start at the inlet and dredge the ditch out to get proper elevations. Phil Bane advised that he spoke to Clark Sennett and Cecil Dunlap and they advised him that in years past the water had gone down within a day. Ed Stephens advised the water is going down, but it is, "a long ways from being gone". The other issue on the Snoddy Ditch is the landowners were told that the ditch had been vacated when it fact it had not and Dean Rush advised that he has been paying a ditch assessment and the ditch is in fact \$18,000 in the red. Director Cating advised that when the road had been previous done on the county road that it was intended to take care of the surface water and not subsurface water. The County maintains a 75 feet of right-of-way for maintenance of the 8" tile. The ditch is grown up with willows which are clogging up the tiles. **Bill McCormick moved to authorize the highway department to do the dredging along CR825 West on the stipulation that the elevations have been shot and Clark Sennett is on the job while the work is being done. Ed Stephens seconded.** Bill McCormick stated that the landowners need to be involved and questioned Highway Director Cating on a timeframe when the Highway Department could do the dredging. Director Cating advised that he estimated sometime in July the gradeall should be in the area replacing other pipes.

The Board placed an emphasis to Director Cating that the landowners need to be actively involved. **3-0 votes in favor.**

There being no further business before the Commissioners, Commissioner McCormick moved to adjourn and Commissioner Stephens seconded. 3-0 votes in favor.

Meeting adjourned @ 9:00 a.m.

Approved by:

Lori Dossett
Lori Dossett, Secretary

Phillip Bane
Phillip Bane, President

Edward A. Stephens
Edward A. Stephens, Vice President

William D. McCormick
William D. McCormick, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots
Tom Boots, Member

MINUTES
MONTGOMERY COUNTY DRAINAGE BOARD SPECIAL MEETING
TUESDAY, MAY 30, 2006

The Montgomery County ^{Drainage Board} Commissioners met on Tuesday, May 30, 2006 in the conference room at South Boulevard County offices.

In attendance were: Commissioner Phil Bane, President; Commissioner Edward A. Stephens, Vice President; Commissioner William D. McCormick, Member; Deanna Durrett, Member; Tom Boots, Member; County Attorney Daniel Taylor; Barry Lewis, The Paper; and Administrative Assistant Lori Dossett.

Absent: Surveyor Larry Utz.


Commissioner Bane called the meeting to order @ 4:00 p.m.

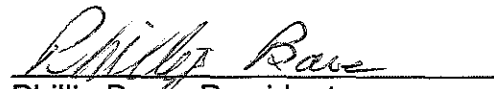
The Drainage Board discussed the 2007 proposed budget.

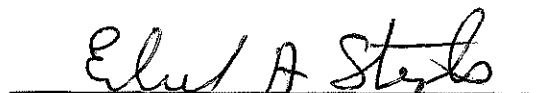
There being no further business before the Commissioners, Commissioner McCormick moved to adjourn and Commissioner Stephens seconded. 3-0 votes in favor.

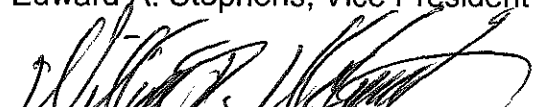
Meeting adjourned @ 5:00 p.m.

Approved by:



Lori Dossett, Secretary


Phillip Bane, President


Edward A. Stephens, Vice President


William D. McCormick, Member


Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, JUNE 6, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, June 6, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Gertrud Cowan, League of Women Voters; Wade Bennett; John McCorkle.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Alan Goff led prayer.

Board President Bane requested a motion for approval of the May 23, 2006 minutes. Deanna Durrett moved to approve the May 23, 2006 minutes. Ed Stephens seconded. 5-0 votes in favor.

President Bane requested a motion for approval of the May 30, 2006 minutes (Special Meeting). Tom Boots moved to approve the May 30, 2006 minutes. Phil Bane seconded. 3-0 votes in favor.

President Bane requested a motion for approval of the May 30, 2006 minutes (Budget Session). Ed Stephens moved to approve the May 30, 2006 minutes. Tom Boots seconded. 5-0 votes in favor.

Old Business – Adoption of Long Range Plan.

Deanna Durrett moved to adopt the Long Range Plan. Ed Stephens seconded. According to State Statute the Long Range Plan is to be adopted by June 1st. Changes and modifications can be made to the Long Range Plan at any time. The Plan can be adopted knowing there will be changes forthcoming. **5-0 votes in favor.**

Request for Qualifications – Deputy Surveyor Tom Cummins presented a rough draft of Request for Qualifications which includes insurance requirements and rates for labor. The Board questioned how the information would be used and Deputy Surveyor Cummins advised it would be used mainly for information for the Surveyor's office. The qualifications will be kept on file and updated yearly in the Surveyor's office. The new procedures will be advertised by August 1st with the Request for Qualifications & Quotations to be due October 1st. **Tom Boots moves to instruct the Surveyor's office to advertise the Request for Qualifications & Quotations. Ed Stephens seconded.** The Board discussed that it should not be advertised until all of the information is gathered for the Request for Qualifications & Quotations has been compiled. Cummins will check with the Highway Department for input on their requirements. **Tom Boots withdrew his motion and Ed Stephens withdrew his second. Bill McCormick moved to table the Request for Qualifications & Quotations to the next Drainage Board meeting. Tom Boots seconded. 5-0 votes in favor.**

#612- Kirkpatrick One - Deanna Durrett moves to meet with Tippecanoe County Surveyor Steve Murray and Tippecanoe County Drainage Board Secretary Brenda Garrison on Monday, July 24, 2006 @ 9:00 a.m. Bill McCormick seconded. **5-0 votes in favor.** The meeting will be held in the Commissioners meeting room.

#520 John Gobin Drain – The Surveyor's office did not have an update on the Gobin Drain. Deanna Durrett stated that there are issues that need to be resolved. The Board should assign the responsibilities to resolve the issues. Durrett stated the Board does have a right to reassign the responsibility to a registered surveyor and she recommended that the Board do that. Taylor advised that he did not have any new information from the railroad regarding the drain, but would report back to the Board

at the next Drainage Board meeting. The question of whether a tile was attached without permission to Tributary 2 has also not been answered. **Deanna Durrett moved that the Drainage Board assign inquiry and cost to a contract surveyor and request that Dan Taylor bring information about the railroad to the next Drainage Board meeting and request that contract surveyor investigate the issue of the attached tile. Tom Boots seconded.** Deanna Durrett read the following letter regarding contract surveying into the record, it reads as follows:

"The James Hose Drain in Linden, Indiana, constructed between 1898 and 1904 and reconstructed in 1927, has been inadequate in recent years. In addition, the John Gobin Drain, constructed in 1893 and reconstructed in 1938, does not drain well under the railroad in the vicinity of 900N on SR 231.

In as much as many local surveyors and engineers have detailed knowledge of the James Hose and John Gobin Drains, the Montgomery County Drainage Board invites all resident registered land surveyors and engineers to submit a preliminary proposal for solving the problems.

Submission of the preliminary proposal indicates interest in further involvement toward a solution. The preliminary proposal will be used in discussions with landowners of both drains as they decide whether to invest in a comprehensive solution. From the pool of individuals submitting a preliminary proposal, one will be invited to develop an engineering design should landowners decide to proceed.

The preliminary proposal will include the following:

- A discussion of the potential for and advantages/disadvantages of combining the James Hose Drain with the east-of-the railroad side of the James Gobin Drain.
- A discussion of the potential for and details about separating the urban and rural drainage systems.
- A discussion of the advantages of classifying the James Hose Drain as an urban drain.
- Preliminary estimate of the cost of one or more options
- Evidence of knowledge of the drains including but not limited to:
 - elevations at key points on both drains,
 - soil types
 - water flow
 - flood potential

Maps of the drains are available at the office of the Montgomery County Surveyor.

Timeline:

July 24, 2006

Preliminary proposal due by 4:00 pm at the Commissioners' office 110 South Boulevard, Crawfordsville

August 22, 2006

Board chooses proposal or proposals

September 5, 2006

First landowner meeting

September 26, 2006

Landowner hearing and Drainage Board decision on plan and on engineering firm."

The Board discussed Durrett's proposed letter and concluded that proposal may be premature and perhaps they should request a preliminary estimate instead. The Board agreed that the wording should be changed. Jim Swift commented that he didn't know who could come up with a firm proposal given the fact that "we don't know what Linden wants to do". He stated that it will be hard to come up with a firm dollar amount and it seems open ended and ill-defined. Tom Boots stated that elevations are needed to see where the project needs to go. The Board has received conflicting information. Durrett offered to remake the letter to request a "preliminary strategy" instead of preliminary proposal. Tom Boots suggested that the original motion be withdrawn and request that Building Administrator Marc Bonwell and Deputy Surveyor Tom Cummins come up with elevations using ThinkMap two foot contours. Deanna Durrett withdrew her motion. **Tom Boots moved to request that County Attorney Dan Taylor obtain further information from the railroad and Deputy Surveyor Tom Cummins and Building Administrator Marc Bonwell present geographical maps with contours. Bill McCormick seconded. 5-0 votes in favor.**

Wade Bennett questioned the breather on the bottom of the tile and questioned if a couple of shots could be taken over the open ditch. Jim Swift stated he could do that for a couple of hundred dollars. Bennett encouraged the Board to hire Swift to do

that. Swift advised he would need the points defined. He advised that the expense is going in and setting up. **Tom Boots moved to hire Jim Swift to surveyor four points on the Gobin/Hose Drain. Deanna Durrett seconded. 5-0 votes in favor.**

Old Business – Obstruction Procedure – Taylor advised that the Obstruction Procedures are not ready.

#547 Albert Nobes Drain – Ed Stephens & Deanna Durrett visited the Drain with Marian Kiger and advised in February 2006, contractor Dick Smith was contacted by Utz to repair three tile holes in the Albert Nobes Drain. The day after Smith and Utz went to the site, McCormick, landowner Marion Kiger and contractor John Wilcox went to the site. Back at the office, Utz told McCormick he had hired Smith to do the work. McCormick told Smith to go ahead. McCormick reported to the Board and told them he had authorized the repair and that money is in the account.

On May 30, 2006, Marion Kiger contacted Deputy Surveyor Cummins to report a hole in the site of the Smith repair. Emergency Committee, Stephens and Durrett, with Kiger and Smith visited the hole on June 1, 2006. Smith had not adequately connected the new tile with the old one and offered to fix it at no additional cost. Smith does not like to cement joints and instead uses insulating foam and a plastic wrap. He did not even do his usual in this case. He also agreed to contact Bart Maxwell to see if Bart has a suitable connector.

At this point Smith has not been paid for the February work. He submitted a bill to Utz who brought it to the DB. It was not itemized and was sent back. Utz gave it back to Smith who then prepared a new bill, higher than the first. Utz told him he could not present a higher bill to the Board. The bill is presently in the Surveyor's office. It does not include about \$300 of tile charged to the County at Thrifty. The total new bill was \$1540, plus the \$300 at Thrifty.

Smith agreed to submit a bill, including the materials at Thrifty, within the limits of the fund balance.

Marion Kiger took Smith and Durrett to the outlet of the Albert Nobes on the farm of Bill Hole. The outlet is obscured by grass. Within 20 feet a willow is growing. Obviously obstruction of the outlet exists at high water and has the potential for growing worse even at low water. On the easement are hog shelters and old fencing. Deanna Durrett moved to request that Attorney Taylor study the proposed memo on the Albert Nobes Drain and recommend Board action. Bill McCormick seconded. 5-0 votes in favor.

Old Business – Landowner Stewardship. Deanna Durrett explained that the issue of landowner stewardship has arisen regarding the issue of a bill received from Andrew McKorkle for clearing work done on the Charles Ludlow Drain. Durrett advised read the following proposed procedure:

“Whereas the Montgomery County Drainage board encourages landowners to keep their drains in good working order

- By regularly inspecting drains for tile holes, tile outlet obstructions, and impediments to freely flowing water and
- By reporting problems to the County Surveyor and
- By clearing and killing trees and brush for the purpose of keeping the drain free of beaver lodges, dams, and other obstructions.

The Drainage Board will compensate landowners for the costs of approved chemicals for the maintenance and preventative maintenance of their drain, on their land, contingent upon

- prior approval by the Board and
- adequate funds in the account of the particular drain.

The landowner may apply to the Board for compensation for necessary additional chemicals once each year.

Upon completion of work, an invoice will be submitted that conforms to State Board of Accounts standards. (A standard invoice is available at the Auditor's Office.) The invoice will include a description of work, date(s) of work, linear feet, location of work. The Surveyor and/or the Drainage Board reserve the right to inspect the drain for which compensation is requested prior to, during, and after work.

* * * * *

Note: An addition to this procedure is as follows.

If funds are deemed adequate, compensation will amount to \$2.00 per linear foot or the amount of the landowner's yearly assessment, whichever is less. I am inclined to reject the addition but welcome your input. I have solicited input from landowners and others. Dave Stanley, Soil and Water, suggested I remove the addition.

I also changed the name to "Landowner Drain Maintenance" to make it clearer and to let it stand alongside our "Landowner as contractor" procedure for tile repair." **Deanna Durrett moved to refer the proposed procedure to the Drainage Board Attorney for his review. Bill McCormick seconded. 5-0 votes in favor.**

New Business – Delmas Chadwick – #604 John Walkup Drain.

Mr. Chadwick advised that also attending today on the Walkup Drain is Kenny Brown. Mr. Chadwick read the following letter into the record stating monies were wrongly collected in 2004, 2005, 2006 and should be refunded to the landowners who made such payments. The total tax for one year or the total ditch is \$826.50 and Mr. Chadwick pays \$445.82 of that amount. The remainder is paid by the other landowners. He advised he has paid a total of \$914.55, the fall installment will be due in November another \$222.92. Bill McCormick moved to open the topic for discussion. Ed Stephens seconded. The Board advised Mr. Chadwick that this is not the only drain that this has happened on. The Board will study the matter and do some checking. Mr. Chadwick questioned the fall installment if he could not pay it. Attorney Taylor advised he did not know the answer to that question. He will also research statutes addressing refunding of overpaid drain assessments. Phil Bane recommended using the John Walkup Drain as a model example and requested that Taylor look at it and see what procedure the Drainage Board should follow. The question is how long had it been non-assessed, the Board was advised that \$900 was spent in 2004 for maintenance of four feet of tile. The drain should have been off assessment three years ago. Durrett advised she went back to do an analysis of the Surveyor's off list in 2004, 2005 and found that the list made no sense at all. **Bill McCormick moved to take the John Walkup Drain under advisement and discuss the issue at the next Drainage Board meeting. Tom Boots seconded. 5-0 votes in favor.**

Walt Nelson appeared before the Drainage Board on the #602 Timothy Lane Drain. Mr. Nelson requested that a couple members of the Board take a look at the Timothy Lane Drain on his property to see the "bridge" that he wants removed and has requested its removal several times from the Surveyor. Mr. Nelson advised that this problem on his drain has been ongoing for several years. Ed Stephens will contact Mr. Nelson this evening to look at the drain.

Other Business – #537 Charles Ludlow Drain – John McCorkle questioned the expenditure to MasterScape for spraying. Mr. McCorkle was advised that a request for payment has not been received in the Surveyor's office for that work. He requested to see the bill when it arrives.

Claims: Bill McCormick moved to pay a claim to Niel Excavating in the amount of \$291 and a bill to Tom Hedrick in the amount of \$145. Bill McCormick moved to approve the claims as presented. Ed Stephens seconded. 5-0 votes in favor.

Public Comment: Mr. McCorkle questioned what type of spray Mr. Hedrick used and he was advised Cross Bow.

Deputy Surveyor demonstrated how the ThinkMap could assist the Surveyor's office in issuing work orders for drainage repairs. Maps could be given out showing exact locations where repairs are needed and when work is completed the map will have a notation showing whom performed the work, what work was performed and where the work was performed. Phil Bane stated we have the technology and it should be utilized.

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

Meeting adjourned @ 9:40 a.m.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots
Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, JULY 3, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, July 3, 2006 in the City Council Chambers, Crawfordsville City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Gertrud Cowan & Marian Lindow, League of Women Voters; Wade Bennett; Terry Cain; Cecil H. Dunlap; Ward Wilkins; F. Dale Crum; Clint Wilkins; Darrell Birge.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Phil Bane led prayer.

Board President Bane requested a motion for approval of the June 6, 2006 minutes. Deanna Durrett moved to approve the June, 2006 minutes. Bill McCormick seconded. 5-0 votes in favor.

Deficit Drains:

#591 Odis Stafford Drain- No landowners came before the Board.

#592 Roy Harper Drain – Terry Cain appeared before the Board with questions regarding the negative balance in the drain fund.

#516 Rebecca Flanigan – Rodney Booher appeared before the Board with questions regarding the negative balance in the drain fund. He advised that in 2003 & 2005 he was not assessed. Mr. Booher questioned if the landowners were permitted to make repairs on the drain tile. Mr. Booher was advised to contact the surveyor's office who will in turn contact the three-member committee for approval of the repair.

#524 George Hinkle Drain – David Rhodes questioned if the rates for the raise in assessments had been set and he advised that they had not been as of yet.

#544 EP McClaskey – Tek Smith appeared on behalf of Bob Weesner and the Jean Grimes Farm.

#530 Sara Kincaid Drain – Ward Wilkins appeared before the Board and advised that information he requested from the Board had been covered during the previous drain hearings. Mr. Wilkins stated that 4,000 feet of the main tile was reconstructed two years ago and "as of yet we have not been billed on it". Deanna Durrett advised that she spoke to Linden State Bank and had been advised that the auditor has been paying the loan installments. Deanna Durrett questioned the extra \$6,000 charges and Darrell Birge explained that the extra charges were built into the bid as a contingency. He advised that the landowners wanted the old tile torn up.

President Bane requested that "loan payments" be placed on the next Drainage Board agenda.

#553 Jessie Snoddy – Cecil Dunlap appeared before the Board and requested help from the Drainage Board to get the rest of the landowners to help him get rid of the water. Dave Turner also appeared questioning if the open ditch is part of the Snoddy Drain and Dean Rush questioned who was responsible for the open ditch that cut through a few years ago to get rid of surface water. Bill McCormick advised that the only part that the County Highway would take care of is the side ditch along the road.

Request for Qualifications – Deputy Surveyor Tom Cummins advised he will contact Director Cating for copies of the bid sheets that the Highway Departments uses and the Board requested that Terry Cain and Darrell Birge be contacted for their input. Deanna Durrett moved to table the issue until Deputy Surveyor Cummins has had an opportunity to review the bid sheets from the Highway Department and to run it by Terry Cain & Darrell Birge. Ed Stephens seconded. 4-0 votes in favor.

#520 John Gobin Drain – Attorney Taylor advised that he believes the railroad has an obligation to share the expense to repair the tile, but the railroad's position is that the County needs to apply for a permit and then they would give an answer as to whether the railroad would share the cost. Attorney Taylor requested that the railroad refer the matter to their legal department. The fee for the permit is \$4,000. Jim Swift has not reported his findings to any members of the Board or the Surveyor's office. Wade Bennett stated that Mr. Swift had stated that he was unable to figure anything out, but he did take elevation shots.

Landowner Stewardship – Attorney Taylor suggested that the Drainage Board discuss the matter at the Wednesday, July 5th strategic planning session.

#547 Albert Nobes Drain – Attorney Taylor addressed the issue of what needed to be done with an obstruction on the Albert Nobes Drain. Taylor recommended that the Board write to the landowner and request that the obstruction be removed within 10 days. The Surveyor has a legal authority to send a letter requesting that the obstruction be removed and if it is not removed then the surveyor shall remove it and pay for the costs out of the annual maintenance fund. Section 46 states if the Surveyor determines that an owner has caused the obstruction then the costs of the removal can be added to his/her individual assessment. He advised this is not an uncommon situation. This particular drain has a willow growing in the middle of the open drain and there is too much grass in front of the open drain and implements are within the easement and there is a floating fence that was there to keep animals from going under the culvert at the road that gets backed up with cornstalks, grass, etc. Deanna Durrett advised she would prepare the letter. **Deanna Durrett moves that a letter be sent to the landowner at the opening of the Albert Nobes Drain and explain to him the procedure. Tom Boots seconded. 5-0 votes in favor.**

Old Business – Delmas Chadwick – #604 John Walkup Drain.

Attorney Taylor advised he did not find a statute that gives the Drainage Board the authority to issue a refund of tax money that was paid erroneously. Mr. Chadwick questioned if he could not pay the fall installment. He advised that it is a legal drain and the assessment should have been taken off three years ago. The Board advised Mr. Chadwick that when 50 drains were removed from assessment recently, the John Walkup Drain was not taken off when it should have been. Taylor advised that the Board has three options: 1) Take the drain off of assessment and then send a notice to the auditor to remove it from assessment; 2) Can put it in the general drainage improvement fund if maintenance fund owes any money; 3) Can take 75% and use for reconstruction purposes on that drain. Any monies left in drain accounts that are vacated are put in the general drainage improvement fund. A drain should only be vacated when it has a zero balance. He advised that the Board can order that the drain be taken off of assessment, but there are no drainage laws to allow a refund. **Deanna Durrett moved to take John Walkup #604 off of assessment for fiscal year 2007. Bill McCormick seconded. 5-0 votes in favor.**

President Bane advised that the June 27th deficit drains hearings need to be rescheduled. Deanna Durrett moved to schedule following drains on Tuesday, July 25th @ 8:00 am: #531 John Lane, #538 Glennard Miller, #543; William McClamroch; #560 Richard Virts; #564 Raymond Weliever; #590 Tay-Thom-Alford; #613 Nancy Hollingsworth; #629 Francis Powers. Ed Stephens seconded. 5-0 votes in favor.

Claims:

Tom Boots moved to pay the claim of \$548.93 for Thrifty Supply for the Albert Nobes Drain. Phil Bane seconded. Dick Smith has not submitted a bill for his services. 5-0 votes in favor.

Tom Boots moved to cancel the policy of charging the County for items purchased at Thrifty Supply. Deanna Durrett seconded. Boots amended his motion to all other known suppliers. Deanna Durrett seconded. 5-0 votes in favor.

Public Comment: Wade Bennett questioned where Surveyor Utz was this morning. Deputy Surveyor Cummins advised that Mr. Utz was in the hospital.

Other Business: Deputy Surveyor Cummins advised that #502 Wiley Bastion Drain is need of approximately \$1,000 worth of repairs. The account has \$3,779.99 in it. Wiley Bastion Drain is on the inactive list. Tom Boots moved to authorize up to \$1,000 to repair the two tile holes. Ed Stephens seconded. 5-0 votes in favor.

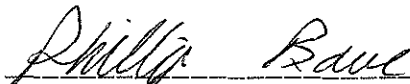
Deputy Surveyor Cummins advised that there is a hole in the Charles Schoen Drain. The hole is not an emergency. The committee will investigate the repair request and make a recommendation.

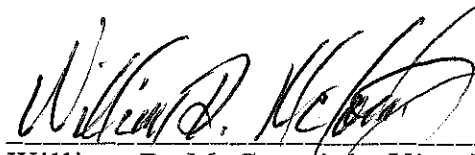
John Cowan questioned how much the Surveyor is paid per year and he was advised the annual Surveyor's salary is \$31,000. He stated he voted the salary should be \$1.00.

Ed Stephens moved to adjourn. Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 10:20 a.m.

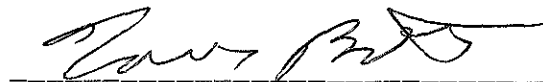

Lori Dossett, Secretary


Phil Bare, President


William D. McCormick, Vice President


Edward A. Stephens, Member


Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING

TUESDAY, JULY 11, 2006

MINUTES

The Montgomery County Drainage Board met on Tuesday, July 11, 2006 in the City Council Chambers, Crawfordsville City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Councilman Jim Fulwider; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Gertrud Cowan & Marian Lindow, League of Women Voters; Wade Bennett; Terry Cain; Ward Wilkins; Clint Wilkins; Darrell Birge; Virginia & Jeff Linn; Anita & Gary Hardwick; Carroll Terry; Cheryl McClaskey; John & Ruth Bronaugh; Phillip & Pat Prosser; Dale Crum; Loraine & Leslie Ebaugh; Max Suiters; Kenneth Moore; Don Frederick; Ed Gable; Larry Robison; Dan Booher for Sara Booher; Don Hester; Mark McClamroch; Wayne McCutcheon; Jim Swift; Keith Willitt; Sharon & Roger Larson; Mayor John Zumer; John Cowan.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Ron Threlkeld led prayer.

Board President Bane requested a motion for approval of the July 3, 2006 minutes. Tom Boots moved to approve the July 3, 2006 minutes. Ed Stephens seconded. Deanna Durrett pointed out two changes on page three of the minutes. It is an incorrect listing of the deficit drains to be heard on July 25th. Durrett also questioned the wording regarding cancel the policy of charging the County for items purchased at Thrifty Supply and then amended to all other known suppliers. Commissioner McCormick stated he did not think it was fair to the other departments and Attorney Taylor advised that the drainage board only has jurisdiction over drainage board spending. If the motion needs to be clarified it can be done under new business. 5-0 votes in favor minutes approved with changes as noted.

Deficit Drains:

#531 John Lane Drain- No landowners came before the Board.

#538 Glennard Miller Drain – Wayne McCutcheon advised that the entire drain needs to be replaced.

#543 William McClamroch – Roger Larson questioned how many landowners were on the drain and advised that he hasn't been charged for the drain on his taxes in the last few years. He advised he owns one acre. Dale Crum explained how the McClamroch Drain drains into Frank Croy Drain. Phil Bane explained that there is a misconception that just because a landowner does not have tile on his property that the property isn't be assessed, it is still considered part of the watershed.

#560 Richard Virts Drain – Max Suiters and Gerald Snider appeared and stated that someone has to control the contractors doing the repairs on the drains and make sure the job is done right. The Board requested that Mr. Suiters contact Tom in the Surveyor's office regarding the hold at CR900 West & SR32.

#564 Raymond Weliever – Anita & Gary Hardwick questioned what they were expected to take care of as far as landowners on the drain and what their responsibilities for maintenance were exactly. Tom Boots advised the Hardwick's that he would try to visit their drain and give them his recommendations. He advised that it sounded like a "silting" problem.

#530 Tav Thom Alford Drain – John Cowan advised that in 1999 when the first half of the ditch was dredged out that the drain cleared up and flowed a little bit. Surveyor Utz told him, "he didn't work for anybody and he would do what he wanted to do.

#613 Nancy Hollingsworth Drain – Bill McCormick stated that Gayle Lough contacted him and advised that he could not attend the meeting this morning and requested that the drain be put on a future meeting. Ed Stephens moved to move the Nancy Hollingsworth Drain to July 25, 2006 @ 8:00 a.m. Tom Boots seconded. 5-0 votes in favor.

#629 Francis Powers Drain - Dan Hoover commended the Board for conducting a civil meeting. He advised that he appeared this morning on behalf of his mother Sarah Hoover.

Old Business

Request for Qualifications – Deputy Surveyor Tom Cummins advised he contacted Director Cating and he was informed that the Highway Department does not use a rate sheet. They contact each contract to get their rates. He questioned if the Board wanted to wait to have the rates set for next year. The Board advised that it will have to be advertised similar to how the Highway Department advertises.

Tom Boots moved to instruct Deputy Surveyor Cummins to contact each individual contractor for the advertisement. Deanna Durrett seconded. Durrett commented that the form submitted by Deputy Surveyor Cummins at last week's meeting is perfectly adequate. The Request for Qualifications & Quotations are due by October 1st for adoption and will take effect January 1, 2007. Attorney Taylor will work with Cummins on the correct verbiage. 5-0 votes in favor.

#520 John Gobin Drain -- Jim Swift appeared before the Board and advised that combining the James Hose Drain & John Gobin Drain in his opinion did not look feasible. The area is flat. He advised that the Gobin Drain is higher than the Hose Drain. He distributed a surveyor map with his elevation findings to the Board. The Town of Linden should be contacted to open discussion between the Drainage Board and the Town Board to discuss options for the James Hose Drain and the John Gobin Drain. Deanna Durrett moved to send a letter to the Linden Town Board immediately so the Board would have the letter in time for their meeting on third Tuesday of the month requesting a joint meeting with the Montgomery County Drainage Board and request that they set the date and time. Bill McCormick seconded. 5-0 votes in favor. The Board requested that Building Administrator Marc Bonwell be involved in the discussions.

New Business: - James Emerson Drain Loan - Deanna Durrett moved to pay the Emerson loan payment to National City Bank and that the Board has previously approved the loans and should not have to approve the loan payments each time a payment is to be made. Bill McCormick seconded. 5-0 votes in favor.

Authorization for Mileage: Ed Stephens moved to transfer \$500 from #063-3000-10 contract services to #063-3000-13 travel board members. Bill McCormick seconded. 5-0 votes in favor.

Financial Report: Deanna Durrett moved that the financial report on the balance sheet that she presented to the Board today be reviewed on the fourth Tuesday of every month.

Timothy Lane Drain: Deanna Durrett moved to repay the Timothy Lane Drain reconstruction debt to the improvement account in the amount of \$2,332. Phil Bane seconded. 5-0 votes in favor.

Public Comment: Marian Lindow of the League of Women Voters distributed the first publication of the "Fast Facts of the Drains of Montgomery County" created by the combined efforts of Soil & Water, Montgomery County Drainage Board and the League of Women Voters. The Soil & Water will do small publications as needed. Suggestions for corrections and or additions are requested and would be greatly appreciated.

Wade Bennett questioned if the Board was going to discuss clarifying the minutes regarding charges at Thrifty Supply. Bill McCormick moved to clarify the statement in the minutes concerning the charge accounts at Thrifty Supply only pertain to the Drainage Board and Surveyor's office related matters. Ed Stephens seconded. 5-0 votes in favor.

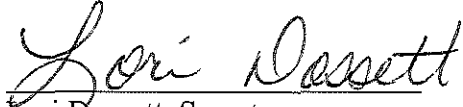
Deanna Durrett reminded the Board of the Special Drainage Board meeting on Monday, July 24th with Tippecanoe County Surveyor Steve Murray and Tippecanoe County Drainage Board Secretary Brenda Garrison. She advised that she will work with Deputy Surveyor Cummins on an agenda for the meeting.

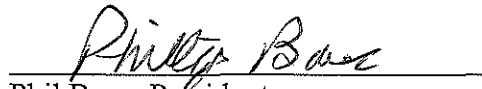
Claims: Hughes Excavating & Farm Drainage LLC - \$938.70 Wiley Bastion Drain and a bill for the services of Jim Swift in the amount of \$400 for the elevation work on the James Hose Drain & the John Gobin Drain. Bill McCormick moved to pay both claims. Ed Stephens seconded. 5-0 votes in favor.

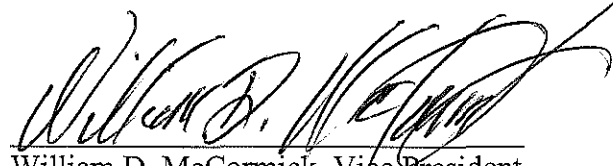
Other Business: Pat & Phil Prosser appeared before the Drainage Board requesting guidance on an open ditch on the west side of their business on SR234 near Ladoga. Mr. Prosser advised that in 2003 the County dumped fill dirt at their request in the open ditch and Former Commissioner Ken Coudret ordered that the dirt be removed. The ditch was in what was believed to be a flood zone. The open ditch is a blue line stream and not a legal drain. Building Administrator Marc Bonwell advised that the drain is in the flood plain of Raccoon Creek and you cannot place fill in a flood plain without DNR permission. He advised that he would meet with the Prosser's of the process of obtaining DNR permission. Ron Keeling added that his firm uses flood plain consultants to make flood plain determinations at a fee of \$25. The Prosser's were advised that the Drainage Board does not have jurisdiction of the open ditch located next to their property which is actually a blue line stream.

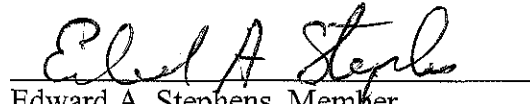
Bill McCormick moved to adjourn. Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 10:33 a.m.


Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member

Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
MONDAY, JULY 24, 2006
MINUTES

The Montgomery County Drainage Board met on Monday, July 24, 2006 in the Commissioner's Office, Montgomery County Courthouse, 100 E Main St., Crawfordsville, Indiana

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member and Building Administration Secretary Missy Spencer.

Also present: Deputy Surveyor Tom Cummins; Drainage Board Attorney Daniel Taylor; Tippecanoe County Surveyor, Steve Murray; Brenda Garrison, Tippecanoe County Drainage Board Secretary; Wade Bennett; Darrell Birge.

Drainage Board President, Phil Bane called the meeting to order at 8:30 a.m..

Member Durrett asked Steve Murray to confirm what drains were joint drains between Montgomery County and Tippecanoe County.

They are: E. Fugate, Martin Gray, Rebecca Grimes, Frank Kirkpatrick, Samuel Marsh, Jenkins, Kirkpatrick I, M. Litre, Shawnee Creek, John McLaughlin (not currently on assessment.)

Member Durrett then discussed the process of collecting fees for joint drains and the procedure for repairs, maintenance and construction for joint drains. It was noted that if repairs were to be made on the minority boards end of the drain it should first be reported to the majority board's surveyor.

Member Durrett brought up for discussion the computerization of individual drain account ledgers. Montgomery County still uses paper ledgers. She reports that the State Board of Accounts says it's okay to use computer programs. The State Board doesn't okay the program but the print out itself. Brenda Garrison reported that Tippecanoe County's program was written by their own I.T. person. McCormick asked if Manatron could write a program for Montgomery County. Tippecanoe County concurs monthly between the Surveyor's Office and their Auditor. Bane asked Attorney Taylor to discuss computerization of the account ledgers with Manatron.

Member Durrett asked Surveyor Murray to talk about their spraying program. Murray stated that in the past they have not had much of a spraying program but are considering a moderate program in the future. They will put 10 - 12 drains at a time on a program and put it out for bids. They have done de-brushing though. The County is responsible for de-brushing, dipping and any other kind of maintenance. However if a landowner has debris in the right-of-way of an assessed drain the landowner is responsible for the removal of that debris.

Member Durrett asked Surveyor Murray to talk about dipping on the open drains. Murray reported that they do dipping about every year. He checks the drains in the spring and fall every year. He reports that most complaints regarding dipping and tile holes are handled within two weeks.

Quotes and bidding was then discussed. Surveyor Murray reported that regarding work to be done on drains, if the cost will be under \$75,000 they ask for quotes. If the work is to be more \$75,000 the work will be put through the bidding process.

Surveyor Murray reported that they send an employee of the Surveyor's Office out on every repair job to take photos, fill in necessary forms, GIS the site and then input the information into their computer program.

This led to the discussion of landowners doing repair of legal drains on their property. Surveyor Murray stated that in Tippecanoe County they reimburse for materials used for the repair if prior approval was given by the Surveyor.

Procedural Manuals: Surveyor Murray reported that Tippecanoe County uses the Indiana Drainage Code and the State Board. He does sometimes ask for sample forms from other county surveyors.

Chief Deputy Surveyor Cummins asked what the average cost per acre Tippecanoe collects. Surveyor Murray stated that 80 - 90% of their drains are assessed too low. He also reported that they have a rate for before reconstruction and a different rate for after reconstruction. They discussed the options open to the landowners when assessments need to be raised. There are three options. 1) Leave the assessment as is. 2) Raise the assessment rates or 3) vacate the drain.

Urban Drains: Commissioner McCormick asked what is an urban drain and what is gained by an urban drain. Surveyor Murray stated that an urban drain is any drain that is in an area of residence, or commercial or industrial developments. To determine it urban is declaring that the drain needs reconstructed due to development of property or properties.

Surveyor Murray suggests that having a good drainage ordinance is important and that Tippecanoe

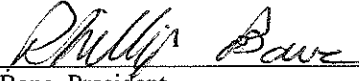
County uses some Economic Income Tax Development money on urban drains. The Tippecanoe Surveyor must approve the new development when subdivisions are proposed as part of the permitting process.

Commissioners McCormick and Stephens thanked everyone for coming and for their help.

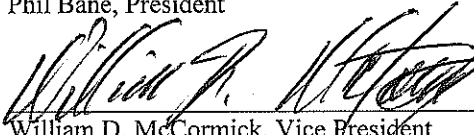
Commissioner McCormick moved to adjourn. Commissioner Stephens seconded. There being no further business the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned at 9:53 a.m.

Missy Spencer, MCBA Secretary



Phil Bane, President

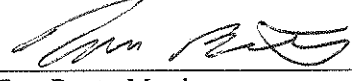


William D. McCormick, Vice President



Edward A. Stephens, Member

Deanna Durrett, Member



Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, JULY 25, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, July 25, 2006 in the City Council Chambers, Crawfordsville City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member, Tom Boots, Member and Building Dept. Secretary Missy Spencer.

Also present were Surveyor, Larry Utz; Chief Deputy Surveyor, Tom Cummins; Drainage Board Attorney, Dan Taylor; Building Administrator, Mark Bonwell; Barry Lewis, The Paper; Mel Robertson, Journal Review and several landowners from various drains.

Drainage Board President Phil Bane called the meeting to order at 8:05 am and led the Pledge of Allegiance. Prayer was then given.

Board President Bane requested a motion for approval of the Tuesday, July, 2006 minutes. Boots moved to approve the minutes. Ed Stephens seconded. 5-0 votes in favor minutes approved.

Deficit Drains:

#505 William Buchanan - President Bane reported that this drain has a negative balance of \$4,353.83 and nothing in the Maintenance Fund. It's currently being assessed at \$1.50 per acre which equals out to \$35.88 per year. It will take seven years to get the drain out of debt. Landowner William Cane reported that the drain had been opened up a few years ago and they got some relief. It is now full of roots and a new culvert at CR 675 installed a few years ago is not moving as well now. Even though it has required less maintenance in the last few years he feels reconstruction might help. Tom Boots informed Mr. Cain that the landowners should construct an Advisory Board and inform the Drainage Board as to how quick they want to bring the drain out of a deficit and be able to reconstruct. Preferably prior to October or November. Mr. Cain will have a meeting with the other landowners and report to the Board. Landowner Richard McClaskey asked if the Board is sure the ditch assessment is going to the proper ditch. Boots explained that the money is going to the proper account.

#533 Linn Himes - President Bane reported that the drain is currently being assessed at \$1.59 per acre and will take nine years to pay back at the current rate. Landowner David Groves asked the Board the following questions: 1) Is a four to five year payback acceptable. The Board stated yes. 2) Will the payback show up on assessment. Board stated yes. 3) Will it show up as a different balance in the assessment books. Member Durrett stated that the County's computer program won't show it as a different balance but the ditch files will and the files can be seen in the Surveyor's Office. 4) Can one landowner pay all of their share at once while other landowners take four to five years. McCormick stated no and explained the four year cap.

#541 George McClain - Landowner Donnie Hester asked if there is interest incurred or if this is a simple pay back. Durrett explained that it is a simple pay back. Hester reported that the ditch silts in easily and that some landowners simply farm to close to the ditch edge and don't spray for weeds. He feels that the Board should encourage better individual maintenance by the landowners. Hester will form an Advisory Board and report back to the Drainage Board.

#556 Anthony Stingley - No landowners came before the Board.

#581 Joe Hall - President Bane reported that this drain is \$69,000 in the red and has \$54.00 in the Improvement fund. Boots stated that it would take \$9 per acre to repay this and he feels that this ditch is very important and would like the advisory committee to repay this as soon as possible. Landowner Dale Crum questioned the spraying of the ditch in the fall. He feels the ditch should be sprayed in the spring. He feels the landowners should consider a 5 year repayment plan and raise the yearly assessment to \$2.00 per year. He also questioned the acres being assessed on the Jack & Larry Todd parcels. Tom Cummins will research this. Crum feels the landowners should meet once a year in the future and handle things such as spraying and beaver control on their own. Boots explained that this is the job of the advisory board. Durrett stressed the importance of the advisory boards. She asked the landowners to bring any questions they have to the Board. Terry Cain stated that the initial design of the Joe Hall drain was not done right. He feels it should have been a 3 or 4 to 1 slope and he explained the cost of some of the equipment needed to work on this ditch. He feels the advisory board should get together and work on some issues. David Shelton, representing C&K Rush Farms and Marshland Farms asked about the size of the ditch easement. Boots stated that it is 75'. Attorney Taylor explained that the 75' right-of-way is to be used for maintenance. Shelton questioned the culvert on CR 150 and it's installment depth. Bane stated that the Board will look into that. The use of filter strips were discussed. Crum stated that most of the money spent on this ditch in the past has been on the east leg and feels that the landowners on the east leg should pay their fair share. Terry Cain suggested redoing the ditch by splitting it into two entities such as the J. Hall #1 and J. Hall #2. Boots advised them to get together with their advisory board to discuss these things and then present it to the Board. Hobart Mennen Junior feels the debt must be repaid immediately and then

maintained every year. Durrett stated that it appears there is some work to be done by the landowners.

#607 John Martz - Terry Cain stated that either him or his family own 60% of this ditch. He feels this ditch should have been reconstructed in 2004 instead of just doing some maintenance on it. He stated that the landowners will probably repay the deficit in 1 - 2 years. He will gather an advisory board and work things out.

#613 Nancy Hollingsworth - Gale Lough questioned the acreage of this ditch. He feels the west half of the ditch goes to the Hollingsworth drain but the east half does not. Boots stated that the Board will look into this. Bane explained that the new 2' contours will be used to adjust assessments in the future. Lough questioned the work done in 1988. Cummins feels the date on that bill is incorrect. Durrett will research this.

Surveyor's Report - Cummins reported that the spring settlements don't reflect the transfers. Durrett asked if the Sarah Kincaid payments are reflected. Cummins is not sure and Durrett will research this.

Timothy Lane Drain - Durrett moved to transfer the \$45.20 in the Timothy Lane drain into the maintenance fund. Ed Stephens seconded. 5-0 votes in favor.

Durrett wanted to discuss the balance sheets but due to an e-mail error that report was tabled until the August 22, 2006 meeting.

Old Business - Durrett reported that she met with the State Board of Accounts last week regarding the John Walkup Drain. The drain has gone over it's 4 years assessment. The Drainage Board asked the State Board of Accounts if the drain can be removed from the fall assessment. State Board of Accounts said this will probably not be possible but the County will be able to refund the monies after the fact.

Durrett moved that the Drainage Board hold rate increase hearings on August 22, 2006 for the Carper Crowder, John Gobin & James Sanders drains at 5:30 pm. Durrett then amended the motion to hold the hearings at the regular Drainage Board meeting on August 22, 2006. McCormick suggested that each ditch have a separate time. Durrett moved that the Drainage Board hold rate increase hearing on August 22, 2006 for the Carper Crowder Ditch at 9:00, the John Gobin Ditch at 9:30 and the James Sanders Ditch at 10:00. Motion seconded by Ed Stephens. 5-0 votes in favor.

Durrett moved that the Drainage Board hold rate increase discussions at the regular Drainage Board meeting on August 22, 2006 for the three drains that have become deficit due to a posting error in December 2005. This being the Richard Graham, William Epperson and Jennings Miller drains. Seconded by Ed Stephens. 5-0 votes in favor.

Durrett moved to ask the deputy surveyor to send the letters to and prepare information for landowners for the six drains considered above. Boots made a motion to remove the James Sanders Drain from the list. Durrett amended move to state that the Drainage Board hold these hearings regarding the five ditches at the regular meeting on August 22, 2006. Seconded by Stephens. 5-0 votes in favor.

John Galey Drain - Durrett moved to table the discussion regarding the John Galey drain reconstruction until January, 2007. Seconded by Boots. 5-0 votes in favor.

James Hose Drain - Durrett reported that regarding the James Hose Drain the committee has made arrangements to make the repair in Linden. The bill should be below \$800.00

James Emerson - Durrett reported there is still research being done by attorney Taylor regarding the name change of the James Emerson Drain. Durrett moved that the Drainage Board table the pursuit of a name change for the James Emerson Drain and review the issue at second meeting in January 2007. Seconded by Bane. 5-0 votes in favor.

James Snoddy Drain - The Board discussed the dredging of the James Snoddy Drain. Should be done in 7-10 days.

Charles McFarland Drain - Stephens reported that the work is completed and a claim has been submitted.

Richard Graham Drain - The surveyor was to respond to Jeff Myers concerning recent spending that is potentially outside the watershed. This has not been researched yet.

Obstruction Procedure - Durrett moved the Board make a decision on an obstruction procedure, to include landowner stewardship following completion of Taylor's draft and review at the August 22, 2006 Drainage Board meeting. Durrett also moves that the Board respond to the McCorkle bill following the completion of the obstruction procedure. Motion seconded by Stephens. 5-0 votes in favor.

Qualifications & Quotes - Tom has received a copy from the County Highway. He and Dan Taylor should mold the form to the Drainage Board requirements. Should be on the first meeting in September's agenda.

Thrifty Charge Account - this will be discussed at a later time.

Tippecanoe Count Joint Meeting - Durrett reported on the joint meeting with Tippecanoe County.

New Business - There is no new business.

Other Business - Dale Crum requested being on the agenda. He feels there are 83 acres at the school that has never been assessed. He feels that 15.3 acres across CR 580 should not have been assessed as this is a private drain. Tom Cummins stated that the water boundary map is in question. There are actually two maps. These maps need to be researched. Crum was concerned with the right-of-way obligations regarding care of the side ditch. McCormick explained that most right-of-ways are 33'. Crum says the ditch needs cleaned and should be the County's responsibility. McCormick told Crum to get with Brett Cating and get on the list.

Watershed Verification - Tom Cummins asked who's responsibility it is to verify a water shed. Boots motioned to have the Surveyor's Office check the elevations and verify the watershed. Motion not seconded due to Utz & Cummins not being licensed surveyors. Motion tabled until first meeting in September.

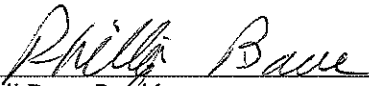
Claims - Cummins presented a claim from Thriftys for \$528.94 for the J. Hall drain. Durrett moved to table. Seconded by Stephens. 5-0 votes in favor. Cummins will report back.

Wade Bennett asked the Board to meet in the future with the Town of Linden. He will talk with them and report back to the Drainage Board.

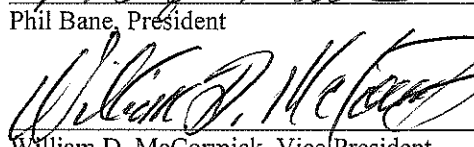
McCormick made motion to cancel the Drainage Board meeting on Tuesday, August 1, 2006. Seconded by Ed Stephens. 5-0 votes in favor.

There being no further business McCormick made motion to adjourn. Seconded by Tom Boots. 5-0 votes in favor.

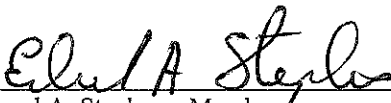
Missy Spencer - Bldg Admin Secretary



Phil Bane, President

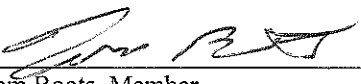


William D. McCormick, Vice President



Edward A. Stephens, Member

Deanna Durrett, Member



Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, AUGUST 8, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, August 8, 2006 in the Montgomery County Courthouse, Room 103, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Tom Boots, Member; Surveyor Larry Utz and Drainage Board Secretary Lori Dossett.

Absent: Board Member Deanna Durrett

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Marian Lindow, League of Women Voters; Wade Bennett; Mayor John Zumer; Dave Deckard.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Mike Nichols led the prayer.

Board President Bane requested a motion for approval of the July 24, 2006 and July 26, 2006 minutes. Bill McCormick moved to approve the July 24, 2006 and July 26, 2006 minutes. Ed Stephens seconded. 4-0 votes in favor.

Linden Library Proposed Expansion – Building Administrator Marc Bonwell appeared before the Drainage Board and introduced Dave Deckard to explain the details of the proposed expansion to the Linden Library. The project will add an additional 1,950 square feet to the building and 1,100 square feet of parking. Surveyor Utz stated that there are two tiles under the Town of Linden. One tile is the James Hose Drain and underneath that tile is a tile for the Town of Linden and they are both legal drains. He said they have two separate outlets. Administrator Bonwell stated a possible solution could be to require underground detention. **Tom Boots moved to approve the drainage plan. Ed Stephens seconded.** Wade Bennett stated that a couple of years ago the town took three fire truck loads of water with red dye to see where the water drained and they never did figure out where the water went. Surveyor Utz stated the tiles used to be together and now they are separate and they have two different outlets. Bill McCormick stated he was hesitant to add any more drainage to the James Hose Drain given the current problems with the drain. *Tom Boots withdrew his motion to approve the drainage plan and Ed Stephens seconded.* **Bill McCormick moved to take the matter under advisement to discuss the issue with the Linden Town Board at a tentative meeting set on August 29th. Ed Stephens seconded.** 4-0 votes in favor.

Other Business – Joint Meeting with Town of Linden

President Bane stated that the Town of Linden have responded to the Drainage Board's request to schedule a joint meeting with the Linden Town Board and the Montgomery County Drainage Board on Tuesday, August 29 @ 7:00 p.m. at the Linden Town Hall. Tom Boots moved to schedule the joint meeting with the Linden Town Board and the Montgomery County Drainage Board on Tuesday, August 29 @ 7:00 p.m. at the Linden Town Hall and Bill McCormick seconded. 4-0 votes in favor.

Surveyor Utz & Deputy Surveyor Cummins advised they had nothing to report at this time.

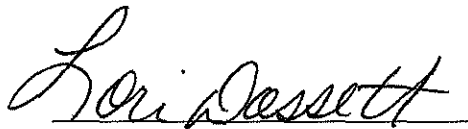
Claims- Birge Farm Drainage – James Hose Drain #1 & #2. Bill McCormick moved to approve the claim of \$640. Ed Stephens seconded. The repair had been previously approved by Ed Stephens & Deanna Durrett. 4-0 votes in favor.

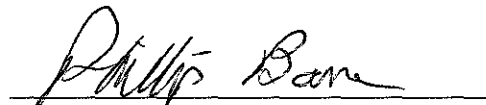
Public Comment- No one came forward with a public comment.

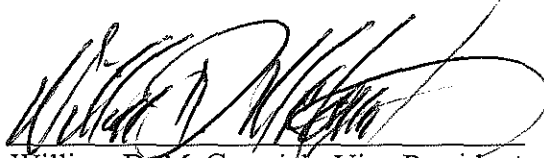
Tom Boots stated that Soil & Water is planning a mass mailing to entice farmers to install filter strips. Soil & Water will take care of the mailing.

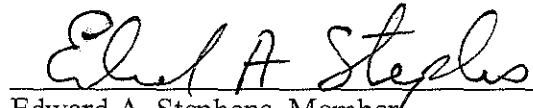
Bill McCormick moved to adjourn. Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 10:33 a.m.

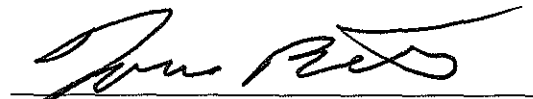

Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member

Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING
TUESDAY, AUGUST 22, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, August 22, 2006 in the City Council Chambers, Crawfordsville Municipal Building, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Tom Boots, Member; Deanna Durrett, Member; and Drainage Board Secretary Lori Dossett.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Mel Robertson, Journal-Review; Marian Lindow, League of Women Voters; Wade Bennett; Dave Deckard; David Sulc; Dick Ward; Tom Utley; Kathy Watkins; Eileen Davis; Jeff Myers; Rob Durrett; Rex Collom; and Jon Hester.

.Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Charles Hart led the prayer.

Board President Bane requested a motion for approval of the August 8, 2006 minutes. Tom Boots the August 8, 2006 minutes. Bill McCormick seconded. 4-0 votes in favor.

Deanna Durrett moved to amend the July 25, 2006 minutes with the following corrections: The 5th paragraph should read: "July 11, 2006 minutes" instead of "July, 2006". The 6th paragraph should read "\$635.88", instead of "\$35.88". Paragraph #10 regarding Drain #581 – Joe Hall should read as follows: "President Bane reported that this drain is \$69,501.45 in the red", instead of "President Bane reported that this drain is \$69,000 in the red and has \$54.00 in the improvement fund". Ed Stephens seconded. 5-0 votes in favor.

Linden Library Proposed Expansion – Eileen Davis architect for the Linden Library project appeared before the Drainage Board to expand on the details provided by Dave Deckard at the August 8th Drainage Board meeting and asked the Board to reconsider their decision to take the matter under advisement until it met with the Linden Town Board. Davis stated the project will double the existing space in the original Carnegie Library building that was built in 1921. She advised that scheduling is critical in attempting to have the project "under roof" before the weather turns. The current plans are to start the project on September 5th if the Drainage Board approves the storm water plan. The contractor is estimating 10 to 12 months for construction. She advised that catch basins will be installed to catch the water from the roof drains which will be routed to the city drains which will be located behind the building on the south side. *Ed Stephens moved to approve the storm water plan for the Linden Library Board. Tom Boots seconded.* Bill McCormick, Wade Bennett & Deanna Durrett are planning to visit Linden on Thursday. Deanna Durrett advised she wanted an opportunity to visit the site before she voted. Bill McCormick stated he is "reluctant to pass something that is going to adversely affect the drainage problem in Linden". Tom Boots stated he felt the impact of the new structure would be so "minute". Linden Library Director Kathy Watkins introduced the four library board members present. Deanna Durrett stated she understood the timing was critical and that the Drainage Board is meeting with the Town of Linden on August 29th to discuss drainage problems in Linden. She stated, "as a Drainage Board and a governmental entity responsible for health, safety and welfare of citizens, it is improper to make a decision that in any way impacts negatively" Phil Bane stated that no one is wrong on this issue, but his point is he doesn't want to hold up the project any longer and he will vote in favor. Bill McCormick stated he will abstain because he doesn't feel he has enough information with regard to Linden to vote one way or the other. He advised he is in favor of the project, but today he won't vote. Tom Boots stated he agrees with the concerns but he is confident after visiting the site that no one will ever be able to measure the affect the water run off. 3 votes in favor (Stephens, Boots, Bane) – 2 votes abstaining (McCormick, Durrett).

#616 Jennings Miller –

No one appeared regarding the Miller Drain. Deanna Durrett offered to extend a courtesy call to the property owners. Yearly assessment \$1,659.32.

#622 William Epperson -

No one appeared regarding the Epperson Drain. Yearly assessments \$1,985.62

#623 Richard Graham –

Jeff Myers advised he had concerns on how the repairs have been funded. He advised there are 324 acres in the watershed and he owns 140. He advised you can stand on a hill and overlook the whole watershed. The drain collects \$650 in assessments every year. He advised this drain should have gone off assessment in '98 or '99. He feels like he has paid \$8,000 that should not have been paid. The Drainage Board requested that Tom Cummins contact Wilson Construction to question where the work was done on the drain so it can be marked. Mr. Myers stated that both bills should have been on another drain. Myers stated Brad Conner put in a culver north of the Graham Drain which is out of the parameter. Bill McCormick stated he will check with Highway Director Brett Cating on the culvert.

New Business

#553 James Snoddy Drain –

Phil Bane advised he was contacted by Bud Mills regarding 2.5 acres that he claims the County actually owns. Bill McCormick stated he did some research in the Recorder's office and found out that the County actually owns the property and it is recorded. An October 24, 2000 letter states that the land was given to the County in return for removing the property from the tax rolls. The agreement was made between the Surveyor and the landowner. It was suggested to contact Dean Rush and see what history he knows of the drain. Bill McCormick moved to take the matter under advisement and appoint Ed Stephens to contact Dean Rush and gather the information. Tom Boots seconded. 4 votes in favor - 1 vote against (Stephens).

Jon Hester requested that the Board consider returning the James Servies Drain back on the tax roll for maintenance. He advised the drain covered approximately 2,200 acres. Deanna Durrett moved to schedule a hearing to consider returning the James Servies Drain back on assessment on Tuesday, September 26, 2006 @ 5:30 p.m. with the notices to include a proposed rate. Tom Boots seconded. 5-0 votes in favor.

Other Business -

Bill McCormick moved to move the regularly scheduled morning Drainage Board on September 26th to 5:30 p.m. Tom Boots seconded. 5-0 votes in favor.

#518 John Galey Drain – Tom Cummins advised that Randy Borden had contacted the Surveyor's office requesting repair work to 130 feet of tile while Cain is doing repairs on CR150 South & 200 East. Borden had advised that the tile is old clay tile and you can see through the tile. Deanna Durrett moved to authorize Tom Cummins to allow the Cain's repair to the 130 feet on the John Galey Drain as noted on the work order. Bill McCormick seconded. 5-0 votes in favor.

Deanna Durrett advised that the Carper-Crowder, John Gobin & James Sanders drains need to be rescheduled for rate increase hearings. The Board will discuss how the hearings are to be handled at the September strategic planning session. Ed Stephens moved to instruct Deputy Surveyor Tom Cummins to set the new rates for the deficit drains including Carper-Crowder, John Gobin & James Sanders and prepare the documentation for the Board's review. Bill McCormick seconded. 5-0 votes in favor.

Deanna Durrett moved to cancel the September 12, 2006 Drainage Board meeting. Ed Stephens seconded. 5-0 votes in favor.

Monthly Financial Report - Deanna Durrett explained to the Board the monthly financial report she prepared. Durrett also advised that she contacted the State Board of Accounts and has been advised that the Auditor can issue a Certificate of Error to refund Mr. Chadwick and the other landowners on the John Walkup Drain. The landowners will have to pay the November tax installment which will be refunded.

Deanna Durrett moved to move the **#702R James Emerson Drain** funds to the reconstruction account. Ed Stephens seconded. 5-0 votes in favor.

Deanna Durrett moved to move the **#530R Sarah Kincaid Drain** funds to the reconstruction account. Bill McCormick seconded. 5-0 votes in favor.

Obstruction Procedure – Deanna Durrett questioned Attorney Taylor if the Obstruction Procedure is ready for the Board's review. Taylor advised he was not aware the matter was to be discussed today since it was not on the agenda. The matter will be placed on the September 5th agenda.

Public Comment- Building Administrator Marc Bonwell suggested including a watershed map with the information on the James Servies Drain. He advised there is some difference of opinion of exactly where the watershed is.

Bill McCormick advised the Board that the IDEM permit for the establishment of the Regional Sewer District is currently being reviewed by IDEM and a public hearing will be held within the next 6 weeks.

Ed Stephens moved to adjourn. Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 9:30 a.m.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

William D. McCormick, Vice President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

Tom Boots, Member

SPECIAL MEETING
MONTGOMERY COUNTY DRAINAGE BOARD
TOWN BOARD OF LINDEN
TUESDAY, AUGUST 29, 2006
MINUTES

The Montgomery County Drainage Board met in a Special Meeting with the Town Board of Linden on Tuesday, August 29, 2006 at the Linden Town Hall, 302 East Water Street, Linden, Indiana.

Those Montgomery County Drainage Board members present were as follows: Commissioner Phil Bane, President; Commissioner William D. "Bill" McCormick, Vice President; Commissioner Ed Stephens, Member; Tom Boots, Member; Deanna Durrett, Member; and Surveyor Larry Utz.

Also present: Linden Town Board Members: Gary Fike, Dianna Matricia. Linden Clerk-Treasurer Janet Heide; Julie Gregg, Linden Water & Wastewater Superintendent; Dean Kiger, Linden Street Superintendent; Wade Bennett; Troy Payne; Shannon Payne; Brian Matricia; Fred Harshman; Linden Town Board Attorney Stuart Weliever; Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor.


Drainage Board President Phil Bane called the meeting to order @ 7:00 p.m. and led the Pledge of Allegiance and Alan Goff led the prayer.

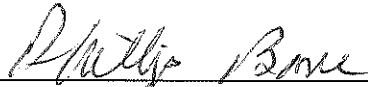
President Bane called for introductions. President Bane advised that the purpose of this meeting is to discuss with the Linden Town Board various drainage issues; grants options; tax rolls; various financing; line sizes; watersheds; waterways and line directions.

It was agreed the Drainage Board will gather more information and request another meeting with the Town Board of Linden at a later date.

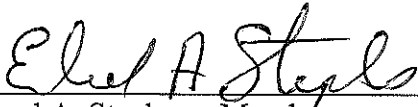
Bill McCormick moved to adjourn. Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 8:30 p.m.


Lori Dossett, Secretary


Phil Bane, President

William D. McCormick, Vice President


Edward A. Stephens, Member


Deanna Durrett, Member

Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD

TUESDAY, SEPTEMBER 5, 2006

MINUTES

The Montgomery County Drainage Board met on Tuesday, September 5, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; and Drainage Board Secretary Lori Dossett.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Marian Lindow & Gert Cowan, League of Women Voters; Wade Bennett; Rob Durrett; Jim Swift; Mary Jenkins.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Hubert Wilson led the prayer.

Board President Bane requested a motion for approval of the August 22, 2006 minutes and August 29, 2006 minutes. Deanna Durrett seconded. 3-0 votes in favor.

Surveyor's Report –

Deputy Surveyor Tom Cummins advised the Board that he has provided them a copy of the updated Ditch Listing Report. Cummins questioned how watershed verifications should be handled. The Board requested that the matter be discussed September 26th.

Old Business

#553 James Snoddy Drain – Ed Stephens advised that the Highway Department will be dipping the ditch along the road. He also advised that he and Deputy Surveyor Cummins visited the open ditch and advised there is a small strip of land on each side of the ditch itself. There is still a question on where the responsibility of maintenance lies. Stephens advised that after the ditch is dipped out there will be enough fall that will drain the pond and it will need some spraying soon. The matter will be kept on Old Business.

Obstruction Procedure – Drainage Board Attorney Dan Taylor distributed an Outline of Obstruction Procedure for the Board's review. He requested that the Board review the outline and the matter will be placed under Old Business.

Joint Meeting with Town of Linden – Phil Bane requested input from the Board members of the discussions held during the Joint Drainage Board meeting with the Town of Linden. Phil Bane stated he felt the meeting was productive and it was agreed that there is a problem with drainage in that area and hopefully the discussions will lead to bigger and better things. Deanna Durrett stated she felt optimistic about Linden and the James Hose Drain. A good watershed map is one of the first things needed for further discussions.

New Business – Deanna Durrett moved to schedule the September strategic planning session for Tuesday, September 26th @ 4:00 p.m. Ed Stephens seconded. 3-0 votes in favor.

Claims – Ed Stephens moved to pay the claim to Tom Hedrick for work on ***#602 Timothy Lane Drain*** in the amount of \$145.50. Phil Bane seconded. 3-0 votes in favor.

Deanna Durrett moved to claims to Masterscape for the ***#545 Charles McFarland Drain*** in the amount of \$703.32; ***#563 George Washburn Drain*** in the amount of \$674.99; and table ***#595 Boswell Clough Drain*** claim in the amount of \$124.50. Ed Stephens seconded. 3-0 votes in favor.

Other Business – Building Administrator Marc Bonwell advised that he will have two storm water review plans for Bonnie Plant Farms and the Montgomery County Transfer Station ready for approval before the next scheduled September 26, 2006 Drainage Board meeting. Ed Stephens moved to hold a Special Drainage Board meeting on Tuesday, September 12th @ 8:00 am. for presentations of the Bonnie Plant Farm and the Montgomery County Transfer Station. Phil Bane seconded. 3-0 votes in favor.

Deanna Durrett questioned if the notices for the ***James Servies Drain*** hearing have been issued. Deputy Surveyor Cummins advised that he has drawn the watershed and is in the process of correcting the landowner list.

Public Comment – No one came forward with a comment today.

Ed Stephens moved to adjourn. Phil Bane seconded. There being no further business before the Drainage Board, the meeting was adjourned. 3-0 votes in favor.

Meeting adjourned @ 8:45 a.m.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett
Deanna Durrett, Member

SPECIAL MEETING
MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, SEPTEMBER 12, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, September 12, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana for a Special Drainage Board meeting.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner Ed Stephens, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Member Deanna Durrett; Surveyor Larry Utz.

Also present: Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Marian Lindow & Gert Cowan, League of Women Voters; Wade Bennett; Jim Swift.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Alan Goff led the prayer.

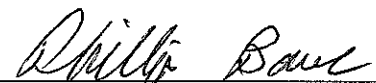
Bonnie Plant Farm – Building Administrator Marc Bonwell presented storm water plans for Bonnie Plant Farm and advised that they had been reviewed by DLZ. Commissioner McCormick moved to approve the storm water plan for Bonnie Plant Farm as presented and Commissioner Stephens seconded. 4-0 votes in favor.

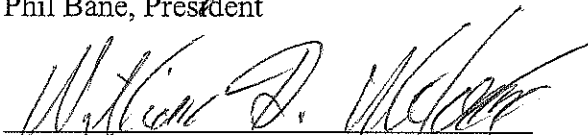
Montgomery County Transfer Station - Building Administrator Marc Bonwell presented storm water plans for the Montgomery County Transfer Station and advised that they had been reviewed by DLZ. Commissioner McCormick moved to approve the storm water plan for the Montgomery County Transfer Station as presented and Commissioner Stephens seconded. 4-0 votes in favor.

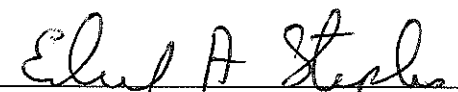
Bill McCormick moved to adjourn. Ed Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

Meeting adjourned @ 8:13 a.m.


Lori Dossett, Secretary


Phil Bane, President


William D. McCormick, Vice President


Edward A. Stephens, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, SEPTEMBER 26, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, September 26, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; Surveyor Larry Utz; and Drainage Board Secretary Lori Dossett.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Barry Lewis, The Paper; Marian Lindow & Gertie Cowan, League of Women Voters; Jonathon Hester; Randy Caudill; Roxie R. Rohn; Ethel Reeves; John Reeves; Mark Kessler; Darrell Birge; Wayne Kessler; J. Lamont Harris; Bill Main; Jeff Etter; Denny Bradley; Barry Dove.

Drainage Board President Phil Bane called the meeting to order @ 4:00 p.m. and led the Pledge of Allegiance and Alan Goff led the prayer.

Board members held a strategic planning session. Among the items discussed: Public relations, assessment clean up, County drainage ordinance, schedule meetings on rate increases, partnership with Soil & Water, watershed map verifications. Phil Bane stated that the Board needs to concentrate on one or two issues. Attorney Taylor suggested that during the re-organizational meeting in January that the Board do a summary of what actions have been taken in 2006 and set up and layout priorities for 2007.

Strategic planning session recessed @ 5:22 p.m.

Drainage Board meeting convened @ 5:30 p.m.

^{James}
John Servies Drain Assessment Hearing – Board President Bane announced that written objections had been received by: John Charles Sayler & David E. Sayler; Harold Reeves & Ethel Reeves; Michael Seaman & Jeanette Seaman; John Reeves & Nancy Reeves. Sue Main, Dennis & Kay Bonwell & Wilma Bonwell had also filed objections with the Board.

Monty Harris stated the objections were not received in a timely manner as laid out in the statute and the surveyor had not provided a written report. Attorney Taylor advised tonight's hearing falls under Section 42(D), not Section 38 that Attorney Harris cited. After hearing verbal objections from the landowners of the proposed \$10 per acre assessment. Deanna Durrett moved that the James Servies Drain be assessed @ \$3 per acre. Ed Stephens seconded. After discussion, Durrett withdrew her motion & Stephens withdrew his second.

Deanna Durrett moved that the James Servies Drain be assessed @ \$10 per acre. Motion died for lack of a second.

Ed Stephens moved that the James Servies Drain be assessed @ \$5 per acre. Deanna Durrett seconded. Phil Bane advised that Bane Equipment is on the list of landowners and he will not vote. 4-votes in favor. 1 abstained (Bane).

Board President Bane requested a motion for approval of the September 5, 2006 minutes and September 12, 2006 minutes. Bill McCormick moved to approve the September 5, 2006 and September 12, 2006 minutes. Ed Stephens seconded. 4-0 votes in favor.

Old Business

#553 James Snoddy Drain – Ed Stephens advised that 4.1 acres are owned by the County. After research of the minutes, speaking to two former Commissioners and Surveyor Utz, Stephens found that the County has ownership of the ground when work was done by the Highway Department on the road. The Surveyor's office will provide a written report to the Board outlining the events over the past several years for future reference at the next Drainage Board meeting.

Obstruction Procedure – Drainage Board Attorney Dan Taylor advised that the previous Obstruction Procedure would need to be adopted by the Commissioners with input from the Drainage Board. Deanna Durrett moved to send the Obstruction Procedure to the Commissioners for ratification. Tom Boots seconded. 5-0 votes in favor.

Watershed Verification – Attorney Taylor advised that there is no Court process to change a watershed. Watershed changes can be made with the recommendation of the Surveyor and the approval of the Drainage Board. The Board is requesting that Building Administrator Marc Bonwell appear before the Drainage Board at the October 3rd meeting with North Montgomery High Schools approved storm water plan.


Schedule Deficit Drains – Deanna Durrett moved to schedule the first set of deficit drains on Tuesday, December 5, 2006 @ 8:00 a.m. at the City Council Chambers and the Carper/Crowder Drain and John Gobin Drain. And to continue the following weeks with the same schedule as the informational meetings and the James Sanders Drain will be held on January 9, 2007. Ed Stephens seconded. Hearings will not be held on December 26th.
5-0 votes in favor.


Other Business – Wilkins Drain. CK Wilkins requested permission to relocate the underground outlet on the Tom Wilkins Drain. Bill McCormick moved to allow the relocation of the outlet on the Tom Wilkins Drain. Ed Stephens seconded. Deanna Durrett advised there is no money in the drain account. Wilkins offered to loan money to the drain and then later collect it back when the assessments are received. Deanna Durrett stated that you cannot borrow money from maintenance even though it had been done in the past, it is inappropriate. Wilkins advised that the tile is overloaded. After discussion, the Board requested that the Surveyor's office investigate the approval of the attachment of the tile in question and report back to the Drainage Board at the next meeting. Bill McCormick withdrew his motion. Ed Stephens withdrew his second.

The discussion on Long Range Plan Amendments will be postponed until a later date.


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

Meeting adjourned @ 7:30 p.m.



Lori Dossett, Secretary


Phil Bane, President

William D. McCormick, Vice President


Edward A. Stephens, Member

Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD

TUESDAY, OCTOBER 3, 2006

MINUTES

The Montgomery County Drainage Board met on Tuesday, October 3, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner Ed Stephens, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Highway Director Brett Cating; Drainage Board Attorney Daniel Taylor; Melissa Franklin, Journal-Review; Kathy Jenkins; CK Wilkins; Rob Durrett; Dan Gwinn; Wade Bennett; Barry Lewis, The Paper; Marian Lindow & Gertie Cowan, League of Women Voters.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Vern Gwinn led the prayer.

Board President Bane requested a motion for approval of the September 26, 2006 minutes. Ed Stephens moved to approve the September 26, 2006 minutes. Tom Boots seconded. 3-0 votes in favor.

Old Business

#553 Jesse Snoddy Drain – Ed Stephens advised that he was contacted by Drainage Board Member Deanna Durrett regarding additional research and information she had obtained on the Snoddy Drain and requested that the matter be left under Old Business until the next meeting to give her an opportunity to report her findings to the Board. Stephens advised that Durrett stated, “It is more complicated than what has been presented.”

Watershed Verification – Building Administrator Marc Bonwell advised that the water from North Montgomery’s administration building, parking lot, physical education complex, bleachers and tennis complex empty into the *Prince Croy Drain*. He advised that the only waters from the North Montgomery property are sheet flow waters which would flow into the *George Conrad* watershed. He said the water from the grassy area to the west of Administrative Drive on CR580 drains into the *McClamroch Drain*. Currently the Prince Croy Drain and George Conrad Drain are not assessed and may need to go back on assessment. Deputy Surveyor Cummins will contact Jeff Myers and David Crumm to discuss putting the *Prince Croy Drain* and the *George Conrad Drain* back on assessment.

Wilkins/Sarah Kincaid Drain – Deputy Surveyor Cummins advised that Surveyor Utz spoke to Mr. Gwinn about the situation on the *#589 Thomas Wilkins Drain*. Mr. Gwinn stated that no work has been done on that drain on his property in 40 years. The tile was put in in 1968. He advised six or seven years ago a section of tile was replaced that opens into the *Thomas Wilkins Drain*. He stated Harper did the excavating. No new additional lines have been put in since then. CK Wilkins stated that holes are blowing out at the lower end and it was after Mr. Gwinn replaced the tile that the water flow increased and the tile holes started occurring. Mr. Wilkins stated again that he wanted to take the outlet out and shoot it directly into the ditch. He advised that is not the underlying problem with the drain, he stated, “there is too much water”. Mr. Wilkins wants to look at Mr. Gwinn’s hookup to the tile and see what happened and to unhook it if necessary. Mr. Gwinn advised that is not “realistic solution”. That work was done 40 years ago, it was the original tile. He stated the outlet had silted to the point where it had gotten shut and when the tile was repaired it probably did put the original water through the drain. Ed Stephens advised that the Board need’s Surveyor Utz’s input on the issue. Mr. Gwinn advised he welcomes anyone to go in with a backhoe take a look at his hookup, they can dig it up, but not at his expense. Phil Bane advised he’d like to see the Board take a look at the tile in question and to meet with the landowners. The parties disagree as to who is responsible for the extra water running through the Thomas Wilkins Drain.

Claims – **#512 Urshull Cross Drain** – Ed Stephens moved to approve the estimate of Kenny Cain of \$1,500 to \$2,000 for the repair of two tile holes on the Urshull Cross Drain. Tom Boots seconded. 3-0 votes in favor.


#562 John Ward Ditch - \$261.70 tile hole repair. Tom Boots moved to approve the claim of \$261.70 to Hughes Excavating & Farm Drainage, LLC on the John Ward Ditch. Ed Stephens seconded. 3-0 votes in favor.


Other Business – Board President Bane advised that he received a copy of a letter from Harold & Ethel Reeves and John & Nancy Reeves requesting an extension to respond to the Board's recent decision to raise the assessment on the *James Servies Drain* to \$5 per acre. President Bane will request appear before the Board and explain in further detail their request.


Public Comment – No one appeared before the Board with a comment.


Ed Stephens moved to adjourn. Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 3-0 votes in favor.

Meeting adjourned @ 9:00 a.m.


Lori Dossett, Secretary


Phil Bane, President


Edward A. Stephens, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD

TUESDAY, OCTOBER 10, 2006

MINUTES

The Montgomery County Drainage Board met on Tuesday, October 10, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Surveyor Larry Utz and Drainage Board Secretary Lori Dossett.

Absent: Member Tom Boots.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Highway Director Brett Cating; Drainage Board Attorney Daniel Taylor; Melissa Franklin, Journal-Review; Kathy Jenkins; CK Wilkins; Rob Durrett; Rex Collom; Ethel & John Reeves; Walt Nelson; Wade Bennett; Barry Lewis, The Paper; Dave Ayala; Marian Lindow & Gert Cowan, League of Women Voters.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Jeff led the prayer.

Board President Bane requested a motion for approval of the October 3rd, 2006 minutes. Ed Stephens moved to table the approval of the October 3rd minutes to October 24th. Phil Bane seconded. 2-0 votes in favor.

Surveyor's Report – Surveyor Utz advised that Deputy Surveyor Cummins had the information with him and he was on his way to the meeting this morning. The Surveyor's report will be heard later in the meeting.

Old Business

#553 Jesse Snoddy Drain – Deanna Durrett advised she is in the process of doing an analysis of the Snoddy Drain and requested that the matter remain on old business and she will report to the Board at the next regular meeting.

#589 Thomas Wilkins Drain – Phil Bane stated that he had not had an opportunity to visit the drain in question. CK Wilkins questioned if anyone researched the minutes to see if Mr. Gwinn had been approved to attach a tile to the Thomas Wilkins Drain. Bill McCormick read a letter to Mr. Gwinn dated November 18, 1997 notifying Mr. Gwinn that his request had been denied. CK Wilkins advised he had aerials that he could show to the Board and Wade Bennett agreed to bring five copies of information he had from Soil & Water. Deputy Surveyor Tom Cummins will contact surrounding counties including Tippecanoe County to see if they have equipment to locate tiles. The Board will call a special meeting when the beans are out of the field to visit the drain to make a determination and meet with all of the parties and Surveyor Utz.

Old Business – John & Ethel Reeves appeared at the request of the Drainage Board to explain their request to file objections to the decision on the *James Servies Drain* to raise the assessment to \$5 per acre. The Reeves' requested that a surveyor be done on the watershed. They are questioning if the property that they currently own and are considering buying are actually in the James Servies Watershed. The Board will hire a surveyor to survey the watershed and review the work already done by Hanson Engineering on the watershed. Bill McCormick moved to grant the request from John & Nancy Reeves and Harold & Ethel Reeves for an extension of the 20 day appeal period to after the time the watershed study has been completed. Ed Stephens seconded. Attorney Taylor suggested that the extension be granted to a time after the Drainage Board approves the watershed report. Bill McCormick amended his motion to grant an extension to 20 days after the Drainage Board approves the James Servies Drain Watershed Report. Ed Stephens seconded. 4-0 votes in favor.

Approval of first set of deficit drain rate increase proposals – Deputy Surveyor Cummins presented the proposed deficit rate increases for the following drains: #503 Fred & Bessie Brown; #514 Jesse Evans; #517 James Fleming; #597 Benjamin Remley; #613 Nancy Hollingsworth; #513 Carper Crowder; #560 Richard Virts; #629 Francis Powers; #520 John Gobin #2. The notices will need to be mailed between October 26th and November 5th.

Deanna Durrett moved to hold the first set of deficit drain rate increase hearings on Tuesday, December 5th @ the City Building beginning at 8:00 a.m. Bill McCormick seconded. 4-0 votes in favor.

Bill McCormick moved to approve the rates as submitted adding the Gobin Drain at a rate of \$3.50 per acre. Deanna Durrett seconded. 4-0 votes in favor.

Deanna Durrett requested that the Obstruction Procedure be introduced to the Commissioners at their October 24th meeting.

Surveyor's Report – Deputy Surveyor Cummins handed out the updated ditch listing to the Board.

New Business – #581 *Joe Hall Drain* – Phil Bane advised that he has been contacted by Curt Hudson regarding beaver dams on the Joe Hall Drain. Deputy Surveyor Cummins advised that he has looked at the drain and could only find one beaver dam. Surveyor Utz advised that he told Curt Hudson that Brian Mullens will trap the beavers for free in the fall and he charges for it out of season for the reason he has to obtain DNR approval. In the past dynamite was used on the dams, but due to insurance concerns that practice has stopped.

Other Business – John Cowan appeared before the Board advising that after the soybeans were picked he discovered a 4x4 hole. It is on the Thomas Alfred Taylor Ditch. The Surveyor's office will go out and check the hole and GPS it and put it on ThinkMap for future reference when the drain has sufficient funds for the repairs.

Long Range Plan Amendment - Deanna Durrett distributed her proposed amendments to the current Long Range Plan for their consideration. The amendments will be discussed at the October 24th meeting.

Monthly Financial Statement - Deanna Durrett distributed the monthly statement from August and advised she is meeting with Auditor Jeff Dossett and Deputy Surveyor Cummins to discuss the Auditor's records. She stated the control sheets have not been updated since 2004.

Deanna Durrett requested that the Request for Qualifications for contractors be placed on the October 24th agenda, as well as approval of the proposed rate increases for the 2nd set of deficit drain hearings scheduled on December 12th.

Claims – No claims were presented for payment.

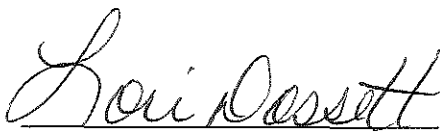
Public Comment – *Timothy Lane Drain* – Walt Nelson appeared requesting that Surveyor Utz order one or two loads of stone when the corn has been picked. Mr. Nelson stated he wanted to attach a tile to the Timothy Lane Drain and questioned if he needed to ask permission to go through the ten feet of easement. Mr. Nelson was informed the easement is for County use only for work on the drain, it is not a public easement. He was advised to file his request with the Surveyor. Mr. Nelson was also informed that because the tile is less than 12" he is not required to provide detailed plans or specifications of tile he wishes to install. Surveyor Utz stated the rock is needed to hold the bank. **Bill McCormick moved to approve the installation of riprap for the Timothy Lane Drain at the Surveyor's discretion as to how much is needed. Ed Stephens seconded. 4-0 votes in favor.**

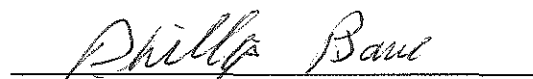
Mr. Nelson also requested that a private bridge that was damaged by the County when repairs were made to the Timothy Lane Drain be removed. The bridge is located off of CR625E and south of CR500. The Board will look at the bridge when it meets to look at the Thomas Wilkins Drain.

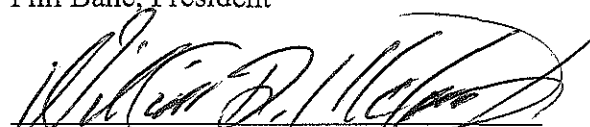
Bill McCormick stated that Harold Reeves has requested to put in a rock shoot bridge through the *Servies Drain* 100 yards off of SR231.

Ed Stephens moved to adjourn. Bill McCormick seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

Meeting adjourned @ 9:13 a.m.


Lori Dossett, Secretary


Phil Bane, President


William D. McCormick

Edward A. Stephens
Edward A. Stephens, Member

Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD
SPECIAL MEETING
TUESDAY, OCTOBER 17, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, October 17, 2006 in the Town Council Meeting Chambers/Alamo Fire Department, Alamo, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Member Tom Boots; Surveyor Larry Utz and Drainage Board Secretary Lori Dossett.

Also present: Deputy Surveyor Tom Cummins; Highway Director Brett Cating; Steve Yeager & Mike Pickett, Highway Department; Harold Barclay; Clark Sennett; Dean Rush; David Turner;

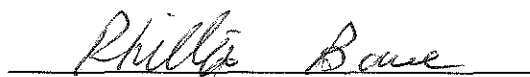
Drainage Board President Phil Bane called the meeting to order @ 11:20 a.m.

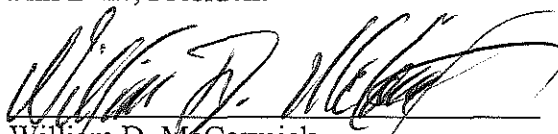
Jesse Snoddy Drain – After an onsite visit to the drain by the Drainage Board the Board moved to the Alamo Fire Department to discuss the observations made by the board and the opinions expressed by those present. President Bane stated that everyone present agreed that there is a problem with the drain currently. He advised that the problem has been coming on for a number of years. Deanna Durrett provided a timeline of the happenings on the drain so far. The drain is in debt \$18,000. Whatever decision is made by the Board the main issue is the fact that the drain is currently in debt. The property owner feels the County should share the burden of repairs to the drain. It was their contention that the road project caused the current issues with the drain when the tile was cut. Councilman Barclay added that the County does not have. After further discussion, **Tom Boots moved to request that the County Commissioners direct the Highway Department to reconnect the 12” tile to the 17” tile before the open ditch was put in. Ed Stephens seconded.** Bill McCormick will look into the question of if the County can legally repair the tile. Clark Sennett offered to look into grant opportunities. The Board also discussed the separate issue of the ponding on the Dunlap property. Some property owners stated they felt if the tile was reconnected the ponding issue could possibly slow down and the 8” perforated pipe should be a solid pipe as shown by the drawings. **5-0 votes in favor.**


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

Meeting adjourned @ 12:10 p.m.



Lori Dossett, Secretary


Phil Bane, President


William D. McCormick


Edward A. Stephens, Member


Deanna Durrett, Member


Tom Boots, Member

MINUTES

MONTGOMERY COUNTY DRAINAGE BOARD

TUESDAY, OCTOBER 24, 2006

The Montgomery County Drainage Board met on Tuesday, October 24, 2006 in the Commissioner's Room at the Montgomery County Courthouse.

In attendance were: Commissioner Phil Bane, President; Commissioner Edward A. Stephens, Vice President; Commissioner William D. McCormick; County Attorney Daniel Taylor; Drainage Board Member, Deanna Durrett; Drainage Board Member, Tom Boots; Councilman, Harold Barclay; Councilman, Terry Hockersmith; Councilman, Garry Livesay; Assessor, Peg Hudson; Treasurer, Donna Bowling; Union Township Assessor, Sue Sams; Melissa Franklin, Journal Review; Barry Lewis, The Paper; Marian Lindow & Gert Cowan, League of Women Voters; Highway Director Brett Cating; Mayor John P. Zumer; Brian Keim; Chip Timmons; Landowners, C K Wilkins; Wade Bennett and Deputy Assessor, Meg Johnson.

Commissioner Bane called the meeting to order @ 8:00 a. m. and led the Pledge of Allegiance.

Prayer was given by Pastor Allen Sparks.

Commissioner Bane requested a motion for approval of the October 3, 2006 Drainage Board minutes that had been tabled from the October 10, 2006 meeting. Commissioner McCormick moved to approve the October 3, 2006 Drainage Board minutes and Commissioner Stephens seconded. 3-0 votes in favor.

Commissioner Bane requested a motion for approval of the October 10, 2006 Drainage Board minutes. Commissioner McCormick moved to approve the October 10, 2006 Drainage Board minutes and Commissioner Stephens seconded. 3-0 votes in favor.

Commissioner Bane requested a motion for the approval of the October 17, 2006 Drainage Board minutes as amended. Deanna Durrett moved to approve the October 17, 2006 minutes and Tom Boots seconded. 5-0 votes in favor.

Surveyor's Report- Tom Cummins advised that he had nothing to report at this time. Surveyor Larry Utz called in to say he would not be able to attend the meeting.

Old Business-

Jesse Snoddy Drain - Commissioner McCormick and Tom Boots reported on the Jesse Snoddy Drain. Dave Turner and Dave Foster have agreed to open up the ditch at no charge to the County and determine what needs to be done. Drainage Board Member Tom Boots moved to table this matter until they have heard back from Mr. Turner and Mr. Foster. Commissioner McCormick seconded. 5-0 votes in favor.

Thomas Wilkins Drain -- Nothing to report at this time. Unable to make the trip because of the weather and crops.

Long Range Plan Amendment -- Drainage Board Member Deanna Durrett reported on the amendment changes to the Long Range Plan that was adopted on June 6, 2006. They are as follows:

Per IC 36-9-27-36, the Long Range Plan of the Montgomery County Drainage Board, adopted June 6, 2006 is hereby amended by the Drainage Board.

Plan for 2006:

Focus: Addressing the issue of deficit drains with a goal of repaying debt by the end of 2007 or 2008.

Drains with insufficient maintenance funds:

Fred and Bessie Brown	503
William Buchanan	505
Carper Crowder	513
Jesse Evans	514
Rebecca Flaningam	516
James Fleming	517
George Hinkle	524

Sarah Kincaid	530	
John Lane	531	
Linn Himes	533	
Glennard Miller	538	
George McClain	541	
William McClamroch	543	
Ebenezer McClaskey	544	
James Sanders	550	
Jesse Snoddy	553	
Anthony Stingley	556	
Richard Virts	560	
Raymond Weliever	564	
Joe Hall	581	
Tay-Thom-Alford	590	
Odis Stafford	591	
Roy Harper	592	
Ben Remley	597	
John Martz	607	
Nancy Hollingsworth	613	
Jennings Miller	616	
Francis Powers	629	
Smith-Elmore	641	
Joseph Conway	700	
A F Ward	561	joint drain
Albert Hysong	618	joint drain

Commissioner Bane moved to accept the Amendments presented by Ms. Durrett on the Long Range Plan that was adopted on June 6, 2006 and was seconded by Commissioner Stephens. 5-0 Votes in favor.

New Business –

Request for Qualifications – Contractors – Tom Cummins reported that this needs to remain on the agenda for Old Business. Commissioners will act on the matter at their November and December meetings.

Deputy Surveyor, Tom Cummins presented rate increase proposals for 2nd set of deficit drain hearings scheduled on December 12th. Durrett questioned one of the drains. The rate increase proposals will be approved at the November 6, 2006 meeting after further investigation.

Sub-Committee Report –

Request of contractors for detail about the claims on deficit drains. Commissioner Stephens will make a second call to a contractor who did not respond to Mrs. Durrett's call. This needs to remain on the November agenda.

Monthly Finance Report –

Mrs. Durrett reported on the September 2006 Financial Drainage Report. All changes that need to be corrected will be reflected in the October Financial Drainage Report.

Claims – There were no claims to report.

Other Business -

The next Montgomery County Drainage Board Meeting will be on Monday, November 6, 2006 due to the Courthouse being closed on Tuesday, November 7, 2006 for Election Day.

James Hose Drain –

Commissioner McCormick reported that he and Mrs. Durrett met with Linden Town Board President Gary Fike and officials from the USDA. They suggested the possibility of a grant from the State Office of Community and Rural Affairs (OCRA). Conversations with Jill Rateika, OCRA, suggested that the grant might be possible. McCormick and Durrett spoke with Sandy Powers who might serve as a grant administrator. Powers will be present at the November 27th Drainage Board meeting to discuss the grant process.

James Servies Drain –

Commissioner McCormick continues to meet with Harold Reeves about the watershed boundaries.

Public Comment – There were not any comments.

There being no further business before the Drainage Board, Commissioner McCormick moved to adjourn and Commissioner Stephens seconded. 3-0 votes in favor.

Meeting adjourned @ 8:45 A.M.


Minutes prepared by Deputy Meg Johnson, Montgomery County Auditor's Office.



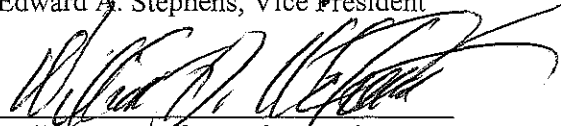
Lori Dossett, Secretary



Phillip Bane, President




Edward A. Stephens, Vice President



William D. McCormick, Member

Deanna Durrett, Member



Tom Boots, Member

~~ATTEST:~~

MONTGOMERY COUNTY DRAINAGE BOARD

MONDAY, NOVEMBER 6, 2006

MINUTES

The Montgomery County Drainage Board met on Monday, November 6, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Melissa Franklin, Journal-Review; Kathy Jenkins; Rob Durrett; Walt Nelson; Barry Lewis, The Paper; Marian Lindow, League of Women Voters; Assessor Peg Hudson.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Alan Goff led the prayer.

Board President Bane advised that the October 24th minutes were not available for approval. The October 24th minutes will be approved at the next Drainage Board meeting.

Surveyor's Report – Surveyor Utz was not present. Deputy Surveyor Cummins advised that there are a lot of tile repairs going on. He stated estimates are being gathered for the rip-wrap and the removal of the bridge on the *Timothy Lane Drain* located on the Walt Nelson property.

Old Business

#553 Jesse Snoddy Drain – Information continues to be gathered. Phil Bane advised that Dave Turner is going to work on the lower end of the drain. Dave Foster will contact the Surveyor's office when he has an estimate on how the distance to get to the 17" tile.

#589 Thomas Wilkins Drain – Deputy Surveyor Cummins advised that he is waiting to be contacted by Mr. Gwinn when the crops are out of the fields.

Request for Qualifications – Attorney Taylor outlined six basic elements to the proposed Request for Qualifications. Taylor advised he will have prepare the Request for Qualifications to be distributed to the Board this afternoon to give the Drainage Board an opportunity to review it and forward any comments to him before the next meeting on November 14th.

Approval of second set of deficit drain rate increase proposals – Deputy Surveyor Cummins presented the proposed deficit rate increases for the following drains: #564 Raymond Weliever; #590 Thomas & Alfred Taylor; #616 Jennings Miller; #556 Anthony Stingley; #592 Roy Harper; #516 Rebecca Flaningam. **Tom Boots moved to propose on all deficit drains under \$10 per acre add what has been previously assessed for maintenance and offer a rate with an explanation of how much will be applied to the debt and how much would be available for maintenance after November 10th. Motion died for lack of second. Bill McCormick moved to approve the rates as submitted by the Surveyor's office. Ed Stephens seconded. 5-0 votes in favor.**

Other Business – Deanna Durrett requested that the *James Servies Drain* and the *Joseph Ludlow Drain* be placed on the agenda under Old Business.

New Business – Investment of Drainage Funds. Bill McCormick moved to take investment of drainage funds under advisement until the Board has further information. Phil Bane seconded. 5-0 votes in favor.

Glennard Miller Drain – Phil Bane advised that he has been contacted by Bart Maxwell advising that there is approximately 2000 feet of 16" or 18" tile that needs to be replaced. He advised that the cost of the tile is \$12 per foot. The Board referred the matter to the Surveyor's Office and report back to the Board.

Sub-Committee Report – Ed Stephens advised that he spoke to Mr. Wilson and Mr. Wilson advised that he is working on collecting the information requested and will forward it to the Surveyor's office. Deanna Durrett advised she has heard from a couple of the contractors.

Claims – Deputy Surveyor Cummins provided a claim for offices expenses. The office expense line item has a zero balance and monies will have to be transferred from another account. The transfers will have to be approved by the Council.

Bill McCormick moved to approve the claim of Thrifty Supply - \$548.93 – #581 *Joe Hall Drain*. Tom Boots seconded. 5-0 votes in favor.

Bill McCormick moved to request that Deanna Durrett inform suppliers such as Thrifty Supply and Francisville in writing that no charges are to be made without prior authorization. Ed Stephens seconded. 5-0 votes in favor.

Deanna Durrett advised the Board she will not be available to attend the November 14, 2006 Drainage Board meeting.

Other Business - Deanna Durrett requested the following items be placed on the November 27th Agenda. 1) Certificate of Error for *John Walkup Drain*; 2) Monthly Financial Report; 3) *James Hose Drain* Grant with Sandy Powers; 4) Joint Drain Update.

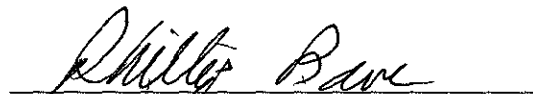
Public Comment – No one came forward with a public comment.

Bill McCormick introduced Mike Warren from the Leadership Academy.

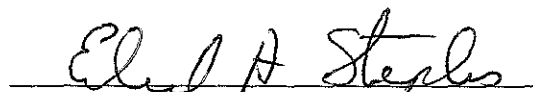
Ed Stephens moved to adjourn. Bill McCormick seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 9:03 a.m.



Lori Dossett, Secretary


Phil Bane, President


William D. McCormick


Edward A. Stephens, Member

Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, NOVEMBER 14, 2006
MINUTES

The Montgomery County Drainage Board met on Monday, November 14, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Highway Director Brett Cating; Drainage Board Attorney Daniel Taylor; Melissa Franklin, Journal-Review; Kathy Jenkins; Wade Bennett; Mayor Zumer; Barry Lewis, The Paper.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Michael Wren led the prayer.

Board President Bane requested a motion to approve the October 24, 2006 minutes and the November 6, 2006 minutes. Tom Boots moved to approve the October 24, 2006 minutes and the November 6, 2006 minutes. Bill McCormick seconded. 4-0 votes in favor.

Surveyor's Report – Surveyor Utz was not present. Deputy Surveyor Cummins advised that he had nothing to report at this time.

Old Business

#553 Jesse Snoddy Drain – Nothing further to report.

#589 Thomas Wilkins Drain – Due to the crops being harvested a Special Drainage Board meeting will be scheduled to inspect the Wilkins Drain issue and schedule a second date in case of inclement weather. Bill McCormick moved to advertise two drainage board meetings in case of inclement weather, November 21st @ 10:45 a.m. and November 22nd @ 1:00 p.m. to inspect the Wilkins drainage issue. Ed Stephens seconded. 4-0 votes in favor.

Request for Qualifications – Attorney Taylor handed out the proposed “Procedure for Request for Qualifications of Contractors”. Tom Boots moves to accept the proposed procedure. Ed Stephens seconded. Bill McCormick stated is objections to provision #4. “Quotes and qualifications may be presented after December 15 for a specific project, but must be approved by Board.” After discussion, 3 votes in favor, 1 opposed (McCormick). Attorney Taylor will prepare the Procedure in the form of an Ordinance for approval by the Commissioners.

Investment of Drainage Funds – The matter will remain on old business.

Glennard Miller Drain – Deputy Cummins advised that he spoke to Mr. Maxwell. Maxwell stated that the drain is 2,600 feet long with 18” tile. He advised 90% of the tile has less than 24” of cover over it. He advised he wants to probe the tile and review the County’s contours on the drain. The work on the drain would be consider reconstruction. Maxwell estimated \$24,000 to reconstruct 2,200 to 2,400 feet of drain. The matter will remain on old business.

James Servies Drain – Bill McCormick advised he is waiting to hear from George Reagor at Soil & Water to redefine the watershed.

Joseph Ludlow Drain – Deputy Cummins advised he spoke to Russ Hutchison on the matter and will report to the Board at the next Drainage Board meeting on November 27th.

New Business – Estimates of approximately \$9,000 for removal of the bridge and installation of rip-wrap on the **Timothy Lane Drain**. Board members instructed Deputy Surveyor Cummins to get more bids for the project.

Charles McFarland Drain – Tom Boots questioned what the status was on the repairs to the drain on the Mike Sowers property. Deputy Surveyor Cummins advised that the holes need to be marked and he will need to get estimates for the repairs.

Marian Conner Drain – President Bane advised that he has received a request from Patricia Johnson to look into the overgrowth on the **Marian Conner Drain**. Bane provided a letter with photographs received by the Health Department to Bill McCormick. McCormick will contact Ms. Johnson and look into the complaint.

Sub-Committee Report – Ed Stephens advised that he has nothing to report.

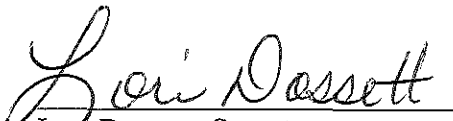
Claims – Deputy Surveyor Cummins submitted claims to Foster Farm Drainage on the **Fred Maxwell Drain** in the amount of \$326.30 and **William Davis Drain** in the amount of \$710.40. Tom Boots moved to pay the claims as presented to Foster Farm Drainage. Bill McCormick seconded. 3 votes in favor, 1 abstained (Stephens). Stephens stated he owns property on the Maxwell Drain.

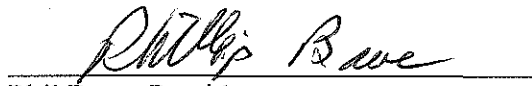
Bill McCormick moved to take the estimates and bills from Dick Smith Trenching, Inc. under advisement. Ed Stephens seconded. 4-0 votes in favor.

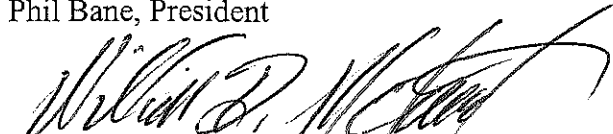
Public Comment – Wade Bennett questioned what preparations need to be made for the inspection of the **Wilkins Drain**.

Bill McCormick moved to adjourn. Tom Boots seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

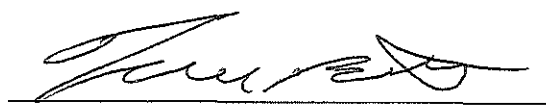
Meeting adjourned @ 8:50 a.m.


Lori Dossett, Secretary


Phil Bane, President


William D. McCormick


Edward A. Stephens, Member


Tom Boots, Member

SPECIAL MEETING
MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, NOVEMBER 21, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, November 21, 2006 in a Special Meeting. The Board visited various sites of the Thomas Wilkins Drain and John Gobin Drain followed by a special meeting at the Linden Town Hall, Linden, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Wade Bennett; Jeff Myers; Darrell Birge; C.K. Wilkins; Ward Wilkins; Clint Wilkins; Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Barry Lewis, The Paper and various property owners on the drain.

Drainage Board President Phil Bane called the meeting to order @ 10:50 a.m. to begin the inspection of the Thomas Wilkins Drain beginning on the Gwinn property on CR100 West followed by inspection catch basin and various "blow outs" on the Gwinn property. The Board also visited the Bennett Farm on SR231 to look at the two outlets for the John Gobin Drain and the Gobin Tributary #2.

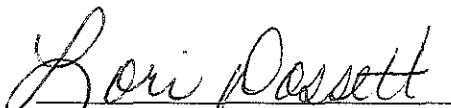
C.K. Wilkins presented aerial photographs and comparison photographs of the Sarah Kincaid Drain and the Thomas Wilkins drain on the same day displaying the flow from the outlets and the measured differences. Clint, C.K. and Ward Wilkins contend that Mr. Gwinn attached a 12" lateral to the existing 12" main on the Thomas Wilkins drain thereby adding water extra flow to the Wilkins Drains causing the various holes in the tile. The parties agreed the tile is old and reconstruction is needed and the extra water is "taxing" the existing tile system.

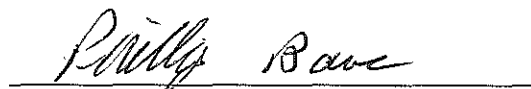
Wade Bennett contends the Mr. Gwinn re-routed water that should flow into the Wilkins Drain to flow into the Gobin Drain thereby "taxing" the tiles.

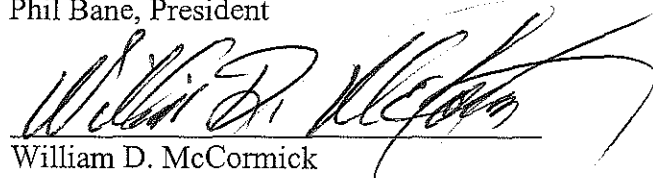
Bill McCormick moved to take the matter under advisement and discuss the issue at the next Drainage Board meeting on Monday, November 27th and Ed Stephens seconded. 5-0 votes in favor.

Bill McCormick moved to adjourn. Tom Boots seconded. Meeting adjourned. 5-0 votes in favor.

Meeting adjourned @ 8:50 p.m.



Lori Dossett, Secretary


Phil Bane, President


William D. McCormick


Edward A. Stephens, Member


Deanna Durrett, Member


Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, NOVEMBER 27, 2006
MINUTES

The Montgomery County Drainage Board met on Monday, November 27, 2006 in the Commissioners Meeting Room 103, Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; Tom Boots, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Melissa Franklin, Journal-Review; Kathy Jenkins; Wade Bennett; CK Wilkins; Larry Cain; Ward Wilkins; Barry Lewis, The Paper.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Alan Goff led the prayer.

Board President Bane requested a motion to approve the November 14, 2006 minutes and the November 21, 2006 minutes. Tom Boots moved to approve the November 14, 2006 minutes and the November 21, 2006 minutes. Bill McCormick seconded. 5-0 votes in favor.

Surveyor's Report – Surveyor Utz was not present. Deputy Surveyor Cummins advised that he had nothing to report at this time.

Old Business

#553 Jesse Snoddy Drain – Nothing further to report.

Investment of Drainage Funds – The item will remain on the agenda. The County's finance committee will meet in January. Deanna Durrett advised she will provide any information the committee would need.

Glennard Miller Drain – Nothing further to report.

James Servies Drain – Bill McCormick advised he is still waiting on George Reager from Soil & Water to review the watershed boundaries.

Joseph Ludlow Drain – Deputy Cummins advised that Bart Maxwell is planning to look at the tile.

Timothy Lane Drain – Deputy Cummins distributed the two other bids that he has received for the bridge removal and rip-wrap. Tom Boots stated he still felt the bids were too high and will contact another contractor to get another bid.

Charles McFarland Drain – Tom Boots questioned what the status was on the repairs to the drain on the Mike Sowers property. Deputy Surveyor Cummins advised that the holes need to be marked and he will need to get estimates for the repairs.

December 5th Deficit Drain Hearing Notices – Deanna Durrett questioned if the notices had been mailed and Deputy Surveyor Cummins advised that the letters were mailed Wednesday. He will distribute copies of the notices to the Drainage Board members.

#589 Thomas Wilkins Drain – Bill McCormick moved to send a letter to Mr. Carl Gwin ordering that the tile that he put in in 1998 in that area be removed at his own expense. If he doesn't remove the tile, the Drainage Board will do it and put the cost on his tax statement. Ed Stephens seconded. Tom Boots stated he felt the watershed boundaries are inaccurate and if the boundaries were corrected that would solve the issue on the Thomas Wilkins Drain. He stated then that a reconstruction petition could be distributed to reconstruct a portion of the John Gobin Drain. Jeff Myers stated he would not sign a petition for reconstruction of a portion of the John Gobin Drain. He stated the outlet needs to be bigger which is only the area behind Bennett's farm.

Deanna Durrett read a proposal to reconstruct the Thomas Wilkins Drain and asked members to consider if for discussion at the next meeting.

Members voted on Mr. McCormick's motion: **3 votes in favor, 1 against (Boots), and 1 abstain (Bane)** due to family and business connections. Mr. McCormick will write the letter to Mr. Gwin.

NEW BUSINESS – Sandy Powers presented information to the Drainage Board regarding acquiring a construction grant or a planning grant for the **James Hose Drain**. She advised the Board will need to decide if it wants to apply for a \$500,000 construction grant or a \$30,000 planning grant. Powers stated that if the Board did not know what the problem was, they would need to apply for a planning grant. She advised that an income survey will have to be done. To be eligible for this type of federal grant you have to have 51% low to moderate income to all of the households. County applicants have to provide a 10% local match. After discussion, Bill McCormick suggested that he and Deanna Durrett meet with Sandy Powers and Jill from OCRA Group and bring back further information.

Certificate of Error – Deanna Durrett stated that a landowners list is needed for the James Walkup Drain and the Surveyor's office will need to work with the Auditor's office to find out how much the landowners paid in 2006.

Monthly Financial Statement - Deanna Durrett distributed the October, 2006 Montgomery County Drainage Board Financial Statement. She advised that the ending balance and the bank balances are different and should be the same. She advised that currently the maintenance and improvement ledger books are not computerized. It is her opinion if the ledger books were computerized, the balancing of the books would not be a problem. Phil Bane advised that Auditor Jeff Dossett had stated to him that part of the problem is outstanding bills. Durrett stated, "Outstanding bills are only a minor part of the problem." Durrett advised that the Board should develop a plan during the month of January to balance a year end. Durrett and McCormick will serve on a sub-committee to work on balancing the ledger books.

Joint Drain Update – No updates at the present time.

Unresolved Issues – President Bane advised he requested that Deanna Durrett put together an unresolved issues list. Durrett will provide the list to the Board at the next Drainage Board meeting.

Sub-Committee Report – President Bane stated at some point in time he would like to get back to letting the Surveyor's office make calls without having a Board meeting to approve a \$1,000 hole. He stated he has had complaints that there is too much "red tape" to get a simple hole fixed and it is time for a "common sense" approach.

Claims – No claims were presented for payment. Tom Cummins advised that the Dick Smith trenching bills for the Albert Nobes repairs from June 6th have not been paid. The claim at this point does not match the invoice with the amount that the Board agreed on. Mr. Smith has been advised to bring the bills to the Board.

Other Business

Timothy Lane Drain – Tom Boots advised he will get another estimate, he stated the estimates received so far are too high. Tom Cummins advised that the Conner bid previously received will expire in 30 days.

Buchanan Ditch – Larry Cain appeared before the Board requesting to repair the four or five holes that have been marked for repair at his own expense and then be reimbursed when the drain funds are available. Bill McCormick moved to take under advisement Cain's request allowing him to fix the drain holes on the Buchanan Ditch and then will be reimbursed when the account is back in the black. Ed Stephens seconded. 5-0 votes in favor.

Nancy Hollingsworth Ditch – Gayle Lough advised that he has been billed for 35 acres on the Hollingsworth Ditch and he only has 5 or 6 acres in the watershed. Tom Boots moved to take the Nancy Hollingsworth Ditch watershed boundary under advisement. Bill McCormick seconded. 5-0 votes in favor.

The watershed boundary issue is a county-wide problem. Building Administrator Marc Bonwell advised that his department is in the process of obtaining 3-D land development software. He advised the software is designed to take a drop of water and follow where it goes. He advised that the software company will give a presentation to the Drainage Board.


Bill McCormick moved to move the Drainage Board meeting scheduled for December 26th to December 19th. Ed Stephens seconded. 5-0 votes in favor.

Deanna Durrett requested that the Board schedule the next strategic planning session at the first Board meeting in January.

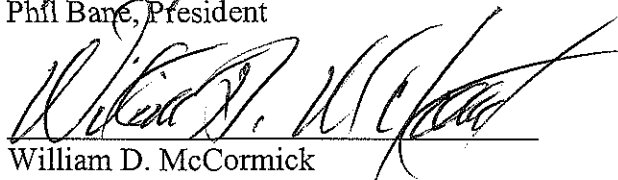
Bill McCormick moved to adjourn. Ed Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor.

Meeting adjourned @ 9:23 a.m.

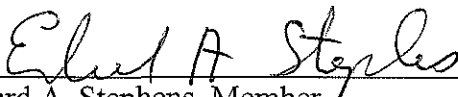
Lori Dossett, Secretary



Phil Bane, President



William D. McCormick



Edward A. Stephens, Member



Deanna Durrett, Member

Tom Boots, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, DECEMBER 5, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, December 5, 2006 in the City Council Chambers, Crawfordsville City Building, Crawfordsville, IN 47933.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Melissa Franklin, Journal-Review; Wade Bennett; CK Wilkins; Max Suiter; Barry Lewis, The Paper.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Dale Baldwin led the prayer.

Board President Bane requested a motion to approve the November 27, 2006 minutes and Deanna Durrett requested to table the minutes to next week.

Deficit Drain Hearings

#503 Fred & Bessie Brown Drain – 6,100 feet of Open ditch, 4,976 feet of tile, 696.65 affected acres, \$2.30 current rate, yearly assessment \$1,659.84, deficit amount \$2,554.83, proposed rate \$3.00 per acre, proposed yearly assessment \$2,091.26. Ed Stephens moved to raise the rate to \$3.00 per acre on the Fred & Bessie Brown Drain. Deanna Durrett seconded. 4-0 votes in favor.

#514 Jesse Evans Drain – 2,650 feet of Open ditch, 3,950 feet of tile, 535.01 affected acres, \$2.08 current rate, yearly assessment \$1,120.47, deficit amount \$1,520.27, proposed rate \$3.00; proposed yearly assessment \$1,605.03. Bill McCormick moved to raise the assessment to \$3.00 per acre on the Jessie Evans Drain. Deanna Durrett seconded. 4-0 votes in favor.

#517 James Fleming Drain – 2,932 feet of Open ditch, 2,847 feet of tile, 454.42 affected acres, \$2.05 current rate, yearly assessment \$931.96, deficit amount \$1,349.42, proposed rate \$3.00, proposed yearly rate \$1,363.26. Deanna Durrett moved to raise the assessment to \$3.00 per acre on the James Fleming Drain. Bill McCormick seconded. 4-0 votes in favor.

#597 Benjamin Remley – 500 feet of Open ditch, 8,100 feet of tile, 575.78 affected acres, \$1.25 current rate, yearly assessment \$719.73, deficit amount \$740.96, proposed rate \$3.00, \$1,727.34 proposed yearly rate. Deanna Durrett moves to raise the assessment to \$3.00 per acre on the Benjamin Remley Drain. Bill McCormick seconded. 4-0 votes in favor.

#613 Nancy Hollingsworth – 1,380 feet of Open ditch, No tile, 228 affected acres, \$1.73 current rate, yearly assessment \$405.10, deficit amount \$1,148.16, proposed rate \$3.17, \$722.76 proposed yearly rate. Gayle Lough commented that he felt the rate was fine except for the fact that he has acreage in the Hollingsworth Drain that should not be included in that watershed. Mr. Lough was advised that there is a form he can fill out in the Auditor's office. Deanna Durrett moved to raise the assessment rate to \$3.17 per acre on the Nancy Hollingsworth Drain. Ed Stephens seconded. 4-0 votes in favor.

#513 Carper Crowder – 455 feet of Open ditch, 15,000 feet of tile, 1,067.9 affected acres, current rate of \$1.78, yearly assessment \$1,898.85, deficit amount \$2,563.81, proposed rate of \$3.50, proposed yearly assessment \$3,741.42. Ed Stephens moved to raise the assessment to \$3.50 per acre on the Carper Crowder Drain. Bill McCormick seconded. 4-0 votes in favor.

#560 Richard Virts – No open ditch, 9,430 feet of tile, 346 affected acres, \$1.39 current rate, yearly assessment \$480.94, deficit amount \$1,531.57, proposed rate of \$3.03, proposed yearly assessment \$1,048.38. Max Suiter stated the whole tile needs to be reconstructed and he questioned if he could do repairs on the tiles before the account is back in the black. Kenneth Moore also appeared. Deanna Durrett moved to raise the amount to \$3.03 per acre on the Richard Virts Drain. Bill McCormick seconded. 4-0 votes in favor.

629 Francis Powers – 2,200 feet of Open ditch, 200 feet of tile, 497.8 affected acreage, \$1.25 current rate, \$625.73 yearly assessment, deficit amount \$2,874.54, \$4.49 proposed rate, \$2,235.12

proposed yearly assessment. Deanna Durrett moved to raise the rate to \$4.49 per acre on the Francis Powers Drain. Ed Stephens seconded. 4-0 votes in favor.

#520 John Gobin Drain – 9,850 feet of Open Ditch, 16,275 feet of tile, 1,454.28 affected acreage, \$2.06 current rate, yearly assessment of \$3,219.87, proposed rate of \$3.50, proposed assessment \$5,289.01. Ed Stephens moved raise the assessment on the John Gobin Drain to \$3.50 per acre. Deanna Durrett seconded. 4-0 votes in favor.

Old Business

#553 Jesse Snoddy Drain – Tom Cummins advised he met with Dave Foster and Dave Turner. Cummins said that they leveled back the open ditch and it took a lot of water out.

Investment of Drainage Funds – The item will remain on the agenda.

Glennard Miller Drain – Tom Cummins presented 28 stations wherein Bart Maxwell took depth measurements along the tile. The Glennard Miller Drain is not an open ditch. The property owners are considering reconstruction. The Board suggests that the property owners form an Advisory Board to discuss the future of the drain.

James Servies Drain – Bill McCormick advised he is still waiting on George Reager from Soil & Water to look review the watershed boundaries. Nothing new to report.

Joseph Ludlow Drain – Deputy Cummins advised that he has not heard back from Hutchison yet.

#589 Thomas Wilkins Drain – Bill McCormick advised that the letter to Mr. Gwinn was mailed out Friday afternoon at the direction of the Drainage Board. The letter was sent signature confirmation. Deanna Durrett moved that the Drainage Board reconstruct the Thomas Wilkins Drain. She stated it is 112 year old drain and the Board has the authority to assess a landowner a disproportionate amount of the cost if that landowner due to change in land use has contributed to the amount of the water on the drain. She proposed to come up with a disproportional assessment for Gwinn and hire a contractor and that the proceedings begin promptly. Bill McCormick seconded for the sake of discussion. McCormick stated that after speaking with the gentlemen during the meeting that last week, not sure once the other tile is not connected any longer to the Wilkins that the drain would need to be reconstructed at this time. After further discussion, Durrett withdrew her motion. McCormick withdrew his second.

Timothy Lane Drain – Deputy Cummins advised that he received a bid from Arthur Drainage in the amount of \$3,950. The board requested to see insurance documentation and more detail on the labor, removal of the bridge, rip-wrap, etc. Bill McCormick moved to request proper paperwork on insurance and more detail for the project. Ed Stephens seconded. 4-0 votes in favor.

Marian Conner Drain – The drain is un-assessed, the tile runs through the Bamish property and the Mrs. Johnson has a swale that sits and becomes stagnant. Bill McCormick advised that he will meet with Mr. Bamish. The drain has not been assessed since 1968. The current outlet is too low. Deanna Durrett moved to hold a hearing with the landowners on the Marian Conner Drain to put the drain back on assessment. Bill McCormick seconded. Tom Cummins advised he found some files for the drain and a watershed map. The matter will be discussed at the next Drainage Board meeting.

James Hose Grant - Deanna Durrett advised she will be meeting with Sandy Powers and Jil Rightykey on December 6th @ 1:30 at the South Boulevard office. She will keep the Board apprised of their findings.

Certificate of Error – Deanna Durrett stated that a landowners list has been given to the Auditor. Landowners on the John Walkup Drain paid assessments in 2006 and they should not.

Monthly Financial Statement – The monthly financial statement will be discussed at the December 19th Drainage Board meeting.

Joint Drain Update – Deanna Durrett submitted a Joint Drain Report to the Board. She asked that the Board review her report and requested action at the next Drainage Board meeting.

Unresolved Issues – President Bane advised he requested that Deanna Durrett put together an unresolved issues list. Deanna Durrett asked that the Board review the list and discuss it at the next Drainage Board meeting.

Sub-Committee Report – Deanna Durrett advised there is still an unresolved issue with Mr. Wilson and the information he provided on claims for payment. Mr. Wilson does not have an obligation to answer questions presented to him.

Claims – No claims were presented for payment. Tom Cummins advised he has a request for a repair for two tile holes on the *Guy Little Ditch*. Bill McCormick moved to approve the two tile hole repairs to the Guy Little Ditch. Ed Stephens seconded. The claims presented are still not providing adequate information. After the first of the year when the contractors' rates are on file in the Surveyor's office those amounts will be easier to obtain. 4-0 votes in favor.

Other Business

Joe Hall Ditch – Bob Stwalley advised that on 650 North and 250 East a new property is planning to turn the "Old Burned Ground" into a wildlife and wetlands sanctuary and has plugged an area that is not part of the legal drain. The water is now coming into the adjoining properties' fields. Marsh Jones brought another issue to the Board regarding another area of the Joe Hall Ditch. The matters will be placed on the January 9th Drainage Board agenda.


Resignation of Drainage Board Member Tom Boots – Board President Phil Bane advised that "Tom Boots has resigned as a member of the Montgomery County Drainage Board as of November 28, 2006." The Commissioners will appoint a new member after the first of the year.

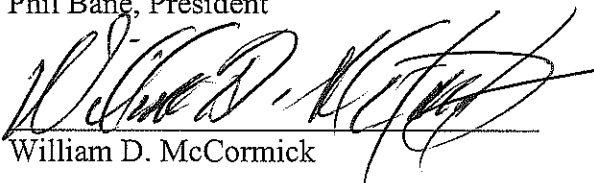
Public Comment – No one came forward with a public comment.

Bill McCormick moved to adjourn. Ed Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

Meeting adjourned @ 9:30 a.m.

Lori Dossett, Secretary


Phil Bane, President


William D. McCormick


Edward A. Stephens, Member


Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, DECEMBER 12, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, December 12, 2006 in the City Council Chambers, Crawfordsville City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Melissa Franklin, Journal-Review; Wade Bennett; CK Wilkins; Anita Hardwick, John Bronaugh, John Cowan, Dick Smith, Barry Lewis, The Paper.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Alan Goff led the prayer.

Board President Bane advised the November 27 and December 5 minutes will be approved at the next Drainage Board meeting.

Deficit Drain Hearings

#564 Raymond Weliever Drain – 7,950 feet of tile, 495.57 affected acres, \$1.58 current rate, yearly assessment \$789.60, deficit amount \$3,902.43, proposed yearly assessment \$3,112.18, proposed rate \$6.28. Anita Hardwick and John Bronaugh advised the Board that the drain is in need of repair and did not oppose to raising the assessment. Ed Stephens & Deanna Durrett will plan to visit the drain to discuss possible remedies. Bill McCormick moved to raise the rate to \$6.28 per acre on the Raymond Weliever Drain. Ed Stephens seconded. 4-0 votes in favor.

#590 Thomas & Alfred Taylor Drain – 8,450 feet of Open ditch, 5,100 feet of tile, 750.01 affected acres, \$1.66 current rate, yearly assessment \$1,254.63, deficit amount \$5,471.57, proposed rate \$5.62; proposed yearly assessment \$4,217.25. John Cowan stated the open ditch is in need of dredging. Ed Stephens moved to raise the assessment to \$5.62 per acre on the Thomas & Alfred Taylor Drain. Bill McCormick seconded. 4-0 votes in favor.

#616 Jennings Miller Drain – 9,769 feet of Open ditch, no tile, 662.39 affected acres, \$2.50 current rate, yearly assessment \$1,659.32, deficit amount \$5,664.78, proposed rate \$6.05, proposed yearly rate \$4,008.45. Bill McCormick moved to raise the assessment to \$3.00 per acre on the Jennings Fleming Drain. Ed Stephens seconded. 4-0 votes in favor.

#556 Anthony Stingley Drain – no Open ditch, 2,200 feet of tile, 175 affected acres, \$1.19 current rate, yearly assessment \$209.68, deficit amount \$968.54, proposed rate \$4.34, \$759.50 proposed yearly rate. Deanna Durrett moves to raise the assessment to \$4.34 per acre on the Anthony Stingley Drain. Ed Stephens seconded. 4-0 votes in favor.

#592 Roy Harper Drain – no Open ditch, 4,225 feet of tile, 161.49 affected acres, \$0.83 current rate, yearly assessment \$197.58, deficit amount \$2,067.75, proposed rate \$11.58, \$1,870.10 proposed yearly rate. Bill McCormick moved to raise the assessment rate to \$11.58 per acre on the Roy Harper Drain. Ed Stephens seconded. 4-0 votes in favor.

#516 Rebecca Flaningam Drain – no Open ditch, 10,966 feet of tile, 365.7 affected acres, current rate of \$0.69, yearly assessment \$276.54, deficit amount \$3,137.41, proposed rate of \$7.82, proposed yearly assessment \$2,859.77. The Board questioned 10,966 feet of tile in a 365 acre area. Deanna Durrett moved to table the raise of assessment of the Rebecca Flaningam Drain for further research until January 9th @ 8:00 a.m.. Bill McCormick seconded. 4-0 votes in favor.

Old Business

#553 Jesse Snoddy Drain – Tom Cummins advised Dave Foster and Dave Turner have stated they plan to install a “T” to relieve the pressure on the 50 feet of tile that they replaced and has since blown out.

Investment of Drainage Funds – The item will return to the agenda after the finance committee has met after the first of the year.

Glennard Miller Drain – Nothing new to report. The Board will speak to the landowners regarding reconstruction of the drain.

James Servies Drain – Bill McCormick advised he is meeting with George Regor with Soil & Water on Friday, December 15th at 1:00 p.m. McCormick stated he intends to invite Mr. Regor to the “teardrop” software demonstration.

Joseph Ludlow Drain – Deputy Cummins advised that the drain is under water and Mr. Hutchison has not yet had an opportunity to make any determinations on the drain.

#589 Thomas Wilkins Drain – Nothing new to report.

Timothy Lane Drain – Deputy Cummins advised that Surveyor Utz has informed him that DNR does not allow pieces of concrete to be used for rip-wrap. He advised he will check with DNR directly for their opinion.

Marian Conner Drain – Bill McCormick advised that he has not had an opportunity to meet with Mr. Bamish on this drain issue.

James Hose Grant - Deanna Durrett advised she met with Sandy Powers and Jill Rateike and Sandy Powers has informed her that she is unable to serve as grant administrator for this grant as she has responsibilities to another grant she has applied for and been denied. Durrett is in the process of searching for another grant administrator.

Certificate of Error - John Walkup Drain. The matter is to remain on old business.

3rd Set of Deficit Drains – Deputy Cummins presented the 3rd set of deficit drain rates for approval of the following drains: #591 Odis Stafford-\$11.19 proposed rate; #505 William Buchanan-\$8.96 proposed rate; #533 Linn-Himes-\$11.09; #581 Joe Hall-\$9.78; #550 James Sanders-\$24.28; #641 Smith-Elmore-\$9.55. Bill McCormick moved to open the proposals for discussion. Ed Stephens seconded. McCormick questioned the timeline and when the letters would go out. The hearing date is January 9th and the letters will go out before the first of the year. Bill McCormick moved to approve the deficit drains list for January 9th. Deanna Durrett seconded. 4-0 votes in favor.

Monthly Financial Statement – The monthly financial statement will be discussed at the December 19th Drainage Board meeting.

Joint Drain Update – Deanna Durrett advised she is still working on the joint drain list. She asked if the Board had any questions from the report she distributed last week.

Unresolved Issues – Bill McCormick moved to schedule a work session to discuss unresolved issues after the first of the year. Ed Stephens seconded. The Board will schedule the work session at the first meeting on January 9th for unresolved issues. 4-0 votes in favor.

Sub-Committee Report – Deanna Durrett advised that she and Ed Stephens received folders this morning from two of the contractors that the invoices were questioned.

Claims

Dick Smith Trenching – **Albert Nobes Drain**. Mr. Smith explained his position as far as when the work was requested by Surveyor Utz. After discussion, Bill McCormick moved to pay the entire amount of the bill, \$1,524 using \$1,133.76 remaining in the ditch account and borrowing from the improvement fund and reimburse the improvement fund when the June settlement is in. Ed Stephens seconded. 4-0 votes in favor.

Dick Smith Trenching – Benjamin Remley Ditch. The claim was tabled to the December 19th meeting.

Dick Smith Trenching – Joe Hall Drain. Bill McCormick moved to pay the \$660 out of the Joe Hall maintenance account. Deanna Durrett seconded. 4-0 votes in favor.

Other Business

Charles Schoen #1 – Bill McCormick moved to pay the claim to John Wilcox \$292.50. Ed Stephens seconded. 4-0 votes in favor.

John Ward Drain - Hughes Excavating submitted a bid for repair in the amount of \$768.00. Bill McCormick moved to approve the proposal. Ed Stephens seconded. 4-0 votes in favor.

Boswell Clough Drain – Masterscape submitted a bid for repair of a collapse of old tile in the amount of \$124.50. Deanna Durrett moved to the Boswell Clough claim. Ed Stephens seconded. 4-0 votes in favor.

Staples – Deanna Durrett moved to pay the bill in the amount of \$77.49. Bill McCormick seconded. 4-0 votes in favor.

Cain's Homelike Farms – Charles Schoen #2. Ed Stephens moved to pay \$606.15. Bill McCormick seconded. 4-0 votes in favor.

John V. Galey Drain – Bill McCormick moved to pay \$2,134.30 for repairs to the John V. Galey Drain on the Doubet Farm to Cain's Homelike Farms. Ed Stephens seconded. 4-0 votes in favor.

John V. Galey Drain – Bill McCormick moved to pay \$13,145.49 for repairs to the John V. Galey Drain on the Sam & Janet Valliere Farm to Cain's Homelike Farms. Ed Stephens seconded. 4-0 votes in favor.

Public Comment – John Cowan questioned the notice of hearings and why they were not dated and signed. He questioned what steps were taken to locate property owners whom could not be reached by a mailing. Deputy Cummins explained the system of mailing and how the notices of hearings were mailed.

Clarence Widener Ditch – Wilson Construction submitted a proposal in the amount of \$2,036 for repairs on the Widener Ditch. Wilson is currently repairing private tile on the McCutcheon farm and Mr. McCutcheon requested that those repairs be made now. Deanna Durrett moved to table the Wilson Construction proposal. Ed Stephen seconded. 4-0 votes in favor.

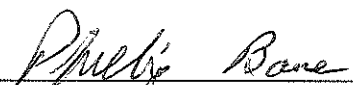
Public Comment – Anita Hardwick questioned an explanation of a difference between the improvement fund and the maintenance drain funds. Deanna Durrett explained how the process works.

Bill McCormick moved to adjourn. Deanna Durrett seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

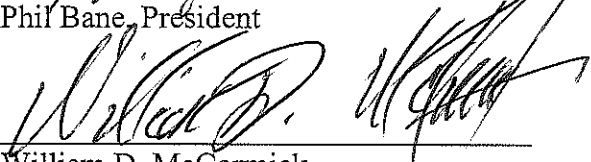
Meeting adjourned @ 9:35 a.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary

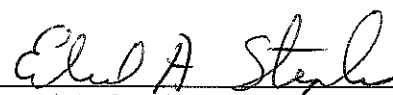
Lori Dossett, Secretary



Phil Bane, President



William D. McCormick



Edward A. Stephens, Member



Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, DECEMBER 19, 2006
MINUTES

The Montgomery County Drainage Board met on Tuesday, December 19, 2006 in the Commissioners Meeting Room 103 – Montgomery County Courthouse, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Ed Stephens, Member; Deanna Durrett, Member; and Drainage Board Secretary Lori Dossett.

Absent: Surveyor Larry Utz.

Also present: Deputy Surveyor Tom Cummins; Building Administrator Marc Bonwell; Drainage Board Attorney Daniel Taylor; Wade Bennett; CK Wilkins; Jim Spence Dick Smith, Barry Lewis, The Paper; Joe Schalle, Wilson Construction; Assessor Peg Hudson; Gert Cowan & Marian Lindow, League of Women Voters.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Alan Goff led the prayer.

Board President Bane requested approval of the November 27, 2006, December 5, 2006 and December 12, 2006 minutes. Deanna Durrett moved to approve November 27, 2006, December 5, 2006 and December 12, 2006 minutes. Ed Stephens seconded. 4-0 votes in favor.

Old Business

#553 Jesse Snoddy Drain – Deputy Surveyor Tom Cummins advised that no further work has been done on the drain due to current weather conditions.

Glennard Miller Drain – Nothing new to report.

James Servies Drain – Bill McCormick advised that the work is still in progress. He also advised that it was planned to use the Servies Drain in “raindrop software presentation” today. Building Administrator Marc Bonwell advised that the disc was corrupted when it was received in Florida so the presentation will need to be rescheduled for sometime in January.

Joseph Ludlow Drain – Deputy Cummins advised that the drain is under water and he has yet to hear from Mr. Hutchison.

#589 Thomas Wilkins Drain – Nothing new to report.

Timothy Lane Drain – Deputy Surveyor Tom Cummins advised that he spoke with John Hall at DNR and special permission would have to be obtained to use concrete as rip-wrap. Phil Bane suggested that the Board abandon the concrete concept and not get DNR involved. **Bill McCormick moved to secure new bids for the project. Deanna Durrett seconded.** Deputy Surveyor Cummins will develop a spec sheet for the project to send with the bids. **Bill McCormick amended his motion to include that the project should be advertised. Deanna Durrett seconded.** 4-0 votes in favor.

Marian Conner Drain – Bill McCormick advised that he had nothing to report.

James Hose Grant - Deanna Durrett advised she is in the process of review potential grant administrators. Bill McCormick requested that Deanna Durrett add Lori Dossett’s name to the list.

John Walkup Drain – Certificate of Error. Deanna Durrett reported she has a list of landowners and has sent a letter to the Auditor with instructions to proceed. Bill McCormick moved to send the proper forms to each landowner for the purposes of the Certificate of Error. Ed Stephens seconded. 4-0 votes in favor.

Clarence Widener Ditch – Deputy Surveyor Tom Cummins provided a work order to the Board for review. Bill McCormick moved to open the work for discussion. Ed Stephens seconded. Deanna Durrett stated the work order is not complete and lacking enough information to make a judgment. **Deanna Durrett moved to send a letter to Wilson Construction with a sample quotation sheet and ask that the quotation be resubmitted with the required information. Ed Stephens seconded. 4-0 votes in favor.** Joe Schalle commented to the Board that he went to the Surveyor’s office and discussed with Deputy Surveyor Cummins the proposal and prepared the quote according to his specifications.

The Board advised that the fault lies in a lack of communication between the Board and the Surveyor's office. That lack of communication is being corrected.

Nancy Hollingsworth Drain – Gayle Lough stated he is concerned that he is being assessed for acreage not in the Hollingsworth watershed. Deanna Durrett moves that the Drainage Board request the deputy surveyor to recalculate the affected acreage for Gayle Lough on the Nancy Hollingsworth drain and report his findings to the Drainage Board at its January 9, 2007 meeting. Bill McCormick seconded. Deputy Surveyor Cummins will investigate the watershed and affected acreage. Phil Bane stated that when acreage is taken off, it will have to be added to another property owner. Attorney Taylor suggested holding an informational hearing with all of the landowners involved and ask for their comments. 4-0 votes in favor.

Joint Drain Update – Deanna Durrett advised she is waiting on return phone calls and emails from other counties.

Unresolved Issues – Deanna Durrett advised she has a list of unresolved issues and two more arose this week. She questioned the status of the Procedure for Request for Qualifications of Contractors. Attorney Taylor advised that the procedure was passed on November 14, 2006. The Commissioners have not acted to codify the Procedure for Request for Qualifications of Contractors.

Sub-Committee Report – Deanna Durrett advised that she and Ed Stephens received three responses from the six contractors that were contacted in October. She stated the responses were marginally helpful. She has provided a report to the Board and asks that the Board discuss the report at the next Drainage Board meeting.

Claims

Dick Smith Trenching – Benjamin Remley Ditch. This claim was tabled from the last Drainage Board meeting. Deanna Durrett moved to pay the \$660 for the Benjamin Remley Ditch. Phil Bane seconded. 4-0 votes in favor.

Dick Smith Trenching – Joe Hall Drain. Bill McCormick pointed out an *error* in the *December 12, 2006 minutes* regarding payment of \$660 out of the Joe Hall maintenance account. The amount should be \$1,048.20. Bill McCormick moved to correct the minutes to state the amount approved for the claim is \$1,048.20. Ed Stephens seconded. 4-0 votes in favor.

Other Business

Scheduling of First Drainage Board meeting in January – Bill McCormick moved to schedule the first meeting in January on January 9, 2006 @ 8:00 at the Crawfordsville City Council Chambers. Deanna Durrett seconded. 4-0 votes in favor.

Monthly Financial Report - Deanna Durrett distributed a Balance sheet and a Transaction report for 11/30/06. Auditor and surveyor account balances still do not agree. The subcommittee will continue to pursue resolution of the discrepancy.

Gwin Petition to Review Decision Ordering to Disconnect – Attorney Taylor advised that Daniel C. Gwin and Carl Gwin have filed a Petition with the Montgomery Circuit Court requesting a Petition for Judicial Review. He advised it is a simple review process.

Public Comment – Jim Spence questioned when the Board will be making a ruling on the Nancy Hollingsworth Drain watershed acreage and when the new assessments take affect. He was advised March 1, 2007. Mr. Spence also questioned when the Board would be back in full strength and Bill McCormick stated the Board would be back to five members in March.

Bill McCormick moved to adjourn. Ed Stephens seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

Meeting adjourned @ 8:50 a.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, President

William D. McCormick
William D. McCormick, Member

Edward A. Stephens, Member

Deanna H. Durrett
Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD

TUESDAY, JANUARY 9, 2007

MINUTES

The Montgomery County Drainage Board met on Tuesday, January 9, 2007 in the City Council Chambers, Crawfordsville City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, President; Commissioner William D. McCormick; Vice President; Commissioner Harry A. Siamas, Member; Deanna Durrett, Member; Drainage Board Administrator Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Suanne Milligan; Melissa Franklin, Journal-Review; Wade Bennett; CK Wilkins; Barry Lewis, The Paper; Rob Durrett; Richard White; Catherine White; Phyllis Wilson; Gayle Lough; Lynn Fellows; David Rhoades; Robert McDonald; Larry Cain; Bill Milam; Gert Cowan & Marian Lindow-League of Women Voters; Dean Rush; Daniel McGrady; Bob & Nancy Stwalley; Geraldine Hughes Smith; Edith Rush; David Shelton; Michael K. DeVore; Joe Shaulk; David Layton; Mark McClamroch; John Frey.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Alan Goff led the prayer.

Board President Bane advised the December 19, 2006 minutes will be approved at the next regular Drainage Board meeting.

Board Reorganization –

Chairman -Bill McCormick moved to appoint Phil Bane as Chairman of the Drainage Board. Harry Siamas seconded. 4-0 votes in favor.

Vice Chairman – Harry Siamas nominated Bill McCormick as Vice Chairman. Deanna Durrett seconded. 4-0 votes in favor.

Secretary – Bill McCormick nominated Lori Dossett as Secretary. Deanna Durrett seconded. 4-0 votes in favor.

Administrator – Bill McCormick moved to appoint Tom Cummins as Drainage Board Administrator. Deanna Durrett seconded. 4-0 votes in favor.

Executive Secretary – Bill McCormick moved to appoint Deanna Durrett as Executive Secretary to the Drainage Board. Harry Siamas seconded. 4-0 votes in favor.

Scheduling of meeting time, location & dates -

Bill McCormick moved that the Drainage Board shall meet on the 2nd & 4th Tuesday @ 8:00 a.m. in the offices of the Montgomery County Drainage Board at 110 West South Boulevard. Harry Siamas seconded. 4-0 votes in favor.

Appointment of Drainage Board Attorney –

Harry Siamas moves to employ Suanne Milligan as Drainage Board Attorney. Deanna Durrett seconded. Harry Siamas presented a proposed contract for Suanne Milligan which will have to be approved by the Chairman of the Drainage Board and the President of the Board of Commissioners. 4-0 votes in favor.

Deficit Drain Hearings

#516 Smith-Elmore Drain – 4,050 feet of open tile, 12,778 feet of tile, 1,169.4 affected acres, \$3.25 current rate, yearly assessment \$3,808.03, deficit amount \$14,979.97, proposed yearly assessment \$11,168.66, proposed rate \$9.55. Geraldine Hughes Smith advised the Board of her opinions of how the drain has been handled in the past. Harry Siamas asked for a show of hands in the audience of landowners on the Smith-Elmore Drain. Kenny Moore stated there were five holes that he knew of on the drain. It is understood that no maintenance on the drain can be performed until the deficit is paid off. Bill McCormick moved to raise the rate to \$9.55 per acre on the Smith-Elmore Drain. Deanna Durrett seconded. 4-0 votes in favor.

#591 Odis Stafford Drain – 1,280 feet of Open ditch, 5,950 feet of tile, 422.88 affected acres, \$1.25 current rate, yearly assessment \$531.16, deficit amount \$5,262.11, proposed rate \$11.19; proposed yearly assessment \$4,732.03. Tom Cummins gave a brief history of the drain and the current issue on the Barbara Hall property. Harry Siamas moved to raise the assessment to \$11.19 per acre on the Odis Stafford Drain. Deanna Durrett seconded. 4-0 votes in favor.

#505 William Buchanan Drain – 270 feet of Open ditch, 7,872 feet open tile, 415.06 affected acres, \$1.50 current rate, yearly assessment \$635.88, deficit amount \$4,353.84, proposed rate \$8.96,

proposed yearly rate \$3,718.94. Larry Cain, Gayle Lough, Robert McDonald advised they were not opposed to the proposed rate. Bill McCormick moved to raise the assessment to \$8.96 per acre on the William Buchanan Drain. Deanna Durrett seconded. 4-0 votes in favor.

#533 Linn-Himes Drain – 13,720 Open ditch, 1,900 feet of tile, 1437.7 affected acres, \$1.59 current rate, yearly assessment \$2,308.90, deficit amount \$18,248.41, proposed rate \$11.09, \$15,944.08 proposed yearly rate. David Rhodes and Lynn Fellows spoke to the Board regarding expenditures and after an explanation of how the drain came to be in debt, suggested paying the debt back over a period of two years instead of one. Bill McCormick moves to raise the assessment to \$6.50 per acre for a 2-year period on the Linn-Himes Drain. Deanna Durrett seconded. 4-0 votes in favor.

#581 Joe Hall Drain – 52,042 Open ditch, 500 feet of tile, 6,248.46 affected acres, \$1.50 current rate, yearly assessment \$9,472.12, deficit amount \$69,500.75, proposed rate \$9.78, \$61,109.95 proposed yearly rate. Phyllis Wilson advised the Board that back in the 1970's it was her understanding that the drain would be split with property owners paying for only their affected acres when work was done to the ditch. Mrs. Wilson was informed that a split did not happen and it would be impossible to attempt a split of the drain. David Layton stated he did not receive notice of the drain hearing and questioned how the notices were mailed. Harry Siamas expressed a concern of how many landowners were not notified. Bill McCormick moved to raise the assessment rate to \$3.75 per acre over a three year period on the Joe Hall Drain. Deanna Durrett seconded. 4-0 votes in favor. The Board scheduled a special meeting to discuss the Joe Hall Drain on Tuesday, February 13th @ 8:00 a.m. at the Drainage Board office, 110 West South Boulevard.

#516 Rebecca Flaningam Drain – no Open ditch, 10,966 feet of tile, 365.7 affected acres, current rate of \$0.69, yearly assessment \$276.54, deficit amount \$3,137.41, proposed rate of \$7.82, proposed yearly assessment \$2,859.77. The Board questioned 10,966 feet of tile in a 365 acre area. Harry Siamas moved to set the rate for the Rebecca Flaningam Drain in the amount of \$7.82. Bill McCormick seconded. 4-0 votes in favor.

Old Business

#553 Jesse Snoddy Drain – Bill McCormick advised he has not heard any new information on the drain. It continues to be too wet.

Glennard Miller Drain – The property owners are discussing possible reconstruction of the drain.

James Servies Drain – The drain will be discussed further when the “teardrop” software demonstration is held.

Joseph Ludlow Drain – Deputy Cummins advised he had nothing to report at this time.

Timothy Lane Drain – Harry Siamas moved to review the Timothy Lane Drain bids at the February 6th meeting. Bill McCormick seconded. 4-0 votes in favor.

Marion Conner Drain – The drain is currently involved in litigation.

James Hose Grant - Deanna Durrett advised she is meeting with Shannon McCloud to discuss grant administration for the James Hose Grant.

John Walkup Drain - Deanna Durrett advised the Certificate of Error forms are ready for the Auditor's signature.

Clarence Widender Ditch – Administrator Cummins presented a bid from Wilson Construction & Excavating in the amount of \$2,186.16 for repairs to the Widener Ditch. Mr. Wilson is currently working on the McCutcheon property and Mr. McCutcheon has requested that Mr. Wilson make the necessary repairs. Deanna Durrett advised she was not satisfied with the quote and it needed to be more detailed. Bill McCormick stated the Board's ultimate goal is to have an annual bid process like the Highway Department. Joe Schalk appeared before the Board and advised that this is the fourth meeting that he's presented a quote as specified and questioned how many more times he would have to appear with a quote. Mr. Schalk was advised that the bidding is currently a “work in progress”. Bill McCormick moved to approve the Wilson Construction bid in the amount of \$2,186.16 with a 10% contingency. Phil Bane seconded. 4-0 votes in favor.

Anthony Stingley Ditch - Deanna Durrett advised that a claim had been posted against the Stingley Ditch in error. The Anthony Stingley Drain rate was raised to \$4.34 with the pretense that the drain was in debt. Phil Bane stated the rate should remain the same and Harry Siamas agreed. Deanna Durrett moved to leave the Anthony Stingley Drain rate at \$4.34 in spite of the discovery that there was an error in posting. Harry Siamas seconded. 4-0 votes in favor.

Nancy Hollingsworth Drain – Administrator Cummins presented a spreadsheet of the property owners and affected acres on the Hollingsworth Drain. He advised that actually only 16.87 acres of Mr. Lough's property is in the Nancy Hollingsworth Drain. He is currently being assessed for 35.86 acres. Gayle Lough advised he appreciated Mr. Cummins looking into the matter for him and he is also requesting a credit for the over payment. Bill McCormick moved to request that legal counsel look into a credit or a reimbursement to Mr. Lough and report her findings at the next Drainage Board meeting. Deanna Durrett seconded. 4-0 votes in favor.

Deanna Durrett moved that the Drainage Board accept the recalculation of acreage on the Nancy Hollingsworth Drain. Bill McCormick seconded. 4-0 votes in favor.

Thomas Wilkins Drain – Harry Siamas advised that a suit has been filed regarding the Wilkins Drain and he is requesting that an Executive Session be held wherein legal counsel can review the pleadings, review the background and as a new member of the Drainage Board wants to be updated. An executive session will be held on *Tuesday, February 6th @ 9:00 a.m.* to discuss the Wilkins Drain litigation.

New Business

Letters to Contractors – Administrator Cummins advised the letters to contractors are being mailed and responses are due Monday, January 29th.

Letter to Surveyor/Engineers – Administrator Cummins advised that letters have not gone out to surveyors and engineers.

Schedule Strategic Planning Session – Harry Siamas moves to schedule a strategic planning session on *Monday, February 26, 2007 @ 8:00 a.m.* Deanna Durrett seconded. 4-0 votes in favor.

#607 John Martz Drain & #544 Sara Kincaid Drain - Deanna Durrett moves to schedule a rate increase for the John Martz Drain and Sara Kincaid Drain on *Tuesday, February 6, 2007 @ 8:00 a.m.* Bill McCormick seconded. 4-0 votes in favor.

#543 William McClamroch Drain – Deanna Durrett moved that the rate increase hearing for William McClamroch be scheduled no later than April, 2007 upon completion of a watershed review and analysis of the Prince Croy, an unassessed legal drain that connects to the outlet of the William McClamroch. Harry Siamas seconded. Bill McCormick advised he would prefer getting figures of the cost before voting to schedule the drain for hearing. MOTION WITHDRAWN.

#561 AF Ward & #618 Albert Hysong - Deanna Durrett moves that the rate increase hearings for AF Ward and Albert Hysong, joint drains controlled by Montgomery County, be held pending further research and discussions with Boone County and Hendricks Counties respectively but no later than April, 2007. Harry Siamas seconded. The Board advised it would prefer to work with counsel on the process before schedule the drains for hearing. MOTION WITHDRAWN.

#550 James Sanders Drain - Deanna Durrett moved that the rate increase for James Sanders Drain be held no later than April, 2007 in conjunction with a new reconstruction hearing to be scheduled after plans for a cost of reconstruction are developed by a registered land surveyor hired by the Drainage Board. MOTION WITHDRAWN.

#553 Jesse Snoddy Drain - Deanna Durrett moved to schedule a landowner meeting concerning the Jesse Snoddy Drain during an evening meeting in February, 2007 at the Alamo Fire Station. Bill McCormick seconded. After discussion, the Board scheduled the hearing for *Tuesday, March 20, 2007 @ 6:30 p.m.* due to full schedules in January and February. 4-0 votes in favor.

#644 Ebenezer McClaskey, #524 George Hinkle, #541 George McClain - Deanna Durrett moved that a landowner meeting be scheduled concerning the McClaskey Drain, George Hinkle Drain and George McClain Drain to be held at a regular Drainage Board meeting scheduled in February 27, 2007 at the Crawfordsville City Building Bill McCormick seconded. 4-0 votes in favor.

Drain Classification – Administrator Cummins presented a Drain Classification of the #564 Raymond Weliever Drain & #613 Nancy Hollingsworth Drain. Deanna Durrett moved to accept the classifications of the Weliever & Hollingsworth Drain as presented by the Drainage Board Administrator. Bill McCormick seconded. 4-0 votes in favor.

Sub-Committee Report – Deanna Durrett advised that she has nothing to report at this time.

Claims

Masterscape – Charles Ludlow #1 Drain - \$325.00. Deanna Durrett moved to pay the claim to Masterscape in the amount of \$325 for the Charles Ludlow #1 Drain. Bill McCormick seconded. Phil Bane advised that Chad Widmer has advised him there are several existing problems with the drain. 4-0 votes in favor.


Public Comment – No one stepped forward with a public comment.


Bill McCormick moved to adjourn. Deanna Durrett seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

Meeting adjourned @ 10:50 a.m.

Minutes respectfully submitted by Lori Dossett, Drainage Board Secretary.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Harry Siamas, Member


Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD

THURSDAY, JANUARY 25, 2007

SPECIAL MEETING MINUTES

The Montgomery County Drainage Board met on Thursday, January 25, 2007 in the conference room of the Montgomery County Purdue Extension office, 300 Parke Avenue, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick; Vice Chairman; Member; Deanna Durrett, Member; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Administrator Tom Cummins; Barry Lewis, The Paper.

Drainage Board Chairman Phil Bane called the meeting to order @ 11:05 a.m.

Administrator Tom Cummins advised that he was contacted by Gayle Lough on the *Carper Crowder Drain* and advised that the County tile is broken at the outlet. Mr. Lough reported that the area is steadily washing away the topsoil.

Administrator Cummins visited the site on January 3, 2007 and confirmed that the 24" tile stops approximately 40 feet before the culvert under CR650 North. The open flow of water has created a "wash" approximately 15 feet wide, 25 feet long and 2 feet deep. Cummins described the photographs that he had taken of the area. Cummins advised the tile is open and clean cut, suggesting a poor connection has come loose. The culvert is ample for handling the volume of water. The outlet is sufficient and no de-brushing is needed. Mr. Lough suggested to Cummins that a catch basin be installed at the road. Cummins stated after speaking with Dave Stanley at Soil & Water that a waterway is being considered in that area in question. If a waterway is approved a structure will be implemented at that time, probably in the form of a rock-chute.

Cummins suggested installing approximately 40 feet of 24" tile to the culvert at CR650North and haul enough topsoil to properly "bed" the tile, eliminating the possibility of settling of the tile. Mr. Lough will scrape the area and fill in the rest of the "wash".

Bill McCormick moved to approve the installation of 40 feet of 24" tile to the culvert at CR650North and allow Mr. Lough to top dress and fill in the rest of the "wash". Deanna Durrett seconded. Durrett advised when the actual costs are known they will return and ask that the funds be encumbered. 3-0 votes in favor.

Administrator Cummins advised he was contacted by Barb Hall concerning the *Odis Stafford Drain* who had reported that the County tile was broken next to her driveway. Ms. Hall expressed that she felt the matter was a safety issue and concerned that her driveway is going to collapse.

Administrator Cummins visit the site on January 18, 2007 and confirmed 3 tile holes between the retention pond and Ms. Hall's driveway. The tile is broken down along the south side of the driveway and has created a large "wash". According to Ms. Hall extensive work has been done in the problem areas in the years past. He advised there is one tile hole on the west side of CR600 East. Cummins provided photographs and maps of the area for the Board to review.


Administrator Cummins recommended that the area next to the driveway needs to be dug up and the County tile reconnected if necessary; repair the 3 tile holes (20") between the retention area and the driveway; find and clear the outlet of the retention area; repair the 1 tile hole (18") west of CR600E; debrush and maintain the tile outlet at the junction of I-74 and the frontage road. *Watershed needs to be redefined to include the outlet; require Ms. Hall to address the issue of southern retention area's overflow, this is not part of the County drain and is the landowners responsibility.

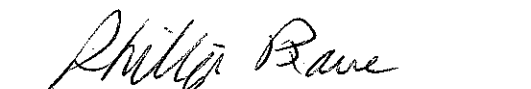
Bill McCormick moved to table the issue until the Board has had an opportunity to look at the drain. Deanna Durrett seconded the motion. 3-0 votes in favor.

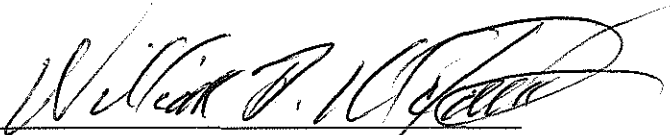
Bill McCormick moved to adjourn. Deanna Durrett seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

Meeting adjourned @ 11:30 a.m.

Minutes respectfully submitted by Lori Dossett, Drainage Board Secretary.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD

TUESDAY, FEBRUARY 6, 2007

MINUTES

The Montgomery County Drainage Board met on Tuesday, February 6, 2007 in the City Council Chambers, Crawfordsville City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick, Vice Chairman; Commissioner Harry A. Siamas, Member; Deanna Durrett, Member; Drainage Board Administrator Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Wade Bennett; CK Wilkins; Barry Lewis, The Paper; Rob Durrett; Marian Lindow-League of Women Voters; Bob Stwalley; John Frey; Leon Weber; Mary Rose Duncan; William Crowe; Don Crowe; Tek Smith; Ernest Warren.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Alan Goff led the prayer.

Deficit Drain Hearings

#524 George Hinkle Drain – 2,300 feet of open ditch, 2,100 feet of tile, 496.9 affected acres, \$1.25 current rate, yearly assessment \$621.13, deficit amount \$8,042.41, proposed yearly assessment \$8,042.41, proposed rate \$16.19. **Bill McCormick moved to raise the rate to \$8.00 per acre on the George Hinkle Drain. Deanna Durrett seconded. 4-0 votes in favor.**

#544 E.P. McClaskey Drain – 1,522 feet of Open ditch, 7,930 feet of tile, 682.17 affected acres, \$1.61 current rate, yearly assessment \$1,122.35, deficit amount \$11,488.94, proposed rate \$10.24; proposed yearly assessment \$11,488.94. **Bill McCormick moved to raise the assessment to \$8.42 per acre per year on the E.P. McClaskey Drain. Deanna Durrett seconded. 4-0 votes in favor.**

#505 George McClain Drain – 4,220 feet of Open ditch, 73,150 feet open tile, 351.6 affected acres, \$2.67 current rate, yearly assessment \$941.10, deficit amount \$8,830.70, proposed rate \$25.16, proposed yearly assessment \$8,830.70. Ernest Warren, landowner addressed the Board and questioned what he is getting for the increased assessment. Deanna Durrett explained that two payments were made to Wilson Construction in 1999 and 2005 and that is why there is a deficit in this drainage account. **Harry Siamas moved to increase the assessment to \$8.37 per acre on the George McClain Drain. Bill McCormick seconded. 4-0 votes in favor.**

#530 Sarah Kincaid Drain – 302 Open ditch, 12,050 feet of tile, 574.76 affected acres, \$1.30 current rate, yearly assessment \$754.92, deficit amount \$5,445.40, proposed rate \$9.47, proposed yearly assessment \$5,445.40. CK Wilkins advised the Board that he is in favor of the rate increase. Mary Martin Duncan advised she disagreed with the rate increase. After discussion, **Bill McCormick moved to raise the assessment to \$4.33 per acre on the Sarah Kincaid Drain. Harry Siamas seconded. 4-0 votes in favor.**

4.73 is correct
RD

#607 John Martz Drain – 1,320 Open ditch, 7,965 feet of tile, 549.462 affected acres, \$1.50 current rate, yearly assessment \$9,472.12, deficit amount \$7,205.10, proposed rate \$13.11, proposed yearly assessment \$7,205.10. Bill Crowe advised the Board that he is aware that there has been a problem for several years and that Surveyor Utz has been blamed but he also placed the blame on the Commissioners. He stated he is "100 percent for drainage" and agrees it needs to be paid but will need three years to pay it and advised the drain is in good condition. He advised that he and his son have in the past repaired the drain themselves because it needed to be done. Leon Weber explained when the work was performed and Deanna Durrett advised him that the \$9,000 worth of work repairing the headwall should have been a reconstruction loan and not taken out of the drain funds considering the drain only brought in \$850 per year. Bill McCormick stated the Commissioners at that time were aware that the drain did not have any funds in the account but at the recommendation of the Surveyor they were told it was an emergency repair. **Bill McCormick moved to raise the assessment to \$4.37 per acre on the John Martz Drain. Deanna Durrett seconded. 4-0 votes in favor.**

Approval of Minutes – December 19, 2006 & January 9, 2007

Deanna Durrett moved to approve the December 19, 2006 minutes and the January 9, 2007 minutes. Bill McCormick seconded. 3 votes in favor 1 abstain by Siamas on the December 19th minutes. 4-0 votes in favor on the January 9, 2007 minutes.

Staff Report

Quarterly Calendar of Events – The Drainage Board staff presented a schedule of various Drainage Board meetings from January through March, 2007.

Inventory of Drains – Deanna Durrett advised that the Inventory of Drains has been reformatted from the previously titled Montgomery County Legal Drains Classification for 2004. She advised the recent rate increases are not included on the inventory and the inventory will be updated in the next few weeks.

Drain Inspection Schedule – Over the course of one year, Drainage Board Administrator Tom Cummins will follow the inspection schedule to inspect each of the drains. She added that the drains are divided into townships.

Certificate of Error - Landowners on the *John Walkup Drain* will be refunded the assessment they paid in 2006 since the drain should have been taken off assessment with the other 50 drains in 2006. Gayle Lough will be refunded assessment payment for three years on the *Nancy Hollingsworth Drain* because he has been billed for more acreage than his land drains.

Year-end Financial Report - Deanna Durrett explained the formatting of the Financial Report and advised that the Drainage Board records have been unable to reconcile with the Auditor's records. Councilman John Frey questioned why there was a resistance in the Auditor's office not to reconcile. The Drainage Board office will correct and maintain its own set of records in an attempt to reconcile all balances.

Pending Item Report- The report distributed to the Board lists work needed:: Drain Repairs; Reconstruction; Assessment Hearings and Watershed Reviews.

Old Business

Contractor Qualifications & Rates – Drainage Board Administrator Tom Cummins advised that he has been contacted by two local contractors that have not responded to the qualifications and rates requested but expressed a desire to respond. The deadline had been set at January 29, 2007. The information requested is not for competitive rate purposes. Harry Siamas moved to request that Drainage Board Administrator Cummins make an effort to contact contractors to submit their qualifications and rates allowing for a March 1st deadline and if any qualifications come in after that time an exception will have to be made by the Board. Deanna Durrett seconded. 4-0 votes in favor.

James Hose Grant - Deanna Durrett advised that she has had an opportunity to interview a Grant Administrator and the next step is to meet with the Linden Town Board. Durrett will find out when the Linden Town Board meets and report back to the Drainage Board at the next meeting.

Drain Classification

Charles Ludlow #1 – Drainage Board Administrator Tom Cummins reported that the Charles Ludlow #1 was taken off assessment in 1968. He inspected the drain on January 17, 2007 and found that the drain washes along ditch banks from swelling of water; ditch needs debrushing and dipping in a few areas; the outlet is adequate. He advised that the drain is currently the outlet for the Theodore Templeton Drain as well as the tiled fields nearby. Deanna Durrett moved to request that Drainage Board Administrator Cummins submit a maintenance report at the February 27th Drainage Board meeting. Bill McCormick seconded. 4-0 votes in favor.

Odis Stafford Drain – Drainage Board Administrator Tom Cummins reported that the Odis Stafford Drain is currently classified as active. After inspection of the drain he classified the drain for reconstruction to resolve the issues on Barbara Hall's property as well as the outlet downstream. He advised the tile needs replaced between the retention pond and frontage road and needs to be reconnected to the tile as originally designed. Retention pond needs work to eliminate overflow and thus causing backpressure on the tile to the west. Landowner must resolve the issue of overflow and concerning the retention area to the south. Deanna Durrett moved to request that Drainage Board Administrator Cummins submit a reconstruction report at the February 27th Drainage Board meeting. Bill McCormick seconded. 4-0 votes in favor.

Theodore Templeton Drain – Drainage Board Administrator Tom Cummins advised he inspected the drain on January 10, 2007 and found that the tile is functioning well; outlet headwall has collapsed, but still functioning and the drain outlets to the Charles Ludlow #1. This drain is classified for maintenance for 2007 and the outlet needs work to decrease water resistance. The current maintenance on this drain is \$2.50. Deanna Durrett moved to instruct Drainage Board Administrator

Cummins to arrange for repair of the outlet on the Theodore Templeton Drain. Bill McCormick seconded. 4-0 votes in favor.

John Ward Drain - Deanna Durrett moved to request that Drainage Board Administrator Tom Cummins submit a reconstruction report at the February 27th Drainage Board meeting. Harry Siamas seconded. 4-0 votes in favor.

James Sanders Drain - Deanna Durrett moved to request that Drainage Board Administrator Tom Cummins submit a reconstruction report at the February 27th Drainage Board meeting. Bill McCormick seconded. 4-0 votes in favor.

Certified Mail Analysis - Deanna Durrett submitted an analysis of certified mail for assessment rate increases. The Board agreed that the 10 day notice required by the Indiana Code for rate increases will be a 20 day notice instead.

Timothy Lane Drain - Deanna Durrett moved to get contractor bids for the Timothy Lane Drain. Bill McCormick seconded. Bill McCormick advised that two landowners are on drain are "not pleased" that this work is being done and have stated work requested on the bridge and the rip-rap does not affect the actual drain. 3 votes in favor 1 opposed (McCormick).

New Business

Proposal for a procedure concerning filter strips - Deanna Durrett moved to place the Ordinance Concerning Filter on the February 27th agenda. Harry Siamas seconded. Bill McCormick suggested that David Stanley from Soil & Water be invited to the meeting. Durrett advised that Angie Williams from Soil & Water is also planning to attend. She advised that the Drainage Board is collaborating with Soil & Water to prepare a brochure regarding filter strips comparable to Drainage Facts of Montgomery County. Harry Siamas requested that Drainage Board Attorney Suanne Milligan research if the Drainage Board has the authority or the power to require that landowners install filter strips on their farms. Deanna Durrett advised that Section 26 gives the Drainage Board that authority. 4-0 votes in favor.

Stwalley/Frey Petition - Bill McCormick moved to schedule the Stwalley/Frey Petition for hearing on Tuesday, March 13, 2007 @ 9:00 a.m. at the Crawfordsville Municipal Building. Harry Siamas seconded. 4-0 votes in favor.

Discussion of Proposal for authority of Drain Administrator to arrange for repair under specific conditions and revocation of Drain Repair Sub-committee - Bill McCormick moved to request that Drainage Board Attorney Suanne Milligan review the proposal and report back to the Drainage Board at the February 27th meeting. Harry Siamas seconded. Phil Bane stated that section corner research needs to be included in the Drain Administrator's authority. 4-0 votes in favor.

Call for Drainage Board members - Bill McCormick stated that the Board would like to "put the word out" to look for two agricultural members of the Drainage Board. The Board will provide a brief description of duties and the amount of time needed to serve on the Board. Candidates will be interviewed when a list has been compiled. Harry Siamas stated he will be leaving the Board in April. He advised because of the importance of drainage work it is difficult for Commissioners to serve on the Board as well as serving as Commissioner. The statute allows for the Commissioners to appoint four citizens and one commissioner to the Drainage Board. He will step off of the Board this year and one of the other Commissioners will step off next year. The Board has requested a recommendation from Soil & Water to fill the current vacancy on the 5-member Board.

Claims

Foster Farm Drainage - Guy Little Drain - \$440.00

Masterscape - Linn-Himes Drain - \$162.50

Foster Farm Drainage - Theodore Templeton Drain - \$327.00

Wilson Construction - Clarence Widener Drain - \$1,891.15

Bill McCormick moved to pay the four claims as presented. Deanna Durrett seconded. 4-0 votes in favor.

Bill McCormick moved to adjourn. Harry Siamas seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor.

Meeting adjourned @ 10:05 a.m..

Minutes respectfully submitted by Lori Dossett, Drainage Board Secretary.

Lori Dossett
Lori Dossett, Secretary

Phil Bane
Phil Bane, Chairman

William D. McCormick
William D. McCormick, Vice Chairman

Harry Siamas
Harry Siamas, Member

Deanna Durrett
Deanna Durrett, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, FEBRUARY 13, 2007
SPECIAL MEETING MINUTES

The Montgomery County Drainage Board met on Tuesday, February 13, 2007 City Council Chambers, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: William D. McCormick, Vice Chairman; Deanna Durrett, Member; Harry Siamas, Member.

Also present: Drainage Board Administrator/ Deputy Surveyor Tom Cummins; Drainage Board Attorney Suanne Milligan; C.K. Wilkins and Rob Durrett.

Absent: Phil Bane, Chairman; Lori Dossett, Secretary.

Drainage Board Vice Chairman William D. McCormick called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance.

Joe Hall Drain: Discussion with landowners regarding division of drain.

Due to a winter storm, no landowners appeared. The discussion was postponed until the February 27, 2007 regular Drainage Board meeting.

Thomas Wilkins Drain: Consideration of 12/1/06 order to Daniel and Carl Gwin.

Mrs. Milligan suggested that the Board vacate its order due to inadequate notice to the Gwins.

Mrs. Durrett moved to vacate the 12/1/06 order to Daniel and Carl Gwin. Mr. Siamas seconded. 3-0 votes in favor.

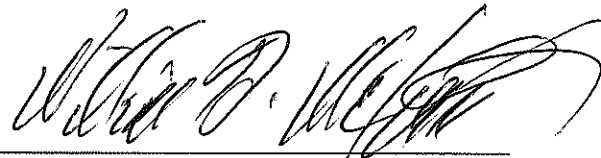
Board members agreed that the vacation does not mean that the matter is closed. Further consideration will be discussed as old business at the February 27, 2007 Drainage Board meeting.


Board voted unanimously to vacate the order.

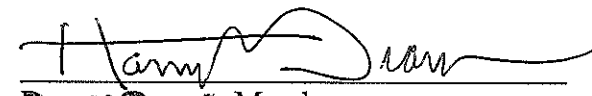
Harry Siamas moved to adjourn. Deanna Durrett seconded. Board voted unanimously to adjourn at 8:20 a.m.

Minutes prepared by
Deanna Durrett
Executive Secretary.


Lori Dossett, Secretary


William D. McCormick, Vice Chairman


Deanna Durrett, Executive Secretary


~~Harry Siamas~~, Member
HARRY SIAMAS.

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, FEBRUARY 26, 2007
STRATEGIC PLANNING SESSION
MINUTES

The Montgomery County Drainage Board met on Monday, February 26, 2007 in the South Boulevard Conference Room, 110 West South Boulevard, Crawfordsville, Indiana.

Those members present were as follows: Phil Bane, Chairman; William D. McCormick, Vice Chairman; Deanna Durrett, Member; Harry Siamas, Member and Lori Dossett, Secretary.

Also present: Drainage Board Administrator/ Deputy Surveyor Tom Cummins; Drainage Board Attorney Suanne Milligan.

Drainage Board Chairman Phil Bane called the meeting to order @ 8:06 a.m.

Board members discussed short term and long term goals for 2007.

Meeting adjourned at 9:40 a.m.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Harry A. Siamas, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, FEBRUARY 27, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, February 27, 2007 in the City Council Chambers, Crawfordsville City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick, Vice Chairman; Commissioner Harry A. Siamas, Member; Deanna Durrett, Member/Executive Secretary; Drainage Board Administrator/Deputy Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Wade Bennett; CK Wilkins; Barry Lewis, The Paper; Melissa Franklin, Journal-Review; Rob Durrett; Marian Lindow-League of Women Voters; Keith Fruits; Hobart Mennen.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Pastor Walter Terry led the prayer.

Approval of Minutes – January 25, 2007; February 6, 2007; February 13, 2007.

Deanna Durrett moved to approve the January 25, 2007 minutes. Bill McCormick seconded.
3- votes in favor.

Bill McCormick moved to approve the February 6, 2007 minutes. Deanna Durrett seconded.
4-0 votes in favor.

Bill McCormick moved to approve the February 13, 2007 minutes. Harry Siamas seconded.
4-0 votes in favor.

Wood Creek Shops Storm Water Review

Deputy Surveyor Cummins reported that the final revisions have not been received. The matter will be placed under Old Business at the next Drainage Board meeting on March 13th.

Joe Hall Landowner Discussion

Bill McCormick moved to table the discussion to the next Drainage Board meeting on March 13th. Deanna Durrett seconded. 4-0 votes in favor. Motion carried.

Staff Report

Monthly Financial Report - Deanna Durrett reported that there were no activities in January to report.

2007 Off Sheet – Harry Siamas moved to approve the 2007 Off Sheet as presented with the exception of #617 H. Doyle Drain. Bill McCormick seconded. 4-0 votes in favor. Motion carried.

Certificate of Error - Oscar, Norma and Mike Burton. Deanna Durrett advised that the Burton's have been incorrectly billed for the Allie Peterson Drain, a drain that is located in Madison Township and the Burton's farm is in Sugar Creek Township. Durrett advised she issued a Certificate of Error form to the Burton's. The amount of the refund for the overpayment is \$285.03 which is from payments made in 2004 through 2006 at a rate of \$95.01 per year. *Bill McCormick moved to approve the request for the refund to Oscar, Norma and Mike Burton in the amount of \$285.03. Deanna Durrett seconded. 4-0 votes in favor. Motion carried.*

Final Report on Deficit Drains - Deanna Durrett advised that the Drainage Board office is in the process of notifying all of the affected landowners of the changes in assessment. She stated she will have a report to be signed by the Auditor.

Indiana Department of Transportation

Deanna Durrett advised that she has discovered a letter from INDOT dated August 2, 2005 advising that INDOT is exempt from drainage assessments. She stated she has later learned from the author of the letter, Patricia Gregory Doyle, that the resolution has been rescinded due to the negative responses received from Drainage Boards. Bill McCormick requested that Deanna Durrett get written confirmation that the resolution has been rescinded.

Inspection/Classification

Glennard Miller Drain – Deputy Surveyor Tom Cummins advised that he inspected the Glennard Miller Drain on November 9, 2006 and he reports numerous tile holes; the tile is breaking down due to weight of machinery, and less than 24" of cover on most of the tile; the outlet is functioning well. He classified this drain for reconstruction in 2007. He advised approximately 2,600 feet of tile needs to be replaced and grade recalculated to allow maximum ground cover over the tile. The current maintenance assessment is \$1.06 per acre. The drain is currently carrying a deficit that is scheduled to be paid back after receipt of the 2007 settlements.

Chrineyance-Schenck Drain – Deputy Surveyor Cummins visited the drain for inspection and yearly classification on September 24, 2006 and he reports the tile provides outlet for the Guy Little Drain; tile is breaking down from junction to the outlet, approximately 2,000 feet of 24" tile. Randy McCormick the landowner has requested to tear out the old tile and converting it to an open ditch. Cummins classified this drain for reconstruction in 2007. He proposes investigating the possibility of converting the 24" tile to open ditch, as well as determining if the outlet will be sufficient for an open drain.

Deanna Durrett moved to call for a report and a cost estimate on the Glennard Miller Drain and the Chrineyance-Schenck Drain. Bill McCormick seconded. 4-0 votes in favor. Motion carried.

Harrison-Doyle Drain – Deputy Surveyor Cummins advised that he will report back to the Drainage Board at a later date regarding this drain.

Maintenance Report

Charles Ludlow #1 Drain; Odis Stafford Drain; John Ward Drain; James Sanders Drain; Theodore Templeton Drain; Timothy Lane Drain – Deputy Surveyor Cummins advised that due to inclement weather he does not have a report for the above mentioned drains.

Old Business

Filter Strip Ordinance – The Board discussed the implementation of a Filter Strip Ordinance. The matter will be kept on Old Business.

Dan Gwin & Carl Gwin – Attorney Suanne Milligan requested a copy of the signed minutes vacating the order to Dan Gwin and Carl Gwin on the **Thomas Wilkins Drain**.

Plan for William McClamroch Watershed – The William McClamroch Drain empties into the Prince Croy & George Conrad Drains which are two un-assessed drains. Deanna Durrett moved to request that Deputy Surveyor Cummins provide a maintenance report on the Prince Croy and George Conrad Drains on March 13th. Bill McCormick seconded. 4-0 votes in favor. Motion carried.

Grant Administrator – James Hose Drain – Following discussion, Bill McCormick moved that the Drainage Board meet with the Linden Town Council at their next meeting on Thursday, March 1, 2007. Deanna Durrett seconded. 4-0 votes in favor. Motion carried.

Arthur S. Frayley Ditch on CR150 South – Phil Bane advised he met with Mr. Kun the project manager for the Ethenol Plant project and he was advised that the project will pay for the repair of the road, but will not pay to move the open ditch. Phil Bane advised the project will stay with the original plan.

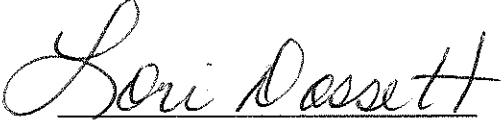
James Emerson Drain - Deanna Durrett advised that the paperwork had not been completed for the landowners to be assessed. She stated that the Auditor is requesting authority to move \$30,234.99 from the improvement account to the maintenance account.

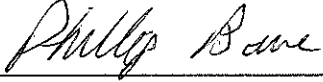
Linn-Himes/Wilson - The Drainage Board discussed the estimate Mr. Wilson has given to remove stock piles. Bill McCormick moved to send a letter to Mr. Wilson requesting clarification. Harry Siamas seconded. 3 votes in favor - 1 vote opposed. (Bane). Motion carried.

Bill McCormick moved to adjourn. Harry Siamas seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor. Motion carried.

Meeting adjourned @ 9:15 a.m.


Minutes prepared by Lori Dossett, Drainage Board Secretary.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Harry A. Siamas, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, MARCH 13, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, March 13, 2007 in the City Council Chambers, Crawfordsville City Building, 300 East Pike Street, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick, Vice Chairman; Commissioner Harry A. Siamas, Member; Deanna Durrett, Member/Executive Secretary; Drainage Board Administrator/Deputy Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Wade Bennett; CK Wilkins; Dick and Evelyn White; Stan Hatke; Keith Sayler; W.J. Schalk; Nancy and Bob Stwalley; John Frey; Aaron Shelton; John S. Capper IV; Clinton C. Murray; Barry Lewis, The Paper; Building Administrator Marc Bonwell; Rob Durrett; Marian Lindow-League of Women Voters.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Pastor Alan Goff led the prayer.

Approval of Minutes – February 26, 2007 & February 27, 2007.

Bill McCormick moved to approve the February 26, 2007 & February 27, 2007 minutes. Harry Siamas seconded. 4-0 votes in favor. Motion carried.

Correction to February 6th minutes regarding Sarah Kincaid Drain rate increase. Deanna Durrett moved to amend the minutes of February 6, 2007 to read "\$4.73 rate increase". Bill McCormick seconded. 4-0 votes in favor. Motion carried.

Old Business

Linn Himes Brush Pile – Harry Siamas stated the issue was raised at the last Drainage Board meeting requesting that piles be removed by the contractor, Wilson Construction. After the meeting, Wilson Construction brought to the Board's attention its invoice for the work. Wilson Construction invoiced only for "Heavy clear and stock pile". Harry Siamas expressed his apologies for any misunderstanding. *Harry Siamas moved to discuss the Linn Himes issue in light of new evidence. Bill McCormick seconded.* After discussion, *Bill McCormick moved that Deputy Surveyor Cummins acquire additional quotes for the removal of the piles and then report back to the Chairman of the Drainage Board with the quotes due on Friday, March 16th. Deanna Durrett seconded. Bill McCormick amended his motion to have the quotes due on Friday, March 16th by 2:00 p.m. Deanna Durrett seconded the amendment. 4-0 votes in favor. Motion carried.*

Joe Hall Drain Separation – Deanna Durrett explains the two issues on the Joe Hall Drain. *Bill McCormick moved to table the issue of separation of the Joe Hall Drain until after the teardrop technology is available. Deanna Durrett seconded. 4-0 votes in favor. Motion carried.*

Wood Creek Shops Storm Water Review

Building Administrator Marc Bonwell presented the storm water plans for a building on the south side just north of Liberty Square. The building will be approximately 6,800 square feet with a small detention area. The plans have been reviewed by DLZ. *Harry Siamas moved to accept the storm water plan as presented. Bill McCormick seconded. 4-0 votes in favor. Motion carried.*

Appointment of New Drainage Board member – Bill McCormick stated that they have one new member and are unsure of the other member. The Commissioners will have to appoint the new Drainage Board member at their next Commissioners meeting.

INDOT Recision Resolution - Deanna Durrett stated she has not received anything in writing, but has been assured by INDOT that they will continue to pay assessments on County drains.

Procedure for Filter Strips - Deanna Durrett advised she is continuing her discussions with filter strips and would like to keep the topic on the agenda as a landowner education issue at this point.

Order to Dan & Carl Gwin – The Gwins' Petition for Judicial Review has been dismissed. *Harry Siamas moved to place the issue on the April 24th agenda. Bill McCormick seconded.* Deanna Durrett questioned what new information would be needed. The two new Drainage Board members will be need to be informed of the situation and given an opportunity to visit the site. *4-0 votes in favor. Motion carried.*

James Hose Grant – The Drainage Board met jointly with the Linden Town Board to discuss applying for a grant with the office of community and rural affairs. *Bill McCormick moved to request that Drainage Board Attorney Suanne Milligan research the ability to use James Hose funds for the matching money in the grant. Phil Bane seconded. 4-0 votes in favor.*

Stwalley v. Murray Drainage Board Petition 2007-1 Removal of Obstruction in Mutual Drains and Natural Surface Watercourses Indiana Code 36-9-27.4 –

Before the proceeding, Board Member Deanna Durrett, recused herself due to a conflict of interest. The Petitioners, Nancy J. Stwalley, Bob Stwalley, John Frey, and Aaron Shelton appeared in person and by counsel, John S. Capper IV. The Respondent, Clinton C. Murray, appeared in person. Tom Cummins, Deputy Surveyor reported that he had investigated the site at issue that that he had found that an obstruction existed. The parties each waived any objection to the Board receiving the report of the Deputy Surveyor at the same meeting as the hearing. The parties each agreed that the hearing should go forward. All witnesses were sworn in and the evidence was duly marked as it was submitted. After the board heard evidence from both the Petitioner and the Respondent and considered the exhibits presented, the board found that the petition should be granted. The Board found that there was an obstruction of a natural watercourse, the obstruction was caused by the respondent and was intentionally caused. The Board further found that removal of the obstruction would improve the drainage on the Petitioners' land and removal of the obstruction would not cause unreasonable damage to the Respondent's land. *Mr. McCormick moved, and Mr. Bane seconded, that an order be entered requiring the Respondent to remove the obstruction permanently. Motion carried 2-0.* Mr. Siamas abstained from the consideration and voting. Mr. Bane directed the board attorney to prepare written findings and an Order for their signature.

Claims – Chairman Bane asked if there were any claims. Deputy Surveyor Cummins responded in the negative.

Public Comment – Chairman Bane asked if there was public comment. Mr. Joe Schalk representing Wilson Construction stated he appreciated the apology given to Wilson Construction.

Bill McCormick moved that the remainder of the agenda be postponed until the March 27, 2007 Drainage Board meeting. Harry Siamas seconded. 4-0 votes in favor. Motion carried.

Bill McCormick moved to adjourn. Harry Siamas seconded. There being no further business before the Drainage Board, the meeting was adjourned. *4-0 votes in favor. Motion carried.*

Meeting adjourned @ 10:45 a.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

Harry A. Siamas

Harry A. Siamas, Member

SPECIAL MEETING
MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, MARCH 19, 2007
MINUTES

The Montgomery County Drainage Board met on Monday, March 19, 2007 at the South Boulevard Conference Room, 110 West South Boulevard, Crawfordsville, Indiana.

Those members present were as follows: Phil Bane, Chairman; William D. McCormick, Vice Chairman; Deanna Durrett, Member; Lori Dossett, Secretary.

Also present: Drainage Board Administrator/ Deputy Surveyor Tom Cummins; Drainage Board Attorney Suanne Milligan; Building Administrator Marc Bonwell; Dave Foster; Marian Lindow, League of Women Voters.

Drainage Board Chairman Phil Bane called the meeting to order @ 4:36 p.m.

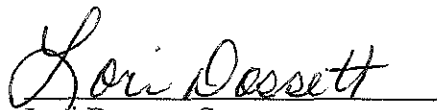
Linn-Himes Drain – Deputy Surveyor Cummins advised that he has obtained four quotes for the removal of the brush piles and one suggestion from Foster Farms. Dave Foster stated he is proposing to grind up the pile instead of burning. He stated that a burn permit would have to be obtained from the State before the piles could be burned. *Bill McCormick moved to discuss the situation. Deanna Durrett seconded.* The matter needs to be expedited for the reason that planting time is fast approaching and two of the piles are in the fields. *Bill McCormick moved to take the bids under advisement until Drainage Board Attorney Suanne Milligan has had an opportunity to look into the legal ramifications of burning the piles. Deanna Durrett seconded. 3-0 votes in favor. Motion carried.*

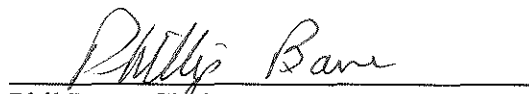
Storm Water Plans for North Montgomery High School Concession Stand – Building Administrator Marc Bonwell presented plans for the 50x30 building to be constructed on 25 acres on North Montgomery High School property. He advised the project is not big enough to constitute a drainage plan. He stated that he has spoken to landowners on the *McClamroch Drain* and no one expressed any objections to the new building. The additional water will have minimal impact on the McClamroch drain.


Laptop Computer Purchase – Deputy Surveyor Cummins advised that he has received an \$1,800 estimate from Dell for the purchase of a laptop computer. He stated there is currently \$1,500 in a computer line item in the Drainage Board budget. An additional \$300 will have to be transfer from another account. *Bill McCormick moved to approve the purchase of the laptop computer pending approval of the transfer by the Commissioners. Deanna Durrett seconded. 3-0 votes in favor. Motion carried.*

Deanna Durrett moved to adjourn. Bill McCormick seconded. Board voted unanimously to adjourn at 5:20 p.m. 3-0 votes in favor. Motion carried.

Minutes prepared by Lori Dossett, Drainage Board Secretary.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Executive Secretary

MONTGOMERY COUNTY DRAINAGE BOARD
110 West South Boulevard
Crawfordsville, IN 47933
765-361-3235

Minutes

Jesse Snoddy Landowners Meeting
March 20, 2007 @ 6:30 pm
Alamo Fire Station

Members present: Phil Bane, chairman; William D. McCormick, vice chairman; Deanna Durrett, executive secretary; Tom Cummins, deputy surveyor. Absent: Harry Siamas.

Landowners: Janet Stout and Clark Sennett for Cecil Dunlap; David Turner, Marc and Harold Barclay, Steve LeJeune, Dean Rush, unknown, unknown. Contractors: Dave and Brenda Foster; Bill Biddle and Bill Biddle Jr. Others: Jim Spence.

Meeting was called to order by chairman, Phil Bane at 6:30 pm.


Mr Bane said no decisions will be made at tonight's meeting but that the Board wished to gain landowner input. Deanna Durrett explained the purpose of the meeting: to consider solutions for the indebtedness and to consider solutions for the functioning of the drain. She presented background about expenditures, indebtedness, and assessment rates. Drain has been in debt since 1988; it is currently in debt by \$16,206.31; the \$7.73 per acre assessment is one of the highest in the county; the \$7.73 rate dates from 1997; it will take \$60.60 per acre to pay off debt in one year; watershed is 266.63 acres; yearly assessment is \$2074.30. Mr. Foster is currently doing work at Mr. Turner's expense to reattach a tile that was cut off in 2001.

After discussion, Mr. Bane offered to request an appropriation from the County Council to offset some of the indebtedness. His rationale is landowners state that drainage from the north and the east has not been adequate since the road was raised in 2001. It is believed that tiles that previously went under the road were crushed or blocked. The Biddles propose lowering the north-south drain along the road and cleaning the east-west leg of cattails. Mr. Foster will reattach a 12 inch tile to a 15 inch tile and install a breather.

Meeting was adjourned at 7:45 pm.



Phil Bane, Chairman



William D. McCormick, Vice-chairman



Deanna Durrett, Executive Secretary

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, MARCH 27, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, March 27, 2007 in the conference room at the South Boulevard County Building, 110 West South Boulevard, Crawfordsville, Indiana.

Those members present were as follows: Commissioner Phil Bane, Chairman; Commissioner William D. McCormick, Vice Chairman; Commissioner Harry A. Siamas, Member; Deanna Durrett, Member/Executive Secretary; Drainage Board Administrator/Deputy Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Wade Bennett; CK Wilkins; Barry Lewis, The Paper; Building Administrator Marc Bonwell; Rob Durrett; Marian Lindow-League of Women Voters; Greg Woods; Harold & Ethel Reeves; Mark Kessler.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Pastor Alan Goff led the prayer.

Approval of Minutes – March 13, 2007; March 19, 2007; & March 20, 2007.

Bill McCormick moved to approve the March 13, 2007, March 19, 2007 & March 20, 2007 minutes. Harry Siamas seconded. 4-0 votes in favor. Motion carried.

Linden United Methodist Church – Surface Water Drainage Plan

Building Administrator Marc Bonwell reviewed with the Board the Surface Water Drainage Plan for the addition to the Linden United Methodist Church. He advised that DLZ has reviewed the plans and recommend one revision to the freeboard requirement to 6 inches instead of 2 feet. Bonwell explained that the area is flat and does not have room for the 2' freeboard. *Harry Siamas moved to approve the surface water drainage plan for the Linden United Methodist Church. Deanna Durrett seconded. 4-0 votes in favor. Motion carried.*

Staff Report

Deanna Durrett, Executive Secretary presented the Board with the quarterly calendar of events for April 1 through June 30, 2007.

John Ward Drain – Deputy Surveyor Cummins presented a preliminary reconstruction report on the John Ward Drain to the Board. Cummins recommended replacement of 180 feet of 24" tile at the downstream end; re-shape and dip out the open ditch from the tile outlet to the open ditch outlet; erosion control to avoid future erosion; remove livestock fence to avoid obstruction of water flow; and consult a surveyor/engineer to assist in open ditch repair. Bill McCormick moved to instruct Deputy Surveyor Cummins to proceed with the investigation of the John Ward Drain. Deanna Durrett seconded. 4-0 votes in favor. Motion carried.

Deanna Durrett, Executive Secretary presented the running report for the drain accounts to the Board.

Mapping Report- Deputy Surveyor Tom Cummins advised the Drainage Board office is continuing to investigate methods of scanning the drain information to ThinkMap.

Indiana County Surveyor's Association – \$25 dues are due at this time for Montgomery County to be members of the County Surveyor's Association.

Deanna Durrett, Executive Secretary reviewed with the Board a Revised Contractor's List.

Old Business

Linn-Himes Brush Pile – Bill McCormick moved to accept the Glenco bid of \$4,028. Deanna Durrett seconded. Drainage Board Attorney Suanne Milligan advised that contractors are not required by IDEM to have a permit for the burning of these brush piles. Open burning of brush piles is allowed if certain guidelines are followed such as: burning during daylight hours, not during high winds and someone attends the burn at all times. Mark Kessler questioned why the Board did not accept the lowest bid. It was explained to Mr. Kessler that the lowest bid was not received in a timely manner and the bidder had not turned in his qualification sheet or insurance information. **3-1 votes in favor (Bane, McCormick, Durrett) 1 opposed (Siamas). Motion carried.**

Stwalley/Murray Petition - Drainage Board Attorney Suanne Milligan presented a written Order of the Board's prior finding at the March 13th hearing. **Bill McCormick moved to ratify and sign the Order. Phil Bane seconded. 2-0 votes in favor. (Siamas abstained/Durrett recused) Motion carried.**

Timothy Lane Drain - Deputy Surveyor Tom Cummins presented three bids for the removal of the concrete livestock bridge, re-shaping the bank and adding 20 tons of rip rap. Akers - \$7,040; Conner Excavating - \$5,950; Glenco - \$2,205. **Bill McCormick moved to accept the Glenco bid. Phil Bane seconded. 4-0 votes in favor. Motion carried.**

Procedure for Drain Repair - Deanna Durrett, Executive Secretary explained the purpose of the Procedure for Drain Repair is to outline a process which will be helpful in the Drainage Board office to contract for work if certain criteria is met and give the office more flexibility and to expedite the process. **Bill McCormick moved to put the Procedure for Drain Report on the April 24th agenda. Deanna Durrett seconded.** Harry Siamas stated the other landowners should be involved when deciding what work needs to be done. **4-0 votes in favor. Motion carried.**

New Business

James Servies Drain – Ethel Reeves appeared before the Drainage Board requesting to install a stone bed crossing on her property over the Servies Drain. She advised the current bridge is old and is concerned that semis are too heavy for the structure. **Bill McCormick moved to allow the Reeves to install a stone bed crossing at their own expense pending approval from DNR and the Army Corps of Engineers. Harry Siamas seconded.** Deanna Durrett questioned if the Reeves' should file a variance form. **Bill McCormick moved to amend his motion to approve the variance if it is deemed necessary. Deanna Durrett seconded. 4-0 votes in favor. Motion carried.**

Martin Young Drain - Deanna Durrett, Executive Secretary presented a Memorandum to Auditor Jeff Dossett regarding the removal of the Martin Young Joint Drain from the listing of joint drains and to include the Martin Young Drain in the listing of Montgomery County. Board members signed the memorandum.

Ziegler Drain - Deanna Durrett, Executive Secretary presented a Memorandum to Auditor Jeff Dossett regarding the removal of the Ziegler Drain from the listing of joint drains and to remove the drain off of assessment in 2007. Board members signed the memorandum.

Kirkpatrick #1 Drain - Deanna Durrett, Executive Secretary presented a Memorandum to Auditor Jeff Dossett regarding the removal of the Kirkpatrick #1 Drain from the listing of joint drains and to remove the drain off of assessment in 2007. Board members signed the memorandum.

Claims –

Foster Farm Drainage – John Galey Drain - \$1,067.90

Konica Copier maintenance contract - \$102.92

Indiana County Surveyor's Association membership dues - \$25.00

Training for Cummins at Purdue Surveying School - \$160.00

Harry Siamas moved to approve the four claims as presented. Phil Bane seconded. 4-0 votes in favor. Motion carried.

Meeting recessed @ 9:00 a.m.

Meeting reconvened @ 9:15 a.m. with Board members Bill McCormick and Deanna Durrett present.


The teardrop software demonstration previously scheduled has been cancelled due to a conflict with the software vendor.

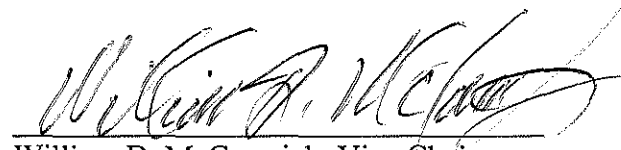
Deanna Durrett moved to adjourn. There being no further business before the Drainage Board, the meeting was adjourned. **2-0 votes in favor. Motion carried.**

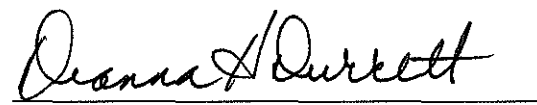
Meeting adjourned @ 9:09 a.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member

Harry A. Siamas, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, APRIL 10, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, April 10, 2007 in the conference room at the South Boulevard County Building, 110 West South Boulevard, Crawfordsville, Indiana.

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

Also present: Commissioner Harry Siamas; Wade Bennett; CK Wilkins; Barry Lewis, The Paper; Building Administrator Marc Bonwell; Rob Durrett; Marian Lindow-League of Women Voters; and Phil Campbell.

Drainage Board President Phil Bane called the meeting to order @ 8:45 a.m. and led the Pledge of Allegiance and Pastor Terry led the prayer.

Swear In New Drainage Board Members – Clerk Jennifer Bentley swore in new Board Members David Rhodes and Jack Grimble.

Approval of Minutes – March 27, 2007

Bill McCormick moved to approve the March 27, 2007 minutes. Deanna Durrett seconded. 3-0 votes in favor. Motion carried.

Drain Report by Drainage Board Administrator Tom Cummins –

James Sanders Drain – Administrator Cummins advised that the ***James Sanders Drain*** had been previously approved for reconstruction by the Board in December of 2005. The drain has not been reconstructed to date. Cummins recommended that the Sanders Drain's watershed be reviewed. He also advised that the ***James Sanders Drain*** outlets into the ***Detchon-Adams Drain***. The ***Detchon-Adams Drain*** was taken off assessment in 1968. Deanna Durrett recommended in a proposal to raise the assessment on the ***James Sanders Drain*** in order to cover the cost for the repairs and not do a reconstruction of the drain and instead encumber funds from the improvement account with a strategy for repaying existing and new maintenance debt. The Chairman Bane stated that the Board had previously established a policy of not spending money on deficit drains and property were told that work could not be performed on drains that were deficit. Board members will review the ***James Sanders Drain*** and the matter will be placed under Old Business on the April 24th agenda. Deanna Durrett will at that time present a refined strategy towards work being performed on deficit drains.

Timothy Lane Drain – Administrator Cummins advised that Glenco started work today. Cummins advised after the work is completed on ***Timothy Lane***, they will proceed to work on the piles on the ***Linn-Himes Drain***. Cummins also advised that Wilcox will begin work on the ***Carper-Crowder Drain***.

James Hose Drain – Deanna Durrett advised that Drainage Board Attorney Suanne Milligan has determined that maintenance funds can be used for matching grant funds. Administrator Cummins advised that he spoke to Linden Board President Gary Fike and he was advised at that time that the Linden Town Board was not opposed to using those funds. Deanna Durrett explained some background information to the two new Board members. Bill McCormick stated in his opinion the Town of Linden should be required to share in the upfront money for the grant application. Multiple contributions earn points when entities are applying for grants. Deanna Durrett will confirm with the Linden Town Board the desire to move forward with the grant application.

James Servies Drain – Deanna Durrett advised that the question of requiring a variance for the Reeve's to construct a rock shute bridge cannot be required given that the Board granted the request at the last Drainage Board meeting. The Drainage Board office will work on a policy regarding requiring variances.

Jesse Snoddy Drain – Chairman Bane explained that the **Snoddy Drain** is located north of Alamo and the Drainage Board has held a couple of meeting at the Alamo Fire Department regarding the continuing problems with the drain. Chairman Bane stated that in his opinion the County road running parallel with the drain was raised during a road project and as a result contributed to the problems with the drain and the property owners on the drain should be not be held totally responsible. Chairman Bane advised he will is going to request an additional appropriation from the County Council to assist with the repairs to the **Snoddy Drain** at the April 17th Council meeting.

Albert Hysong Drain – A Joint Drainage Board meeting with Hendricks County and Montgomery County has been scheduled on Monday, April 23, 2007 @ 3:30 p.m. at the Crawfordsville Public Library. **Bill McCormick moved to appoint Dave Rhodes and Deanna Durrett to serve on the joint Drainage Board with Hendricks County on the Albert Hysong Drain. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Other Business

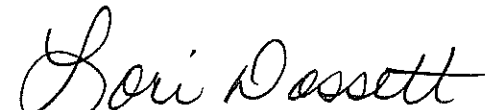
Procedure for Drain Repair - Deanna Durrett, Executive Secretary distributed a proposed process for Procedure for Drain Repair. **Bill McCormick moved to take the proposal for Procedure for Drain Repair under advisement. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.**

New Board Members Dave Rhodes and Jack Grimble were welcomed by the Drainage Board.

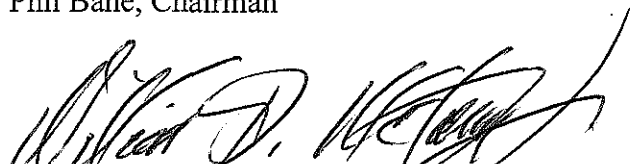
Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. **5-0 votes in favor. Motion carried.**

Meeting adjourned @ 9:40 a.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.

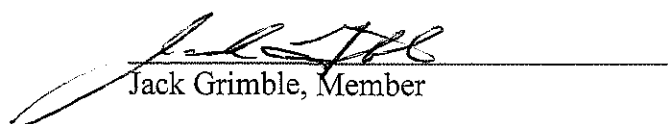

Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


David Rhodes, Member


Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, APRIL 23, 2007
MINUTES

The Montgomery County Drainage Board met on Monday, April 23, 2007 in the conference room at 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 Rhodes, Member; Jack Grimble, Member; Drainage Board Administrator Tom Cummins; Suanne Milligan, and Drainage Board Secretary Lori Dossett.

Also present: Jack Maloney; Dave Gaston and Bill Hawn.

Drainage Board President Phil Bane called the meeting to order @ 3:35 p.m.


Board Organization- Purpose to establish a Joint Drainage Board with Hendricks County to discuss the Albert Hysong Drain. Bill McCormick moved to appoint Dave Rhodes and Deanna Durrett to the Joint Hendricks County/Montgomery County Drainage Board. Ed Shirar and Jack Malony from Hendricks County will also serve on the Joint Board.

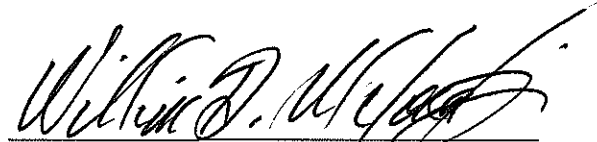
Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. *5-0 votes in favor. Motion carried.*

Meeting adjourned @ 3:38 p.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member

David Rhodes, Member

Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, APRIL 24, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, April 24, 2007 in the conference room at the South Boulevard County Building, 110 West South Boulevard, Crawfordsville, Indiana.

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

Also present: Commissioner Harry Siamas; Wade Bennett; CK Wilkins; Ward Wilkins; Barry Lewis, The Paper; Building Administrator Marc Bonwell; Rob Durrett; Marian Lindow-League of Women Voters; Merlin Cox; and Larry Gentry.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Ron Threlkeld led the prayer.

Approval of Minutes – April 10, 2007

Bill McCormick moved to approve the April 10, 2007 minutes. Deanna Durrett seconded. 3-0 votes in favor. Motion carried.

Thomas Wilkins Drain – Drainage Board Attorney Suanne Milligan questioned if the Thomas Wilkins Drain is still presenting problem and C.K. Wilkins advised that it is. ***Bill McCormick moved to place the discussion of the Thomas Wilkins Drain on the May 15, 2007 Drainage Board agenda. Dave Rhodes seconded. 5-0 votes in favor. Motion carried.***

Staff Reports – Surveyor Cummins requested that the following drains be set for deficit drain hearings: Charles Ludlow #1, George Hutton and Chrineyance-Schenck. ***Bill McCormick moved to set the deficit drain hearings on June 26, 2007 @ 8:00 a.m. at the City Building. Dave Rhodes seconded. 5-0 votes in favor. Motion carried.***

Procedure on Deficit Drain Repairs – ***Deanna Durrett moved to adopt the proposed Procedure for Deficit Drain Repairs. Jack Grimble seconded.*** The Board discussed that during the deficit drain hearings property owners were advised that no repairs on drains would be made until the drains were no longer deficit. The Deficit Drain Policy will be re-tooled and a strategy will be discussed to notify property owners of the new policy. The Surveyor proposed repairs to the following deficit drains: James Sanders, Richard Virts, Ebenezer McClaskey, Linn Himes and Smith Elmore. ***(No Action Taken on the Original Motion)***

Jack Grimble moved to table the Procedure for Deficit Drain Repair. Deanna Durrett seconded. 5- votes in favor. Motion carried.

Vancleave Ditch – New Market – Merlin Cox and Larry Gentry appeared before the Board advised the Board that the culvert located under CR600 South has blown out and is starting to cave in. He advised that he spoke to Highway Director Brett Cating who had advised him that the culvert is not a bridge and therefore not the responsibility of the Highway Department. Deanna Durrett requested authorization to hire a consulting engineer to review the condition of the culvert. Bill McCormick requested that Mr. Cating attend the next Drainage Board meeting.

Drain Repair – Surveyor Cummins requested that the Board approve the proposed Procedure for Drain Repair wherein the Surveyor will select the “lowest & best estimate” of repairs that are less than \$1,500 without Drainage Board approval. ***Bill McCormick moved to approve the Procedure for Drain Repair. Jack Grimble seconded. 5-0 votes in favor.***

Spraying Program – Surveyor Cummins advised that Glen Price is currently working on a certified spraying program for the County.

Pending Drain Mapping Issues – Deanna Durrett advised that many landowner's are questioning watershed boundaries. She advised that there are nine drains wherein engineering advice is needed. She will be contacting two firms to discuss farm drainage issues.

John Gobin Drain – Five tile holes have been reported on Tributary #1 within 70 feet of the southern part of the north tile. The field is currently planted.

Jessie Snoddy Drain – Phil Bane advised that an estimate has been received from Biddle in the amount of \$12,000 for the needed repairs to the Snoddy Drain. The question of who is responsible for the repairs has been an ongoing issue. Phil Bane read the minutes from a January, 2001 Drainage Board meeting wherein it states, "the County shall be responsible..." Phil Bane will be requesting that the County Council appropriate the funds to make the necessary repairs to the Drain.

Mapping Report – Deanna Durrett advised that she has spoken to two firms interested in digitizing the 200 drain maps for the County. She is currently working on getting proposals from the firms and will report to the Drainage Board when those proposals have been received.

Strategic Plan Review – The Drainage Board will meet on Monday, June 11, 2007 @ 8:00 a.m. for a strategic planning session.

Old Business

Bill McCormick advised that Tom Cummins resigned as Deputy Surveyor and was appointed Surveyor by the Commissioners at the April 23rd, 2007 Commissioners meeting.

James Hose Grant – Deanna Durrett advised that she met with the Linden Town Board on Thursday, April 26th and she was advised that the Town of Linden is willing to make a contribution. Bill McCormick moved to proceed with the grant for the Town of Linden. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Thomas Wilkins Drain Order – Drainage Board Attorney Suanne Milligan advised that she has been contacted by Mr. Gwin's attorney that they will be requesting to take evidentiary depositions of Larry Utz, Jim Harper, Don Hester and Bob Cox.

New Business

Discussion of Revised Forms and Filing Fees - Deanna Durrett advised that the forms for: Removal of Obstruction; Assumption of Mutual or Private Drain; Variance & Rate Hearing Orders need to be revised. Deanna Durrett advised she will look into the options and report them back to the Board.

Converting Private Drains into Legal Drains – Surveyor Cummins requested advice from the Board on how to proceed converting a private drain into a legal drain. Drainage Board Attorney Suanne Milligan will look into the proper procedure.

Financial Report – Deanna Durrett advised that the Surveyor's office books have been reconciled with the Auditor's books. She advised there is \$220,769.57 in the maintenance fund and \$166,878.2 in the improvement funds. The balances are \$5,000 off from the bank balance which is a major improvement from one year ago.

Claims – No claims were presented for approval.

Public Comment – No one came forward with a public comment.

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 @ 9:50 a.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

David Rhodes, Member

Jack Grimble, Member

MONTGOMERY COUNTY/HENDRICKS COUNTY
JOINT DRAINAGE BOARD
MONDAY, APRIL 23, 2007
MINUTES

The Montgomery County Drainage Board met on Monday, April 23, 2007 in the conference room at the Crawfordsville Public Library, Crawfordsville, Indiana.

Those members present were as follows: Deanna Durrett, Member/Executive Secretary; Dave Rhodes, Member; Jack Maloney, Member; Bill Hahn, Member; Drainage Board Administrator Tom Cummins; Suanne Milligan, and Montgomery County Drainage Board Secretary Lori Dossett.

Absent: Ed Schrier, Member.

Also present: Dave Gaston.

Deanna Durrett called the meeting to order @ 3:39 p.m.

Board Organization-

Chairman – Dave Rhodes nominated Deanna Durrett as Chairman. Nominations were closed. 4-0 votes in favor. Motion carried.

Attorney – Bill Hahn nominated Suanne Milligan as the Joint Drainage Board's attorney. Nominations were closed. 4-0 votes in favor. Motion carried.

Secretary – Dave Rhodes nominated Lori Dossett as the Joint Drainage Board's Secretary. Nominations were closed. 4-0 votes in favor. Motion carried.

Albert Hysong Drain- Drainage Board Administrator Tom Cummins advised that the majority of the *Albert Hysong Drain* is located in Montgomery County. He advised that the drain is currently deficit in the amount of \$2,608.52 with a current assessment of \$1.00 per acre. He advised that currently Hendricks County is not being assessed on the drain. The Board requested a Surveyor's Report on projected cost of reconstruction and aerials of the drain to be submitted at the next Joint Drainage Board meeting which will be held on Thursday, June 7, 2007 @ 8:00 a.m. at the South Boulevard conference room.

Deanna Durrett moved to adjourn. There being no further business before the Drainage Board, the meeting was adjourned. *4-0 votes in favor. Motion carried.*

Meeting adjourned @ 3:50 p.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.



Lori Dossett, Secretary



Deanna Durrett, Chairman



David Rhodes, Member



Bill Hahn, Member

Jack Maloney, Member

MONTGOMERY COUNTY DRAINAGE BOARD
WEDNESDAY, MAY 9, 2007
MINUTES

The Montgomery County Drainage Board met on Wednesday, May 9, 2007 in the City Council Chambers at the City Building, 300 East Pike Street, Crawfordsville, Indiana.

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

Absent: David Rhodes, Member.

Also present: Wade Bennett; CK Wilkins; Carl Gwin; Kevin Riley; Donya Lester; Daniel C. Gwin; Paul Springer; Gayle Lough; Ed Chenoweth; Barry Lewis, The Paper; Building Administrator Marc Bonwell; Highway Director Brett Cating; Rob Durrett; Marian Lindow-League of Women Voters.

Drainage Board President Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Pastor Alan Goff led the prayer.

Approval of Minutes – April 23, 2007 & April 24, 2007

Bill McCormick moved to approve the April 23, 2007 & April 24, 2007 minutes. Deanna Durrett seconded. 3-0 votes in favor. Motion carried.

Thomas Wilkins Drain – Chairman Phil Bane set forth the ground rules for the Thomas Wilkins Drain discussion. He advised that the discussion will last 45 minutes. If further discussion is necessary, another meeting will be set. He asked how many individuals wish to speak and advised that everyone has three minutes to speak and everyone who wishes to speak will have an opportunity before an individual gets a second opportunity. After the discussion, the Board will discuss the options of repair; requesting the advice of engineer/hydrologist; or reconstruct.

John Capper representing Ward Wilkins stated the Wilkins plan to file a petition within the next few days and will request a formal hearing to ask the Board to disconnect the Gwinn connection which they did not have permission to attach and the tile is overloading the drain.

Dan Gwin stated that he disagreed with the Wilkins and the tile was legally hooked up and he did have permission. He wanted to state on the record that the hookup was properly done.

Bill McCormick moved to table the discussion on the Thomas Wilkins Drain until such time that the Drainage Board is presented with a petition. Deanna Durrett seconded. 3-0 votes in favor. Motion carried.

Change in Deficit Drain Policy – Drainage Board members discussed a previous policy imposed by the Board wherein no work would be done on deficit drains. There has been a change since the policy was imposed. The assessments on the deficit drains have been raised and the accounting has been cleared up on what is in each drain account. ***Deanna Durrett moved that the Drainage Board will authorize repair of indebted drains on a case by case-by-case basis when the failure to repair will result in serious top-soil erosion, loss of significant crop productivity, or cause or maintain an unsafe site. Bill McCormick seconded. Durrett commented that it is always reasonable that the Board reconsider a policy. 3-0 votes in favor. Motion carried.***

Landowners Performing Their Own Work – ***Bill McCormick moved to request that at the next Drainage Board meeting the Drainage Board Office provide a proposed form and policy to address landowners doing their own work and being reimbursed at a later date. Deanna Durrett seconded. 3-0 votes in favor. Motion carried.***

Basil Vancleave Drain – Surveyor Cummins advised that he seeking the advice of an engineer on several drains and the Basil Vancleave Ditch will be included. Highway Director Brett Cating advised that he has been contacted by two New Market

Town Board members regarding the culvert on Main Street (CR600S). Cating advised that the culvert is the responsibility of the Town of New Market. He suggested that a couple of loads of rip-rap would take care of the problem. He advised that the structure itself is sound.

STAFF REPORT – New Board Member Jack Grimble and Surveyor Tom Cummins will attend the Monday, May 21st Boone County Drainage Board meeting.

FINANCIAL REPORT – Deanna Durrett advised that in the future process for “borrowing” money from the improvement fund when a claim is larger than the balance will be handled as follows: 1) Drainage Board submits to the Auditor an invoice for the full amount. 2) The Auditor writes a check to the contractor for the full amount from the maintenance fund. 3) The Auditor writes a check to the maintenance fund from the improvement fund for the amount necessary to keep the maintenance fund in the black. 4) The Auditor reimburses the improvement fund when the next, or subsequent settlements, are received until the “borrowed” money is paid back. Durrett advised that she sent a memo to Auditor Dossett advising him of this process.

CLAIMS – Foster Farms – John Ward Drain - \$99.98. Bill McCormick moves to pay the claim. Jack Grimble seconded. 4-0 votes in favor.

Request to County Council for Funding Report – Deanna Durrett advised that their office has been researching how to get County maps digitized so that they become a layer on the County’s ThinkMap. The new map technology will also help determining watersheds which will in turn be an accurate tool in determining assessments for drains. Four consulting firms are due to submit proposals on May 9th. The Drainage Board will request a \$35,000 appropriation from the County Council to fund digitizing the maps.

Jesse Snoddy Drain – Chairman Bane advised he will be requesting an additional appropriation from the County Council in the amount of \$12,000 to clean the open ditch area.

Ebenezer McClaskey Drain – Gayle Lough advised in 2003 a grass waterway was installed by Soil & Water to help with water flow. At the time of the installation it was determined that the 24” tile was overloaded and a 12” tile should be installed. According to Lough, the County paid for \$2,787.40 which was the difference between the 12” tile and the 6” tile. The question is, is it a County tile. Surveyor Cummins advised that there are two maps showing two different things. Drainage Board Attorney Suanne Milligan advised a starting place would be for Mr. Lough to petition the Drainage Board to have the tile established as a County tile and that would then authorize the Board to take further action. Mr. Lough further stated that he was under the assumption that since the County paid for the tile that it was a County tile. Deanna Durrett advised that the past Surveyor paid for drains that were not County drains. Mr. Lough advised there are problems with the connections. Bill McCormick stated that Mr. Lough should go back to the contractor since the tile should not have failed in three years.

Chairman Bane stated that this situation brings up the issue that more communication is needed between the various departments. McCormick stated that many times waterways have been installed and water has been directed to run into culverts that are not adequate to receive the additional waterflow. Better coordination of projects need to be done in the future.

PUBLIC COMMENT – Wade Bennett – **John Gobin Drain**. Bennett advised that there are two huge holes on the main that keep coming back and need a “good fix”. He advised John Wilcox was there fixing one tile hole on the drain. Bennett advised he didn’t care who fixed it, as long as it was fixed. Surveyor Cummins will look into the matter. Chairman Bane stated that a contractor is used at the preference of the landowner if the contractor is there at the time doing work on another part of the drain, it is a cost savings to use the same contractor while they are on-site.

Bill McCormick moved to adjourn. Deanna Durrett seconded. There being no further business before the Drainage Board, the meeting was adjourned. **4-0 votes in favor. Motion carried.**

Meeting adjourned @ 9:21 a.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

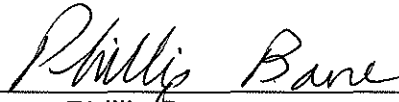
Deanna Durrett
Deanna Durrett, Member

Jack Grimble
Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MEMORANDA OF EXECUTIVE SESSION
MAY 9, 2007

The Montgomery County Board of Commissioners met at 10:00 A.m. on May 9, 2007 in the Commissioners Room at the Montgomery County Courthouse pursuant to a notice posted and provided in accordance with the Open Door Law Indiana Code 5-14-1.5-6.1 (b)(2)(B). The purpose of the executive session was with for discussion of strategy with respect to the initiation litigation or litigation that is either pending or has been threatened specifically in writing. [I.C. §5-14-1.5-6.1(b)(2)(B)].


Drainage Board members Chairman Phil Bane; Vice Chairman William D. McCormick, Member Deanna Durrett; Drainage Board Secretary Lori Dossett; Drainage Board Attorney Suanne Milligan; and Surveyor Tom Cummins. No votes were taken and no matters were discussed other than these matters. For discussion of strategy with respect to the initiation of litigation or litigation that is either pending or has been threatened specifically in writing.



Chairman Phillip Bane



Vice Chairman William D. McCormick



Deanna Durrett, Member



Lori Dossett, Secretary

SPECIAL MEETING
MONTGOMERY COUNTY DRAINAGE BOARD
THURSDAY, MAY 10, 2007
MINUTES

The Montgomery County Drainage Board met on Thursday, May 10, 2007 in the conference room at the South Boulevard County Building, 110 West South Boulevard, Crawfordsville, Indiana.

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

Absent: Member David Rhodes.

Drainage Board President Phil Bane called the meeting to order @ 7:00 a.m.


Board members discussed the upcoming 2008 Drainage Board budget.


Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. 4-0 votes in favor. Motion carried.

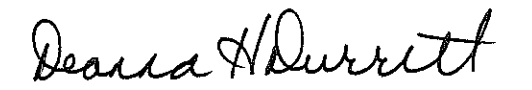
Meeting adjourned @ 8:10 a.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, MAY 22, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, May 22, 2007 in the conference room at the South Boulevard County Building, 110 West South Boulevard, Crawfordsville, Indiana.

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

Also present: Drainage Board Attorney Suanne Milligan; Barry Lewis, The Paper; Building Administrator Marc Bonwell; C. Edward Allen; Jim Gineris; Jerry Olson; and Marian Lindow-League of Women Voters.

Chairman Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Pastor Joe Dodds led the prayer.

Approval of Minutes – May 9, 2007 & May 10, 2007

Bill McCormick moved to approve the May 9, 2007 and May 10, 2007 minutes. Dave Rhodes seconded. 5-0 votes in favor. Motion carried.

Old Business:

Mapping Project – Chairman Phil Bane reported that the County Council approved an appropriation in the amount of \$35,000 for the mapping project. Deanna Durrett advised that the Schneider Corporation has been chosen for the project.

Landowners Performing Their Own Work – Deanna Durrett questioned why the Drainage Board needed a policy for such work. Bill McCormick stated that if a drain is deficit and a small fix comes in then the farmer should be allowed to do the work and be reimbursed provided he follows the guidelines. Durrett advised she will prepare a policy for the next Drainage Board meeting.

Gwinn Hearing – Drainage Board Attorney Suanne Milligan advised that a hearing to preserve testimony was held on May 21st in Montgomery Superior Court. Special permission has to be granted to enable the Gwinn's to take depositions before a petition is filed. Attorney Milligan advised Judge Ault took the matter under advisement.

Round Table of Organizations Concerned with Drainage – Deanna Durrett stated that at the last strategic planning session the Drainage Board discussed the value of different organizations meeting to discuss drainage issues. She will organize a meeting on July 10th at 9:00 a.m. or July 17 at 10:00 a.m. with the office of Soil & Water; Purdue Extension; Highway Department; and City Planning Department.

New Business:

Cherry Hill Stormwater Approval – Building Administrator Marc Bonwell advised he will present the stormwater plans at the June 12th Drainage Board meeting.

Two-mile in Re: Stormwater – Building Administrator Bonwell stated that there continues to be confusion over enforcement issues in the two-mile zone. He stated an ordinance was passed in 2002 which turned over the enforcement duties to the City of Crawfordsville. An issue has arose with the Golf View Estates and the development of a water problem involving subterranean water. He stated the Slentz property is pumping 40 gallons per minute into the side ditch which is for designed for surface water. Ed Allen, Jim Gineris and Jerry Olson appeared before the Drainage Board stating their concerns of the constant water flow in the drainage ditch in front of their homes. ***Bill McCormick moved to instruct Building Administrator Marc Bonwell to check with DNR for their opinion on what the water source and Dave Rhodes seconded. 5-0 votes in favor. Motion carried.***

Staff Report –

Long Range Plan - Surveyor Tom Cummins submitted a Long Range Plan for June, 2007 to December, 2008. *Deanna Durrett moved to approve the Long Range Plan as submitted. Bill McCormick seconded. 5-0 votes in favor. Motion carried.*

Drain Classification

Chrineyance Schenck Drain – Classified for Reconstruction. Cummins advised that the current maintenance assessment is: \$1.58 per acre. The drain has numerous tile holes. The 24” tile collapsed and is functioning as an open drain across Randy McCormick’s property. McCormick requests converting the tile to open drain. The outlet is adequate but needs debrushing. The drain serves as an outlet to the Guy Little Drain.

Albert Hysong Drain – Classified for Reconstruction. Cummins advised that the current maintenance assessment is: \$1.08 per acre. The drain is currently a Joint Drain with Hendricks County. Hendricks County does not pay an assessment on the drain. A landowner informational hearing has been set for June 7th.

James Gilliland Drain – Classified for Maintenance. Cummins advised the current maintenance assessment is: \$3.06 per acre. Tile holes are in need of repair. He suggested installing a breather at the tile hole along US231 to allow release of access pressure. The open ditch needs to be on a spray program.

Consulting Engineer Project – Cummins advised that he and Deanna Durrett spent the day with Jeff Heely visiting the Thomas Wilkins Drain, James Gobin Drain, John Galey Drain, Weliever Drain, Odis Stafford Drain and a lot of good information was gathered. They will be meeting with Ron Cunningham on Thursday, May 24th to look at other drains.

Visit to Boone County Drainage Board – The new Board members will visit the Boone County Drainage Board on June 18th.

James Hose Grant Administrator – Deanna Durrett advised that the grant administrator is scheduled to meet with the Commissioners at the next Commissioners meeting on May 29th.

Schedule Deficit Drain Hearings –

Charles Ludlow #1, George Hinton, John Ward, James Gilliland, James Sanders – Bill McCormick moved to schedule the Charles Ludlow #1, George Hinton, John Ward, James Gilliland, James Sanders for hearing on June 26, 2007 @ 8:00 am. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

FINANCIAL REPORT – Deanna Durrett advised she had nothing to report at this time.

CLAIMS – No claims were presented for approval.

PUBLIC COMMENT – No one came forward with a public comment.

Building Administrator Bonwell advised the Drainage Board of a possible drainage issue at Big Four Arch Crossing. He will keep the Drainage Board of new information as it arises.

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 @ 9:25 a.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 Rhodes

Dave Rhodes, Member

Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY JUNE 11, 2007
STRATEGIC PLANNING
MINUTES

The Montgomery County Drainage Board met on Monday, June 11, 2007 in the conference room at the South boulevard County Building, Crawfordsville, Indiana.

Those members present were as follows: Chairman Phil Bane; Members, William McCormick, Jack Grimble, Dave Rhoads, Deanna Durrett, Tom Cummins; Secretary, Lori Dossett; and Attorney, Suanne Milligan.

The meeting was called to order at 8:00 by Chairman Bane. The pledge of allegiance was followed with a prayer by Reverend Alan Goff.

Members listed expectations for the session, reviewed accomplishments and evaluated the session.

Expectations:

- Continue, review, and evaluate work from first 2007 strategic planning meeting.
- Get up to speed (new member)
- Focus; bring some tasks to conclusion
- Advise Board ahead of time concerning legal issues
- Concentrate on what we can realistically accomplish correctly
- Personal education
- Prioritize but don't let items fall through the cracks
- Stay the course concerning not electing a surveyor
- Comment: the Board is in a much different (better?) place than six years ago.

Review of accomplishments:

Board reviewed goals from the first strategic planning meeting.

Mr. Bane informed the Board that a county human resources director is being proposed in the 2008 budget.

Mr. Bane informed the Board that \$1,376.03 has been credited to the General Drain Improvement Fund from investments.

The board provided feedback concerning the Mission Statement to be presented at the June 25 Commissioner's meeting as an ordinance.

Evaluation:

The board is ahead of its expectations

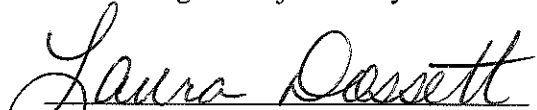
The board is moving at an appropriate pace

The board is created a level of integrity and commitment that is unusual

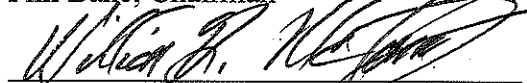
In two years, the board has done the best it could with what it was handed

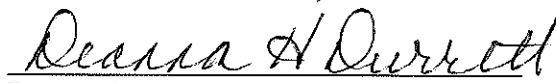
The board needs to let the public know that things are being accomplished.


The meeting was adjourned by Chairman Bane at 9:30 am.



Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett


David Rhodes


Jack Grimble

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, JUNE 12, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, June 12, 2007 in the conference room at the South Boulevard County Building, 110 West South Boulevard, Crawfordsville, Indiana.

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

Also present: Drainage Board Attorney Suanne Milligan; Barry Lewis, The Paper; Building Administrator Marc Bonwell; C. Edward Allen; Jim Gineris; Jerry Olson; Merlin Cox-Town of New Market; Dave Ayala; and Marian Lindow-League of Women Voters.

Chairman Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Alan Goff led the prayer.

Approval of Minutes – May 22, 2007

Bill McCormick moved to approve the May 22, 2007 minutes. Dave Rhodes seconded. 4-0 votes in favor. Motion carried.

Jim Gineris representing several landowners in attendance requested action on a water problem that has arisen in the Golf View Estates subdivision. Chairman Bane advised the landowners that the Drainage Board only has jurisdiction over regulated drains and this water problem is not on a legal drain. Marc Bonwell advised that the source of the water is unknown at this time. It has been speculated that the source could be spring or artesian water. Commissioner McCormick stated he will turn over the issue to the Commissioners legal counsel and will be in touch with Mr. Gineris at a later date.

Staff Report –

Spray Program - Surveyor Cummins advised that he is speaking with certified contractors regarding a spray program for the County drains.

Strategic Planning – Deanna Durrett advised that the Drainage Board held a strategic planning session on June 11th and the next strategic planning session will be held in three months. The sessions have proven very beneficial to the Board with long range plans and goals.

John Ward Drain & Basil VanCleave Drain – Surveyor Cummins presented two Proposals for Professional Services from Vester and Associates, Inc. in the amount of \$3,000 each for the John Ward Drain and Basil VanCleave Drain. Cummins advised that each drain has several drainage issues that need professional engineering for a preliminary study. ***Bill McCormick moved to allow preliminary drainage studies to be performed by Vester and Associates, Inc. in the amount of \$3,000 each for the John Ward Drain and the Basil VanCleave Drain. 4-0 votes in favor. Motion carried.***

Investments – Chairman Bane reported that the finance committee has approved that the interest from drainage funds shall be quietused back into the improvement fund. Surveyor Cummins advised that to date \$1,367.07 in interest has been deposited by the Auditor into the improvement fund.

Town of New Market – CR600South – Merlin Cox representing the Town of New Market advised the Drainage Board that the town does not have the funds to replace the bridge/culvert in question on CR600 South. He stated the town has been advised that the rip-rap suggested by the Drainage Board as a repair to the bridge/culvert will not work. He also stated the town will close the road if the repairs are not made.

Old Business -

Reimbursement of Repair of Deficit Drain Policy – Deanna Durrett presented a Policy for Reimbursement of Repair of Deficit Drains for the Board's approval. ***Bill McCormick moved to approve the policy as presented. Dave Rhodes seconded. 4-0 votes in favor. Motion carried.***

Reimbursement of Landowners for Chemicals Policy – Deanna Durrett presented a Policy for Reimbursement of Landowners for Chemicals for the Board's approval. ***Dave Rhodes moved not to approve the proposed policy. Deanna Durrett seconded. 4-0 votes in favor. Motion carried.***

Approval of Forms for Rate Increases, Petition for Variances & Order for Rate Increases. Deanna Durrett presented the proposed forms for Rate Increases, Petitions for Variances and Orders for Rate Increases. ***Dave Rhodes moved to approve the proposed forms as presented. Bill McCormick seconded. 4-0 votes in favor. Motion carried.***

Procedure for Drain Repair – Deanna Durrett presented a Procedure for Drain Repair for the Board's approval. ***Bill McCormick moved to approve the Procedure for Drain Repair as presented. Dave Rhodes seconded. 4-0 votes in favor. Motion carried.***

Interagency Meeting Dates – Deanna Durrett presented a notice for a proposed interagency meeting including Soil & Water, Purdue Extension, City Plan Commission, County Plan Commission, County Highway Department and County Building Department. The proposed dates for the meeting are: July 10, 2007 & July 24, 2007 @ 7:30 a.m. The meeting will last approximately one hour. The Board approved that the notice be issued.

Drain Classification Reports – George Hutton, John Ward, James Sanders Drains – Surveyor Cummins presented reports on the George Hutton Drain, John Ward Drain and James Sanders Drain. The raise in assessments hearings are scheduled for Tuesday, June 26, 2007 @ 8:00 a.m. at the Crawfordsville Municipal Building.

Schedule Raise of Assessments – Chrinyance-Schenck Drain, Basil VanCleave Drain, Albert Nobes Drain & John Galey Drain – Surveyor Cummins requested that the Board schedule the Chrinyance-Schenck Drain, Basil VanCleave Drain, Albert Nobes Drain and John Galey Drain for raise in assessment hearings. ***Bill McCormick moved to schedule the drains on Tuesday, July 24, 2007 @ 8:00 a.m. at the Crawfordsville Municipal Building. Dave Rhodes seconded. 4-0 votes in favor. Motion carried.***

John Galey & Odis Stafford Drain – Deanna Durrett requested that a preliminary engineering study be done on the John Galey & Odis Stafford Drains. ***Deanna Durrett moved to approve Banning Engineering to perform the preliminary engineering studies on the John Galey & Odis Stafford Drains. Dave Rhodes seconded. 4-0 votes in favor. Motion carried.***

Jesse Snoddy Drain – Chairman Bane advised that his request for an additional appropriation from the County Council was denied. He advised he is will request that the County Highway Department be authorized to dig out the areas that need to be dug out.

2008 Budget Process – The salary requests are due to be submitted to the Commissioners by June 20th.

***Bill McCormick left the Drainage Board meeting @ 9:30 a.m.**

New Business –

Variance Request – ASA Biofuels – Dave Ayala – requested a variance for the construction of ponds that will empty into the John Gobin Drain. The variance petition will be presented at the next Drainage Board meeting on June 26th.

Storm Water Plan – Cherry Hill II Subdivision – Building Administrator Marc Bonwell presented a storm water plan for the Cherry Hill II Subdivision being built by

Jim Deer. The storm water plan has one stipulation that the building pads are to be a minimum of 2' above existing grade. Bonwell advised that the storm water plan has been reviewed and approved by DLZ. **Deanna Durrett moved to approve the storm water plan for the Cherry Hill II Subdivision with one stipulation. Dave Rhodes seconded. 3-0 votes in favor. Motion carried.**

Order for 25% rate increase - Albert Hysong Drain – Surveyor Cummins requested that the Board approve a 25% rate increase on the Albert Hysong Drain. The assessment can be raised 25% without a rate increase hearing. **Deanna Durrett moved to approve the Order for 25% rate increase on the Albert Hysong Drain. Dave Rhodes seconded. 3-0 votes in favor. Motion carried.**

Claims – Surveyor Cummins presented the following claims for approval:

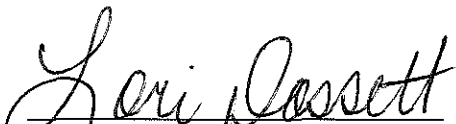
Frank James – Boswell Clough Drain - \$698.00
Frank James – Charles Newkirk Drain - \$435.00
Foster Farm Drainage – Charles Newkirk Drain - \$418.10
Foster Farm Drainage – Miller & White #577 - \$408.60
John Wilcox Backhoe Service – Wiley Bastion Ditch - \$337.40.

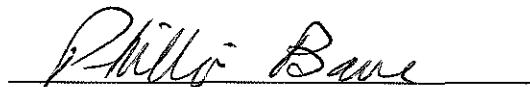
Dave Rhodes moved to approve the above claims as presented. Deanna Durrett seconded. 3-0 votes in favor. Motion carried.

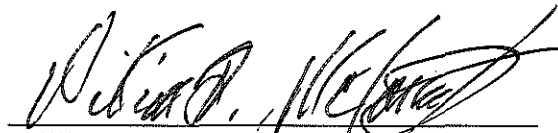
Dave Rhodes moved to adjourn. Deanna Durrett seconded. There being no further business before the Drainage Board, the meeting was adjourned. 3-0 votes in favor. Motion carried.

Meeting adjourned @ 9:45 a.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.


Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Dave Rhodes, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, JUNE 26, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, June 26, 2007 in the City Council Chambers at the City Building, 300 East Pike Street, Crawfordsville, Indiana.

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

Also present: Barry Lewis, The Paper; Dave Ayala; Marian Lindow-League of Women Voters; John D. Hooper; Richard Harshbarger; William Dice; Tom Hedrick; Joe Myers; Lynn Fellows; Elizabeth Flohr; Robert L. Calhan; Barry L. Dove; Leslie A. Dove; Steven Willard; Rob Durrett; Keith Hester; Diana Hester; Bob Stwalley; Alicia J. Lillard; Roby Webster; Anthony Beach and Richard Turner.

Vice Chairman William D. McCormick called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Jack Grimble led the prayer.

Approval of Minutes – June 11, 2007 & June 12, 2007

Deanna Durrett moved to approve the June 11, 2007 and June 12, 2007 minutes. Dave Rhodes seconded. 4-0 votes in favor. Motion carried.

Deficit Drain Hearings –

George Hutton Drain – Surveyor Cummins advised that the *George Hutton Drain* is in need of repair. The drain is carrying a negative balance of \$600. The current assessment is \$1.17 per acre and he is proposing to raise the rate to \$4.00 per acre.

**At 8:15 a.m. Chairman Phil Bane arrived at the meeting.*

Bill McCormick moved to raise the assessment on the George Hutton Drain to \$4.00 per acre. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.

John Ward Drain – Surveyor Cummins advised that the *John Ward Drain* is in need of repair. The drain has a current assessment of \$1.04 per acre and he is proposing to raise the assessment to \$4.00 per acre. The drain has a balance of \$3,202.94. He advised his office currently has an engineering firm studying the drain to make a recommendation for possible reconstruction. Bill Dice stated that the viaduct at the railroad is too high to allow for drainage. Elizabeth Flohr suggested take a comprehensive look at the entire drain and not just the problem areas. *Bill McCormick moved to raise the rate on the John Ward Drain to \$3.00 per acre. Deanna Durrett seconded. 5-0 votes in favor.*

James Gilliland Drain – Surveyor Cummins advised that the *James Gilliland Drain* is in need of repair. The drain has a current assessment of \$3.06 per acre and he is proposing to raise the assessment to \$6.00 per acre. The drain has an account balance of \$93.03. The property owners present advised that the \$6.00 proposed raised in assessment was too high. *Dave Rhodes moved to raise the assessment to \$4.50 per acre. Jack Grimble seconded. 5-0 votes in favor.*

James Sanders Drain – Surveyor Cummins advised that the *James Sanders Drain* is in need of repair and currently has a negative balance of \$9,795.52. Joe Myers stated that the property owners agreed in December of 2005 to reconstruct the drain. Deanna Durrett stated that the Board now believes that the reconstruction is not required if the original design of the drain is not changed. When the reconstruction was proposed, the property owners were not advised that the drain was carrying a negative balance. *Dave Rhodes moved to go ahead with the reconstruction that was agreed to by the property owners back in December of 2005. Motion died for lack of a second. Deanna Durrett moved to raise the assessment from \$2.45 per acre to \$4.00 per acre. Bill McCormick seconded. 5-0 votes in favor.*

ASA Linden, LLC - Petition for Request of a Variance – John Gobin Ditch #2 – Dave Ayala appeared on behalf of ASA Linden, LLC with a petition requesting a 40 foot variance from the 75 foot drainage easement as prescribed by statute for the reasons that the petitioners have plans to construct a settlement pond 35.2 feet from the centerline of the John Gobin Drain, but no closer than 11.8 feet from the top-of-bank of said legal drain along the eastern bank running approximately 340 feet and located approximately 777.0 feet south of County Road 1100 North. **Bill McCormick moved to grant the variance request for the encroachment on the settling ponds. Jack Grimble seconded. 5-0 votes in favor.**

Richard Turner of Soil & Water invited the Board on a tour of Montgomery County farms on July 17, 2007 beginning at 11:00 a.m.

Staff Report –

Boone County Drainage Board visit – Dave Rhodes and Jack Grimble both advised that it was helpful to attend a Boone County Drainage Board meeting. Boone County deals mainly with urban issues.

Engineering Study Report – Deanna Durrett advised that her office is gathering preliminary information for Vester & Associates in an attempt to keep the costs down.

Old Business -

Reimbursement of Repair of Deficit Drain Policy – Deanna Durrett presented Minimum Requirements for Landowner Reimbursement. The minimum requirements shall state:

“Landowner must:

- (1) submit qualifications before October 1 of each year for work to be performed the following year.
- (2) provide a copy of liability insurance coverage in an amount not less than \$1,000,000 each occurrence
- (3) provide proof of Workman’s Compensation coverage if labor other than landowner is involved.
- (4) receive approval from the County Surveyor as noted below.
- (5) submit a written estimate of cost of work and hourly rates for labor and equipment.
- (6) perform work consistent with industry standards. Indiana Drainage Handbook, Christopher B. Burke Engineering, Ltd, Indianapolis, IN: October 1999
- (7) submit invoice consistent with contractor requirements.

County Surveyor must

- (1) approve estimate and rates consistent with current contractor rates.
- (2) verify authorization by landowner for tenant to act on his/her behalf.
- (3) inspect and approve before and after the completion of work.
- (4) Provide public notice of the minimum requirements by July 15 of each year.

2007 interim requirements

Qualifications will be accepted immediately for work to be performed in 2007.

Foot notes:

- (a) Landowner may authorize his/her tenant to perform work and be reimbursed by the Drainage Board on his/her behalf. In this document “landowner” also refers to authorized tenant.
- (b) Spraying is excluded from reimbursement eligibility. The Montgomery County Drainage Board does not reimburse for spraying.”

Deanna Durrett moved that the Board accept the minimum requirements for landowner reimbursement. Jack Grimble seconded. After discussion, **Durrett moved to withdraw her motion and Grimble withdrew his second.** After further discussion, **Deanna Durrett re-moved that the Board accept the minimum requirements as presented. Jack Grimble seconded.** Mrs. Durrett was asked to draft a policy for landowners’ repair of tile without reimbursement. **5-0 votes in favor. Motion carried.**

Galey Drain – Surveyor Cummins advised that the Galey Drain scheduled for a deficit drain hearing will need to be postponed. The notices of the hearing to the landowners have not been sent out.

Mission Statement – Deanna Durrett advised that the Board has been working on a mission statement for several weeks. The proposed mission statement reads as follows:

“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 moves to approve the mission statement as the Mission Statement of the Montgomery County Drainage Board. Dave Rhodes seconded. 5-0 votes in favor. Motion carried.

Public Comment – Richard Turner questioned the limit of authority of the Surveyor’s office to approve repairs. Mr. Turner was advised that the Board has set a \$1,500 limit for the Surveyor’s office before Board approval for a drain repair is needed.

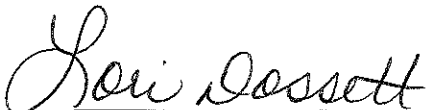
Claims – No claims were presented for payment.


Other Business – Richard Chism advised his approximately four years ago work was on his property on the *Joe Tobin Drain*. An open ditch was cleaned out and trees, shrubs and dirt were piled up to be cleaned up at a later time. He stated that Cain’s did the work and the Board suggested that Mr. Chism contact Mr. Cain to complete the project.


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

Meeting adjourned @ 10:10 a.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.

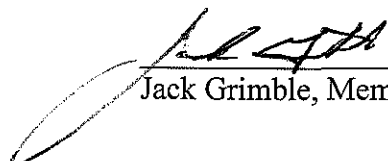

Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Dave Rhodes, Member


Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, JULY 10, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, July 10, 2007 in the conference room at the South Boulevard Building, 110 West South Boulevard, Crawfordsville, Indiana.

Those members present were as follows: Chairman Phil Bane; 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: County Attorney Suanne Milligan; Barry Lewis, The Paper; Marian Lindow-League of Women Voters; Rob Durrett; Phil Campbell; Clint Wilkins; Wade Bennett; and Bill Dice .

Chairman Phil Bane called the meeting to order @ 8:30 a.m. and led the Pledge of Allegiance with Alan Goff leading the prayer.

Approval of Minutes – June 25, 2007

Deanna Durrett moved to approve the June 25, 2007. Dave Rhodes seconded. 5-0 votes in favor. Motion carried.

Staff Report –

Spray Program Report – Surveyor Cummins advised that he will present a report to the Board at the next Drainage Board meeting.

Drain Report – Deanna Durrett presented a Drain Report of drain repairs and expenses through July 10, 2007 for the Board's review.

Old Business -

Odis Stafford Drain – Jeff Healy of Banning Engineering distributed a listing of scope and fees pertaining to the Odis Stafford and John Galey Drains. Mr. Healy estimated fees for the Odis Stafford Drain in the amount of \$14,300 and the John Galey Drain in the amount of \$15,700. He advised that the fees are based on a time hourly rate. Deanna Durrett advised the Board that the two drains are different than most drains and need the expertise of an engineer for advice. The John Galey Drain has a pending reconstruction order. *Bill McCormick moved to take the matter under advisement. David Rhoads seconded. 5-0 votes in favor. Motion carried.*

James Sanders Drain – Surveyor Cummins advised that the *James Sanders Drain* currently has a reconstruction order in the amount of \$40,800. The drain is current in debt in the amount of \$9,000. Cummins recommended that a hearing be scheduled on August 28, 2007 @ 8:00 a.m. *Deanna Durrett moves to hold a hearing on August 28, 2007 @ 8:00 a.m. to amend the reconstruction order on the James Sanders Drain. Bill McCormick seconded. 5-0 votes in favor. Motion carried.*

Linn-Himes Drain – Surveyor Cummins advised that the railroad is requesting that a tile be cut back and angled and a rock-chute be installed to keep silting at a minimum. Cummins estimated the cost to be \$2,000. The matter will be kept on the agenda as old business.

Computer Upgrade – Deanna Durrett requested \$225 for a Pro Access upgrade to one of the computers in the Drainage Board office. *Bill McCormick moved to approve the request to upgrade the computer in the Drainage Board office. Deanna Durrett seconded. 5-0 votes in favor.*

Other Business

Golf View Estates – Building Administrator Marc Bonwell advised that his department has authority to require that developers maintain subdivisions if there is a deed restriction. *Bill McCormick moved to instruct Building Administrator Marc*

Bonwell to notify the developer of the Golf View Estates of his obligation to mow the detention areas of Golf View Estates. Jack Grumble seconded. 5-0 votes in favor. Motion carried.

Drainage Board Attorney Suanne Milligan was requested by the Board to research the possibility of declaring the Golf View Estates subdivision an impact area.

Other Business – Drainage Board Suanne Milligan presented the Board with various proposed forms to be used in the Surveyor’s office and by the Drainage Board. The Board will review the forms and approve them at a later date.

Drain Classifications – *Albert Nobes Drain & Basil VanCleave Drain* - Surveyor Cummins advised the Board that he has inspected each of the drains. The drains are scheduled for assessment hearings on July 24th.


Drainage Board meeting location – Deanna Durrett advised that she has contacted the Crawfordsville Public Library regarding meeting in one of their conference rooms. She advised that the current location is not very business-like although it is convenient for the staff. She advised that the library is available on the 2nd & 4th Tuesday’s for the remainder of the year. The library does not open for business until 9:00. The Board will consider the request at a later date.

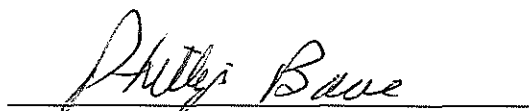
Claims – Surveyor Cummins presented a claim for the *John Gobin Drain* in the amount of \$1,409.50 and the *McBee Drain* in the amount of \$269. *David Rhoads moved to approve the claims as presented. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.*


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

Meeting adjourned @ 9:45 a.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.

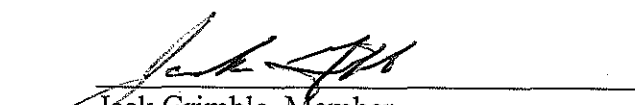

Lori Dossett, Secretary


Phil Bane, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Dave Rhoads, Member


Jack Grumble, Member

MONTGOMERY COUNTY DRAINAGE BOARD

TUESDAY, JULY 24, 2007

MINUTES

The Montgomery County Drainage Board met on Tuesday, July 24, 2007 in the Crawfordsville City Council Chambers, 300 E Pike St, Crawfordsville, Indiana.

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

Also present: County Attorney Suanne Milligan; Marc Bonwell, Montgomery County Building Administrator; Barry Lewis, The Paper; Marian Lindow, League of Women Voters; Larry Gentry; Kenny Pearson; Dan Booher; Dave Knowling; Bryan Long; Harold Reeves; David Shelton; Dick Shelton; Joe Woodrow; Paul Galloway; Rob Durrett; Clark Sennett; Randy McCormick; David Legg; Dixie Ruggles; Merlin Cox; Peggy Grayson; Joe Tolin and Joe Woodrow.

Chairman Phil Bane called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance and led the prayer.

Approval of Minutes - July 10, 2007

Bill McCormick moved to approve the July 10, 2007 minutes. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.

Hearings -

Chrinyance-Schenck - Surveyor Cummins stated all notices were mailed. He then presented a brief history of ditch. Surveyor Cummins proposed raising the assessment to \$4/acre. Chairman Bane asked for comments regarding this matter. Landowner Clark Sennett stated that he is in favor of the proposed increase. Landowner Randy McCormick stated he has some issues with the ditch itself. He reported nine tile holes in one area. Feels the ditch should become an open ditch instead of a tile ditch although the ditch goes under SR 25 so some sort of culvert will be needed. Deanna Durrett explained that this would fall under reconstruction and would need to be addressed at a later time. Dan Booher on the behalf of landowner Sarah Booher reported that they had received their notice but had some concerns about the math, but does feel this needs to be taken care of by raising the assessment. Randy McCormick stated that he is concerned that the Guy Little Drain is not included. Deanna Durrett explained the drainage maps are being digitized and that corrections of the drainage areas will then be made.

Vice-Chairman McCormick moved to raise the assessment of the Chrinyance-Schenck Drain to \$4.00. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Basil Van Cleave - Surveyor Cummins stated that all notices were mailed. Cummins then presented a brief history of the ditch. He proposed raising the assessment to \$6/acre and \$10/lot. Chairman Bane asked for any comments. New Market Town Board Member Merlin Cox stated that the drain dumps into Rattle Snake Creek. Surveyor Cummins explained that an engineering study is being done on the area. Cox asked about the bridge that is in disrepair. He would like the problem addressed before school starts. Landowner Brian Long asked who owns the bridge. Bill McCormick explained that the culvert is owned by the town of New Market. Mr. Long complained of debris in the area. Deanna Durrett stated that the surface water is carrying the debris. Rattlesnake Creek is a blue line stream and DNR may need to be involved. Landowner Dixie Ruggles stated that she is being assessed for too much property and this needs to be changed. Merlin Cox said the culvert was a WPA project so he doesn't feel the town should be responsible. Bill McCormick suggests waiting on the engineering report to see who should fix the culvert. Landowner Peggy Grayson reported that her assessment is wrong. She is being assessed for more property than she owns. She stated there are sink holes from the bridge through her property over to the Quigg residence. She feels the water is coming from the farm fields. She feels that replacing the culvert will not be enough. She is concerned that there should be a weight limit due to the buses and grain trucks that use that route and feels sink holes are dangerous. Landowner Joe Tolin reports there are two catch basins at 100 W that are blowing out the tile. He suggests eliminating the basins and arrange to take the surface water away and also a bigger tile is needed. Bill McCormick explained that the purpose of this meeting was to hold a hearing on raising the assessment and this other stuff falls under reconstruction. He then explained reconstruction. Landowner Grayson asked if the issue of the culvert being the county's or the city's responsibility will be addressed after the engineering study. Bill McCormick stated yes. Landowner Bryan Long asked if the debris on the Quigg property will be addressed. McCormick stated that this might be a health issue and agreed to meet at the property and take a look at it. Landowner and New Market Town Board Member Larry Gentry stated that the catch basin is bad. Landowner Kenny Pearson stated that his main concern is that the contractor who put in a new line to the water tower may have caused some damage to the tile. He would like to dig it up and take a look at it as he had no drainage issues until after the line was installed. He is willing to pay the expense. After discussion is made the Board stated the Mr. Pearson may do this at his expense and that Surveyor Cummins will be present on behalf of the Board. Landowner Joe Woodrow feels the trouble is with the surface water and not the tile drain. Deanna Durrett explained the engineering process. Chairman Bane asked if anyone was opposed to the proposed \$6 assessment raise. No one was opposed. **Dave Rhoads moved to raise the assessment to \$6/acre and \$10/lot on the Basil VanCleave Ditch. Seconded by Jack Grimble. 5-0 votes in favor. Motion carried.**

Albert Nobes - Surveyor Cummins reported that notices were mailed and gave a brief history of the drain and recommended an increase of the assessment to \$4/acre. Chairman Bane asked if anyone

a later date.

Job Descriptions – The matter will be discussed at a later date.

Stanford Elmore - Surveyor Cummins reported he will get accurate measurements and report at the next meeting.

New Business -

Moses Allen & Alvin Sparks Rate Increase Hearing – The matter will be discussed at a later meeting.

October Strategic Planning - The October Strategic Planning meeting will be held on October 8, 2007 at 2:00 p.m. at the library.

November Landowner Meeting - The November landowner meeting will be held on Tuesday, November 27, 2007 at 6:00 p.m.

Other Business -

Drainage Board Meeting Place – Following discussion, **Bill McCormick** moved to change the Drainage Board meetings to the 2nd and 4th Mondays of the month at 6:30 p.m. starting in September at the Public Library if the library is available. **Deanna Durrett** seconded. 5-0 votes in favor. Motion carried.

Public Comment -

Chairman Bane asks if there is any public comment. There was none.

Claims - No claims were presented.


Adjournment -

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

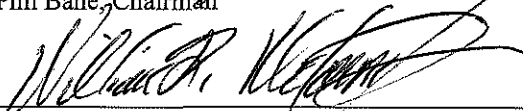
Meeting adjourned at 9:55 a.m.

Minutes prepared by Missy Spencer.

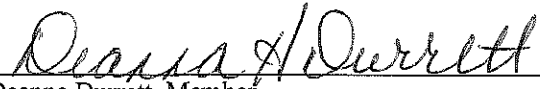
Missy Spencer



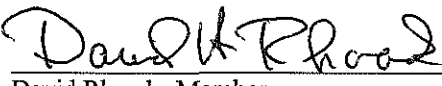
Phil Bane, Chairman



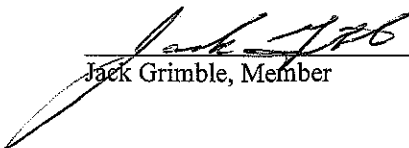
William D McCormick, Vice-Chairman



Deanna Durrett, Member



David Rhoads, Member



Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
TUESDAY, AUGUST 14, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, August 14, 2007 in the conference room at the South Boulevard County Building, 110 West South Boulevard, 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; Barry Lewis, The Paper; Aleasha Shelley, Journal-Review; Building Administrator Marc Bonwell; Paul Dietz, Jim White, Ron Cunningham, Pat Cunningham-Vester & Associates; David Turner; Elizabeth Flohr; Robert Calhan; Art Buck; Bill Dice and Marian Lindow-League of Women Voters.

Chairman Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Reverend Terry led the prayer.

Approval of Minutes – July 25, 2007

Dave Rhoads moved to approve the July 25, 2007 minutes. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Staff Report –

Leadership Academy – Surveyor Tom Cummins reported to the Board that he attended the first Leadership Academy class on Friday, August 10th. The class meets on Friday afternoons for the next 14 weeks.

GIS Training – Surveyor Cummins advised the Board that he will be attending a GIS seminar hosted by the Schneider Corporation on August 21st & August 22nd.

James Sanders Reconstruction – Surveyor Cummins advised that the previous estimate of \$40,800 for the cost of the reconstruction is an accurate estimate and his office will now move forward with the next step in the process.

Carper-Crowder Repair – Surveyor Cummins provided before and after photographs of the drain repair and advised that the final cost of the repair was \$1,000 less than the original estimate. Gayle Lough has advised the Drainage Board office that the contractor did a good job on the project.

Golf View Estates – Bill McCormick reported that he has received a report back from Mark Davidson on the possible dangers to the trees along Country Club Road if a pipe were to be installed. The existence of a major gas line running down the ditch on Country Club Road is also a major consideration. Deanna Durrett pointed out that the Drainage Board does not have authority regarding the Golf View Estates water issue, but is helping landowners find solutions.

Old Business -

John Ward Drain – Ron Cunningham, Vester & Associates presented a Power Point presentation of the findings of the condition and recommendations for the repair and or replacement of the drain. ***Bill McCormick moved to take the recommendations under advisement and requested that the Drainage Board office provide costs of alternate repairs as suggested by Mr. Dice. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*** The matter will be placed on the next Drainage Board agenda and Drainage Board Attorney Suanne Milligan stated to the property owners present that this meeting serves as public notice.

Update on Gwin petition to take depositions – County Attorney Suanne Milligan advised that she received Notice of Depositions for taking the testimony in the Gwin lawsuit regarding the Thomas Wilkins Drain.

Meeting recessed @ 9:05 a.m.

Meeting reconvened @ 9:15 a.m.

New Business –

Revised Policy and Procedure for Request for Quotations and Qualifications of Contractors – Adopted 11/4/06 – Deanna Durrett moved to approve the Revised Policy and Procedure for Request for Quotations and Qualifications of Contractors. Bill McCormick seconded. 5-0 votes in favor. Motion carried.

Petition for the Removal of an Obstruction; Petition to Advance the Date when a Regulated Drain will be Referred to the County Surveyor – Bill McCormick moved to approve the forms as presented. Jack Grimble seconded. 5-0 votes in favor. Motion carried.

Drain Inspection/Classification Report – Surveyor Cummins presented the Board with the Drain Inspection/Classification Report which is a new format.

Drainage Board Fees – Drainage Board Attorney Milligan advised she has been reviewing Drainage Board filing fees. Ms. Durrett and Surveyor Cummins will gather information from surrounding counties regarding filing fees and report back to the Board at a later date.

Other Business –

Dave Rhoads questioned the status of the *Basil VanCleave Drain*. Bill McCormick advised that the debris beyond the culvert will be cleared. Mr. Quigg has agreed to maintain the drain after the drain is cleared out of weeds and debris.

Claims – No claims were presented for payment.

Public Comment –

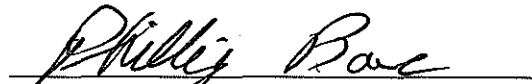
Building Administrator Marc Bonwell advised that the New Market Fire Station plans have been revised reducing the size of the building to 7,200 and a drainage plan was previously approved by the Drainage Board.

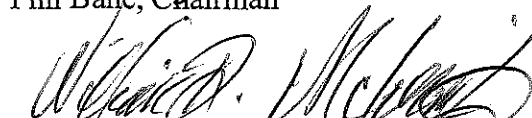
Bill McCormick moved to adjourn. Jack Grimble seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 9:45 a.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, AUGUST 28, 2007
MINUTES

The Montgomery County Drainage Board met on Tuesday, August 28, 2007 in the City Building Council Chambers, 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; Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Aleasha Shelley, Journal-Review; Building Administrator Marc Bonwell; Ron Cunningham, Pat Cunningham-Vester & Associates; Elizabeth Flohr; Mark Kessler; and Marian Lindow-League of Women Voters.

Chairman Phil Bane called the meeting to order @ 8:00 a.m. and led the Pledge of Allegiance and Pastor Joe Dodd led the prayer.

Approval of Minutes – August 14, 2007

Bill McCormick moved to approve the August 14, 2007 minutes. Dave Rhoads seconded. 4-0 votes in favor. Motion carried.

Basil VanCleave Drain – Report

Ron Cunningham of Vester & Associates reported to the Board the findings of their investigation of the Basil VanCleave Drain. *Bill McCormick moved to take the matter under advisement and discuss the matter at the September 24th Drainage Board meeting. Dave Rhoads seconded. 4-0 votes in favor. Motion carried.*

Meeting recessed @ 8:45 a.m.

Meeting reconvened @ 9:00 a.m.

Staff Report –

Linn Himes Drain – Surveyor Cummins reported that he received four bids for the railroad repair and Glenco will be performing the work for approximately \$450. The project should be completed August 29th.

James Sanders Reconstruction – Surveyor Cummins advised that he is in the process of preparing the spec sheet for the project with the assistance of other County surveyors.

Odis Stafford Drain – Surveyor Cummins advised that he will be meeting with the three major land owners to discuss going forward with reconstruction.

Financial Report – Deanna Durrett presented the financial report of the balances in the maintenance and improvement accounts. *Bill McCormick moved to accept the financial report as presented. Dave Rhoads seconded. 4-0 votes in favor.*

John Ward Drain – Surveyor Cummins advised that he has had discussions with the landowners regarding the engineering report and stated that they are working on a more “palatable” option for the repairs which include replacing the bad section of tile, cleaning out the weir and dipping out the open ditch to the outlet on the Buck’s property and extending the 24” tile through to the bridge. He is currently estimating \$10,000 for the discussed repairs. The matter will be kept on old business and Cummins will submit a new report to the Board.

Policy & Procedure for Request for Quotations & Qualifications of Contractors for Drain Maintenance & Repair – Deanna Durrett advised the Board that she “For Drain Maintenance & Repair”. *Deanna Durrett moved to adopt the revision for Policy and Procedure for Request for Quotations and Qualifications of Contractors for Drain Maintenance and Repair. Dave Rhoads seconded. 4-0 votes in favor. Motion carried.*

John Galey Drain – Deanna Durrett advised that the pending reconstruction \$70,000 order from November 8, 2005 is an outdated figure. She estimates \$15,000 for an engineering study to be prepared on the drain. *Bill McCormick moved to notify the landowners of a meeting on the John Galey Drain to discuss the situation as it stands today for a reconstruction of the drain. Dave Rhoads seconded. 4-0 votes in favor. Motion carried.*

New Business –

Discussion on Stormwater Plan for Mark Kessler CAFO Operation – Mark Kessler appeared before the Drainage Board questioning the requirement to submit a drainage plan for the confined feeding operation that he is constructing on CR100 East north of CR700 South. He presented a drawing not to scale of the site that he prepared. Mr. Kessler advised that an IDEM permit has granted to Kyle Kessler. He advised that the buildings are approximately 66,000 square feet on a 10-acre site. Building Administrator Marc Bonwell advised the Board that Mr. Kessler will need a drainage easement to the private drain for the reason that he is crossing another property and the project does warrant a drainage plan. *Dave Rhoads moved to allow Mr. Kessler to proceed with the project and allow 90 days to submit a drainage plan. Deanna Durrett seconded.* Mr. Kessler questioned expressed a concern of having a drainage plan to submit to the Board within 90 days and the Board advised Kessler that he could request an extension of time to submit the drainage plan. *4-0 votes in favor. Motion carried.*

Other Business –

Thomas Wilkins Drain – Drainage Board Attorney Suanne Milligan advised that a Response to Petition to Disconnect Private Drain from Thomas-Wilkins Legal Drain has been received. She stated that a Drainage Board cause number will need to be assigned and that the matter should be set for hearing. The Board set the matter for hearing on Tuesday, November 13, 2007 @ 6:30 p.m.

Basil VanCleave Drain – Surveyor Cummins advised that he has received three quotes for the repairs to the Basil VanCleave Drain located on the north side of CR600 South in New Market. Connor Excavating submitted the lowest bid in the amount of \$3,120.

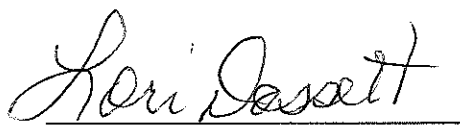
Claims – No claims were presented for payment.

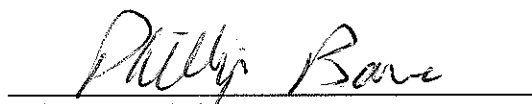
Public Comment – No one came forward with a public comment to the Board.

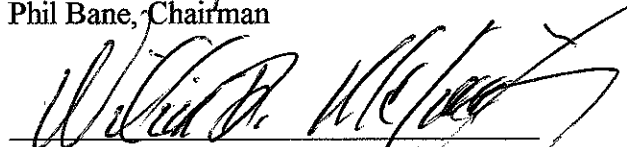
Bill McCormick moved to adjourn. Dave Rhoads seconded. There being no further business before the Drainage Board, the meeting was adjourned. 5-0 votes in favor. Motion carried.

Meeting adjourned @ 9:50 a.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

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, SEPTEMBER 10, 2007
MINUTES

The Montgomery County Drainage Board met on Monday, September 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; Surveyor Tom Cummins.

Also present: Drainage Board Attorney Suanne Milligan; Aleasha Shelley, Journal-Review; Building Administrator Marc Bonwell; Clint Wilkins; and Marian Lindow-League of Women Voters.

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

Reports

Drainage 101 – Jack Grimble and Dave Rhoads discussed attending the Farm Bureau Drainage 101 on September 5th training hosted by Farm Bureau. Deanna Durrett advised that the County's local Farm Bureau paid for three of the seven attendees.

Basil VanCleave Drain

Surveyor Cummins advised that Conner Excavating is scheduled to finish the swale clean-up project this week. Bill McCormick stated that the Town of New Market should be encouraged to clean out the culvert and install new rip rap. On the northeast corner the sidewalk is caving in and that sidewalk issue is not a result of the culvert. The interested landowners of the Basil VanCleave Drain will be attending the next Drainage Board meeting.

Old Business

Illegal Drain Hookups - Surveyor Cummins discussed an ongoing issue of illegal hookups, laterals hooked to County drains without knowledge or consent of the Drainage Board and breathers converted to surface water inlets. These illegal hookups make it difficult to plan a reconstruction when you have no idea how much water is actually coming into the drain. Building Administrator Marc Bonwell is currently working on revisions to the Storm Water Ordinance and perhaps it should be included how hookups to regulated drains are handled. The Board discussed the necessity of penalties to be in place for illegal hookups and if penalties are to be enforced it would require a separate County ordinance.

Reconstruction Plans:

James Sanders Drain - Surveyor Cummins advised that surface inlets throw off calculations as do the laterals to figure how big the tile needs to be. It needs to be decided to oversize the tile or work with the landowners to cap off the breathers. The contractor pre-bid meeting for the reconstruction will be held on Wednesday, September 12th. Form an ad hoc committee to discuss the various issue related to illegal hookups. ***Bill McCormick moved to form a committee of the Commissioner's attorney, Drainage Board Attorney, Building Administrator Marc Bonwell and Surveyor Tom Cummins and any other interested parties work feverishly on getting new ordinances and guidelines written. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*** Deanna Durrett will set up the meeting.

Surveyor Cummins advised that Richard Harshbarger has reported a tile hole on his property on the *James Sanders Drain* that is next to CR400West. The James Sanders Drain is in debt \$9,216.62. The assessment has been raised from \$2.45 to \$4.00 per acre. Phil Bane requested that the contractors inspect the tile hole and report back to the Board.

John Ward Drain – Surveyor Cummins advised that after meeting with the landowners and discussing the engineers report, an agreement has been reached for the extent of the repairs to the *John Ward Drain*. ***Deanna Durrett moved to set a landowners hearing for reconstruction on October 22, 2007 at the regular Drainage Board meeting. Bill McCormick seconded. 5-0 votes in favor. Motion carried.***

John Galey Drain – Surveyor Cummins advised that an engineering study would cost approximately \$15,000. The *John Galey Drain* is a large watershed and Cummins advised it will be irresponsible to go forward without an engineering study. Deanna Durrett advised that on November 8, 2005 the Drainage Board approved a reconstruction of the John Galey Drain in the amount of \$70,000. Bill McCormick stated his position that the Drainage Board needs a signed petition from the landowners for a reconstruction so that it is understood that the costs of the engineering study must be paid by the petitioner. Deanna Durrett advised in most cases Surveyor Cummins is capable of coming up with a cost estimate for the reconstruction, but in the Galey Drain that is not the case, it is too large of a watershed. **Bill McCormick moved to schedule an informal landowner informational meeting on the John Galey Drain on October 22nd. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Odis Stafford Drain – Surveyor Cummins advised that they met last week with the landowners on the watershed and decided that the drain could be redirected from the barrow pit where it crossed the road and runs to the northwest corner of the barrow pit, the water will be redirected along the road and bring down across the front of Hall's yard and across Hall's driveway right at the access of the road and go into the open ditch. **Deanna Durrett moved to hold a landowner hearing on October 22nd. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.**

Stanford Elmore – Surveyor Cummins advised that there is a reconstruction order from January, 2006 in the amount of \$14,200. A pre-bid meeting will be held after the crops have been harvested.

Public Comment – No one came forward with a public comment to the Board.

Claims –

John Wilcox, Carper-Crowder Drain - \$4,093
Dave Foster, John Lane Drain - tile hole - \$212
John Wilcox, George Hutton Drain - \$608
Dave Foster, John Ward Drain - \$170.75
Kenny Neal – Basil VanCleave - \$950

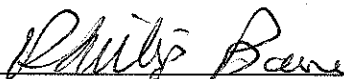
Jack Gimble moved to pay the claims. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.

Bill McCormick moved to adjourn. Deanna Durrett 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 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, SEPTEMBER 24, 2007
MINUTES

The Montgomery County Drainage Board met on Monday, September 24, 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; Surveyor Tom Cummins; and Drainage Board Secretary Lori Dossett.

Also present: Drainage Board Attorney Suanne Milligan; Aleasha Shelley, Journal-Review; Building Administrator Marc Bonwell; Ron Cunningham, Pat Cunningham-Vester & Associates; Richard Harshbarger; Kenny Pearson; Derrick Thompson; Glen Thompson, Dennis & Valarie Rose; Rob Durrett; Larry Gentry; Brenda Foster; Clint Wilkins; Barry Burkhart; Brad Grayson; Merlin Cox; and Marian Lindow-League of Women Voters.

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

Basil VanCleave Drain

Surveyor Cummins recommended to the Board to destroy the old Basil VanCleave tile between CR600S and Vine Street, to cap off the breather at the railroad crossing south of CR600S, cap off the inlet on the east side of CR100W at the same point and to examine the condition of the tile beneath CR600S to determine whether jetting the tile is warranted and report back to the Drainage Board in October. After discussion from property owners Brad Grayson, Derrick Thompson, Kenny Pearson, Barry Burkhart; Valarie Rose and Town of New Market Board Member Merlin Cox, *Deanna Durrett moved to accept the surveyor's recommendation concerning the Basil VanCleave Drain using the Basil VanCleave maintenance fund and Bill McCormick seconded.* After further discussion, Durrett withdrew her motion and McCormick withdrew his second. *Dave Rhoads moved to replace the Basil VanCleave tile between Vine Street and Main Street under the swale to the railroad crossing south to Watson's property. Jack Grimble seconded. 4 votes in favor 1 vote opposed (McCormick).*

Dave Rhoads moved to replace the Basil VanCleave tile to CR100W. Jack Grimble seconded. The Board discuss that a Petition to Reconstruct has not been signed and received by the Board making the request to replace the Basil VanCleave tile to CR100W. *Dave Rhoads withdraws his motion. Jack Grimble withdraws his second. Motion carried.*

The Board received Kenny Pearson's submitted Petition to Reconstruct a portion of the Basil VanCleave Drain along CR100W.

James Sanders Drain

A reconstruction order was entered by the Drainage Board on December 20, 2005 stating that the reconstruction loan would be paid back over a period of ten years. Reconstruction loans can only be paid back over a five year period. *Bill McCormick moved to amend the December 20, 2005 Drainage Board reconstruction order on the James Sanders Drain to state that the reconstruction loan will be paid back over a five year period. Deanna Durrett seconded. 5-0 votes in favor. Motion carried.*

Landowner Informational Meeting

Deanna Durrett advised that the Landowner Informational meeting will be held on December 4th or 5th pending the availability of the 4-H Building.

Browns Valley Christian Church

Building Administrator Marc Bonwell presented a drainage plan for the Browns Valley Christian which will be located one-half mile north of Browns Valley on SR47 North. Bonwell advised that the drainage plan has been reviewed by DLZ. *Jack Grimble moved to accept the drainage plan for the Browns Valley Christian Church. Bill McCormick seconded. 5-0 votes in favor. Motion carried.*

Devitt Drainage Plan

Building Administrator Bonwell advised that Mr. Devitt is disputing the need for a drainage plan on his proposed 40x100 boat storage facility. Mr. Devitt requested to be on the Drainage Board agenda but he did not appear.

Staff Reports

Farm Bureau - Drainage 101

Deanna Durrett advised that seven Montgomery County people attended the Drainage 101 class hosted by Farm Bureau on September 5th and she sent a comment to letter regarding the class content.

Illegal Hookup Committee

Deanna Durrett advised that the Illegal Hookup Committee met for the first time today regarding private tiles hooked onto County drains illegally.

Subdivision Ordinance Committee

Deanna Durrett advised that she is in the process of forming the Subdivision Ordinance Committee and will report to the Board after its first meeting.

Odis Stafford Drain

Surveyor Cummins advised that he has received two bids for repairs to the Odis Stafford Drain. Foster Farm Drainage, Inc. - \$2,562.20 & Maxwell Farm Drainage, Inc. - \$2,168.20. *Deanna Durrett moved to accept the Maxwell Farm Drainage, Inc. bid of \$2,168.20. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*

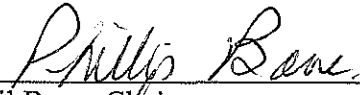
Public Comment – No one came forward with a public comment to the Board.

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.

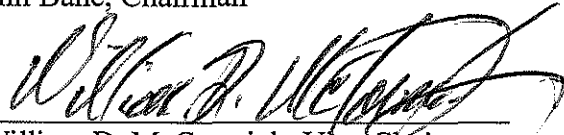
Meeting adjourned @ 8:00 p.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.

Lori Dossett, Secretary



Phil Bane, Chairman



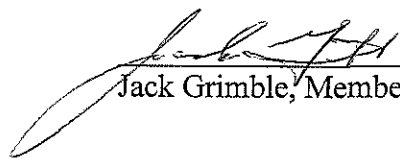
William D. McCormick, Vice Chairman



Deanna Durrett, Member



Dave Rhoads, Member



Jack Grimble, Member

Financial Report

Deanna Durrett advised that the interest accrued is \$1,633.05.

Deanna Durrett advised that Schneider Corporation will be giving a presentation of the watersheds on October 22, 2007 @ 3:00 p.m. at the Crawfordsville Public Library.

Surveyor Cummins requested approval of tile hole repairs by John Wilcox on the *Albert Nobes Drain*, 25 ft. 10" tile and 25 ft. 12" tile - \$1,947. The repairs were made two years ago and the work was not done properly. He advised one hole is 10 ft. wide. Surveyor Cummins advised that the major landowners are requesting that the repairs be made and raise the assessment. *Jack Grimble moved to accept the John Wilcox bid on the Albert Nobes Drain in the amount of \$1,947. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*

Deanna Durrett moved to schedule a hearing on Tuesday, November 13th at 6:30 p.m. to raise the assessment on the Albert Nobes Drain. David Rhoads seconded. 5-0 votes in favor. Motion carried.

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

Meeting adjourned @ 7:07 p.m.

Minutes prepared by Lori Dossett, Drainage Board Secretary.

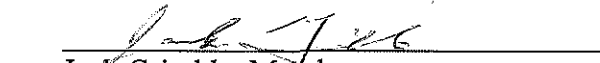

Lori Dossett, Secretary


Phil Baner, Chairman


William D. McCormick, Vice Chairman


Deanna Durrett, Member


Dave Rhoads, Member


Jack Grimble, Member

MONTGOMERY COUNTY DRAINAGE BOARD
MONDAY, OCTOBER 22, 2007
MINUTES

The Montgomery County Drainage Board met on Monday, October 22, 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; Foster Farm Drainage; Steve Heimbach; Bill Dice; Marilee & Kenny Pearson; Dave Knowling; Marian Lindow-League of Women Voters; William M. Williams; 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 Reverend Sparks led the prayer.

Approval of Minutes – October 8, 2007

Chairman Bane requested a motion to approve the October 8, 2007 minutes as presented. *Jack Grimble moved to approve the October 8, 2007 minutes as presented. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.*

Old Business:

Odis Stafford Drain Reconstruction Hearing – Surveyor Cummins advised that notices were mailed and no one was present at tonight's meeting. Surveyor Cummins stated that he has been advised by landowner Barb Hall that the agreement that they had recently reached regarding redirecting the tile around the barrow pit straight into the open drain is not what she wants to do after all. She is concerned that it will lower her property value. Surveyor Cummins stated that the solution is above his expertise and requested that the Drainage Board approve that he contact Jeff Heely to get his advice on how best to proceed on the Odis Stafford Drain. *Dave Rhoads moved to contact Jeff Heely to get his advise on the Odis Stafford Drain. Bill McCormick seconded. 5-0 votes in favor. Motion carried.*

John Ward Drain Reconstruction Hearing Surveyor Cummins advised that the notices were mailed out. The Board will decide if the proposed work to be done on the drain should be treated as a reconstruction project or maintenance project and if monies in the Drainage Improvement Fund are to be used. Cummins estimated the project to cost \$12,000 to \$15,000. The drain currently has \$2,495.66 in yearly assessments at \$3 per acre. Bill Dice and Steve Heimbach were present for the hearing. The surveyor's office has not received quotes for the project, just an estimate from a contractor. That is the ballpark figure. All landowners did receive notice. Most problems are on Mr. Heimbach and down through Linsburg. There will be an additional assessment: Balance in fund now: \$100 in the hole with the most recent expense of \$3,000 for the engineering study. There are 796 acres in the watershed. *Jack Grimble moved to reconstruct the John Ward Drain. Bill McCormick seconded. Dave Rhoads abstained. 4-0 votes in favor. Motion carried.*

Basil VanCleave Drain – Landowner Petition

The Surveyor's office has received a Petition to Advance the Date for Reconstruction. A hearing needs to be held at the next meeting on this petition. The purpose of the hearing is to hear from the petitioners regarding the need for reconstruction. *Bill McCormick moved, seconded by Deanna Durrett, to set the hearing on the petition for November 26, 2007, at 6:30 p.m. 5-0 votes in favor. Motion carried.* If on that date the Drainage Board agrees that the date for reconstruction should be advanced, the next step in the process will be to schedule a reconstruction hearing with notice and publication to all landowners on the drain. Drainage board Attorney, Suanne C. Milligan advised that at the landowner hearing the Surveyor must be prepared to say how much the project will cost. She recommends that the Board wait until the time for any appeal has passed before any monies are spent.

Basil VanCleave Drain – Surveyor Cummins presented an estimate for work on the drain from Vine Street to south of the railroad bed where the breather is currently located by. Conner Excavating estimate: \$6,735.38 for 550' of 12" smooth core tile with fittings, installation & seed. The surface swale will be restored. Following discussion, **Bill McCormick moved, seconded by Deanna Durrett, to accept the Conner Excavating estimate in the amount of \$6,735.38 for the repair of 550' of this drain with 12" smooth core tile including fittings, installation and seed, from Vine Street in New Market to south of the railroad bed where the breather is currently located. 5-0 votes in favor. Motion carried. 5-0 votes in favor.**

New Business:

Nucor Administration Building – Building Administrator Marc Bonwell presented revisions to the Nucor administration building project. He advised no movement of dirt is involved in the revisions and the plans have been reviewed by DLZ. The building will be located south of cold mill in front of old administration building. The building will be 16,000 square feet, with 20,000 square feet parking and no revisions are needed to the ponds. **Bill McCormick moved to approve the revisions of Nucor administration building. Jack Grimble seconded. 5-0 votes in favor. Motion carried.**

Drainage Board Appointment – Phil Bane requested that the appointment remain under old business. The new appointee to the Board should reside in southwest Montgomery County.

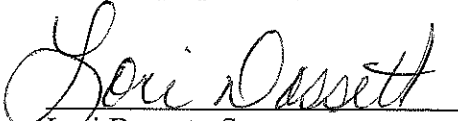
John Galey Drain Landowner Meeting – Phil Bane called the John Galey Drain Landowner meeting to order @7:30 p.m. The Galey Drain was approved by the Board for reconstruction in 2005 with an estimate cost of \$70,000. Surveyor Cummins advised that there is a question as to what is needed to repair the drain. New waterways have been installed in the past two years and tile holes have been repaired. He advised that the project is over a major gas line and crosses the railroad tracks. He has received an estimate for an engineer's study in the amount of \$15,700 and requested permission to send out an RFP to other engineering firms to do an engineering study of the drain and to set the matter landowner meeting on December 10, 2007. **Deanna Durrett moved to instruct Surveyor Cummins to request at least three bids for the cost of an engineering study on the John Galey Drain. Dave Rhoads seconded. 5-0 votes in favor. Motion carried.**

Inspection/Classification Reports – Surveyor Cummins presented Classification Reports on the Sarah Kincaid Drain; Benjamin Crabbs; Timothy Lane; Urshall Cross, Boswell Clough, Richard Thomas, Benjamin Remley and Harrison Doyle reports. **Jack Grimble moved to accept the Inspection/Classification Reports. Dave Rhoads 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 @ 7:50 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