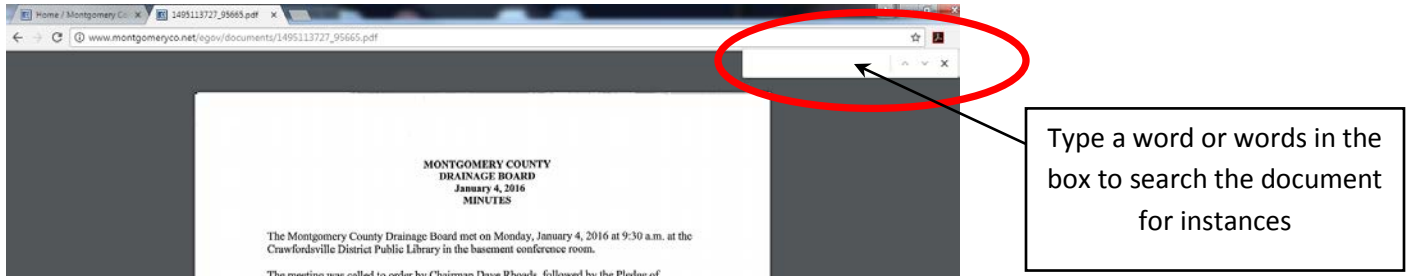
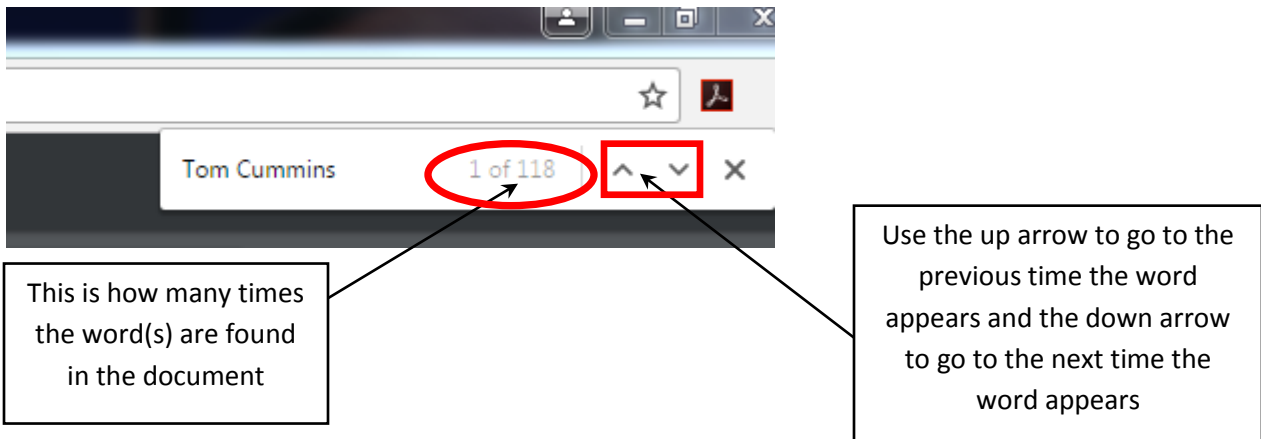


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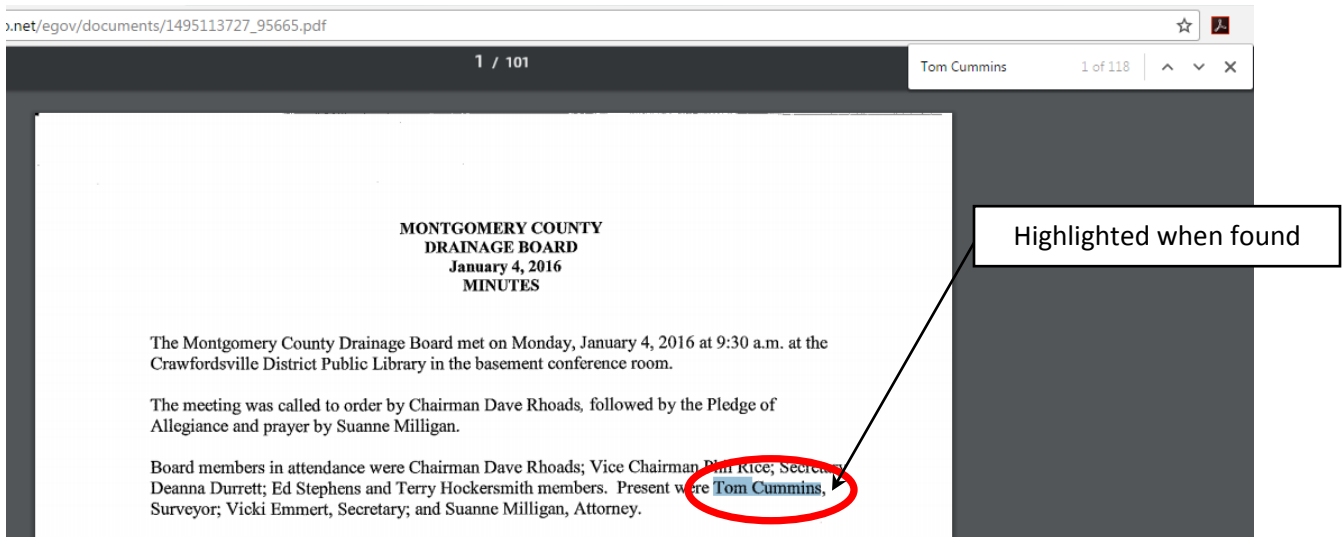
- **Hold down the CTRL key and the letter 'F' at the same time. A search box appears in the upper right hand corner. Type a word(s) in the box to search the document for the word(s).**



- **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.

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MONTGOMERY COUNTY DRAINAGE BOARD

June 16, 1975

The Montgomery County Drainage Board met on Monday, June 16, 1975 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary; Ed Stuff, Soil & Water Conservation Office.

John Berry appeared before the Board on the Martin Z. McBee Ditch. Landowners are building a new ditch and connecting it into the Martin Z. McBee Ditch and reconstructing part of Martin Z. McBee Ditch. Landowners are asking that the money in the Periodic Maintenance Fund for said ditch in the amount of \$672.77 be transferred to them to use for the reconstruction of said ditch. Soil & Water Conservation Office presented their plans on the project. Approximate cost of project is \$15,000. Mr. McGaughey stated that the Board could not return the money. Robert Thayer moved and Adrian Remley seconded that the money in the Periodic Maintenance Fund for the Martin Z. McBee Ditch be left in the fund and spent on ditch under supervision of County Surveyor. Motion passed.

Mr. Beeson reported on the work of the Phillip Dewey Ditch at New Richmond. The Board issued instructions to County Highway superintendent to install 60" pipe instead of 48" pipe under Montgomery County Road 1100 N for Phillip Dewey Ditch.

Mr. Beeson presented revised report on plans & specifications on the Reconstruction of the Thomas Taylor, Alfred Taylor Ditch and the Lemuel B. McClamroch Ditch. Robert Thayer moved and Adrian Remley seconded that plans and specifications be approved as presented. Motion passed. Robert Thayer moved that bids be taken on the Thomas Taylor, Alfred Taylor Ditch and the Lemuel B. McClamroch Ditch at 1:30 PM on Monday, July 7, 1975. Adrian Remley seconded motion. Motion passed.

Samuel Boots reported that Hugh Detchon had inquired as to what to do to get Detchon-Adams Ditch reconstructed. Mr. Beeson said that a list of the landowners on said ditch had been given to Mr. Detchon some time ago and a petition should be filed with the Surveyor's Office requesting reconstruction.

Mr. Beeson presented certificate of assessments on the William P. Kirkpatrick Ditch for Reconstruction. Robert Thayer moved and Adrian Remley seconded that they be approved as presented and given to the County Auditor to be put on the Ditch Duplicate Book. Motion passed.

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Surveyor's Report of work completed from January 1, 1974 to December 31, 1974 as authorized by resolution of Montgomery County Drainage Board was presented and inserted in book after these minutes. Robert Thayer made motion to approve the report as presented. Adrian Remley seconded the motion. Motion passed.

Encumbrances were presented in the amount of \$553.41 on the Anthony Stingley Ditch and \$196.04 on the Swearingen-Runyon Ditch. Robert Thayer moved and Adrian Remley seconded the encumbrances be approved as presented. Motion carried.

Mr. Beeson reported that a ditch had been constructed and connected to the upper end of the George Hutchinson Ditch and had not been constructed to enter ditch through headwall and drop box. Permission had been granted to connect this ditch to the Hutchison Ditch. This drain as installed is connected at a bad angle to the open ditch and fill around and over same had not been compacted and as a result surface water had washed a large amount of backfill and what little retaining dam into the open ditch and is rapidly deteriorating at every rain. Mr. Beeson further added that he had been informed that the contractor had sued the owners of the newly constructed drain for his pay. Mr. Beeson stated he did not know how or where to turn to stop this damage from being done to the Hutchison Ditch.

No further business. Robert Thayer moved and Adrian Remley seconded the meeting be recessed. Motion passed.

Samuel L. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy K. Cope
Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

July 7, 1975

The Montgomery County Drainage Board met on Monday, July 7, 1975 at 1:30 PM in the office of the Montgomery County Auditor for the purpose of opening bids on the Thomas Taylor, Alfred Taylor Ditch and the Lemuel B. McClamroch Ditch. Those present were: Adrian Remley, Vice Chairman; Samuel Boots, Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor.

Bids were opened and tabulated as follows:

CONTRACTOR	TAYLOR & TAYLOR	McCLAMROCH
Hendricks Excavating	\$6018.80	
plus \$50/ton for 100 ton	<u>5000.00</u>	
certified check \$301.00	\$11,018.80	
W & W Contracting	\$5977.55	\$6548.00
Taylor Excavating	\$6606.45	\$5472.00
Automatic Bid Bond		

The County Surveyor was asked to study the bids as received and make recommendations to the Board before 5 PM of this date.

The Surveyor again met with Drainage Board at 4:30 PM and made the following recommendations:

1. That the bid of W & W Contracting in the amount of \$5977.55 for Reconstruction of Thomas Taylor, Alfred Taylor Ditch be accepted as the lowest and best bid.
2. That all bids as received on the Lemuel B. McClamroch Ditch be rejected inasmuch as they were more than 10% over the previous estimated cost for this ditch.
3. That due to increased cost of tile and other materials, the estimate as previously approved for Reconstruction of the Lemuel B. McClamroch Ditch be increased to \$5500.00 and that this Ditch be re-advertised for Reconstruction and an attempt be made to get a bid at or near the revised estimated cost.
4. That certified check and automatic bid bond as submitted by unsuccessful contractors be returned to them as soon as contract for the Thomas Taylor, Alfred Taylor Ditch is entered into with W & W Contracting. Robert Thayer moved and Adrian Remley seconded that the bid of W & W Contracting in the amount of \$5977.55 for Reconstruction of Taylor & Taylor Ditch be accepted and contract for same be entered into as soon as possible. Motion carried.

Adrian Remley moved and Robert Thayer seconded that bids be rejected on the Lemuel B. McClamroch Ditch as received inasmuch as they are more than 10% of the Surveyors estimated cost. Motion carried.

Robert Thayer moved and Adrian Remley seconded that the revised estimate of the Montgomery County Surveyor in the amount of \$5500.00 for Reconstruction of the Lemuel B. McClamroch Ditch be approved and accepted and project be re-advertised for receiving bids at the earliest possible date that is found acceptable to the Drainage Board.

The Surveyor was instructed to return certified checks and automatic bonds of unsuccessful contractors as soon as contract for Taylor & Taylor Ditch is prepared and signed by the Contractor.

No further business. Robert Thayer moved and Adrian Remley seconded the meeting be recessed. Motion passed.

Samuel L. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy K. Cope
Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

July 21, 1975

The Montgomery County Drainage Board met on Monday, July 21, 1975 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel L. Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary; Ed Stuff, Soil & Water Conservation Office.

At 1:30 PM hearing was held on petition No. 1974-7 to reduce the annual periodic maintenance assessment on the Jesse D. Snoddy Ditch from \$2500 to \$1000. Richard Lang and Charles Goff appeared before the Board. Jesse Snoddy Ditch is now in the red \$791.53. Drainage problems and the high repair bills on the Jesse D. Snoddy Ditch were discussed. Robert Thayer moved and Adrian Remley seconded that annual periodic maintenance assessments on Jesse D. Snoddy Ditch be lowered from \$2500 to \$1000. Motion carried.

Mr. Beeson presented bond for reconstruction of Thomas Taylor-Alfred Taylor Ditch for Boards signature and approval.

Mr. Beeson reported on the Jesse Evans Ditch. Work has been completed on said ditch. John Kincaid has filed a claim against the Jesse Evans Ditch for work he has done and not been paid for in the amount of \$2828.00. Final payment cannot be made until an agreement has been reached between John Kincaid and the Contractor, Michael B. Denham. Mr. Beeson also presented change order #1 for the Boards approval on said ditch. Adrian Remley moved and Robert Thayer seconded that change order #1 on the Jesse Evans Ditch be approved. Motion carried.

Robert Thayer presented petition for reconstruction of the James P. McMullen Ditch and a petition for periodic maintenance on the James P. McMullen Ditch. Robert Thayer made motion that Surveyor make a report to the Board on the condition of said ditch and his recommendation. Adrian Remley seconded the motion. Motion carried.

Encumbrance was presented for the Reconstruction of the William P. Kirkpatrick Ditch in the amount of \$5950. Robert Thayer moved and Adrian Remley seconded the encumbrance be approved as presented. Motion carried.

Encumbrance was presented in the amount of \$181.37 for maintenance of the Will N. Brown Ditch. Robert Thayer moved and Adrian Remley seconded the encumbrance be approved as presented. Motion carried.

The question of mutual reconstruction by clearing and cleaning approximately 2500 feet of the Walter A. Schoen Ditch immediately below headwall was dis-

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cussed. The property owners affected and benefited has agreed to contribute to a mutual fund for this work and had employed a contractor for such work at a cost of \$3760. The Surveyor figured that 7.2 acres drained into and was benefited by this improvement and recommended that a fair per cent of the cost would be .9134% or a cost of \$34.34. Robert Thayer moved and Adrian Remley seconded that County Highway pay into the mutual fund \$34.34 as their fair share. Motion carried.

No further business. Robert Thayer moved and Adrian Remley seconded the meeting be recessed. Motion passed.

August 12, 1975

The Drainage Board met briefly to discuss open ditch part of the Thomas Taylor-Alfred Taylor Ditch. Ed Patton, one of the landowners concerned, met with Beecher Young, Attorney, and Board to ask that top of ditch not be any closer than 20 feet from his fence line. The original plan called for top of ditch walls to be as near as 15 feet in some areas. The Board agreed to move center line over 5 feet on motion by Robert Thayer and seconded by Adrian Remley. Motion passed.

Samuel A. Boots
Chairman, Drainage Board

Adrian R. Remley

Ed Patton
Montgomery County Drainage Board

Liddy K. Copo
Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

August 18, 1975

The Montgomery County Drainage Board met on Monday, August 18, 1975 at 3:00 PM in the Office of the Montgomery County Auditor. Those present were: Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Carroll O. Beeson, Surveyor; Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Mr. Beeson presented plans and specifications on the Periodic Maintenance of the Jennings Bryan Miller Ditch. Adrian Remley moved and Robert Thayer seconded that plans and specifications be approved as presented and notice to Contractors to accept bids on August 28 as advertised be approved. Motion carried.

Encumbrance was presented for the Maintenance of the Jacob Elmore-Louis Stanford Ditch in the amount of \$452.41. Robert Thayer moved and Adrian Remley seconded the encumbrance be approved as presented. Motion carried.

Mr. Beeson presented certificate of assessments on the Jesse D. Snoddy Ditch, Thomas Taylor-Alfred Taylor Ditch and the Lemuel B. McClamroch Ditch for Periodic Maintenance. Robert Thayer moved and Adrian Remley seconded that they be approved as presented and given to the County Auditor to be put on the Ditch Duplicate Book. Motion passed.

Mr. Beeson presented Certificate of assessments on the Thomas Taylor-Alfred Taylor Ditch and the Lemuel B. McClamroch Ditch for Reconstruction. Robert Thayer moved and Adrian Remley seconded that they be approved as presented and given to the County Auditor to be put on the Ditch Duplicate Book. Motion passed.

Jerry McBee and Mark McBee appeared before the Board on the Martin Z. McBee Ditch. Landowners are building a new ditch and connecting it into said County Ditch. Work is starting today on new ditch. Mr. McBee requested that part of the periodic maintenance of the Martin Z. McBee Ditch be used to connect new ditch to the said county ditch. Discussion was held as to whether or not to abandon Martin Z. McBee Ditch and make new ditch county ditch. Mr. McBee explained where new ditch is being built. Robert Thayer moved that Drainage Board pay for changing breather. Adrian Remley seconded the motion. Motion passed.

No further business. Robert Thayer moved and Adrian Remley seconded the meeting be recessed. Motion passed.

August 28, 1975

The Montgomery County Drainage Board met on Thursday, August 28, 1975 at 2:00 PM in the Office of the Montgomery County Auditor for the purpose

of opening bids for the Reconstruction of the Lemuel B. McClamroch Ditch and for Periodic Maintenance of the Jennings Bryan Miller Ditch. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Werren McGaughey, Attorney, Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Judy Cope, Secretary.

Bids were opened and tabulated as follows:

CONTRACTOR	JENNINGS BRYAN MILLER	L. B. McCLAMROCH
W & W Contracting	\$2497.00	
John Kincaid	\$2832.00	
Conrad Perry	\$3630.00	

Carroll Beeson recommended that the Bid of W & W Contracting in the amount of \$2497.00 be accepted as the lowest and best bid and that contract be entered into for execution of this work.

Robert Thayer moved and Adrian Remley seconded that the Bid of W & W Contracting in the amount of \$2497.00 for periodic maintenance of the Jennings Bryan Miller Ditch be accepted as the lowest and best bid. Motion carried. Robert Thayer moved and Adrian Remley seconded that bidders bond of Conrad Perry be returned. Motion carried.

No bids were received on the Reconstruction of the Lemuel B. McClamroch Ditch. Mr. Beeson was instructed to negotiate with contractors and try to get an acceptable bid for the job.

Mike Denham and John Kincaid appeared before the Board regarding final payment of the Jesse Evans Ditch. Mr. Denham stated that he had agreed to pay Mr. Kincaid \$1500.00 as final and full payment for work he has done on the Jesse Evans Ditch. Mr. Kincaid stated that he would accept said amount as full and final payment for his work on the Jesse Evans Ditch. Robert Thayer moved and Adrian Remley seconded that a check in the amount of \$1500.00 as part of the final payment of Jesse Evans Ditch be drawn payable to Blue Denham & Sons and John Kincaid. Motion carried.

No further business. Robert Thayer moved and Adrian Remley seconded that meeting be recessed.

Samuel L. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy K. Cope
Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

September 15, 1975

The Montgomery County Drainage Board met on Monday, Sept. 15, 1975 at 2:00 PM in the Office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary; Ed Stuff, Soil & Water Conservation Office.

Ed Patton appeared before the Board regarding the Reconstruction of the Thomas Taylor-Alfred Taylor Ditch. Mr. Patton presented pictures of the spillway on his property and asked that the Contractors do some additional work on the ditch to keep water from running onto his property.

Mr. Beeson presented change order #1 for reconstruction of the Thomas Taylor-Alfred Taylor Ditch increasing contract \$726.50. Adrian Remley moved and Robert Thayer seconded to approve the increase for extending the clean out of the ditch in the amount of \$200.00. Motion carried. Adrian Remley moved and Robert Thayer seconded to approve extra excavation in the amount of \$526.50. Motion carried.

Mr. Beeson presented bid for Reconstruction of the Lemuel B. McClamroch Ditch from Barton Maxwell in the amount of \$5996.50. Robert Thayer moved and Adrian Remley seconded that bid of Barton Maxwell in the amount of \$5996.50 be accepted. Motion carried.

Mr. Beeson presented contract with W & W Contracting for Periodic Maintenance of the Jennings Bryan Miller Ditch for Boards approval and signature.

Ed Stuff reported on the Lye Creek Project. Construction is planned to begin in 1977. Financing the Lye Creek Project was discussed.

Don Yount presented preliminary plans for the Reconstruction of the Harrison-Doyle Ditch. Petition asks that said ditch be reconstructed. Mr. Yount doesn't believe that the Reconstruction is necessary and asked the Board what action to take on the petition. Board instructed Surveyor to work up the tributary that runs through Emery & Frank Steele.

No further business. Adrian Remley moved and Robert Thayer seconded that meeting be recessed. Motion carried.

Samuel L. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy K. Cope
Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

October 20, 1975

The Montgomery County Drainage Board met on Monday, October 20, 1975 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary; Ed Stuff, Soil & Water Conservation Office.

Mr. Beeson discussed the progress of the work on the Phillip Dewey Ditch by Degan & Associates.

Mr. Beeson presented contracts with Barton Maxwell for Reconstruction of the Lemuel B. McClamroch Ditch for Boards ~~xxx~~ signature.

Mr. Beeson presented petition to make a re-constructed Martin Z. McBee Ditch the official Martin Z. McBee Ditch. Adrian Remley moved and Robert Thayer seconded that the new Reconstructed ditch be the Martin Z. McBee Ditch. Motion passed.

Ed Patton appeared before the Board to discuss the Thomas Taylor-Alfred Taylor Ditch.

The Soil & Water Conservation Office appeared before the Board regarding the financing of the Lye Creek Project. Layne Lindley presented a rough schedule of the work to be completed in the next year. Surveys will be made and first contract will be let in the fall of 1976. Surveyor was asked to contact Rueben Dooley of the Dept. of Natural Resources about help in financing. The Board will notify the Soil & Water Conservation Office within 90 days as to how the Lye Creek Project will be financed.

Rex Henthorn appeared before the Board representing Claude Thompson on the Clifton Coon Ditch. Dr. Thompson & Clifton Coon had a new waterway built. The Contractor cut into the Clifton Coon Ditch not knowing it was a County Ditch. Dr. Thompson repaired part of the County Ditch, but after the first rain, about 700 feet of the County Ditch collapsed. Mr. Henthorn's estimate to repair the Clifton Coon Ditch is \$2300. Dr. Thompson is asking to use the money in the Periodic Maintenance fund to repair the Clifton Coon Ditch. Adrian Remley moved and Robert Thayer seconded that Surveyor get an actual cost for the repairs of the Clifton Coon Ditch. Motion carried.

Mr. Beeson presented plans and specifications & estimated cost on Reconstruction of the George M. Kendall Ditch. Robert Thayer moved that plans & specifications be approved as presented. Adrian Remley seconded the motion. Motion carried. Robert Thayer moved that hearing

be held on the Reconstruction of the George M. Kendall Ditch on December 8, 1975 at 1:30 PM. Adrian Remley seconded the motion. Motion carried.

Reconstruction of the Harrison-Doyle Ditch was discussed.

Partial plans were presented for reconstruction. Robert Thayer moved and Adrian Remley seconded that plans be completed as presented. Motion passed.

The Board instructed the Surveyor to proceed with plans & specifications for the Reconstruction of the A.F. Ward Ditch.

Encumbrances were presented on the Thomas Taylor-Alfred Taylor Ditch in the amount of \$820.87 and on the Lemuel B. McClamroch Ditch in the amount of \$2387.40 for Periodic Maintenance. Robert Thayer moved and Adrian Remley seconded that encumbrances be approved as presented. Motion carried.

Mr. Beeson reported he had revised the periodic maintenance assessments for consideration of the Board on the following ditches due to transfer or division of land: Allen Lewis, Charles Newkirk, George Nichols, Edgar Henry, William Buchanan, Phillip Dewey, Clifton Coon, Rebecca Miller-Brint White, George McClain, Warner Linn-Daniel Himes Ditches. Robert Thayer moved that hearings be held on the revised periodic maintenance assessments on above ditches on Monday, November 24, 1975 at 9:00 AM. Adrian Remley seconded the motion. Motion carried.

No further business. Adrian Remley moved and Robert Thayer seconded that meeting be recessed. Motion carried.

Samuel P. Boots
Chairman, Drainage Board

Adrian R. Remley

William Thayer
Montgomery County Drainage Board

Judge K. Cope
Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

November 17, 1975

The Montgomery County Drainage Board met on Monday, November 17, 1975 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Adrian Remley, Vice Chairman; Robert Thayer, Member; Carroll O. Beeson, Surveyor; Don A. Yount, Deputy Surveyor; Judy Cope, Secretary; Ed Stuff, Soil & Water Conservation Office; Warren McGaughey, Attorney.

George Inskip & Ruth Rund appeared before the Board regarding the Reconstruction of the James P. McMullen Ditch. Approximate cost of Reconstruction is \$10,300. Surveyor was instructed to proceed with plans and specifications on the James P. McMullen Ditch.

Russell Thomas and Bill Thomas appeared before the Board asking County to abandon a dead end road close to Interstate 74 in Wayne Township. The dead end road divided his land. Mr. Thomas should file a petition with County to abandon the road.

The John S. Lofland Ditch (Shumaker-White), joint with Tippecanoe County, was discussed. Tippecanoe County is wanting to put a periodic maintenance assessment on above ditch which includes 2000 acres in Montgomery County. Hearing is Dec. 10, 1975 at Lafayette with Tippecanoe County Drainage Board. Letter was presented asking Montgomery County to waiver their right to representation at Joint Board meeting. Secretary was instructed to write a letter notifying Tippecanoe County that there would be a representative at the hearing.

Mr. Beeson reported that he had contacted the Department of Natural Resources as to the possibility of borrowing money for the Reconstruction of the Lye Creek Project. Maximum amount to be borrowed is \$100,000.

The Surveyor's office reported that the estimated amount of repairs on the Clifton Coon Ditch is \$1800. Robert Thayer moved and Adrian Remley seconded that Clifton Coon Ditch be repaired and paid for from General Drain Improvement fund and repaid from Periodic Maintenance fund when money is available. Motion carried.

No further business. Adrian Remley moved and Robert Thayer seconded that meeting be recessed. Motion carried.

November 24, 1975

The Montgomery County Drainage Board met at a recessed session on Monday, November 24, 1975 at 9:00 AM for the purpose of reassessing certain lands, made necessary by transfer and subdivision of ownership on the Warner E. Linn-Daniel Himes, Allen Lewis, George McClain, Rebeaca Miller-Brint White, Clifton Coon, Phillip Dewey, William Buchanan, Edgar Henry, George Nichols & Chalres W. Newkirk Ditches. No landowners were present. Robert Thayer moved to approve reassessments as presented. Samuel Boots seconded motion. Motion carried.

No further business. Robert Thayer moved and Samuel Boots seconded that meeting be recessed. Motion passed.

December 8, 1975

The Montgomery County Drainage Board met at a recessed session on Monday, December 8, 1975 at 1:30 PM in the office of the Montgomery County Auditor for hearing on the Reconstruction assessments and Periodic Maintenance assessments of the George Kendall Ditch. The landowners and representatives attending the hearing were: Haven Horney, Mary Ellen Flaningham, Luther Lofland, Jerry McBee & Forest White. Proposed Reconstruction assessment is \$9200.00 and proposed periodic maintenance assessment is \$600.00. Mr. McBee asked about the possibility of laying tile. Mr. Beeson informed the landowners of a change in the drainage area. There was a general discussion and several questions answered.

Robert Thayer moved the assessments and acreage for Forest M. & Lydia G. White on the George Kendal Ditch be changed to read as follows:

Reconstruction	Total Acres	Acres Assessed	Description	Percentage	Assessment
	42.7	26	Pt SH SWQ 17-20-3	3.9646	364.74
		13.7	Pt SWQ SWQ 17-20-3	1.9716	181.39
		3	Pt 19,20-20-3	.4103	37.75
Periodic Maintenance	42.7	26	Pt SH SWQ 17-20-3	3.7503	22.52
		13.7	Pt SWQ SWQ 17-20-3	1.9546	11.73
		3	Pt 19,20-20-3	.3440	2.06

Adrian Remley seconded motion. Motion carried.

Robert Thayer moved that 6.3 acres owned by Leo F. & Mary M. Royer at the outlet of the George Kendall Ditch be assessed as follows:

Reconstruction	Total Acres	Acres Assessed	Description	Percentage	Assessment
	6.3	6.3	Pt EH NEQ 19-20-3	1.1809	108.64
Periodic Maintenance	6.3	6.3	Pt EH NEQ 19-20-3	.9982	5.99

Adrian Remley seconded the motion. Motion carried.

Adrian Remley made motion to approve Reconstruction assessments and Periodic Maintenance assessments on George Kendall Ditch as presented. Robert Thayer seconded the motion. Motion passed.

Mr. Beeson presented bid for work on the Charles Newkirk Ditch from Allen Wilcox in the amount of \$920.00. Robert Thayer moved and Adrian Remley seconded to accept the bid. Motion carried.

No further business. Robert Thayer moved and Adrian Remley seconded that meeting ~~was~~ be recessed. Motion passed.

Samuel L. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy K. Cope
Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

The Montgomery County Drainage Board met on Monday, December 15, 1975 at 1:30 PM in the Office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll O. Beeson, Surveyor; Don A. Yount, Deputy Surveyor; Judy Cope, Secretary.

George Inskeep appeared before the Board on the James P. McMullen Ditch. Progress of plans & estimated cost for Reconstruction of said ditch was reported by the Surveyor.

Robert Anderson appeared at the meeting asking about the progress on the A. F. Ward Ditch. Plans & estimated cost of reconstruction of said ditch were presented. Surveyor was instructed to notify Boone County Drainage Board of necessity of Joint Board and date of hearing on Reconstruction and Periodic Maintenance assessments.

Wayne Polak, Terry Batan, James Bush, William Elsey appeared at the meeting regarding the drainage of the new Crawfordsville Plaza Shopping Center into the William T. Shelley Ditch. Maps of proposed shopping center and Shelley Drain were shown & drainage discussed. The Surveyor stated that Shelley Ditch is for subsoil drainage and not storm water drainage. The shopping centers proposed plans for drainage must be filed with the Drainage Board for their approval. Representatives made appointment at 2:00 PM on January 5, 1976 with the Board to present their plans for approval.

Bid of Barton Maxwell on repairs of Clifton Coon Ditch in the amount of \$1872.00 was presented. Robert Thayer moved and Adrian Remley seconded that bid be accepted. Motion carried.

Change Order #1 on the Lemuel B. McClamroch Ditch for a decrease of \$34.10 was presented for Boards approval. Adrian Remley moved and Robert Thayer seconded that change order #1 be approved as presented. Motion carried.

Change Order #1 on the Thomas Taylor-Alfred Taylor Ditch for a decrease of \$658.18 was presented for Boards approval. Adrian Remley seconded the motion. Motion carried.

Mr. Beeson presented Certificate of Revised Assessments for annual maintenance made necessary by transfer or sub-division of property on the following ditches: Warner E. Linn-Daniel Himes, Allen Lewis, George McLain, Rebecca Miller-Brint White, Clifton Coon, Phillip Dewey, William Buchanan, Edgar Henry, George Nichols & Charles W. Newkirk. Robert Thayer moved that they be approved as presented and given to the County Auditor to be put on the Ditch Duplicate Book. Adrian Remley seconded the motion. Motion carried.

No further business. Robert Thayer moved the meeting be adjourned. Adrian Remley seconded the motion carried.

Judy K. Cope
Secretary, Drainage Board

Samuel P. Boots
Chairman, Drainage Board
Adrian R. Remley
Robert Thayer
Montgomery County Drainage Board

January 5, 1976

Representatives for William Corey & Developers of the Countryside Plaza Shopping Center presented revised plans showing relocation of the Shelley Drain and proposals for the storm drainage for the center. The Board signed the legal papers here attached to these minutes.

Attach to ~~the~~ Jan. 5 Minutes -

DRAINAGE BOARD VARIANCE

That on January 5, 1976, J. William Corey, Wayne Polak and Associates, appeared before the Montgomery County Drainage Board and petitioned for a variance under Chapter 6 of the Indiana Drainage Code of 1965, Section 1, wherein they requested and were granted permission to relocate County Drain Tile as shown on Exhibit A, (Utility Site Plan, drawn 4/21/75 with revision 1/5/76), attached hereto, and made a part of this document.

Said Montgomery County Drainage Board also granted a variance to, J. William Corey, Wayne Polak and Associates, to place permanent structures closer than 75 feet from the relocated County Drain Tile, but not closer than 20 feet to said drain, per Exhibit A, (Utility Site Plan, drawn 4/21/75 with revision 1/5/76), attached hereto.

DRAINAGE BOARD OF MONTGOMERY COUNTY

BY: Samuel R. Berts

BY: Adrian R. Ramsey

BY: John W. May

ATTEST:

Olmas Rudwick
AUDITOR

MONTGOMERY COUNTY DRAINAGE BOARD

January 19, 1976

The Montgomery County Drainage Board met on Monday, January 19, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Adrian Remley, Robert Thayer of the Montgomery County Drainage Board; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary; John Wilson, Soil & Water Conservation Office.

Robert Thayer nominated Samuel Boots for chairman of the Drainage Board for 1976. Adrian Remley seconded the motion. Motion carried. Robert Thayer nominated Adrian Remley as Vice Chairman. Samuel Boots seconded the motion. Motion carried.

Mr. Beeson reported that George Kendall Ditch has been advertised to take bids on Monday, February 2, 1976 at 1:30 PM.

Joint Board meeting with Boone County Drainage Board on A. F. Ward Ditch and hearing on February 17, 1976 was discussed.

Encumbrance in the amount of \$1321.67 on the Clifton Coon Ditch was presented. Robert Thayer moved and Adrian Remley seconded that encumbrance be approved as presented. Motion carried.

John Wilson of the Soil & Water Conservation Office mentioned that Robert Boots, who farms Paul & Alta Boots property, is proposing a new tile and hooking it up to the George M. Kendall Ditch. Mr. Boots did not appear at the Board meeting to make his request.

Reconstruction of Phillip Dewey Ditch was discussed. Mr. Beeson was instructed to notify the Contractors bonding company that work was not being completed according to the time schedule set in the contract.

No further business. Robert Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion carried.

February 2, 1976

The Montgomery County Drainage Board met on Monday, February 2, 1976 at 1:30 PM in the Office of the Montgomery County Auditor for the purpose of opening bids for the Reconstruction of the George M. Kendall Ditch. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Bids were opened and tabulated as follows:

CONTRACTOR	BID
Fairfield Builders Supply Corp.	\$11,370.87 - Bid Bond 5% of Bid
W & W Contracting	\$17,070.00 - Bid Bond \$853.50
Ray Blackford Excavating & Paving	\$12,750.50 - Cashier's Check \$638.00
Taylor Excavating	\$11,560.00 - Bid Bond & Construction Bond
Hendricks Excavating	\$ 8,643.50 - Cashier's Check \$433.00
Conrad Perry	\$7,616.00 - Bid Bond \$380.80

Adrian Remley moved and Robert Thayer seconded that the Bid of Conrad Perry in the amount of \$7,616.00 for Reconstruction of the George M. Kendall Ditch be accepted as the lowest and best bid. Motion carried.

Robert Thayer moved and Adrian Remley seconded that bidders bonds and cashiers checks of the other contractors be returned. Motion carried.

No further business. Robert Thayer moved and Adrian Remley seconded that meeting be recessed. Motion carried.

Samuel R. Boots

 Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer

 Montgomery County Drainage Board

Judith K. Cope

 Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

February 17, 1976

The Montgomery County Drainage Board met on February 17, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were : Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Construction bond of Conrad Perry on Reconstruction of the George M. Kendall Ditch was presented by Surveyor and approved by Board.

Andy Edwards and William Sidener appeared before the Board requesting Reconstruction of the William B. McClamroch Ditch. After a discussion of the problems of said ditch the landowners were advised by the Board to get a petition signed by landowners requesting Reconstruction. The Surveyor was instructed to get a list of the landowners for Mr. Sidener.

Financing of Lye Creek Project was discussed. Adrian Remley moved that a resolution be made authorizing Chairman of Drainage Board to verify petition for a loan from the Natural Resources Commission in the amount of \$100,000. from the Flood Control Revolving Fund as provided for in Chapter 95, Act of 1959. Samuel Boots seconded the motion. Motion Carried.

Surveyor requested that Chairman appoint two Board members to represent Montgomery County at Joint Montgomery County-Boone County Drainage Board meeting regarding A. F. Ward Ditch. Adrian Remley and Samuel Boots were appointed to represent Montgomery County.

No further business. Adrian Remley moved the meeting be recessed. Samuel Boots seconded the motion. Motion carried.

March 1, 1976

The Montgomery County Drainage Board met at a recessed session on Monday, March 1, 1976 at 11:00 AM in the office of the Montgomery County Auditor in regard to the drainage problems of Sugar Creek Heights Addition. Robert Walters of the County Health Board and landowners Corwin Pitcock, Robert M. Waldon, Wanda Lee Kelly, Jo Ann Smith, Melvin M. Kelly appeared before the Board to explain their problem of surface water affecting their septic systems. The Surveyor stated that to his knowledge there were not any county ditches in that area. Private tile north of said addition is in need of repairs. It was explained to the landowners that to have private

tile made a county tile they should petition the Drainage Board. Robert Thayer moved that the Surveyors Office run levels and make a report to the Drainage Board as to the best way to correct the drainage problem of Sugar Creek Heights Addition. Adrian Remley seconded the motion. Motion carried.

No further business. Robert Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion carried.

Samuel H. Boots

Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer

Montgomery County Drainage Board

Judy Coppe

Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

March 15, 1976

The Montgomery County Drainage Board met on Monday, March 15, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll O. Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary; Ed Stuff, Soil & Water Conservation Office.

Mr. Beeson presented map of revised drainage area of A. F. Ward Joint Ditch with Boone County.

Reconstruction of Phillip Dewey Ditch was discussed.

Ed Stuff reported that work would start on Lye Creek Project by October, 1976.

Robert Thayer reported that repairs were needed on the Allen Lewis Ditch and the James Hose Ditch.

Don Yount stated that Dwight Valentine requested permission to hook another tile into the Ebenezer McClaskey Ditch. Robert Thayer moved and Adrian Remley seconded that permission be granted. Motion carried.

Contracts for Reconstruction of George M. Kendall Ditch were presented and signed by Board.

Oliver Crull is requesting that pay for Backhoe & Operator be raised to \$ 20.00/hr. and Labor to \$ 5.00/hr. Robert Thayer moved and Adrian Remley seconded that said pay be granted. Motion passed.

No further business. Robert Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion passed.

April 5, 1976

The Montgomery County Drainage Board met on Monday, April 5, 1976 at 2:30 PM at a recessed session in regard to the Lye Creek Project. Layne Lindley, Joe Branco, Ed Stuff of the Soil Conservation Office appeared before the Board and presented rough working drawings for Board to study. Mr. Branco stated that they might need more than 75 feet for spoil spreading. Ways of disposing of rubbish was discussed. The Board decided to try to get permission to burn from the Dept. of Natural Resources. The Board set May 3, 1976 at 1:30 PM as the date to meet with some of the landowners to discuss landrights.

Encumbrance in the amount of \$1201.94 on the Periodic Maintenance of the Samuel Lough-William C. Miller Ditch and an encumbrance in the amount of \$531.55 on the Periodic Maintenance of the Albert C. Nobes Ditch were presented. Robert Thayer moved and Adrian Remley seconded that encumbrances be approved as presented. Motion carried.

No further business. Robert Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion carried.

Samuel R. Boots

Chairman, Drainage Board

Adrian R. Remley

Robert Thayer

Montgomery County Drainage Board

Judy Cope

Secretary Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

April 19, 1976

The Montgomery County Drainage Board met on Monday, April 19, 1976 at 1:30 PM in the Office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary; Ed Stuff, Soil Conservation Office.

Robert Walters, Howard Cline, Lewis Goshorn appeared before the Board requesting to have a private drain made a County Drain and have it Reconstructed and a Periodic Maintenance Assessment put on it. Drain begins on about 650 S & 600 E. Mr. Walters said catch basin was needed on road 650 E to take care of surface water. There was a general discussion on how assessments are figured and collected. The landowners were told that a petition was needed making the request. The Board instructed the Surveyor's Office to get a list of the landowners for a petition.

Drainage of Sugar Creek Heights Addition was discussed.

Encumbrance in the amount of \$289.50 on the Periodic Maintenance of the Ebenezer McClaskey Ditch and an encumbrance on the Periodic Maintenance of the Samuel Lough-William Miller Ditch in the amount of \$822.50 was presented. Robert Thayer moved and Adrian Remley seconded that the encumbrances be approved as presented. Motion carried.

No further business. Adrian Remley moved the meeting be recessed. Robert Thayer seconded the motion. Motion carried.

May 3, 1976

The Montgomery County Drainage Board met at a recessed session on Monday, May 3, 1976 in regard to the Reconstruction of the Lye Creek Drain Watershed. Richard Bishop, Layne Lindley, Joe Branco, Ed Stuff appeared before the Board representing the Soil Conservation Office. Landowners present were: Leon ~~Coy~~ & Budgie Keyes, representing M. G. Knoy Farms, Jesse Andrew, Luther Lofland of the First National Bank, representing several of the landowners.

Layne Lindley presented land rights maps and explained them to the landowners. Property lines, crossings, disposing of spoil, contracting officer, landrights, maintenance of drain after reconstruction was discussed.

Adrian Remley moved and Robert Thayer seconded a motion to furnish a list of landowners to Leon Cyr so that he can get petition for Reconstruction and Periodic Maintenance of Alva A. Thompson Ditch. Motion carried.

No further business. Robert Thayer moved and Adrian Remley seconded the meeting be recessed. Motion carried.

Samuel A. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy Cope
Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

May 17, 1976

The Montgomery County Drainage Board met on Monday, May 17, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Carroll Beeson, Surveyor; Judy Cope, Secretary.

Surveyor reported a request from John Spangler to have 60 acres removed from the Odis Stafford assessment roll because of new tile he has laid draining the 60 acres the other way. Mr. Boots stated that as long as the surface water is drained by said ditch it must be left on assessment roll. Surveyor's office was instructed to run levels to check drainage.

Surveyor reported that his office was working on the list of landowners for the Alva Thompson Ditch.

Surveyor presented assessment roll on the Reconstruction of the Lye Creek Drain Watershed for Board to review.

No further business. Robert Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion carried.

June 7, 1976

The Montgomery County Drainage Board met on Monday, June 7, 1976 at 1:30 PM in the Office of the Montgomery County Auditor at a recessed session. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor.

The question of the blockage of natural drain under road 400 N in Section 7 by Ole Vangilder blocking the drainage of water from highway and Ed Shirar property and other property holders which had natural surface drain on to the Ed Shirar property and under highway onto the Vangilder property was discussed.

The Commissioners requested the County Attorney to write letter requesting that Ole Vangilder open side ditches on north side of road 400 N and open ends of corrogated metal tubes under road at this point so as to permit flowage of water north through these tubes.

The question of approval of relocation of Shelley Ditch on subdivision being developed by William J. Corey, Wayne Pollack and Associates was discussed. Carroll Beeson, County Surveyor, reported that he had not approved relocation, that he felt that it was possible to relocate ditch more than a minimum of 20 feet from proposed

buildings and had so stated in a letter to the above developers.

The County Surveyor further stated that the developers had informed him by letter that inasmuch as they already had an agreement with the Drainage Board they no longer needed the approval of the Engineer for the Drainage Board. Mr. Beeson further asks that he be given specific instructions as to what he should do as to approval of ditch location, material used in ditch and how much supervision he should give. No instructions were given.

The Phillip Dewey - Walter M. White ditch Contract with Degan & Associates was discussed. The Surveyor reported less than one third of Contract complete and contractor had not had any workmen on job after May 19, 1976 and was now more than 6 months beyond contract completion date. Adrian Remley made a motion that the County Attorney write a letter to the Bonding Company stating that if they did not take over this contract immediately it would be necessary for the Montgomery County Drainage Board to take over contract and complete in most expeditious manner possible, billing the bonding company for any additional monies found necessary to complete the contract in full. Samuel Boots seconded the motion. Motion passed. Robert Thayer did not vote.

No further business. Robert Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion carried.

Samuel R. Boots

Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer

Montgomery County Drainage Board

Judy Cose

Secretary, Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

June 21, 1976

The Montgomery County Drainage Board met on Monday, June 21, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Delmas Chadwick, Auditor; Ed Stuff, Soil Conservation Office.

Wayne Spangler & John Spangler appeared before the Board regarding the Odis Stafford Ditch. John Spangler pointed out that he had tiled his farm north away from said ditch. Don Yount showed board cross sections that indicated surface water would have to flow south to Stafford Ditch. Spangler's pointed out that they had a surface inlet in a pond to let surface water into new ditch and take it north. Robert Thayer moved and Adrian Remley seconded to leave assessment as is. Motion carried.

Steve Williams & Layne Lindley appeared before the Board on the Lye Creek Project. Wilcox property discussed and Lindley talked about changing the construction side to the north side thru Wilcox and Royer. Wilcox indicated he would go along with this, maybe. Lindley will take it up with the Indianapolis Office before next meeting.

Warren McGaughey is to get on the right-of-way easements this week. It was almost decided to have contractor on Lye Creek to install a new culvert at upper end of Durham ditch. Surveyors Office to recommend size and length. Discussed farm bridges, one on Dick Ward will have to be replaced, one on Andrews is not presently in use and will have to be taken out. Lindley said they may have to armor the bottom on first contract and this will increase the cost (5 to 10%).

Bridge on 800 N will probably be replaced in near future by County Highway. At the July 6, 1976 meeting the SCS will have a cost specialist here and should be able to give a fairly accurate cost estimate.

Need to get burning permits squared away before contract letting. Beeson to write letter about this.

Phillip Dewey Ditch was discussed. Mr. McGaughey is to write Degan's Bonding Co. this week, promised, and a copy to Degan & Associates.

No further business. Adrian Remley moved to recess. Robert Thayer seconded the motion. Motion carried.

Samuel L. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert Thayer
Montgomery County Drainage Board

Judy Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

July 6, 1976

The Montgomery County Drainage Board met at a recessed session on Monday, July 6, 1976 regarding Lye Creek Drain Watershed. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Layne Lindley, Ed Stuff, Joe Branco, Fred Sisk of the Soil Conservation Office; Buggie Keys, tenant for Knoy & Igney farms.

Mr. McGaughey reported all easements done and ready for signature. Mr. Lindley discussed Bob Wilcox's request that spoil on his land be used to fill up an old gravel pit. He seemed to think it feasible.

Joe Branco reports that 2 bridges, extra clearing, 3 miles of fencing, armouring of channel may increase the cost of Reach B from \$216,000 to \$300,000 or \$350,000, which may double the assessments. This fact was discussed considerable.

Bob Thayer made motion the hearing on the Lye Creek Drain be postponed until Sept. 3, 1976 at 1:30 PM. Adrian Remley seconded the motion. Motion carried. Board instructed Surveyor to notify all land owners that July 19, 1976 meeting will be cancelled, and they will be notified of the new estimate and hearing date later.

Fred Sisk will bring new estimates to Surveyor by July 23, 1976 so he can refigure assessments and get them mailed 30 days before tentative date of new hearing.

No further business. Bob Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion carried.

Samuel H. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

July 19, 1976

The Montgomery County Drainage Board met on Monday, July 19, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Delmas Chadwick, Auditor.

Walter Mangus, Joe Morrison & Bill Dice requested permission to clean out the open part of the Samuel Mount Ditch. John Wilson presented a preliminary study for this work. Thayer made a motion and Remley seconded for Soil Conservation Office to go ahead and work up specifications and design subject to County Surveyor approval. Motion passed. The landowners are requesting County Surveyor to figure percentage of cost to each landowner in drainage area.

Mr. Beeson presented a petition for Reconstruction of W. B. McClamroch Ditch. Adrian Remley moved and Robert Thayer seconded that the Surveyor's Office make a preliminary survey and report back to the Board. Motion carried.

Robert Thayer moved and Adrian Remley seconded that Surveyor should inspect construction of Shelley Ditch at new shopping center site. Motion carried. They have uncovered 16" tile and need to know what size to replace them with.

Adrian Remley made a motion instructing the Surveyor to set up Periodic Maintenance on Raymond Weliever Ditch and set date for hearing on same. Robert Thayer seconded the motion. Motion carried.

Mr. Beeson reported that Flaningam was in the office last week about the Ali Peterson Ditch (upper end, old ditch). It is not working - wanted to know what to do. Adrian Remley moved and Robert Thayer seconded that the Surveyor work it a section at a time (1 year) and take money out of periodic maintenance. Motion carried. When to start and how big a section?

The auditor presented a letter from Ruth Rund asking County Highway for \$90.00 to put in escrow for James P. McMullen Ditch. Mr. Beeson took custody of letter.

Ed Stuff of the Soil Conservation Office reported that the total cost of Lye Creek will be up about \$175,000 and \$55,000 of that will be local. Board instructed Beeson to add 10% to this cost. We will have a firm estimate by July 23, 1976. We will be receiving the plans etc., in the immediate future for signature.

No further business. Adrian Remley moved and Robert Thayer seconded that the meeting be recessed. Motion carried.

Samuel L. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

August 16, 1976

The Montgomery County Drainage Board met on Monday, August 16, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Bob Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Judy Cope, Secretary; Ed Stuff & Layne Lindley, SCS.

Robert Wilcox met with Board regarding land rights of Lye Creek Drain Watershed. Mr. Wilcox has not signed land rights agreement. He stated that he would loose 3.2 acres of ground and would like to know what compensation he will get. SCS presented revised plans and after a general discussion Adrian Remley and Layne Lindley agreed to meet with Mr. Wilcox at the job site and discuss it further.

Jerry Myers appeared before the Board on Lye Creek stating he will get no benefit from ditch and asked that his ground be taken off. The Surveyor stated that ground could not be taken off but that assessment was a little high.

Mr. Beeson reported that the SCS met with his office on July 23, 1976 with a revised estimate of cost for Reconstruction of Lye Creek Drain. Revised total cost of Reaches A & C is \$325,277.00 less estimated cost of bridges making total cost of \$310,277.00 in which they would participate. Revised total cost of Reach B in which government will participate is \$207,262.00.

"A" - "C"	"B"	
\$310,277.00	\$207,262.00	
Owners part of cost of A & C 32%		\$ 99,272.64
Bridges 100%		15,000.00
Crossings 100%		7,650.00
Added Haul 100%		16,220.00
		<u>\$138,142.64</u>
Owners part of cost of B 32%		69,120.00
Total Administratinn Cost		<u>15,000.00</u>
Total for Owners		\$222,262.64

Robert Thayer made a motion that project Administration cost of \$15,000.00 be established. Samuel Boots seconded the motion. Motion carried. Robert Thayer moved the revised estimate of cost other than federal, plus revised administrative cost is \$222,262.00. Samuel Boots seconded the motion. Motion passed.

Mr. Beeson reported that Dept. of Natural Resources has approved \$56,000. for loaning on Reconstruction of Lye Creek Drain. Construction of farm bridges was discussed extensively.

Mr. Beeson reported that Mr. McGaughey and himself met with Mrs. Degan of Degan & Associates and their bonding company regarding Phillip Dewey Ditch. It appeared that the bonding company will try to get Degan & Associates to finish the job.

No further business. Robert Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion carried.

Samuel T. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert Thayer
Montgomery County Drainage Board

Judy Cope
Secretary

September 1, 1976

The Montgomery County Drainage Board met at a recessed session for proposed assessments on the Lye Creek Drain Watershed on Wednesday, September 1, 1976 at 1:00 PM in the Montgomery County Court Room. Those present were: Samuel Boots, Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary; Ed Stuff; Layne Lindley, Joe Branco, John Wilson of the Soil Conservation Service, Clinton Morgan of the Indiana Department of Natural Resources.

Landowners present were: John Berry, Devon Flaningam, Oral Shelton, David Shelton, James Harmon, Ivan & Rachel Prosser, Edith Warren, Morris Odle, Beatrice Igney, Lois Spitznagel, Debbie Campbell by Martin Campbell, Mary M. Royer, Dan Gwin, Richard Kelly, Kenneth Milligan - J. E. McFarland Agent, Isaac McBee, Jesse Andrew, John Andrew, Clinton Carlson, Harold Andrews, Harold Barclay, Glen Bymaster, Luther L. Lofland, Julium Whitaker, Marcella Denhart, Jeff Myers, Margaret MacDougall, R. Leonard - J. C. Halstead Farms, Jack Crabtree, Curt Hudson, Walter McBee, Fraley Estate - Marty Harris.

SCS presented plans and explained entire project to those present. Questions were answered as to width of ditch, number of feet landowners would loose, who determines assessments, why assessment had changed in less than a month, how much money government is really saving landowners, will open ditch be fenced.

Letter was presented from Jerry Myers stating he would not receive any benefit from ditch and asking that the number of acres he is assessed on be reduced.

No further business. Robert Thayer moved and Samuel Boots seconded that meeting be recessed. Motion carried.

September 3, 1976

The Montgomery County Drainage Board met at a recessed session on Friday, September 3, 1976 at 11:00 AM in the Office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Carroll Beeson, Surveyor; Judy Cope, Secretary.

Contract with Degan & Associates on Phillip Dewey & Walter M. White Ditch was discussed. Adrian Remley moved and Samuel Boots seconded that Drainage Board forfeit contract on Phillip Dewey & Walter M. White Ditch. Motion carried.

Hearing on Lye Creek Drain Watershed was discussed. No action was taken at the time of the hearing. Adrian Remley moved and Robert Thayer seconded that Reconstruction assessments be approved as set out in the revised edition which lowered the assessment on the Charles E. McFarland land, the Carrie Cotton land and Betty Berry land and reduced the acreage draining into the Lye Creek Drain on the Yvonne Myers land 22.5 acres and increased the assessment on the Martin Z. McBee drain, a tributary to the Armantrout drain, in a sufficient amount to absorb the above reduction. Motion carried.

Robert Wilcox is asking \$3,000 for land rights. Robert Thayer moved that no money be paid to Mr. Wilcox for easement rights. Adrian Remley seconded the motion. Motion carried.

No further business. Adrian Remley moved the meeting be recessed. Robert Thayer seconded the motion. Motion carried.

Samuel H. Boots
Chairman, Drainage Board

Adrian R. Remley

Robert M. Thayer
Montgomery County Drainage Board

Judy Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

September 20, 1976

The Montgomery County Drainage Board met on Monday, September 20, 1976 at 1:00 PM in the office of the Montgomery County Auditor. Those present were: Samuel L. Boots, Chairman; Adrian Remley, Vice Chairman; Robert M. Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

At 1:00 PM bids were opened and tabulated on the Reconstruction of the A. F. Ward Joint Ditch with Boone County as follows:

Hendricks Excavating	\$5870.65 - Certified Check \$300.00
Kendall Excavating	\$4496.00 - Bid Bond

At 1:45 PM hearing was held on the Periodic Maintenance of the Raymond Weliever Ditch. Harry Evans appeared before the Board as a landowner. There were no objections. Robert Thayer moved and Adrian Remley seconded that assessments for Periodic Maintenance of the Raymond Weliever Ditch be approved as presented. Motion carried.

At 2:00 PM hearing was held on the Periodic Maintenance of the Boswell Clough Ditch for the purpose of reassessing certain lands, made necessary by the transfer and subdivision of ownership. No landowners were present. Robert Thayer moved that reassessments be approved as presented. Adrian Remley seconded motion. Motion passed.

John Wilson, Layne Lindley, Joe Branco, George Murphy of the SCS office appeared before the Board on the Lye Creek Drain Watershed. Samuel Boots presented approval to construct floodway from Department of Natural Resources.

Jerry Myers appeared before the Board regarding Lye Creek Drain Watershed. Mr. Myers hasn't any trouble with drainage at the moment so he doesn't think he should have to pay any assessment. The Board told him there wasn't anything they could do about it. His land drained into the Lye Creek Drain Watershed.

Mr. Susong (attorney for Robert Wilcox) appeared before the Board asking for the time to be extended for Mr. Wilcox to file a complaint against said ditch or to try to work out an agreement between the Board and Mr. Wilcox. Mr. Susong said he was not familiar with the plans and needed more time to study the proposed reconstruction. The Board informed Mr. Susong that Mr. Wilcox has had approximately 4 months to work with them and try to reach an agreement. The Board said they had talked with Mr. Wilcox several times and each time he changed his mind about something. The Board informed Mr. Susong that they were going to use the 75 foot easement provided by the Indiana Drainage Code to Reconstruct the Lye Creek Drain through Mr. Wilcox's property. Adrian Remley made a motion that no additional time be given to Mr. Wilcox. Robert Thayer seconded the motion. Motion carried.

Robert Thayer made a motion that Adrian Remley be appointed as Contracting Officer on the Lye Creek Drain Project. Samuel Boots seconded the motion. Motion carried.

SCS presented forms for Boards signature regarding landrights, project agreement and operation and maintenance agreement. After forms were read and discussed Robert Thayer moved that project agreement for Lye Creek Drain Watershed be approved. Samuel Boots seconded the motion. Motion carried. Robert Thayer moved and Samuel Boots seconded that operation and maintenance agreement be approved. Motion carried, Robert Thayer moved that landrights agreements have been signed and be approved as presented. Samuel Boots seconded the motion. Motion carried.

Surveyor's Report for the work completed for 1975 and 1976 was presented for the Boards approval. Robert Thayer moved and Samuel Boots seconded that said report be approved as presented. Motion passed.

Encumbrance for maintenance of the Kenneth Hudson Ditch in the amount of \$269.15 was presented. Robert Thayer moved and Samuel Boots seconded that encumbrance be approved as presented. Motion carried.

No further business. Robert Thayer moved the meeting be recessed. Samuel Boots seconded the motion. Motion carried.

October 4, 1976

The Montgomery County Drainage Board met at a recessed session on Monday, October 4, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Layne Lindley & John Wilson of the Soil Conservation Service appeared before the Board on the Lye Creek Drain Watershed. Construction of said drain was discussed. The following tentative dates were discussed: advertising for bids, November 8, 1976; site showing, November 18, 1976; bid letting, first week of December, 1976.

Mr. Lindley stated the SCS would prefer that an Assistant Contracting Officer be appointed. Robert Thayer moved that Don Yount be appointed Assistant Contracting Officer of Lye Creek Drain Watershed. Samuel Boots seconded the motion. Motion carried.

Certificate of Assessments for Construction of Lye Creek Drain Watershed was presented in the amount of \$222,262.00. Robert Thayer moved the Certificate of Assessments be approved as presented and certified to the County Auditor for collection. Samuel Boots seconded the motion. Motion carried.

No further business. Robert Thayer moved the meeting be recessed.
Samuel Boots seconded the motion. Motion carried.

Samuel L. Boots
Chairman, Drainage Board

Edward Sayler
Montgomery County Drainage Board

Judy Cope
Secretary

October 4, 1976

The Montgomery County Drainage Board met at a recessed session on Monday, October 4, 1976 in the office of the Montgomery County Auditor in regard to the Phillip Dewey-Walter M. White Ditch. Those present were: Samuel Boots, Chairman; Edward Sayler, Special Board Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Mr. McGaughey presented letter from Harding & Henthorn, Attorneys at Law, stating that Mr. & Mrs. Paul Goff has filed a suit against Degan & Associates, contractor and Montgomery County Drainage Board.

The contractor's Bonding Company is trying to make a settlement with the Drainage Board offering to pay Montgomery County \$2463.28 for an overrun on job plus rental of dozer that has yet to be paid and releasing bonding company of any further obligation. Contractor's performance bond, Board's specifications of work yet to be completed was discussed. Ed Sayler moved that bonding company must perform as set out in articles 1, 2 & 3 of performance bond. Samuel Boots seconded the motion. Motion carried.

No further business. Edward Sayler moved the meeting be recessed. Samuel Boots seconded the motion. Motion carried.

Samuel L. Boots
Chairman, Drainage Board

Edward Sayler
Special Board Member
Montgomery County Drainage Board

Judy Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

October 18, 1976

The Montgomery County Drainage Board met on Monday, October 18, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Adrian Remley, Vice Chairman; Robert Thayer, Member; Delmas Chadwick, Auditor, Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Reconstruction of the Lye Creek Drain Watershed was discussed. Burning permit from Department of Natural Resources was presented.

Mr. Beeson presented a petition from Howard Cline of Clark Township requesting that a mutual drain be made a County Drain and that it be reconstructed. Robert Thayer moved that above petition be accepted and that Surveyor inspect drain and report his recommendation to the Board. Adrian Remley seconded the motion. Motion carried.

Encumbrances for maintenance of the Kenneth Hudson Ditch in the amount of \$3.20, Clifton Coon Ditch in the amount of \$529.50, Jacob Elmore-Louis Stanford Ditch in the amount of \$40.49 was presented. Robert Thayer moved and Adrian Remley seconded that encumbrances be approved as presented. Motion carried.

Certificate of Assessments for Annual periodic maintenance of Raymond Weliever ditch in the amount of \$500.00 was presented. Robert Thayer moved the Certificate of Assessments be approved as presented and certified to the Auditor for collection. Adrian Remley seconded the motion. Motion carried.

Certificate of Assessments for revised annual periodic maintenance of Boswell Clough Ditch in the amount of \$454.00 was presented. Adrian Remley moved the Certificate of Assessments be approved as presented and certified to the County Auditor for collection. Robert Thayer seconded the motion. Motion carried.

Mr. Beeson reported he had revised periodic maintenance assessments for consideration of Board on the following ditches due to transfer or division of land: Phillip Dewey, Peter Barley, William Buchanan, Jennings Bryan Miller, Carper Crowder, John Walkup, Roy Harper. Robert Thayer moved that hearing be held on the revised periodic maintenance assessments on above ditches on Monday, December 6, 1976 at 1:30 PM. Samuel Boots seconded the motion. Motion carried.

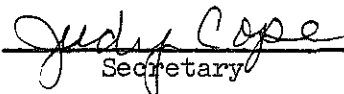
No further business. Robert Thayer moved the meeting be recessed. Adrian Remley seconded the motion. Motion carried.



Chairman, Drainage Board



Montgomery County Drainage Board



Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

November 15, 1976

The Montgomery County Drainage Board met on Monday, November 15, 1976 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Robert Thayer, Member; Don Maxwell, Commissioner Elect; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Mr. Beeson reported that John Todd had called wanting to drop 40 acres off of his assessment of Lye Creek Drain assessment area. The Board said it was too late to change drainage area.

Drainage of George Nichols Ditch was discussed. Board decided said ditch should be reconstructed.

Reconstruction of George Kendall Ditch is completed and \$1624.00 is left from reconstruction assessment. Robert Thayer moved and Sam Boots seconded that landowners be notified and they should decide whether to use money for additional reconstruction or for maintenance. Motion carried.

Reconstruction of Harrison Doyle Ditch was discussed. Petition for reconstruction was presented such a long time ago that several of the landowners have changed their minds. Board decided that landowners should be contacted and let them decide what they want to do.

No further business. Robert Thayer moved the meeting be recessed. Samuel Boots seconded the motion. Motion carried.

December 2, 1976

The Montgomery County Drainage Board met on Thursday, December 2, 1976 at 11:00 AM at a recessed session for the purpose of receiving bids on the Construction of Lye Creek Drain Watershed. Those present were Samuel Boots, Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Others appearing at the meeting were: Steve Wolf, SCS District Conservationist; Joa Branco, SCS Greencastle; Layne Lindley, SCS Greencastle; Leonard Whaley, SCS Greencastle; Fred Sisk, SCS Indianapolis; Luther Lofland, representing landowners; Ernest L. Patterson, Bluegrass Landscaping Co.; Gerald Garrard, Garrard Excavating Co.; James Stueve, Armco Steel, Indianapolis; J. E. Courtney, Courtney Excavating; Faye Chamness, Chamness Drainage Co.; E. Chudzynski, McMahan-O'Connor Excavating Co.; R. Zink, McMahan-O'Connor Excavating Co.

Bids were opened and tabulated as follows:

CONTRACTOR	BID
Garrard Excavating Co.	\$403,908.80
Chamness Drainage Co.	\$361,026.95
Bluegrass Landscaping Co.	\$455,075.00
McMahan-O'Connor Excavating	\$299,990.10

No further Business. Robert Thayer moved the meeting be recessed. Samuel Boots seconded the motion. Motion carried.

December 6, 1976

The Montgomery County Drainage Board met on Monday, December 6, 1976 at 1:30 PM at a recessed session for hearing on the revised periodic maintenance assessments of the William Buchanan, Peter Barley, Roy Harper, Carper Crowder, John Walkup, Phillip Dewey & Jennings Bryan Miller Ditches made necessary by the transfer & Division of property.

No landowners appeared before the Board. Robert Thayer moved the revised periodic maintenance assessments be approved as presented. Samuel Boots seconded the motion. Motion carried.

Bids were reviewed on the Construction of Lye Creek Drain Watershed. Robert Thayer moved that bid of McMahan-O'Connor Construction Company, Inc. of \$299,990.10 be accepted. Samuel Boots seconded the motion. Motion carried.

No further business. Robert Thayer moved the meeting be recessed. Samuel Boots seconded the motion. Motion carried.

Samuel R. Boots
Chairman, Drainage Board

Robert M. Thayer
Montgomery County Drainage Board

Judy Cape
Secretary, Drainage Board

OFFICE OF COUNTY SURVEYOR
MONTGOMERY COUNTY
CRAWFORDSVILLE, INDIANA
47933

CARROLL O. BEESON, A.I.A.-P.E.

TELEPHONE 362-5868

December 29, 1976

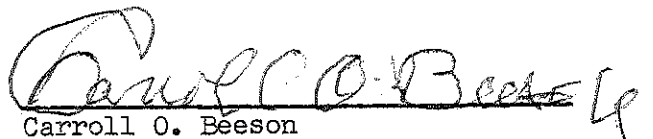
Montgomery County Drainage Board
Court House
Crawfordsville, Ind. 47933

Gentlemen:

Transmitted herewith is final list of letters of contract that were signed by me as Surveyor of Montgomery County.

If there are no questions, would appreciate your approval of letters of contract as listed in this report.

Sincerely,


Carroll O. Beeson

COB/jkc

SURVEYOR'S REPORT

December 29, 1976

- August 18, 1976 Letter to Oliver Crull to proceed with repairs on the John M. Wilkinson Ditch. Total Cost \$120.50.
- September 13, 1976 Letter to Claude Barker to saw and flush out tile on Kenneth Hudson Ditch at \$.75/ft. Total Cost \$525.00.
- September 14, 1976 Paid Claude Barker for 5 hrs. backhoe work @\$20.00/hr. on James Hose Ditch.
- September 14, 1976 Reimbursed Town of Linden \$41.25 for work completed on the James Hose Ditch.
- October 12, 1976 Letter to Oliver Crull to proceed with repairs on the Charles Schoen #1 Ditch. Total Cost \$168.35.
- October 12, 1976 Letter to Oliver Crull to proceed with repairs on the Samuel Marsh Ditch. Total Cost \$759.61.
- October 12, 1976 Letter to Oliver Crull to proceed with repairs on the Allie Peterson Ditch. Total Cost \$443.95.
- November 5, 1976 Letter to Oliver Crull to proceed with repairs on the Richard Graham Ditch. Total Cost \$148.50.

MONTGOMERY COUNTY DRAINAGE BOARD

December 20, 1976

The Montgomery County Drainage Board met on Monday, December 20, 1976 at 1:30 PM in the Office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Robert Thayer, Member; Don Maxwell, Commissioner Elect; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Carroll Beeson, Surveyor; Don Yount, Deputy Surveyor; Judy Cope, Secretary.

Reconstruction of Phillip Dewey Ditch was discussed. Bonding company has offered to settle for \$7,000.00 difference. Drainage Board Attorney was instructed to write bonding company and inform them that it is their responsibility to have reconstruction of Phillip Dewey Ditch completed.

Encumbrance for maintenance of the Samuel Lough-William Miller Ditch was presented in the amount of \$520.78. Robert Thayer moved the encumbrance be approved as presented. Samuel Boots seconded the motion. Motion carried.

A petition was filed March 18, 1969 for the establishment of the Harrison Doyle Ditch and Reconstruction of said ditch. Robert Thayer moved that secretary write landowners requesting they be present at the Drainage Board meeting on January 17, 1977 at 1:30 PM to discuss petition. Samuel Boots seconded motion. Motion carried.

Layne Lindley of the SCS Office appeared before the Board on Lye Creek Drain Watershed. Contract with McMahon-O'Connor has been approved. Replacing farm bridges was discussed. Robert Thayer moved John Berry & Leon Cyr, Farm Manager for Maurice Knoy Farms be notified that replacing of farm bridges will be discussed on January 3, 1977 and that they be present at 8:30 AM. Samuel Boots seconded the motion. Motion carried.

No further business. Robert Thayer moved the meeting adjourned. Motion carried.

Samuel Boots
Chairman, Drainage Board

Robert M. Thayer
Montgomery County Drainage Board

Judy Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

January 3, 1977

The Montgomery County Drainage Board met on Monday, January 3, 1977 at 8:30 AM in the Office of the Montgomery County Auditor. Those present were: Samuel Boots, Robert Thayer, Donald Maxwell of the Montgomery County Drainage Board; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Don Yount, Surveyor; Warren McGaughey, Attorney, Judy Cope, Secretary; Layne Lindley, SCS Office.

Robert Thayer nominated Samuel Boots for chairman of the Drainage Board for 1977. Don Maxwell seconded the motion. Motion carried. Robert Thayer nominated Don Maxwell for Vice Chairman of the Drainage Board. Sam Boots seconded the motion. Motion carried.

Leon Cyr, Maurice Know Farm Manager & John Berry met with the Drainage Board to discuss the farm bridges to be replaced on their property after construction of Lye Creek Drain Watershed. Rock crossing met with Mr. Cyr's approval. Mr. Lindley explained SCS's plans for replacing bridge on Mr. Berry's property. Crossing will be replaced equal to original at no additional cost to Mr. Berry. Mr. Berry agreed to pay approximately $\frac{1}{4}$ the cost of a pipe long enough to increase the width from 12 feet to 16 feet.

No further business. Robert Thayer moved the meeting be recessed. Don Maxwell seconded the motion. Motion carried.

February 7, 1977

The Montgomery County Drainage Board met on Monday, February 7, 1977 at 1:30 PM in the Office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Robert Thayer, Member; Don Maxwell, Vice Chairman; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Don Yount, Surveyor; Layne Lindley & Steve Woll, SCS Office; James C. Stueve, Armco Representative.

Bridges on Lye Creek Drain were discussed. Board decided to use 42' of 18' - 7" x 10' - 0" pipe for Bridge No. 1 and 52' of 19'-11" x 12'-10" pipe for Bridge No. 2 and remove only the north abutment.

Board instructed Surveyor to contact Jesse Andrew, Dick Ward and Luther Lofland to come in at 2:30 PM, February 22, 1977 and discuss bridges on their property.

Law suit of Jerry Myers discussed. Mr. McGaughey thought it could be settled out of court. Robert Thayer moved and Don Maxwell seconded to have Mr. McGaughey settle with Mr. Myers' Attorney. A figure of \$850.00 less than Myers original assessment was discussed.

No further business. Robert Thayer moved the meeting be recessed. Motion carried.

Samuel Boots
Chairman, Drainage Board

Robert Thayer

Donald L. Maxwell
Montgomery County Drainage Board

Judy Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

February 22, 1977

The Montgomery County Drainage Board met on Tuesday, February 22, 1977 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Surveyor; Judy Cope, Secretary.

Landowners on the Harrison Doyle Ditch met with the Board at 1:30 PM to discuss a petition to reconstruct said ditch presented to the Board in 1969. Assessments for reconstruction and for periodic maintenance were presented by the Surveyor. Due to several changes since petition had been filed, landowners decided they would do the work on the ditch themselves. Robert Thayer moved and Don Maxwell seconded the petition be dropped. Motion carried.

Layne Lindley, SCS Office; Luther Lofland, Durham Farms; Josh Andrews, Jesse Andrews Farms; appeared before the Board to discuss farm bridges on their property crossing Lye Creek Drain. After an extensive discussion with Mr. Andrews, he decided to wait till a later date to make any decisions. He is considering a joint bridge with Mr. Ward. Mr. Lofland discussed Bridge #6 on Durham land at St. 960+68 and decided to get estimate for replacing bridge with pipe in place of underpinning.

Mr. Yount presented Bids for Bridges on Berry property and on County Highway of McMahan-O'Connor Construction Co. Board decided to wait until they had talked to Mr. Berry before making a decision on Bridge #1. Bid for Bridge #1 on Berry property was \$16,000. Bid for bridge #2 on County Highway 450 E was \$19,000. Robert Thayer moved to accept bid for bridge #2 on County Highway to McMahan-O'Connor Construction Co. for \$19,000.

Secretary presented Surveyor's Report for remainder of Letters of Contracts from 1976 for Carroll O. Beeson, previous Surveyor. Robert Thayer moved and Don Maxwell seconded that report be approved as presented. Motion carried.

Mr. Yount presented petitions for Reconstruction of James B. Gilliland Ditch and Reconstruction of Benjamin F. Crabbs Ditch. Robert Thayer moved and Don Maxwell seconded that Surveyor make preliminary surveys and report back to the Board. Motion carried.

Certificates of Assessments for revised periodic maintenance of the Peter A. Barley, William A. Buchanan, Carper G. Crowder, Phillip Dewey, Roy S. Harper, Jennings Bryan Miller & John M. Walkup Ditch was presented. for Board's approval. Robert Thayer moved and Don Maxwell seconded that

Certificate of Assessments be approved as presented and given to the County Auditor for collection. Motion carried.

Mr. Yount presented map and assessment roll for Construction of Howard Cline Ditch for Board to look over.

No further business. Robert Thayer moved the meeting be recessed. Don Maxwell seconded the motion. Motion carried.

Samuel L. Boots
Chairman, Drainage Board

Donald L. Maxwell

Robert M. Thayer
Montgomery County Drainage Board

Judy K. Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 21, 1977

The Montgomery County Drainage Board met on Monday, March 21, 1977 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Surveyor; Judy Cope, Secretary; Steve Woll & Layne Lindley, SCS Office.

Marvin McBee appeared to discuss bridge on John Berry property on Lye Creek Drain Watershed. Mr. McBee had gotten a bid from Fauber Construction Co. to replace bridge at \$13,675.00 as SCS's specifications. McMahon-O'Connor bid was \$16,000.00. Underpinning versus a pipe and Drainage Board versus landowners taking bids were discussed. After much discussion Robert Thayer moved that if John Berry would agree to pay $\frac{1}{4}$ but not more than \$3,419.00 Drainage Board would pay to replace bridge with a tube culvert as specified in plans. Don Maxwell seconded motion. Motion carried. Board instructed Surveyor to get plans and specifications ready and advertise Bridge No. 1 for bids as soon as possible.

Board instructed Surveyor to contact Dick Ward & Jesse Andrews to meet with them at next meeting to discuss bridges on their property.

No further business. Robert Thayer moved and Don Maxwell seconded that meeting be recessed. Motion carried.

Samuel L. Boots
Chairman, Drainage Board

Donald L. Maxwell

Robert Thayer
Montgomery County Drainage Board

Judy K. Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

APRIL 18, 1977

The Montgomery County Drainage Board met on Monday, April 18, 1977 at 1:30 PM in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Surveyor; Judy Cope, Secretary; Steve Woll & Layne Lindley, SCS Office.

At 1:30 PM bids were opened and tabulated on Bridge #1 on Lye Creek Drain on John Berry property as follows:

Fauber Construction Co.	\$15,025.00 - Bid Bond
McMahan-O'Connor Construction Co.	\$12,432.00 - Bid Bond

Robert Thayer made a motion to accept bid of McMahan-O'Connor Construction Co. for \$12,432.00 as the lowest and best bid and that contract be prepared for the signature of the Board. Don Maxwell seconded the motion. Motion carried.

Robert Thayer moved that the bid bond accompanying the bid of Fauber Construction Co. be returned. Don Maxwell seconded the motion. Motion carried.

Robert Wilcox appeared before the Board to discuss Lye Creek Drain. Robert Thayer made a motion instructing the County Surveyor to set steel stakes 75 feet from the present banks of Lye Creek Drain and this shall be the permanent boundary of the right of entry of this legal drain. Don Maxwell seconded the motion. Motion carried. Mr. Wilcox agreed that the pipe on 450 East, Bridge #2, could extend over onto his property 10 feet, more or less. Mr. Wilcox agreed to let County Highway enter his property at the gateway at southwest corner of his property for the purpose of removing the gravel that the Board has agreed not to spread on his land.

Board instructed Secretary to write letter to John Pruessner for an extension of the Lye Creek Burning permit to December 1, 1977.

Richard Ward, Richard Osterhoff, Jess Andrews, Josh Andrews appeared before the Board regarding Bridge #4 over Lye Creek Drain. Bridges on Mr. Andrew's property are not usable, and he has been using bridge on Mr. Ward's property. Mr. Ward and Mr. Andrews agreed to replacing Bridge No. 4 with pipe as or near the present site of Bridge No. 4 and they will work out an easement agreement between themselves. Mr. Ward requested he be allowed to salvage eye beams from present bridge. Board agreed and instructed Surveyor to inform Contractor of same.

Bridge #3 on Jess Andrews property was discussed. Mr. Andrews agreed to pay $\frac{1}{4}$ of the cost of a new bridge. Surveyor was instructed to get estimates on a bridge and a rock crossing and further discussion will be on May 2, 1977 at 1:30 PM. Mr. Andrews was asked to be present at that time.

No further business. Robert Thayer moved and Don Maxwell seconded that meeting be recessed. Motion carried.

May 2, 1977

The Montgomery County Drainage Board met at a recessed session on Monday, May 2, 1977 at 1:30 PM to discuss Lye Creek Drain Farm Bridges with SCS Office and Jesse Andrews and Dick Ward.

Joint Bridge No. 4 was discussed and Mr. Ward & Mr. Andrews agreed to pay $\frac{1}{4}$ of the cost of a new pipe. Surveyor's approximate estimate was \$11,851.00.

Bridge at Station 1090+75 on Jesse Andrew's property was discussed. Surveyor's estimate was approximately \$10,672.75.

Mr. Ward and Mr. Andrews agreed for McMahan-O'Connor Construction to do the work, if their cost is within reason.

No further business. Robert Thayer moved and Don Maxwell seconded that the meeting be recessed. Motion carried.

Samuel H. Boots
Chairman, Drainage Board

Donald L. Maxwell

Robert Thayer
Montgomery County Drainage Board

Judy K. Cope
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

May 16, 1977

The Montgomery County Drainage Board met on Monday, May 16, 1977 at 1:30 p.m. in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Surveyor; Judy Cope, Secretary; Steve Woll & Layne Lindley, SCS Office.

Jim Price appeared before the Board stating he could not get a bond to finish Reconstruction of Phillip Dewey Ditch.

Dick Ward & Jess Andrews attended meeting regarding Lye Creek Drain Watershed. Surveyor presented bids for farm bridges over Lye Creek Drain from McMahan-O'Connor Construction Co. Bid for Joint Bridge # 4 on Dick Ward & Jess Andrews property was \$11,109.40. Mr. Ward & Mr. Andrews was agreeable to the bid and agreed to pay $\frac{1}{4}$ of the cost. Samuel Boots moved that bid of McMahan-O'Connor Construction Co. in the amount of \$11,109.40 on Bridge # 4 be accepted. Robert Thayer seconded the motion. Motion carried.

Bid for Bridge at Station 1090+75 on Jess Andrews property from McMahan-O'Connor Construction Co. was \$10,240.50 for 12 gage pipe, \$11,840.50 for 8 gage pipe and \$11,040.50 for 10 gage pipe. At Surveyor's suggestion, Mr. Andrews agreed to 10 gage pipe and to pay $\frac{1}{4}$ of the cost. Samuel Boots moved that bid of McMahan-O'Connor Construction Co. in the amount of \$11,040.50 for 10 gage pipe for Bridge at Station 1090+75 be accepted. Robert Thayer seconded the motion. Motion carried.

Surveyor reported a complaint from Robert Wilcox on Lye Creek Drain. Mr. Wilcox does not want unsuitable soil spread on his farm ground. Mr. Wilcox stated he did not need a rock crossing which costs \$2,000. Surveyor estimated that there will be 8,000 cubic yards of spoil to be hauled off and McMahan-O'Connor Construction Co. has agreed to haul the spoil with a rubber tired scrapper at \$52.50/hr. Estimated cost of hauling spoil is \$4,725. Actual estimated cost to Drainage Board is \$3,725. Don Maxwell moved to have McMahan-O'Connor Construction Co. haul off unsuitable spoil to the gravel pit area on Wilcox property. Robert Thayer seconded the motion. Motion carried.

Surveyor reported that Alvin Enlow had contacted him on needed Reconstruction of Joseph C. Schmeltzer Ditch. Board advised Mr. Yount that petition should be filed before said ditch could be Reconstructed.

No further business. Robert Thayer moved and Don Maxwell seconded that meeting be recessed. Motion carried.

Samuel L. Boots

Chairman, Drainage Board

Donald L. Maxwell

Robert M. Thayer

Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

June 20, 1977

The Montgomery County Drainage Board met on Monday June 20, 1977 at 2:30 p.m. in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Surveyor; Marcia Bailey, Secretary; Steve Woll and Layne Lindley, SCS Office.

The Surveyor pointed out to the Board that the Lough-Miller Ditch fund is insufficient and that the assessments should be raised. Robert Thayer made a motion that the Surveyor set a time and date for a hearing on the proposed new assessments rates. Don Maxwell seconded it. Motion carried.

The Auditor raised the question of whether or not the easements on Lye Creek Drain could be dropped from the assessor's tax rolls. Discussion followed and it was decided the landowners would probably have to submit Form 134's.

The Dewey Ditch on Paul Goff property was discussed. The County Attorney said that he was still waiting to here from American States Insurance Company's attorney on the question of liability insurance for Degan.

Layne Lindley told the Board that the aggregate for the rock crossing across Lye Creek on the Knoy Farm did not meet gradation specifications. The Board instructed the Surveyor, who is the Contracting Officer, to inspect the crossing.

The Board discussed the spoil on the John Roger's Farm (Wilcox). They will look at it to see if it can be used on County Highways.

The S.C.S. is urging the Board to get started on easements for Reach A and C of Lye Creek.

There was no further business. Robert Thayer moved the meeting be adjourned and Don Maxwell seconded it. Motion carried.

Samuel L. Boots
Chairman Drainage Board

Donald L. Maxwell

Robert M. Thayer
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

July 18, 1977

The Montgomery County Drainage Board met on Monday July 18, 1977, at 1:30 p.m. in the office of the Montgomery County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Robert Thayer, Member; Delmas Chadwick, Auditor; Don Yount, Surveyor; Marcia Bailey, Secretary; Steve Woll and Layne Lindley, S.C.S. Office.

The easements on Lye Creek Reach A, the Rush Ditch and Armentrout ditches were discussed. The Surveyor was instructed by the Board to contact the landowners involved and get the easements signed. The Board agreed that there would not be any consideration offered for either the temporary or perpetual right-of-way.

A schedule of assessments for Reconstruction and Periodic Maintenance of the Benjamin F. Crabbs Ditch were presented to the Board for their approval by the Surveyor. Don Maxwell made the motion and Robert Thayer seconded, that they be accepted and instructed the Surveyor to set a date and time for hearing to be held and notify the landowner involved. Motion carried.

A schedule of assessments for Construction and Periodic Maintenance of the Howard Cline Ditch were presented to the Board for their approval by the Surveyor. Robert Thayer made the motion and Don Maxwell seconded, that they be accepted and instructed the Surveyor to set a date and time for a hearing to be held and notify the landowners involved.

The William B. McClamroch Ditch was discussed and the hearing will have to be held in October. James Patton needs to petition the Board to extend the ditch.

The Surveyor informed the Board of the plans of the Airport Authority to reconstruct the runway at the airport, and will involve the relaying of the James Gilland Ditch.

Steve Woll of the S.C.S. presented a maintenance amendment of Lye Creek to the Board, concerning property management standards which the Chairman of the Board signed.

Layne Lindley, Engineer for the S.C.S. reported on the storm damage to Lye Creek and the measures being taken to correct it, which will entail using more rip rap than is on the plans.

Bernard Karle told the Board that the Edgar H. Henry Ditch was causing damage to County Road 275E. The Board decided to have the County Highway Department take steps to correct this situation.

There was no further business. Meeting was adjourned.

Samuel Boots
Chairman

Donald L. Maxwell

Robert M. Thayer
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

August 18, 1977

The Montgomery County Drainage Board met on Monday August 15, 1977 in the office of the County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Robert Thayer, Member; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Don Yount, Surveyor; Marcia Bailey, Secretary; and the following landowners on the Lough-Miller Ditch: Hadley Associates, Orville Timmons and John Booher.

At 1:30 p.m. a hearing was held on the revised periodic maintenance assessment of the Lough-Miller Ditch. John Booher, one of the landowners present, stated that the drainage area did not, in his opinion, extend far enough to the west and that some of the property now owned by Hugh & Judith Pence should be included. The Drainage Board ordered the Surveyor to check into this complaint and report his finding to the Board at a later date. Robert Thayer moved and Don Maxwell seconded that the annual periodic maintenance assessments on the Lough-Miller Ditch be raised from \$100.00 to \$600.00. Motion carried.

The Dewey Ditch was discussed and what action could be taken to complete this project. Warren McGaughey said he would contact Mr. Joyce again, American State's Attorney, and see what progress has been made on getting a new contract acceptable to the Drainage Board.

The Surveyor reported to the Board that about half of the easements have been signed on the Lye Creek upper main channel, Rusk Ditch and Armentrout Ditch. Some of the landowners are objecting to paragraph 2 of the easement, and Mr. McGaughey said it could be deleted. Since some are objecting to the whole easement, it was decided to wait until the plans are more complete before proceeding with any other action. The Surveyor also stated that the checks on the farm bridges have been received. The sums are: Edgewood Farms- \$1309.06, Jess Andrews- \$4025.81, and John Berry \$2976.00.

The Surveyor reported that the A.F. Ward Ditch needed at least one surface drain, and was informed that this work could be done with the excess reconstruction funds.

There was no further business. Meeting was adjourned.

Samuel h. Boots
Chairman, Drainage Board

Robert M. Thayer

Donald L. Maxwell
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

September 19, 1977

The Montgomery County Drainage Board met on Monday September 19, 1977 at 1:30 p.m. in its office of the County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Robert Thayer, Member; Warren McGaughey, Attorney; Don Yount, Surveyor; Marcia Bailey, Secretary; Steve Woll, and Layne Lindley S.C.S. Office.

At 1:45 p.m. a hearing on Periodic Maintenance and Construction was held on the Howard Cline Drain. The landowners present were: Robert Walters, Howard Cline, Naomi Cline, Lewis Goshorn, & George Frantz.

Mr. Frantz objected to his assessment. He stated that the existing ditch has eroded a deep channel across the corner of one of his fields and the loss of crops he has sustained over the years more than offset any benefits he would receive from the proposed improvement. After some discussion the Board felt that he would receive a benefit from the improvement.

The landowners present agreed on having a drop box put on the south side of County Road 650S before approving the construction. The landowners approved the maintenance as presented. Bob Thayer moved and Don Maxwell seconded that the Board meet at a later date after the Surveyor had refigured the construction cost.

At 2:30 p.m. a hearing on Periodic Maintenance and Reconstruction was held on the Benjamin F. Crabbs Ditch. The landowners present were: Edward Barclay, Mary Virginia Shaw, Rhodan Corp. Rep. Bryce Johnson, Charles Devore & Bruce Conrad ISHC. There were no objections to the ditch. Don Maxwell moved and Bob Thayer seconded that the schedule of assessments for periodic maintenance and reconstruction be approved as presented.

An encumbrance for maintenance of the Buchanan Ditch in the amount of \$4.87 was presented to the Board. Bob Thayer moved and Samuel Boots seconded that the encumbrance be approved as presented.

There was no further business. Robert Thayer moved the meeting be adjourned and Don Maxwell seconded it. Motion carried.

Samuel H. Boots
Chairman, Drainage Board

Donald L. Maxwell

Robert Thayer
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

October 17, 1977

The Montgomery County Drainage Board met on Monday October 17, 1977 in the office of the County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Bob Thayer, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Surveyor; and Marcia Bailey, Secretary.

The Surveyor presented to the Board the plans on the drop box for the Howard Cline Drain. Don Maxwell moved and Bob Thayer seconded that the plans be approved as presented. Motion carried.

The Surveyor also presented to the Board a letter from Jim and Randee Patton on the William B. McClamroch ditch. Jim has paid for all the tile and labor done on the ditch. The Board decided to reimburse Mr. Patton and adjust his assessment by doing so.

The Surveyor proposed that the tile portion of the George Hutton ditch needed to be extended 100 feet at the outlet for the purpose of installing an aluminum drop spillway on the Helen Repp property. The Spillway is being partially funded and installed by the M.S.C.S. Don Maxwell moved and Bob Thayer seconded the motion. Motion carried.

The Surveyor stated he was having some objection in the landowners signing the easements on Lye Creek. The landowners object to the perpetual easement. Although, they would sign if the easements were temporary. Warren said he would see what he could do.

The Surveyor presented to the Board a list of names on the George Kendall ditch who are to be reimbursed since the cost of reconstruction was less than the estimate. The Board approved the requisition.

An encumbrance of \$45.00 was presented to the Board on the William A. Buchanan ditch. The Board approved the encumbrance as presented.

There was no further business. Don Maxwell moved and Bob Thayer seconded that the meeting be adjourned. Motion carried.

Samuel L. Boots

Donald L. Maxwell

Robert M. Young

Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

October 20, 1977

The Montgomery County Drainage Board met on Thursday October 20, 1977 at 10:00 a.m. for the bid letting on the Reconstruction of the Benjamin F. Crabbs ditch. Those present were: Samuel Bots, Chairman; Don Maxwell, Vice Chairman; Bob Thayer, Member; Delmas Chadwick, Auditor; Don Yount, Surveyor; and Marcia Bailey, Secretary.

Bids were opened and tabulated as follows:

CONTRACTOR	BID
Taylor Excavating	\$16,658.00
Hendracks Excavating	\$12,962.00

The Surveyor's estimate was \$11,360.00 so the Board accepted the Hendracks Excavating bid. However, the bid was more than 10% the Board decided to check with Warren McGaughey. Warren said we could go ahead and write up a change order. The Board approved the suggestion. There was no further business. Bob Thayer moved and Don Maxwell seconded the meeting be adjourned. Motion carried.

Samuel R. Bots

Donald L. Maxwell

Bob Thayer
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

November 21, 1977

The Montgomery County Drainage Board met on Monday November 21, 1977 at 1:30 p.m. in the office of the County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Bob Thayer, Member; Delmas Chadwick, Auditor; Don Yount, Surveyor; Marcia Bailey, Secretary; Steve Woll and Layne Lindley of the S.C.S. office.

At 1:30 p.m. a second hearing on the Howard Cline Tile Drain was held. The landowners present were: William Bradley, Lewis Goshorn, Howard Cline, Hubert Jackman and Bob Walters.

The Surveyor presented to the Board the revised plans on the concrete spillway for the Howard Cline Tile Drain. He stated that a \$500.00 increase was added to the construction assessment roll.

Mr. Howard Cline reported to the Board that the drain definitely needed to be constructed.

Mr. Jackman objected to the ditch and said his land was not in the drainage area of the ditch. The Board pointed out to him that part of his land sloped toward the ditch.

The Board approved the plan and Bob Thayer moved and Don Maxwell seconded that the ditch be approved as presented. Motion carried.

At 2:30 p.m. a hearing was held on the Reconstruction and Periodic Maintenance of the William B. McClamroch ditch. The landowners present were: Betty J. Young representing Leona Cosby, William Sidener, Andy Edwards representing Marie Johnson, Dale Crum, Harold Binford representing Leona Cosby, Bill McClamroch, James F. Patton and Estel and Marjorée Bell.

The Surveyor presented to the Board and landowners the plans of the William B. McClamroch ditch.

Dale Crum suggested that a waterway also be constructed along with the tile drain. Sam Boots stated that the County does not pay for the construction of the waterway. He told the landowners the S.C.S. would participate in the constructing a waterway.

Steve Woll reported to the Board that they participate in construction of waterways. He estimated the cost approximately \$1,000.

Sam Boots read the petition from Mr. & Mrs. James Patton to extend the ditch for maintenance purpose to 650N. There being no objection to the petition, Don Maxwell moved and Robert Thayer seconded that the petition be approved. Motion carried.

N ↑

The Board and landowners approved the Reconstruction and Periodic Maintenance on the William B. McClamroch ditch. Bob Thayer moved and Don Maxwell seconded that the schedule of assessments and plans for Reconstruction and Periodic Maintenance be accepted as presented by the Surveyor. Motion carried.

Steve Woll reported to the Board on the tree planting on Lye Creek. He said he had asked that small shrubs be used. The cost of each shrub is 25¢ to 30¢.

The Board decided to hold a special meeting to discuss the easements on Lye Creek for those who haven't signed. The date for the meeting is December 12, 1977 at 1:30 p.m. in the office of the County Auditor.

There was no further business. Meeting was adjourned.

Samuel R. Boots
Chairman, Drainage Board

Donald L. Maxwell

Robert J. Murray
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

December 19, 1978

The Montgomery County Drainage Board met Monday December 19, 1977 at 1:30 p.m. in the office of the County Auditor. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Bob Thayer, Member; Delmas Chadwick, Auditor; Don Yount, Surveyor; Marcia Bailey, Secretary; Steve Woll & Layne Lindley of the S.C.S. office.

The special meeting which was postponed, due to inclement weather was rescheduled to meet today. The landowners present were: Harold Barclay, Julian Whitaker, Margaret Mennen, Hobert Mennen, Darrell Birge and Dave Birge representing Mrs. Edwards, Herman E. Alberts, --- and Lois Warren did not attend.

Mr. Boots opened the meeting by asking the landowners present what their specific objections were to signing the easements for phase II of the Lye Creek Reconstruction project. Most of the landowners present felt that they were giving a 100 foot strip of land to the U.S. Government and would lose the entire use of it. It was explained that the easement is to the Montgomery County Drainage Board and that they would only lose the use of a 27' strip which is to be used for maintenance purposes. Many also objected to the paragraph stating right of ingress and egress over the easement and adjoining land at a reasonable time. Mr. McGaughey stated that he would be willing to meet with each landowner and rewrite this paragraph so that it clearly stated that the reasonable time was to mean the Grantor's and avoid any damage to crops.

It was also pointed out that the easements are needed for tree planting. Mr. Lindley stated that the S.C.S. does not agree with the tree plantings but the Environmentalists are forcing them to do it where construction destroys existing trees. He also stated that they are trying to avoid tree plantings where the ditch banks are already clean.

Mr. Alberts stated that on his land there was little or no clearing needed and therefore no permanent easement was needed.

There was much discussion on whether or not the ditch would benefit those present. The Birge Brothers felt that unless the channel was lowered 5 feet on Mrs. Edwards property there would not be any benefits to her. Layne Lindley stated that the S.C.S would meet with them and check pot holes on her property to see if it would be economically feasible to lower the grade of the channel more than is planned at the present time.

Mr. Boots stated that the failure to sign the easements might jeopardize the entire project and Federal funds already spent might have to be refunded.

There was no further business. Meeting was adjourned.

Ronald L. Maxwell
Chairman, Drainage Board

Samuel L. Boots

Marcia Bailey
Secretary

Robert M. Thayer
Montgomery County Drainage Board

MONTGOMERY COUNTY DRAINAGE BOARD

December 29, 1977

The Montgomery County Drainage Board met December 29, 1977 at 11:00 a.m. to review the tree planting on Lye Creek. Those present were: Samuel Boots, Chairman; Don Maxwell, Vice Chairman; Bob Thayer, Member; Delmas Chadwick, Auditor; Don Yount, Surveyor; Marcia Bailey, Secretary; and Steve Woll from the S.C.S. office.

Don Maxwell moved and Bob Thayer seconded that the tree planting be accepted.

Steve Woll stated the cost of the tree planting to be \$ 547.16. The tree order included: 200 White Pine Windbreak Stock, 500 Amur Honeysuckle, 800 Shrub Dogwood, 2000 Cardinal Autumn Olive and 10,000 Japonica Lespedeza.

There was no further business. Meeting was adjourned.

Donald J. Maxwell
Chairman, Drainage Board

Samuel R. Boots

Robert M. Yount
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

January 16, 1978

The Montgomery County Drainage Board met January 16, 1978 at 2:00 p.m. in the office of the County Auditor. Those present were: Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Sam Boots, Member; Delmas Chadwick, Auditor; Don Yount, Surveyor; Marcia Bailey, Secretary; Warren McGaughey, Attorney; and Steve Woll and Layne Lindley, SCS office.

The Surveyor stated to the Board that Harold Barclay had written a letter to straighten out the Rusk Ditch between stations 896 + 09.

The Surveyor also stated that the landowners would probably sign the easements if they could arrange a time with Warren.

Warren stated the easements could be changed as much as long as the Federal Government approved.

Layne Lindley mentioned setting a time and place to meet with Darrell and Dave Birge. It was decided to meet in the SCS office at 9:30 am. Monday January 23, 1978.

Sam Boots moved and Bob Thayer seconded that a letter be sent to the landowners requesting they meet with Warren McGaughey at their convenience. Motion carried.

The Surveyor stated that Ed Barclay had mentioned to him that some fence needed to be on the Mary Virginia Shaw property. Ed said he would put up the fence if the Drainage Board bought the materials.

There was no further business. Meeting was adjourned.

Donald L. Maxwell
Chairman, Drainage Board

Samuel L. Boots

Robert M. Thayer
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

February 6, 1978

The Montgomery County Drainage Board met on Monday February 6, 1978 at 2:00 p.m. for the bid letting on the Construction of the Howard Cline Tile Drain and the Reconstruction of the William B. McClamroch ditch. Those present were: Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Sam Boots, Member; Delmad Chadwick, Auditor; Don Yount, Surveyor; and Marcia Bailey, Secretary.

Bids were opened and tabulated as follows:

HOWARD CLINE TILE DRAIN

CONTRACTOR	BID
Hodgen Const.	\$ 10,868.00
Bart Maxwell	\$ 9,772.00
Darrell Birge	\$ 7,104.52
Fauber Const.	\$ 8,936.30

WILLIAM B. McCLAMROCH DITCH

Hodgen Const.	\$ 16,922.00
Darrell Birge	\$ 15,702.10
Bart Maxwell	\$ 15,565.50
Fauber Const.	\$ 14,092.80

All bids were over both estimates and rejected. However, the Board decided to wait and see what could be done on the bid for the Howard Cline Tile Drain, since Darrell Birge was the close bidder. There was no further business. Meeting was adjourned.

Donald L. Maxwell
Chairman, Drainage Board

Samuel R. Boots

Robert M. Thayer
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

February 21, 1978

The Montgomery County Drainage Board met on Monday February 21, 1978 at 1:30 p.m. in the office of the County Auditor. Those present: Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Sam Boots, Member; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Don Yount, Surveyor; Marcia Bailey, Secretary; Steve Woll, SCS Office; and Howard Cline and Bob Walters.

The Howard Cline Tile Drain was discussed. The Surveyor told the Board that he had contacted Birge Farm Drainage and by deletion of the drop spillway catch basin, their bid would be \$ 6417.02. Mr. Robert Walters representing Mrs. Pauline Walters, agreed to pay an added assessment of \$ 504.52 in order to insure that the drop box catch basin could be constructed at the same time as the tile drain. This additional assessment of Mr. Walters would put the original bid of \$ 7104.52 within the 10% of the Surveyor's estimate of \$ 6,000.00 mandatory by the Drainage Board.

Bob Thayer moved and Sam Boots seconded that the construction of the Howard Cline ditch proceed as planned. Motion carried.

There was no further business. Meeting was adjourned

Donald L. Maxwell
Chairman, Drainage Board

Samuel L. Boots

Robert M. Thayer
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

February 27, 1978

The Montgomery County Drainage Board met in the office of the County Surveyor Monday February 27, 1978. Those present were: Sam Boots, Member; Don Yount, Surveyor; Marcia Bailey, Secretary; and Steve Woll SCS Office. The Contractors present were: Dave Layton and Hopwood Forestry.

Bids were opened and tabulated as follows:

Hopwoo Forestry	\$ 2620.00
Dave Layton	\$ 3600.00

The bid was accepted by Hopwood Forestry from Martinsville, IN. A telephone call was made to Bob Thayer to notify him of the results. He made a motion and Sam seconded that the bid be accepted. Motion carried.

There was no further business. Meeting was adjourned.

Ronald L. Maxwell
Chairman, Drainage Board

Samuel R. Boots

Richard M. Hays
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 20, 1978

The Montgomery County Drainage Board met Monday, March 20, 1978 at 1:30 p.m. in the office of the County Auditor. Those present were: Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Sam Boots, Member; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Don Yount, Surveyor; and Marcia Bailey, Secretary.

The Surveyor presented to the Board a letter written from Mrs. Clara Bridwell in Linden requesting that her name should come off the assessment roll on the Hose ditch. She said she was hooked up to the sewer system in Linden and should not be required to pay an assessment on the county ditch. The Board instructed the Secretary to write a letter and inform her the sewer system had nothing to do with the county ditch.

A re-hearing on the William B. McClamrock ditch was held at 2:30 p.m. The landowners present were: Gerald Pruett, Bill McClamrock, F.Dale Crum, William Sidener, Andy Edwards, Harold Binford, Mrs. Lawrence Kelsey, Mr. & Mrs. Martin Padgett, and James Patton.

Don Maxwell stated the results of the bids which were let February 6, 1978. He mentioned that all the bids were over the Surveyor's estimate and none were close to the 10% allowance.

The Surveyor stated the assessments would be equally raised and the project re-advertised for bids.

A vote was taken and the results were as follows:

William Sidener	yes
Dale Crum	yes
Harry Johnson	yes
Lester Sommer	no representative
Leona S. Cosby	yes
William McClamrock	yes
Ruth Lawson	no representative
James Patton	yes
Estel Bell	no representative
Kate Kelsey	no
Gerald Pruett	yes
Martin Padgett	no
County Highway	yes

The majority of those present being in favor, Robert Thayer moved and Sam Boots seconded that the schedule of assessments and plans for Reconstruction and Periodic Maintenance be accepted as presented by the Surveyor.

William Sidener requested that the project be held off until on or about October 20, 1978, after crops were harvested. The Board announced it would be about that time before work would be started anyway.

Bill McClamroch suggested that the culverts and side ditches be cleaned out. The Board said they would talk to the County Highway and see what could be done.

Gerald Pruett wanted the tile checked on the new County Road 650N. He said he hasn't had drainage since the highway was put in. The Board stated the Surveyor could go out and check the tile. However, the County Highway would be responsible if they damaged his tile during construction of the road.

Don Maxwell had stated that he had a call on the cattle on Lye Creek. The Board ordered the Surveyor to inform Mr. Osterhoff, who is the tenant for Mr. Andrews, that their cattle would have to be removed from the ditch area.

There was no further business. Meeting was adjourned.

Arnold L. Maxwell
Chairman, Drainage Board

Samuel L. Boots

Robert M. King
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

April 17, 1978

The Montgomery County Drainage Board met on Monday, April 17, 1978 at 1:30 p.m. in the office of the County Auditor. Those present were: Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Sam Boots, Member; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Surveyor; Marcia Bailey, Secretary; Layne Lindley, Steve Woll, Joe Branco, Horace Austin, and Chuck Thomas from the SCS office and also present was Darrell Birge from Birge Farm Drainage.

The Surveyor stated the Allen Lewis ditch in New Richmond was in need of repair. He said at least \$750.00 worth of new tile needed to be replaced.

The Phillip Dewey ditch was discussed. Warren McGaughey stated he had received a check totaling \$9968.48 from American States Insurance Company. Don Maxwell said he would not accept the check until he knew the cost of finishing the ditch. The Board decided to have the Surveyor draw up an estimate and advertise for bids on the remaining project.

Lye Creek was the next topic discussed. The Surveyor said McMahan-O'Connor had signed a release of claims except for the concrete barrier that had been poured over the ammonia pipe line. Don stated that he thought the Contractor should be paid 0.24 times the contract price of \$1776.00 or \$426.24. Layne said they should be entitled to the money and that there had been an error in the plans. Sam Boots moved and Bob Thayer seconded that we go ahead and pay them. Motion carried.

Layne discussed the reason for the SCS office attending the meeting. He said that after checking low ground on the Crabtree property the grade of the Rusk ditch needed to be deeper than the present planned grade. He gave a figure of approximately \$10,000 more excavation for this change.

Also, the grade of Lye Creek Main Channel through the Warren and Edwards property was debatable. Layne and the SCS personnel believe the grade as proposed is low enough to give adequate tile outlets. Darrell Birge, who was representing Mrs. Edwards, maintains this is not true.

Horace Austin of the SCS told the Board that if the grade is lowered in this area of the ditch, the SCS would probably only participate on a 50-50 ratio.

Robert Thayer moved and Sam Boots seconded that the ditch be lowered as much as 8 inches in this area whatever the participation ratio. Motion carried.

Don Maxwell mentioned to the SCS office the problems concerning Potato Creek. Joe Branco stated if the landowners would be interested in completing the project, they would be more than welcome to explain the watershed project to them.

Warren stated if the landowners wanted to have the ditch a County ditch they would have to petition the Drainage Board.

There was no further business. Meeting was adjourned.

Arnold L. Maxwell
Chairman, Drainage Board

Samuel L. Buoto

Robert M. Mann
Montgomery County Drainage Board

Marcia Bailey
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

May 15, 1978

The Montgomery County Drainage Board met on Monday, May 15, 1978 at 1:30 p.m. in the office of the County Auditor. Those present were: Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Sam Boots, Member; Delmas Chadwick, Auditor; Warren McGaughey, Attorney; Don Yount, Surveyor; Marcia Bailey, Secretary; and Steve Woll, Layne Lindley and Joe Branco from the SCS office.

At 2:00 p.m. the bids on the William B. McClamroch ditch were list.

The bids were opened and tabulated as follows:

CONTRACTOR	BID
Bob Hodgen	\$15,092.90
Birge Farm Drainage	\$14,150.00

The Birge Farm Drainage bid was accepted.

The Surveyor presented to the Board a petition from Mrs. Dean Gaylor on the George Nichols ditch. Bob Thayer moved and Sam Boots seconded that the Surveyor be ordered to make a reconstruction report to the Board.

The Secretary presented four encumbrances to the Board to sign. They were: \$351.43 on the Stanford-Elmore ditch, \$33.93 on the George Nichols ditch, \$205.83 on the Swearingen-Runyon ditch, and \$30.05 on the Ebenezer McClaskey ditch.

Landowners on the Lye Creek Drain were also present for the following meeting: Alvin Winger, George Welshimer, Curt Hudson, Bill Crabtree, Leland Faust, Dick Hunsicker, Dick Ward, John Todd, Carl Gwin, Hobert Mennen, Darrell Birge, Harold Barclay, Julian Whitaker, Dan Gwin, Rick Ward, Hobe Mennen, Jack Crabtree and Dave Birge.

Layne Lindley read a letter to those present concerning the second phase of Lye Creek. He said the starting date is set in August 1978.

He requested that all easements be in by June so the project could run on schedule.

Layne mentioned that there were a few minor things yet to be done. They consisted of the debris removal starting at 800N and taking out the high spots, and to clean out one side,

Joe Branco stated that the original plans do not show any changes. He said the only reason they are doing all this is because of a few complaints by the landowners

Bill Crabtree asked Darrell Birge about the area on the properties of Jack Warren and Mrs. Edwards. Darrell said there is not adequate drainage.

Joe Branco told Darrell that there were not any tile submerged that showed the ditch should be deeper. Darrell stated he could get Mrs. Edwards to sign the easement.

Mr. Whitaker asked why there weren't any trees being cleaned out on his property. Layne told him the trees were eventually going to be taken out.

Joe Branco stated to the landowners that the Drainage Board is responsible to keep the project up for the next three years. Sam Boots said the 75 feet from the bank is the Drainage Board's responsibility.

Joe Branco stated that where construction occurred there had to be trees planted. For those who did not want the trees planted on the banks they could possibly have them planted elsewhere.

The Board announced that if all easements were in by the first of June everything would run on schedule. Warren McGaughey stated that anyone could converse with him and rearrange the wording on some easements.

The landowners were more convincing than they had been previous to the meeting.

Bob Thayer had mentioned the Phillip Dewey ditch to the Surveyor. The Surveyor stated he had everything ready for the advertising of the bids.

The Surveyor presented to the Board a problem concerning the William Clarkson ditch. Bob Thayer moved and Sam Boots seconded that the County is not responsible for the work.

There was no further business. Meeting was adjourned.

Donald C. Maxwell
Chairman, Drainage Board

Robert M. Thayer

Samuel H. Boots
Montgomery County Drainage Board

Marcia Bailey, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

June 5, 1978

The Montgomery County Drainage Board met in the office of the County Auditor on Tuesday, June 5, 1978 at 2:00 p.m. for the letting of the bids on the Phillip Dewey ditch. Those present were: Don Maxwell, Chairman; Sam Boots, Member; Bob Thayer, Vice Chairman; Warren McGaughey, Attorney; Delmas Chadwick, Auditor; Don Yount, Surveyor; and Marcia Bailey, Secretary.

Bids were opened and tabulated as follows:

CONTRACTOR	BID
Birge Farm Drainage	\$26,413.90

Sam Boots moved and Don Maxwell seconded that the Surveyor look the situation over and see if the project could be done any cheaper. If so, the bid would be reviewed on the 19th of June, the regular Drainage Board meeting.

There was no further business. Meeting was adjourned.

Donald L. Maxwell
Chairman, Drainage Board

Robert Thayer

Samuel L. Boots
Montgomery County Drainage Board

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

June 19, 1978

The Montgomery County Drainage Board met in the office of the County Auditor on Monday, June 19, 1978 at 1:30. Those present were: Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Sam Boots, Member; Warren McGaughey, Attorney; Mary Helen Carter sitting in for Delmas Chadwick, Auditor; Don Yount, Surveyor; Marcia Bailey, Secretary; Lee Swank, future Secretary; Steve Woll, SCS Office and Darrell Birge, Walter McBee and Herman Alberts.

The discussion of the easements on Lye Creek was the main concern of the meeting. Mr. Herman Alberts said he would sign the easement if the trees were planted elsewhere, but he would not sign until the rest had signed.

Mr. Walter McBee questioned that if the easements were not all signed, would the project continue.

Steve Woll stated to the Board and landowners present that the second phase of the project could not be started until the easements were signed. Steve also said they need 3/4 of an acre from Herman F. Alberts, but he is agreeable to 1/4 acre. The S.C.S. also needs 100% cooperation on the tree planting. Some minor changes can be made if the landowner want the trees planted elsewhere.

Steve Woll also mentioned the temporary crossing on the Dick Hunsicker property. He Stated that Mr. Hunsicker wanted a crossing on the left side which would cost \$1000.00-\$1500.00.

Mr. Harry Hailman, the Clerk-Treasurer of Linden presented to the Board the plans on the Hose ditch and wanted Evergreen Blvd. in the Northfield Subdivision to be put on the assessment roll. Sam Boots moved and Bob Thayer seconded that the Town of Linden be assessed for Evergreen Blvd.

Darrell Birge reported to the Drainage Board that he would not go less than \$300.00 on his bid. So, Sam Boots moved and Don Maxwell seconded that the Dewey ditch be readvertised for July 3, 1978. There was no further business. Meeting was adjourned.

Ronald L. Maxwell

Samuel H. Boots

Robert W. Thayer

MONTGOMERY COUNTY DRAINAGE BOARD

June 30, 1978

The Montgomery County Drainage Board met in the office of the County Auditor on Friday, June 30, 1978 at 10:00. Those present were Don Maxwell, Chairman; Don Yount, Surveyor; Lee Swank, Secretary; Steve Woll, S.C.S. Office; Landowners, Harold Barclay and Darrell Birge representing the Edwards Farms.

This meetings main concern was the Lye Creek ditch. The Edwards farm will sign the easements and are agreeable to the tree planting. Harold Barclay wants to sign a 5 year easement. Steve Woll has presented this to the State Conservation Office but the State says NO. It has to be a life term. Mr. Barclay also thought the assessments too high.

The Drainage Board is to send a letter to Mr. Buell Ferguson the State Conservationist, Indianapolis, Indiana stating Harold Barclays stand on this issue. Herman Alberts have not signed the easement.

There was no further business. The meeting was adjourned.

Donald L. Maxwell

Samuel L. Beets

Robert M. Gray

MONTGOMERY COUNTY DRAINAGE BOARD

July 3, 1978

The Montgomery County Drainage Board met on Monday July 3, 1978 at 1:30 in the office of the County Auditor. Those present were Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Warren McCaughey, Attorney; Sam Boots, Member, Don Yount, Surveyor; and Bob Hadgens, Contractor.

Bids on the Dewy-White Drain were received, opened and tabulated as follows;

Bob Hodgen: \$25,648.50

No other bids were received and Don Maxwell made a motion that the bid be accepted. Sam Boots seconded and motion carried.

This bid contains \$600.00 that is to be paid by the Norfolk & Western Railroad. Therefore the total bid is \$25,048.50.

The Drainage Board drafted and sent a letter to Mr. Buell Ferguson, State Conservationist stating that some land owners are refusing to grant the Board permanent easements for Lye Creek Phase II and they would like to proceed with the project by exercising their 75 foot easement granted to them by Burns, Chapter 23, Article 6.

There being no further business, Bob Thayer made a motion to adjourn, motion seconded, meeting was adjourned.

Donald L. Maxwell
Samuel H. Boots
Bob Thayer

MONTGOMERY COUNTY DRAINAGE BOARD

July 17, 1978

The Montgomery County Drainage Board met on Monday July 17, 1978 at 1:30 in the office of the County Auditor. Those present were Don Maxwell, Chairman; Bob Thayer, Vice Chairman; Warren McGaughey, Attorney; Sam Boots Member; Don Yount, Surveyor; Delmas Chadwick, County Auditor; Joe Branco, Layne Lindley and Steve Woll from the S.C.S. Office.

Joe Branco read a letter from Mr. Buell Ferguson, State Conservationist, concerning the alternatives of unsigned easements on Lye Creek Unit II. After much discussion, a motion was made by Sam Boots for the Drainage Board to exercise its legal right as set out in Article 6, 27-2301 of the Drainage Code and go ahead as planned. Bob Thayer seconded the motion and motion was carried.

Don Yount was instructed to write a letter to Mr. Buell Ferguson stating that the Board had decided to go ahead with option 4, and another letter requesting that the S.C.S. cost share in making repairs on Unit I construction of Lye Creek.

Three encumbrances were signed. Two on the Guy Little Drain (\$27.03-\$337.50) and one on the Allie Peterson Drain (\$124.50).

Don Yount, County Surveyor presented to the Board two schedules of assessments for reconstruction of the George D. Nichols and James B. Gilland Drains.

The George D. Nichols Drain reconstruction is estimated at \$20,473.20. Sam Boots made a motion to approve the assessments and hold a hearing. Bob Thayer seconded the motion and the motion was carried.

The James B. Gilland Drain was estimated at \$23,501.52. Bob Thayer made a motion to approve the assessments and hold a hearing. Sam Boots seconded the motion and motion was carried.

There being no further business, the meeting was adjourned.

Ronald L. Maxwell

Samuel P. Boots

Robert M. Thayer

Montgomery County Drainage Board

August 7, 1978

The Montgomery County Drainage Board met on Monday August 7, 1978 at 1:30 in the office of the County Auditor. Those present were Don Maxwell Chairman, Samuel Boots member and Robert Thayer, Member, Don Yount, Surveyor and Steven Woll S.C.S.

Mr. Woll presented to the Board a certification relating to land rights, water rights and construction permits on 6.1 miles of Unit II Lye Creek channel work.

Robert Thayer made a motion that the Chairman sign the certificate as presented, Samuel Boots seconded and motion carried. The certificate was signed and attested.

There being no further business, a motion was made and seconded to adjourn.

Donald L. Maxwell

Samuel R. Boots

Robert M. Thayer

MONTGOMERY COUNTY DRAINAGE BOARD

August 21, 1978

The Montgomery County Drainage Board met Monday, August 21, 1978 at 1:30 P.M. in the Office of the County Auditor, Mary Helen Carter. Those present were Chairman, Don Maxwell; Members, Robert Thayer and Sam Boots; Attorney, Warren McGaughey; Steve Woll, Layne Lindley, and Wayne Foust, S.C.S. Office; Don Yount, County Surveyor; Auditor, Mary Helen Carter.

The S.C.S. Office stated that they thought Unit II Lye Creek Drain might go in excess of \$300,000.00.

Sam Boots made a motion to have a maintenance assessment hearing for Lye Creek at the regular meeting, October 16, 1978. The motion was seconded and carried. The notices will need to be sent out no later than September 15th, 1978.

It was decided to use an informal contract to make repairs on Unit I, Lye Creek. Don Yount is to find a local contractor for the job. S.C.S. will participate and have a man on the job to oversee the work part of the time. Bob Thayer made a motion in agreement with the above and Sam Boots seconded the motion. Motion carried.

A motion was made and seconded to sign the project agreement as soon as it becomes available. A special meeting might be called or the papers may be taken to the individual commissioners for signing.

Jerry Myers will petition the Drainage Board for a ditch. Wayne Foust will be the project Engineer on Unit II, Lye Creek Project.

There being no further business a motion was made and seconded to adjourn.

Donald L. Maxwell

Samuel L. Boots

Robert M. Thayer

L. A. Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

September 1, 1978

The Montgomery County Drainage Board met on Friday September 1, 1978 at 1:30 in the Office of the County Auditor. Those present were Don Maxwell, Chairman; Sam Boots, Member; Robert Thayer, Member; Warren McGaughey, Attorney; Mary Helen Carter, Auditor; Don Yount, Surveyor; Wayne Foust, Joe Branco, Steve Woll, S.C.S. Office and Jerry Koons for Cloverdale Heights.

Mr. Jerry Koons appeared before the Drainage Board representing Cloverdale Heights. The Drainage Board declined to approve or disapprove the storm sewer as it does not affect the Shelly Ditch.

Wayne Foust, Joe Branco, and Steve Woll brought the project agreement. There was much discussion about fencing and watergaps. It is almost all local cost. It was decided to leave these items in with the letting to prime contractor. Sam Boots made a motion to sign the Project agreement on Phase II on Lye Creek. Bob Thayer seconded the motion and motion carried. Don Maxwell signed. Estimated cost of Construction was \$374,602.00.

Maintenance assessment for Lye Creek is \$8,000.00.

There being no further business, a motion was made and seconded to adjourn.

Donald L. Maxwell

Samuel H. Boots

Robert M. Thayer

Lee Swank

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

September 18, 1978

The Montgomery County Drainage Board met Monday September 18, 1978, 1:30 P.M. in the office of the County Auditor. Those present were Don Maxwell, Chairman; Sam Boots, Member; Bob Thayer, Member; Don A. Yount, Surveyor; Mary Helen Carter, Auditor; Russ Nelson, Surveyors 1st Deputy; Mr. Stanley Harris, Bob Douglas, Mrs. Ida Douglas, Mr. McLaughlin, Mr. and Mrs. David Stull, Mrs. Gerry Olinger, and Luther Lofland, residents of the Gilliland Drainage Area.

Don Maxwell read the notice aloud to all those present. Making sure all present understood the Reconstruction and Maintenance Assessment Reports. Reconstruction cost is estimated at \$23,501.52. The yearly estimated Maintenance Assessment is \$502.72. A discussion followed with the residents viewing the drainage area map presented by Don A. Yount. The Gilliland Drain is in need of reconstruction as the last work recorded was in 1945 & 1946.

As all residents were in favor of reconstruction Bob Thayer made a motion to proceed with the Gilliland Drain. Sam Boots seconded the motion and motion carried.

The Gilliland area residents were excused and the meeting proceeded.

Bob Thayer made a motion to sign the waiver sent to the County Surveyors office concerning the Stevenson Drain Cause # 7363 located in Eel River Township, Hendricks County, Indiana. By signing this Montgomery County Drainage waived the right to be represented on a Joint Drainage Board for the Stevenson Drain. Sam Boots seconded the motion. The motion carried.

Sam Boots made a motion and Bob Thayer seconded the motion to place a pipe in the Dewey Drain at Road 350 West. If the County Highway will furnish the 40' of 16" pipe. Bob Hodgen will install the pipe and furnish the back fill.

Don A. Yount reported to the Board that notices for Lye Creek contractors should be sent out no later than September 25th, 1978 that a sight showing is scheduled for 10:00 A.M. October 11, and bid openings are October 19, 1978. Maintenance hearing for Lye Creek is October 16th, 1978.

The New Market bridge was discussed and it was the Boards findings that this is not connected with the Montgomery County Drainage Board but rather a problem for the Town of New Market.

Residents in the George Nichols Drain were then called into the Auditors Office at 3:00 P.M. Those present were; Mr. and Mrs. Dick Bible, Mrs. Bernie (Jan) Harris and Mr. Gaylor.

Chairman, Don Maxwell, read to the residents the reconstruction notice. Stating estimated reconstruction cost will be \$20,473.20. The yearly maintenance assessment is \$250.00. It was explained to the residents that when the Nichols Drain fund is 4 times the yearly maintenance assessment they no longer pay the assessment fee. Payments could also be spread over a 5 year period (arrangements for this are made in the Treasurers Office, with 8% interest being charged.) Mr. Gaylor asked if this could not also be charged off income taxes as a depreciation tax cut. The Board stated that it could.

Don A. Yount explained that estimated cost could go over 10% without a new hearing. But anything over 10% a new hearing would have to be held.

Everyone attending was in favor of the drain.

Bob Thayer made a motion to proceed with the Nichols Drain. Sam Boots seconded the motion. Motion carried.

Two encumberances were signed. The first for Reconstruction of the Benjamin F. Crabbs Ditch for \$1844.99. The second for Construction for the Howard Cline Drain in the amount of \$961.09.

There being no further business, the meeting was adjourned.

Donald L. Maxwell

Samuel L. Boots

Robertson May

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

October 16, 1978

The Montgomery County Drainage Board met Monday, October 16, 1978 at 1:30 P.M. in the Auditor's Office. Those present were Don Maxwell, Chairman; Sam Boots, Member; Bob Thayer, Member; Warren McGaughey, Attorney; Mary Helen Carter, Auditor; Don A. Yount, Surveyor.

Landowners from the Lye Creek Drainage Area attending the meeting were; Mr. Charles R. Carlson, Mrs. Myrtle F. Ward, Mr. Dick Hunsicker, Mr. Harold Barclay, Mr. Julian Whitaker and Mr. Isaac McBee.

Don Maxwell, Chairman reported to landowners the construction on Lye Creek was a little over 6 miles and this includes the Armentrout Tributary and Rusk Ditch. Annual maintenance assessment on Lye Creek is \$8,000.00. Assessments will be due in May and November of 1979. The slow down on Lye Creek was due to getting the paper work done. Ten thousand acres of land are in the drainage area. Cost averages out to 80¢ an acre.

Don A. Yount presented the drainage map, for the landowners to see where their acreage lies in relation to Lye Creek Drain.

Landowners were invited to be present for bid openings on Thursday, October 19, 1978, at 10:00 A.M.

The Surveyors office was reminded to publish contractors bid notices on the George B. Nichols and James Gilliland Ditches. The notice is to be published October 17, 1978. Sealed bids on these two drains will be opened and read November 6th, 1978, until 2:30 P.M.

Bob Thayer made a motion to adopt the schedule of maintenance assessments on Lye Creek Drain. Sam Boots seconded the motion. Motion carried.

There being no further business meeting was adjourned.

Ronald L. Maxwell

Samuel L. Boots

Robert M. Thayer

Lee Swank

Lee Swank, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

October 19, 1978

The Montgomery County Drainage Board met Thursday, October 19, 1978 at 10:00 A.M. in the office of the County Auditor. Those present were Don Maxwell, Chairman; Sam Boots, Member; Bob Thayer, Member; Warren McGaughey, Attorney; Mary Helen Carter, Auditor; Don A. Yount, Surveyor; Steve Woll & Wayne Foust, S.C.S. Office; Jerome Daugherty, Mr. Mills, and Clara McElwain, State S.C.S. Office; Mr. Harry Soucie and Son, of Soucie Construction; K & K Industries; McMahon-O'Conner Construction; and Mr. C. E. Measel of Kaiser Aluminum.

Mr. Warren McGaughey opened the sealed bids and read to all present. K & K Industries \$430,836.50, Soucie Construction \$394,928.17 (corrected to \$400,828.21) and McMahon-O'Conner Construction \$429,341.84.

All bids were over the Engineers estimated cost and were also over the 10% allowance allowed.

At this point the Drainage Board took bids under advisement.

There being no further business meeting was adjourned.

Donald L. Maxwell

Samuel R. Boots

Robert M. Thayer

Lee Swank

Lee Swank, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

November 6, 1978

The Montgomery County Drainage Board met Monday, November 6, 1978, 2:30 P.M. in the Office of the County Auditor. Those present were Don Maxwell, Chairman; Bob Thayer, Member; Sam Boots, Member; Mary Helen Carter, County Auditor; Son A. Yount, Surveyor; Mr. Walter Taylor, Contractor. Attending later was Mr. Bob Hodgen, Contractor.

Bids on GEORGE D. NICHOLS DRAIN

Walter Taylor	\$18,898.80
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After figures on the bid were checked for errors, Bob Thayer made a motion to accept Mr. Taylor's bid. Motion was passed unanimously.

Bids on JAMES B. GILLILAND DRAIN

Bob Hodgen	\$26,416.00
Walter Taylor	\$23,339.00
Birge Farm Drn.	\$23,287.00 (gravel extra) 65.00 / ton

Birge Farm Drainage turned in an incomplete bid.

Bob Thayer made a motion to accept Mr. Walter Taylor's Bid. Sam Boots seconded the motion. Motion passed.

Mr. Taylor ask about bonds. Mr. Don Yount, County Surveyor explained that a performance bond is needed for the complete bid. Then the bid bond is returned to the Contractor.

There being no further business, the meeting was adjourned.

Donald L. Maxwell
Samuel R. Boots
Edmond King

Lee Swank

Secretary

The Drainage Board signed a project agreement on Phase II Lye Creek. Amendment # 1 to Amendment Number 1, extending the life of the agreement from 90 days to 180 days (Refer to paragraph D.1.) The purpose is to allow the District sufficient time to re-advertise for bids and award a contract with in the terms of this agreement. This was attached to project agreement No. A G 18 scs-00323.

MONTGOMERY COUNTY DRAINAGE BOARD
November 20, 1978

The Montgomery County Drainage Board met Monday, November 20, 1978 in the office of the County Auditor at 1:30 P.M. Those present were Chairman, Don Maxwell; Members, Sam Boots and Bob Thayer; County Auditor Mary Helen Carter; Attorney, Warren McGaughey; Surveyor, Don A. Yount; S.C.S. Office represented by Steve Woll and Wayne Faust and Landowner, Mr. Charles Bennett.

Mr. Bennett would like work done on the Gobin Ditch. Don Yount presented the map showing the Gobin drainage area. The total acreage involved is 1807. Warren McGaughey stated a hearing would have to be held for reconstruction or maintenance assessment. And a petition needs to be signed by the landowners involved. They need 51% of the acreage involved to sign the petition. Don Yount gave a list of the landowners to Mr. Bennett.

As of today the Birge Contractors had not presented a construction bond on the McClamrock Drain.

The County Commissioners signed the Renewal of Cooperative Agreement between the Montgomery County Soil and Water Conservation District and the Board of County Commissioners of Montgomery County and the Soil Conservation Service United States Department of Agriculture.

Lye Creek Unit II was discussed. Wayne Faust discussed the newest plans. Tile prices would remain about the same as earlier estimated. The savings will be on excavating, seeding and armor. The final studies and plans will make bids ready after January 1st, 1979. Bob Thayer made a motion to go ahead with Lye Creek Unit II plans. Sam Boots seconded the motion. The motion carried.

The bonds of Mr. Walter Taylor were looked over and it was found both bonds needed Mr. Taylor's signature. The bonds are for the Nichols and Gilliland Drains.

A petition to Reconstruct the James E. Fleming Ditch was presented to the Board by the Surveyor. The Board instructed the Surveyor to inspect the Ditch and file a preliminary report setting out the benefits, damages and costs of reconstruction.

Luther Lofland's bill was presented to the Drainage Board. He had work done on the Durham Ditch. Total bill was \$870.00. In the future the board stated they would rather the Board be consulted first before the work is started. If after the work is completed on this drain, any money is left the Lofland bill will be discussed later.

The Drainage Board discussed the newly appointed Building Commissioner, Mr. Wesley Ehrie. The Drainage Board secretary is to answer the phone and take messages for Mr. Ehrie. It is not expected to be a very time consuming job. But if at a later date it is other arrangements will be discussed and made.

(conti -2-)

Two encumbrances were signed on the Swearingen-Runyon Ditch. In the amounts of \$2.50 and \$61.60.

There being no further business the meeting was adjourned.

Donald L. Maxwell

Samuel L. Boots

William M. Thayer

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

December 18, 1978

The Montgomery County Drainage Board met Monday, December 18, 1978 in the Auditor's Office. Those present were Chairman, Don Maxwell; Member, Bob Thayer; Member, Sam Boots; County Auditor, Mary Helen Carter; County Surveyor, Don A. Yount; Attorney, Warren McGaughey, and Landowners; Mr. Leon Webber and Mr. Terry Cain.

The landowners Mr. Cain and Mr. Webber, discussed the McLaughlin Ditch with the Drainage Board. About 1 to 1½ miles of the Big Slough Branch needs to be reconstructed. But first a petition will be needed to make Big Slough a part of the legal Drain. (extend the McLaughlin Ditch) Then a petition will be needed for reconstruction.

Mr. Yount presented a petition to the Board for maintenance assessment on the George Gobin Ditch. This petition was delivered by Mr. Charles Bennett. The Drainage Board suggested the Surveyor inspect the ditch to see if it needs to be reconstructed or a maintenance assessment set.

The Berry Ditch was discussed. (Neil Barclay Farm) Bob Thayer made a motion to table this until the German-owners come in and discuss this with the Drainage Board. Sam Boots seconded the motion.

The Drainage Board signed the change order on the Phillip Dewey Ditch. Bob Hodgens bill went over the estimated cost \$2,169.15. The original estimate was \$ 25,048.50. The new balance is \$ 27,217.65. Changes were \$1,383.77 on the Dewey Ditch and \$946.40 on the White Ditch.

It was reported the McClamroch Ditch is nearly completed, but the bond needs to be brought in.

One encumbrance was signed for the Phillip Dewey Ditch in the amount of \$ 7,864.80.

There being no further business the meeting was adjourned.

Robert Thayer
Donald L. Maxwell

Lee Swank
 Lee Swank, Secretary

THE MONTGOMERY COUNTY DRAINAGE BOARD

January 8, 1979

The Montgomery County Drainage Board met Monday, January 8, 1979 at a called meeting in the Surveyor's Office Those present were The newly appointed Chairman, Sam Boots; Member, Don Maxwell; Member, Bob Thayer; Max Evans, Wayne Faust, Lane Lindley, Steve Woll all of the S.C.S. Office; and County Surveyor, Don Yount.

Lye Creek Drain was discussed, It was proposed that

No 1 The debris removal on the Ruck, Armentrout and the lower and upper part of Lye Creek Main Channels be done as a seperate equipment rental contract.

No 2 That the upper 3,000 feet of the Rusk Ditch be surveyed as to the possibility of tiling verses dredging.

No 3 That the specifications for armouring the Armentrout be written to cover only the lower 1/3 of the side slopes, with the provision that the Drainage Board agrees to share in the cost of armor- ing a larger area, should it become nexessary within the 3 year inspect- ion period.

No 4 The Drainage Board assumes that this change will still be at the same cost share ratio.

Bob Thayer made a motion the four items listed above be drafted onto a letter and sent to Mr. Buell Ferguson, the State Conservation Officer. The motion was seconded and passed.

There being no further business the meeting was adjourned.

Samuel H. Boots
Robert M. Thayer
Donald L. Maxwell

Lee Swank
 Secretary

Note: Bob Thayer was appointed Vice-Chairman.

THE MONTGOMERY COUNTY DRAINAGE BOARD

January 15, 1979

The Montgomery County Drainage Board met Monday, January 15, 1979 at 1:30 PM in the Office of the County Auditor. Those present were Chairman, Sam Boots; Member, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; County Surveyor, Don Yount; Attorney Mr. Richard Tulley and Landowner, Leon Webber.

The McLaughlin Ditch was discussed. Mr. Leon Webber presented a petition to the Drainage Board to make part of Big Slough a part of the legal drain. Mr. Webber stated that by extending this drain, it would involve more landowners, thus cutting down on the cost sharing. The Drainage Board suggested the County Surveyor look over the drain then make a recommendation to the Board.

Two encumbrances were signed. One for the McClamroch Drain in the amount of \$375.07. Another for Howard Cline in the amount of \$222.50.

There being no further business, the meeting was adjourned.

Samuel F. Boots
Robert M. Thayer
Donald L. Maxwell

Lee Swank
Secretary

THE MONTGOMERY COUNTY DRAINAGE BOARD

January 29, 1979

The Montgomery County Drainage Board met Monday, January 29, 1979 at 10:00 AM in the County Auditor's Office. Those present were Chairman, Sam Boots; Member, Bob Thayer; Member, Don Maxwell; Montgomery County Auditor, Mary Helen Carter; Attorney, Warren McGaughey; County Building Commissioner, Wes Ehrie; Attorney, Mr. Richard Tulley; Surveyor, Don Yount; Tom Linburg representing Hyster Company.

Mr. Tom Linburg presented a plat of 46 acres in the Foster Fletcher drainage Area, which Hyster Company has purchased. Hyster is tentatively planning to build there. They would like to use the Foster Fletcher Ditch. No motion was made but the Drainage Board will allow them to use the drain unless problems arise. At which time Hyster Company will be expected to pay for enlarging the drain to the outlet below this area, due to the parking lot & buildings; sending water at a faster rate/

There being no further business, the meeting was adjourned.

Samuel L. Boots
Robert M. Thayer
Donald L. Maxwell

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

The Montgomery County Drainage Board met Tuesday, February 20, 1979, 1:30 PM in the office of the County Auditor. Those present were Chairman, Sam Boots; Member, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; and County Surveyor, Don Yount.

Drainage Assessment penalties were discussed. Don Maxwell made a motion that anyone not notified would not pay the penalty fee for the years 1977 and 1978. Bob Thayer seconded the motion. Motion Carried.

Attorney, Warren McGaughey ask for the balance in the Dewey Ditch Reconstruction fund at the time the contract was let to Mr. Bob Hodgen.

There being no further business, the meeting was adjourned.

Samuel L. Boots
Bob Thayer
Donald L. Maxwell

Lee Swank
 Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 5 1979

The Montgomery County Drainage Board met Monday March 5, 1979 in the office of the County Auditor. Those present were Chairman, Sam Boots; Member, Don Maxwell; Member, Bob Thayer; Surveyor, Don Yount; Auditor, Mary Helen Carter.

Mr. Edward Patton presented the Drainage Board with two petitions on two mutual drains located in Section 3, Township 19 North, Range 5 West with the required signatures on 10% of the landowners involved.

Robert Thayer made a motion that the County Surveyor be directed to investigate the condition of these ditches and file a written report with his recommendations to the Board. Don Maxwell seconded the motion. The motion carried.

There being no further business the meeting was adjourned.

Samuel H. Boots
Chairman

Robert M. Thayer

Donald L. Maxwell

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 19, 1979

The Montgomery County Drainage Board met Monday, March 19, 1979 at 1:30 P.M. in the Auditor's Office. Those present were Vice-Chairman, Bob Thayer; Member, Don Maxwell; County Surveyor, Don Yount; First Deputy Surveyor, Russ Nelson; Attorney, Warren McGaughey; Landowner, Mr. Ed Patton and County Auditor, Mary Helen Carter.

Mr. Ed Patton presented a petition for drain # 3 to be made into a County Drain. (Located in Mr. Pattons 60 acre plat). Don Maxwell made a motion to accept the petition. Bob Thayer seconded the motion. The motion passed. The Drainage Board requested the Surveyor, Don Yount to investigate the drain and report his findings to the Board.

Lye Creek was discussed. Attorney, Warren McGaughey questioned the land rights paragraph on the project. Steve Woll, of the S.C.S. Office explained the last project agreement had expired and this was a whole new contract. The project agreement was signed by the Vice-Chairman, Bob Thayer. April 9th is the tentative date set for bid letting on Lye Creek is Thursday, March 29, 1979 at 10:00 A.M.

The Board accepted the resignation of Don A. Yount as County Surveyor. Vice-Chairman, Bob Thayer stated it would be up to the Republican Committee to appoint a new successor.

There being no further business, the meeting was adjourned.

Bob Thayer
Donald L. Maxwell

Lee Swank
 Lee Swank, Sec.

MONTGOMERY COUNTY DRAINAGE BOARD

April 9, 1979

The Montgomery County Drainage Board met Monday, April 9th in the office of the County Auditor. Those present were Chairman, Sam Boots; Attorney, Warren McGaughey; Member, Don Maxwell; Auditor, Mary Helen Carter; Wayne Faust, Nick Whaley, Jerome Daugherty of the S.C.S. Office; Don Yount, County Surveyor; 1st Deputy, Russ Nelson and Contractor, Mr. Courtney of Brazil, Indiana.

One sealed bid and one telegram were to be open. (Lye Creek Debris removal).

Grade X Inc.	\$31,180.00
Courtney Excavating	20,320.00
Smaller equipment alternate bid	18,010.00

The hourly wage of the laborers was discussed. Mr. Courtney has his own workers. They are paid \$8.00 to \$9.00 per hour. There are approximately only 20 working days. (154 hr)

Don Maxwell made a motion to put this bid under advisement until later when the mail has arrived, in case other bids were mailed.

The problem of a contracting engineer for Lye Creek was discussed. Don Maxwell was appointed by Chairman, Sam Boots as interium contracting engineer until at a later time when a permanent County Surveyor is appointed. The engineers estimate was \$31,000.00.

Don Maxwell made a motion to accept the Courtney bid upon concurrence of the S.C.S. Office and subject to equipment inspection.

There being no further business the meeting was adjourned.

Samuel H. Boots

Donald L. Maxwell

Lee Swank
Lee Swank, Sec.

MONTGOMERY COUNTY DRAINAGE BOARD

April 16, 1979

The Montgomery County Drainage Board met Monday April 16, 1979 at 1:30 P.M. in the Office of the County Auditor. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; 1st Deputy Surveyor, Russ Nelson; and Auditor, Mary Helen Carter.

Northfield Subdivision of Linden located on the Hose Ditch was discussed. Don Maxwell made a motion to include Northfield into the Hose Ditch drainage area. Bob Thayer seconded the motion. Motion carried. Northfield will be put on assessment roll for the fall of 1979.

A letter from the Hendricks County Surveyor regarding the Oscar Stevenson Ditch was read. The Stevenson Drain is to be put on the assessment roll for 1979 but because of the late date, Montgomery County residents will not be put on until the fall installment.

Lye Creek Watershed was discussed. The landowners were very cooperative about letting their land be used to move the heavy equipment into the work area on Lye Creek. Mr. Dick Ward gave his O.K. Mrs. Warren and Whittakers gave their go ahead providing crops were not in.

There being no further business, the meeting was adjourned.

Samuel R. Boots
Chairman

Robert M. Thayer

Donald L. Maxwell

La Swank

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

Monday May 21, 1979

The Montgomery County Drainage Board met Monday May 21, 1979 in the Auditors Office at 2:35 P.M. Those present were; Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Surveyor, Russ Nelson; County Auditor, Mary Helen Carter; and Landowner, Judge Sommers.

The Surveyor gave a report on Lye Creek. The dozier time was very short, so the Surveyor suggested we make an allowance for spraying for vegetation growth. Wayne Faust of the S.C.S. Office is checking the different types of spray, as to their use and the cost. A specialized spraying firm might be the most economical. The next phase of Lye Creek is to be let in the fall of this year (1979).

The Gilliland Ditch has about 300 feet to go then it will be completed.

There will be a hearing on the Hose Ditch for the Northfield Subdivision. It was planned for the next Drainage Board meeting but on checking the calendar days, it will have to be held at the July 16th meeting.

Judge Sommer reported to the Board that the Martin Liter Ditch needs an outlet. (Martin Liter ditch is a part of the Fleming Ditch) The Liter Ditch is classified for reconstruction. (Liter is an open ditch) The Board stated a petition will be needed before any work can be done on the ditch. The Judge requested a list of landowners on the Martin Liter Drain.

There will be a petition brought in on the Martin P. Gray Ditch. This ditch is a joint drain with Tippecanoe County.

The William McClamroch Drain (by North Montgomery School) is completed. It was stated that a load of stone is needed along county road number 100 West.

Bob Thayer made a motion to have Russ Nelson appointed as Contracting Officer for Lye Creek. Don Maxwell seconded the motion. The Motion passed.

There being no further business, the meeting was adjourned.

Samuel R. Boots
Chairman

Robert M. Thayer

Donald L. Maxwell

Lee Swank
Secretary

THE MONTGOMERY COUNTY DRAINAGE BOARD

June 18, 1979

The Montgomery County Drainage Board met Monday, June 18, 1979 in the Auditors Office. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; and Surveyor, Russ Nelson.

The Surveyor, Russ Nelson, gave a report on Lye Creek. The S.C.S Office wants to go ahead and re-place one surface inlet pipe on the Hunsicker Farm. It is estimated this will call for 40 ft. of 21 in. pipe, one backhoe and two laborers could do this job. But all other pipes will be let in the next contract. Final inspection on Lye Creek was made Wednesday, June 13, 1979. Those present at final inspection were Steve Woll, Wayne Faust, Nich Whaley, Jerome Daugherty and Russ Nelson.

Cloverdale construction engineers were to meet with the Surveyor and Landowner, Mrs. Charles Blacketer about the Shelly Ditch. But the Surveyors office has not heard anything on the problem.

The Surveyors Office turned in two claims for gravel to Mr. Morris Davis in the amounts of Morgen & Chesterton Gravel Co., \$32.40 and Russellville Stone Co., \$87.42. The pipe has not been changes on the Galey Ditch.

Shooting levels on the Gobin and Fleming Ditch are almost completed.

The Nichols and Gilliland Ditches are completed.

The State Highway District Office needs a letter from the Drainage Board confirming Russ Nelsons appointment as County Surveyor and is authorized to sign any necessary papers.

There being no further business, the meeting was adjourned.

Samuel L. Boots
Robert M. Thayer
Donald L. Maxwell

Lee Swank
 Lee Swank, Secretary

Four encumbrances were signed: Alvin Sparks \$638.02, Albert C. Nobes \$83.70, George D. Nichols \$5.99 and William B. McClamroch \$37.50.

MONTGOMERY COUNTY DRAINAGE BOARD

July 16, 1979

The Montgomery County Drainage Board met Monday July 16, 1979 at 1:30 in the Auditors Office. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Auditor, Mary Helen Carter; Attorney, Warren McGauhey and Surveyor, Russ Nelson.

Bob Thayer made a motion to accept the Northfield Subdivision Unit II as part of the James M. Hose Ditch. Don Maxwell seconded the motion. No landowners were present at the meeting.

The maintenance fund on Lye Creek will be reimbursed \$ 3,613.46.

The Shelly Ditch was discussed. Surface water is a problem on this ditch. By extending the existing 24" storm sewer pipe approximately 1300 to 1600 feet, the water could be channeled into a small woods. Russ Nelson, the Surveyor was asked to get the names of landowners on the end of Shelly Ditch. These landowners are to be asked to the August 20th Drainage Board meeting. The landowners directly involved are Mr. Charles Blacketer and Mr. Kenneth Randolph.

The County Surveyor ask the Drainage Board about using a county pick-up truck. The extra truck they have is in use at this time, but they are going to purchase another which the Surveyor will be allowed to use.

September is the tentative date to let bids on the last phase of Lye Creek.

There being no further business, the meeting was adjourned.

Samuel h. Boots
Chairman

Bob Thayer

Don Maxwell

Lee Levanak
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

August 20, 1979

The Montgomery County Drainage Board met Monday, August 20, 1979 at 1:30 p.m. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; Mr. Dale Koons and Mr. Prock project engineers for Cloverdale Heights Apartments. The following landowners on Shelly Ditch, Donna and John Mayotte, Russell Canada, Morris R. Davis and Ken Randolph.

Cloverdale Heights has placed a 24in storm sewer pipe to Traction Road at which point it outlets on the ground and travels over Shelly Ditch. There is no maintenance fund on Shelly Ditch so no extensive work can be done on this ditch. After much discussion it was proposed to :

1. Extend the storm sewer pipe approximately 1300 to 1600 feet which would bring the water out to a small woods where the water could drain slowly then on out to State Road 32.

C

-or-

2. Cloverdale to construct a catch basin on the George F. Hutchins property, and the County will open the Shelly Ditch in a culvert at State Road 32 and State Road 47 where the water would run in an open ditch along the West side of State Road 47 and eventually drain into Walnut Fork Creek.

It was decided to have Russ Nelson check on opening Shelly Ditch at the culvert under State Road 32 and have Cloverdale Heights construct the catch basin on the southside of Traction Road.

Cloverdale engineers are to recheck the drain pipe to make sure all connections are of the same size. This will be at their expense.

Four encumbrances were signed by the Drainage Board. Wm B. McClamroch \$2231.75, George Nichols \$1342.35, James Gilliland \$1966.65, Will N. Brown \$275.68.

There being no further business, the meeting was adjourned.

(Don Maxwell was checking county bridges)

Samuel h. Boots

 Chairman

Robertson Thayer

No - _____

Lee Swank

 Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

September 17, 1979

The Montgomery County Drainage Board met Monday, September 17, 1979 at 1:30 P.M. in the Auditor's Office. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member; Don Maxwell; Attorney, Warren McGaughey; Surveyor, Russ Nelson; Auditor, Mary Helen Carter; S.C.S. Officer, Steve Woll; Landowners, Neil and Martin Barclay.

Bob Thayer made a motion to have Sam Boots sign the "land rights agreement" for Lye Creek Unit II. Don Maxwell seconded the motion.

The engineers estimate on Lye Creek is \$320,000.00. This includes the seeding and tree planting.

Don Maxwell made a motion to have Sam Boots sign the project agreement #AG 18scs-00 on Lye Creek Unit II.

The Barclays (Neil and Martin) ask the Drainage Board about installing a lift station on the Edward Berry Ditch. The Berry Ditch is located between 32 and Division Road. They proposed placing the lift station at their South Property line. Bart Maxwell is drafting plans for the station.

The Board ask the County Surveyor to check this out and report his recommendations.

Shelly Ditch was discussed. Don Maxwell made a motion to have the Surveyor open the end of Shelly Ditch. Bob Thayer seconded the motion. Motion Passed.

There being no further business, the meeting was adjourned.

Samuel R. Boots
(Chairman)
Donald L. Maxwell
Robert M. Thayer

Lee Swank
Secretary

Two encumbrances were signed Nichols Ditch \$91.26 and McCorkle Ditch 11.60.

ADDITION TO THE MINUTES:

Two encumbrances were signed George Nichols Ditch \$1909.72 and James B. Gilliland Ditch \$1758.95

MONTGOMERY COUNTY DRAINAGE BOARD

October 15, 1979

The Montgomery County Drainage Board met Monday, October 15, 1979 at 1:45 P.M. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; and Mr. Luther Lofland representing The First National Bank.

The State Highway sent preliminary plans for grading two hills on State Road 47 South and 200 South & 300 South. There are no county ditches in this area but surface water around 200 South is a problem. The Drainage Board ask the Surveyor to make an inspection.

Russ Nelson, reported that the Site Show on Lye Creek will be Wednesday, October 24th at 10:00 A.M. And Bid opening will be Monday, November 5th, at 1:30 P.M., 1979.

The Surveyor reported on Berry Ditch. Mr. Bart Maxwell has not started on the plans for the lift station as of yet. Also the Barclays have not said how big a resevoir would be needed. After a visual check it was found there are gaps in the tile. (in the pasture on Donald Mills property 1-18-6 & 18-5) Mr. Lofland favored reconstruction over the pump lift station. The ditch is thought to be overloaded as it is.

The Fleming Ditch is at a standstill. The Survyeors Office is waiting on a permit from the Louisville and Nashville Railroad to bore under the railroad.

There being no further business the meeting was adjourned.

Samuel L. Boots
Chairman

Donald L. Maxwell

Ruth M. Hays

Lee Swank
Secretary

One Encumbrance was signed The George Nichols Ditch for \$14.40.

MONTGOMERY COUNTY DRAINAGE BOARD

November 5, 1979

The Montgomery County Drainage Board met Monday, November 5, 1979 at 1:30 P.M. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; Sales Representatives, Mr. Charles Measel & Mr. Barney Caldwell; Nick Whaley, S.C.S. Office; Steve Woll, S.C.S. Office; Jerome Daugherty, SCS-USDA; Wayne Foust, SCS-USDA; Contractors, Hohn Wielbaker, W & W Contractors, Harry Soucie, Soucie Construction, Garrard Excavating Co; Tom Courtney, Courtney Excavating; Ron Kinzie and Mr. Wagoner of K & K Industries.

Attorney, Mr. Warren McGaughey opened and read the sealed bids for Lye Creek Unit II Revised. Garrard, \$391,234.90; W&N Contractors, \$339,989.23; K & K Industries, \$275,942.45 and Soucie Construction \$354,779.88. The Engineer's Cost Estimate was \$317,400.00

Don Maxwell made a motion to except K & K Industries bid. Bob Thayer seconded the motion. The motion passed.

A letter stating the boards recommendations is to be sent to Mr. Billy Milliken, U.S.D.A., Indianapolis, Indiana. After concurrence from Mr. Milliken a certified letter to K & K Industries stating proceed to work orders can be sent. Twenty days later work can start.

Don Maxwell wanted it noted in todays minutes that the excavation of the ledge on the upper main of Lye Creek is included in the bid.

A list was given to the County Auditor with the Ditch manes and the amounts stated to pay back to the Improvement Fund. (list attached.)

Raising the maintenance assessment on the following ditches was discussed. It was decided to handle two ditch at each of the Drainage Board Meetings & Commissioners meetings starting December 17, 1979. (list attached)

Don Maxwell ask about the maintenance and reconstruction assessments on the Gray Ditch. Since the majority of landowners are in Tippecanoe County, Tippecanoe has the assessment roll on file instead of this county. For reconstruction a petition with 51% (of the acerage involved) names are required. For maintenance landowners need only to contact the County Surveyor as to what needs to be done.

There being no further business, the meeting was adjourned.

Samuel R. Boots
Donald H. Maxwell
Robert M. Thayer

Leo Swank
Secretary

DITCH in need of HIGHER ASSESSMENT

Ditch	Assessment	
	FROM	TO
Will N. Brown	\$110.00	220.00
Clifton J. Coon	Mont. 196.00	392.00
	Fount 6.66	13.32
Guy Little	200.00	400.00
Albert C. Nobes	125.00	250.00
Alvin Sparks	200.00	300.00
Swearingen-Runyon	300.00	600.00

Ditches to pay back the GENERAL DRAIN IMPROVEMENT FUND

DITCH	FUND	AMOUNT OF REPAYMENT
Peter A. Barley	main	\$ 115.08
Wm. A. Buchanan	main	654.62
Clifton J. Coon	main	403.32
Benjamin F. Crabbs	Rec	826.56
Phillip Dewey	Rec	18.20
Jesse Evans	main	1353.25
Kenneth Hudson	main	203.23
George Hutton	main	161.95
Guy Little	main	200.00
Lough & Miller	main	636.67
Lemuel B. McClamroch	main	100.79
Wm. B. McClamroch	main	283.36
Ebenezer P. McClaskey	main	531.12
Charles O. McFarland	main	501.45
George D. Nichols	main	139.73
Albert C. Nobes	main	73.45
Allie J. Peterson	main	659.20
Alvin Sparks	main	153.47
Stanford-Elmore	main	882.79
Anthony Stingley	main	197.00
Swearingen-Runyon	main	208.17
Richard H. Virts	main	261.18
John M. Wilkindon	main	326.97

MONTGOMERY COUNTY DRAINAGE BOARD

November 19, 1979

The Montgomery County Drainage Board met Monday, November 19, 1979 at 1:30 P.M. in the Auditors Office. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; and Landowner, Neil Barclay.

Neil Barclay presented a letter to the Board concerning the lift station on the Edward Berry Ditch. (Letter Attached) It was stated Mr. Joe Findley (who did the Darlington City Water works) is to be the engineer on this project. Don Maxwell made a motion to proceed with the lift station plans (this is at the Barclay's expense.) Bob Thayer seconded the motion. The motion passed.

The Surveyor, Russ Nelson reported to the Board on the Shelly Ditch. The drop spill'box is installed and all tile cuts have been changed to the correct size.

The Chrineyance-Schenck Ditch has had a lot of work done on it. It is in need of a higher maintenance assessment. The annual maintenance is \$750.00, it was suggested for it to be raised to \$1500.00 per year. Bob Thayer made a motion to hold a hearing to raise assessments. Don Maxwell seconded the motion. The motion passed.

There being no further business the meeting was adjourned.

Samuel R. Boots
Chairman
Robert M. Thayer
Donald L. Maxwell

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

December 3, 1979

The Montgomery County Drainage Board met Monday, December 3, 1979 at 2:00 P.M. in the Auditor's Office. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson, and Landowner Mr. Edward Patton.

The Edward Patton Ditch was discussed. No objections from landowners were presented at this meeting. Bob Thayer made a motion to put the Patton Ditch on assessment. Don Maxwell seconded the motion. The motion passed. Landowners have 20 days to file any objections.

The books stacked in the hall (outside Surveyor's Office) was discussed. It was decided to keep six copies of each pamphlet. The rest could be disposed of.

The hearing on the Albert C. Nobes and Alvin Sparks Ditches was changed from December 28th to Jan 7th, 1980. The times respectively are 2:00 and 2:30 P.M.

There being no further business the meeting was adjourned.

Samuel L. Boots
Chairman

Robert M. Thayer

Donald L. Maxwell

La Swank
Secretary

November 14, 1979

To The Montgomery County Drainage Board

I propose to do the following on Cardinal Farms, Waynetown, Indiana, Edward Barry Ditch:

It appears that the ditch is in good working condition through the property of Don Mills, although it does need some minor repair. It also appears that it is in real bad shape through the Cardinal Farms property. This problem can be corrected by doing the following construction practices:

On the property line of Don Mills and Cardinal Farms a receiving pond of 100-foot diameter should be installed and a lift pump installed to lift the water from the receiving pond into the holding pond. The water from the holding pond would be discharged into the existing county tile by opening and closing a gate valve. New tile will be installed through the Cardinal Farms from the holding pond on west to the property line and hooked on to the existing county tile.

In my opinion this would not cause any problems for the people down stream including Don Mills due to the fact that water will only be discharged with the with the gate valve as the existing tile can take it.

Bart M. Maxwell Pres.
Bart Maxwell & Sons Farm Drainage

MONTGOMERY COUNTY DRAINAGE BOARD

December 17, 1979

The Montgomery County Drainage Board met Monday, December 17, 1979 at 1:30 P.M. in the Auditor's Office. Those present were Chairman, Sam Boots; Vice-Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson and Mr. Luther Lofland.

Mr. Lofland, representing the First National Bank checked the drainage area on the Will N. Brown Ditch. The Bank has 18 acres in this drainage area. He also ask about the Edward Berry Ditch. The landowners on the Berry Ditch would have no objections to reconstruction, but the Barclays would rather build a pond at their own expense.

Bob Thayer made a motion to accept the assessments on the Will N. Brown Ditch. The assessment is to be changed from \$110.00 to \$220.00. Don Maxwell seconded the motion. Motion passed.

No landowners were at this hearing on the Guy Little Ditch. The assessment is to be changed from \$200.00 to \$400.00. Bob Thayer made a motion to accept the assessment. Don Maxwell seconded the motion. The motion passed.

The county is to replace the pipe on County Road 900 N (Rusk Ditch) on the Crabtree property.

The Chairman, Sam Boots, read a letter from the S.C.S. regarding public participation in S.C.S. programs. The letter was answered , the Board ask why it took so many years for Lye Creek to be completed.

There being no further business the meeting was ajourned.

Samuel L. Boots

Chairman

Robert L. Thayer

Donald L. Maxwell

Lee Swank

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

January 7, 1980

The Montgomery County Drainage Board met Monday, January 7, 1980 at 2:00 P.M. in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; Landowners Homer Elmore and Ed Elmore.

The Albert C. Nobes Ditch hearing was at 2:00 P.M. The assessment roll is to be changed from \$125.00 to \$250.00. The Nobes Ditch is an open ditch at the end. Approximately 100 feet from the end on the Hole Farm, hogs are running in the end of the ditch. If the end were finished tiled, it would keep the ditch from becoming blocked by said hogs. A petition will be needed for reconstruction, but the maintenance assessment will stand. Bob Thayer made a motion to accept the assessment. Sam Boots seconded the motion. The motion passed.

The Alvin B. Sparks hearing started at 2:30 P.M. The assessment was to increase $1\frac{1}{2}$ times from \$200.00 to \$300.00.

No landowners were present at this hearing. Sam Boots made a motion to accept the assessment. Bob Thayer seconded the motion. The motion passed.

There being no further business the meeting was adjourned.

Donald L. Maxwell
Chairman

Samuel R. Boots

Robert M. Thayer

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

January 21st, 1980

The Montgomery County Drainage Board met Monday, January 21, 1980 at 1:30 PM in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; Landowners, Leon Webber (McLaughlin Ditch) Jack Klepfer and Mike Suitors (Swearingen-Runyon Ditch); David Legg, Mrs. Francis Gray, George McCormick, David Rush and Paul Galloway (Chrineyance-Schenck Ditch).

A petition for reconstruction of the Jacob Elmore-Louis Stanford Ditch was presented to the Board. The hearing date was set for Monday, March 3rd, 2:00 PM. The ditch is located in Section 18 & 19 Township 18N Range 5 West.

A petition for the extension of the McLaughlin Ditch was presented to the Board. Mr. Leon Webber wants the ditch extended approximately 2 miles and made a part of the legal drain. The ditch has to be published in the legal notices. Bob Thayer made a motion to extend the drain approximately 2 miles. Sam Boots seconded the motion. The motion passed.

Sam Boots made a motion to hold the hearing on the McLaughlin Ditch March 3, 1980 at 2:30 PM. Bob Thayer seconded the motion. The motion passed.

Minutes from the last meeting were read and approved.

The Albert C. Nobes Ditch was discussed, the only foreseeable problem will be checking to see if there will be enough cover for the tile. (check January 7, 1980 minutes)

The Swearingen-Runyon Ditch was discussed. Mr. Mile Suitors had no objections to changing the maintenance assessments. The assessment is changed from \$300.00 to \$600.00. There are a total of 471.30 acres in the drainage area. Sam Boots made a motion to accept the assessments. Bob Thayer seconded the motion. The motion passed.

2:30 PM

The Chrineyance-Schenck Ditch was discussed. The Assessment is to be changed from \$750.00 to \$1500.00. There are 1,177.50 acres in the drainage area. The ditch is full of large holes. Jack Brown was to have fixed these. The old and new tile line lay side by side. The ditch needs to be probed. In all probability it is the old tile line which is caving in and trying to fill up. Only the newer like line is to be fixed. Mr. Legg doesn't object to the higher ditch assessment, but he would like the holes repaired. 310 feet of new tile has been replaced on the ditch. Mr. Galloway stated the outlet on the ditch is not functioning. Because sink holes are always in the ditch. The Board requested the Surveyor run levels on the ditch.

A splash wall or rip rap may need to be built on the west side of the road on the Mr. Paul Galloway's property. Mr. Galloway suggested opening the ditch on his end of the tile. This would then relieve pressure on the lower end. This would mean cleaning out the open end of the ditch. The landowners felt it was a waste of the maintenance fund to keep having the ditch repaired. Holes are appearing faster than can be repaired. The other step is to reconstruct the ditch. Mr. George McCormick will carry the petition. The Surveyor's Office was asked to type a petition form and forward it on to Mr. McCormick. Mr. Galloway suggested the petition read petition to survey and or reconstruct.

Bob Thayer made a motion to raise the maintenance assessments. Sam Boots seconded the motion. The motion passed.

There being no further business, the meeting was adjourned.

Ronald L. Maxwell
Chairman

Samuel H. Boots

Robert M. Thayer

LEE Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

February 5, 1980

The Montgomery County Drainage Board met Monday February 5, 1980 at 2:00 PM, in the Auditor's Office. Those present were Vice-Chairman, Sam Boots; Member, Bob Thayer; Auditor, Mary Helen Carter, Surveyor, Russ Nelson; Landowners, Clifton Coon and Robert Coon (Clifton J. Coon Ditch).

The William Z. McBee Ditch was discussed. It was decided to table this until at a later time when Mr. McGaughey could study the drainage area.

The Clifton J. Coon Ditch was discussed. This ditch fund has a balance of -\$700.00 in the reconstruction fund. The Surveyor recommended to the Board to raise the assessment from \$202.66 to \$405.32.

Robert Coon reported the ditch on the Dr. Thompson property is growing full of willows which need to be removed. The Martha Moore property tile line has several holes. Dry Run Ditch on the Robert Coon property needs dredging. A petition will be needed to make Dry Run a legal drain. At Mr. Coon's convenience the Surveyor is to meet with him to check over the drain.

Bob Thayer made a motion to accept the maintenance assessment. Sam Boots seconded the motion. The motion passed. (on the Clifton J. Coon)

There being no further business the meeting was adjourned.

Samuel L. Boots

Vice Chairman

Robert M. Thayer

Lee Swank

Lee Swank, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

The Montgomery County Drainage Board met Tuesday, February 19, 1980 at 1:45 PM. in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter and Surveyor, Russ Nelson.

The Martin P. Gray Ditch petition was presented to the Board. This will be a joint ditch with Tippecanoe County. Sam Boots made a motion to have Don Maxwell represent The Montgomery County Drainage Board. Bob Thayer seconded the motion. Motion passed.

The William Z. McBee & Ermantrout Ditch was presented to the Board. Said ditch also encompassed the Charles F. Leas Ditch and Martin Z. McBee Ditch. Both being tile ditches and outleting into Armantrout Branch. Since the reconstruction of Lye Creek and Armantrout being a tributary in it; it was felt that the Armantrout portion of the Wm. Z. McBee & Ermantrout Ditch should be deleted from said Wm. Z. McBee & Ermantrout Ditch. This eliminates the multiple payment of maintenance created by the reconstruction of Lye Creek. The change in total amounts on the William Z. McBee maintenance assessment roll is \$800.00 to \$437.04 per year. Sam Boots made a motion to accept the above mentioned changes. Bob Thayer seconded the motion. Motion passed.

The March 3rd meeting will concern the McLaughlin extension, the Stanford-Elmore Ditch and the Fleming Ditch.

The minutes of last months meeting were read and approved.

There being no further business the meeting was ajourned.

(one encumbrance was signed George Hinkle Ditch \$649.07)

Donald L. Maxwell

Chairman

Bob Thayer

Samuel L. Boots

LEE Swank

lee Swank, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 3, 1980

The Montgomery County Drainage Board met Monday, March 3rd 1980 at 2:00 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; Landowners, Stanford-Elmore Ditch: (reconstruction) Mr. Dean Rush, Mr. & Mrs. Doyne Rush, Mr. Luther Lofland representing First National Bank, and Mr. Jack Klepfer.

2:15 McLaughlin Ditch (extending the legal drain) Mr. Leon Webber.

2:30 Fleming Ditch: Mr. Charles C. Edwards, Mr. Edward Patton, Mr. Forrest Patton, Mr. Charles DeVore, Mr. Bruce Conrad, Mr. George Martin, Mrs. Mary C. Shaw, Mr. Ed Barclay and Mr. Joe Prosser. Mr. Donald E. Wilkinson on the Edward C. Berry Ditch.

The Stanford-Elmore Ditch hearing started at 2:00 . The Surveyor, Russ Nelson reported to the Board approximately 2,000 feet of the ditch needs relaid to get fall into the ditch. The estimated cost of reconstruction is \$6,545.05. The drainage area is 688 acres. The ditch is located in Section 13, Twp. 18, R 6 West. Landowners raised no opposition.

Bob Thayer made a motion to proceed with reconstruction. Sam Boots seconded the motion. The motion passed.

Extending the McLaughlin Drain hearing started at 2:15. This will be a joint ditch with Tippecanoe and Clinton Counties. A petition for reconstruction is the next step in completing the project. Mr. Webber stated he will be working on this. In all probability the ditch will be dredged all the way to Potato Creek. No objections were heard at this meeting. Don Maxwell reported Mr. Jim Hodgen and Mr. Bob Dukes are handling the petition in Clinton County.

Bob Thayer made a motion to extend the McLaughlin Drain. Sam Boots seconded the motion. The motion passed.

Mr. Donald E. Wilkinson is not very pleased with the holding pond built on the Edward C. Berry Ditch. Mr. Wilkinson lives on the lower end. The Surveyor, Russ Nelson and former Surveyor. Don A. Yount inspected the Ditch, Friday, February 29. As of then the work was not completed. But what was finished seemed to working adequately.

The Fleming Ditch hearing started at 2:30. Ten landowners were present at this meeting. The proposed construction will start on the North side by Novah's Gift Shop, to Black Creek on Mrs. Shaws property. They will lay approximately 470 feet of 15 inch tile. Estimated Cost of reconstruction is \$15,776.59. There are 445 acres total in the drainage area. Twelve inch tile run under U.S. 43 North

then it opens to 15 inch tile on both sides. Mr. Edward Patton ask about leveling the spoil, brush & Stumps. They will clean^R from 20 to 50 feet. Nothing will be done on the old ditch. The old catch basin will be connected to the new tile. Sam Boots made a motion to proceed with the reconstruction. Bob Thayer seconded the motion. The motion passed.

The minutes from last meeting were read and approved.

Russ Nelson, Surveyor approached the Board about the County supplying his office with a van or vehicle. Bags of concrete, fence post, iron rods are but a few of the things needed to monument. Don Maxwell, Chairman, stated for Russ to put in writing ~~was~~^{what} was needed. The next step is for the Council to vote on this.

It was reported to the Board, \$6,761.07 (for Lye Creek) was received from the U.S. Treasury.

Mr. Nelson was reminded of a meeting at the State Highway District Office at 10:00 AM, Tuesday, March 4th.

There being no further business, the meeting was adjourned.

Donald S. Maxwell

Chairman

Bob Thayer

Samuel R. Boots

Lee Swank

Lee Swank, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD
March 17, 1980

The Montgomery County Drainage Board met Monday, March 17, 1980 at 2:00 P.M. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; and Surveyor, Russ Nelson.

Don Maxwell, Chairman ask if the Surveyors Office had any information on the Martin P. Gray Ditch. As of this date Mr. Spencer has not called.

The minutes from the meeting, at the District State Highway Office, (held March 4, 1980 at 10:00 AM concerning the bridge over Potato Creek on the Lye Creek Drain Watershed) were presented to the Board.

The Surveyor, Russ Nelson discussed dormant funds of the Armentrout tributary with Warren McGaughey. Since Lye Creek is a part of Armentrout the \$850.93 is to be put in the Lye Creek Improvement Fund.

Landowners are asking that Potato Creek be made a legal drain. The landowners need to get a petition with 51% of the land involved. If the county decides, the S.C.S. Office is interested in this project.

The minutes from the last meeting were read, corrected and approved.

There being no further business, the meeting was adjourned.

Donald L. Maxwell
Chairman
Robert M. Thayer
Samuel L. Boots

LEE Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

April 21, 1980

The Montgomery County Drainage Board met Monday, April 21, 1980 at 1:00 PM. Those present were Chairman, Don Maxwell, Vice-Chairman, Sam Boots; Member, Bob Thayer; Auditor, Mary Helen Carter; Surveyor, Russ Nelson and Contractor, Ron Taylor of R R 1, North Salem, Indiana. Attending later were Steve Woll, S.C.S. Office and Landowner Mr. Charles DeVore on the James Fleming Ditch.

Bids were opened on the Stanford-Elmore Ditch.

Mr. Ron Taylor \$8,644.50

Mr. Bart Maxwell 6,135.00 with the option of \$1.00 per foot if sand were encountered in the laying of tile. There is approximately 400 to 500 feet of tile. He also stated he could probably start by June 1st if he were awarded the bid.

Bids were then opened on the James Fleming Ditch.

Mr. Ron Taylor \$19,523.00

Mr. Bob Hodgen 22,841.00

Mr. Bart Maxwell 15,728.50

The Surveyor, Russ Nelson checked all of the bids for accuracy.

Bob Thayer made a motion the Drainage Board accept Bart Maxwell's bid of \$15,728.50 on the Fleming Ditch. Sam Boots seconded the motion. The motion passed.

Sam Boots made a motion the Drainage Board accept Bart Maxwell's bid of \$6,135.00 on the Stanford-Elmore Ditch. Bob Thayer seconded the motion. The motion passed.

The Jesse Snoddy Ditch was discussed. The idea of an open ditch was discussed. Bob Thayer ask who was working on the ditch at the present. Russ reported it was Mr. Frank Gray.

The State Highway will pay approximately \$4,500.00 on the Fleming Ditch for boring under Highway 231 North.

Mr. DeVore ask about the figures on Reconstruction Cost since assessments were figured on \$15,776.59 and the bid was lower at \$12,500.00 (this is the bid minus the \$4,500.00 for the State Highway boring). The Surveyor will confer with Attorney, Warren McGaughey on this. The tax statements on the Fleming Ditch will be sent to property owners in the fall of 1980.

It was reported that livestock (hogs) are running in Lye Creek on the Wilcox Farm. It was stated that Mr. Richard Rodgers are the present owners. The Board requested Mr. Nelson to check on this. If livestock are in the ditch a certified letter will be sent requesting they be fenced out.

(Minutes Continued)

Lye Creek Reoonstruction was discussed. The work is coming right along. The banks are needing to be mowed. A 12 foot strip would be sufficient. Also the willows need to be sprayed. Farmers will be reimbursed by the County if they do the work. Mr. Nelson is to contact the landowners about this.

Mr. Bob Hodgen requested his checks (for bond posting) be returned if his bid was rejected. The Drainage Board gave their approval.

The minutes of the last meeting were read and approved.

There being no further business, the meeting was adjourned.

Donald L. Maxwell
Chairman
Robertson Mays
Samuel R. Bots

LEE SWANK
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

May 19, 1980

The Montgomery County Drainage Board met Monday, May 19, 1980 at 1:00 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Auditor, Mary Helen Carter; Attorney, Warren McGaughey; and Surveyor, Russ Nelson.

A letter from Mr. Richard Rogers was presented to the Board. The letter was enclosed with a copy of a contract with the Soil Conservation Service concerning the rights to pasture. This is not a binding contract with the Montgomery County Drainage Board. Hogs usually do much more damage than cattle or other livestock. A fence has been installed. The Surveyor was requested to walk & check the Lye Creek Ditch. If the hogs are still there, the Drainage Board has requested they be removed.

Nine encumbrances were signed.

An additional \$200.00 will be added to the Fleming Ditch (located approximately 1 1/2 miles north on 231). This is to cover liability insurance as requested by the L & N Railroad Company.

The Birge Brothers of Linden are not very pleased with the burying of rocks on Mrs. Edwards Property. This should present no problems as the rocks are at the proper depth.

Mr. Nelson has checked out the drainage problem at the top of Covington Hill. Property owners now know where they can tile for better drainage.

Don Maxwell stated that Mr. Mike Spencer, Surveyor of Tippecanoe County had called and would like to have an informal meeting with Montgomery, Clinton and Tippecanoe Counties concerning the ^{Drain} Potato Creek Dredge. Mr. Maxwell will hold the meeting at his home. The date and time will be set at a later date.

The minutes were read and approved.

The mowing of Lye Creek was discussed. Russ Nelson has talked to Mr. Boyd Hudson. Mr. Hudson stated he would be willing to do his own mowing. The Surveyor suggested to get one person to do the whole ditch. Mr. Hudson stated he would talk to friends and neighbors and if he found anyone willing to do this he would get back to our office.

The Surveyor reported no work has been started on the Potato Creek area.

There being no further business the meeting was adjourned.

Donald L. Maxwell
Samuel L. Boots
Robert M. Thayer

Lee Swank
Secretary

Montgomery County Drainage Board

June 2, 1980

The Montgomery County Drainage Board met Monday, June 2, 1980 at 2:55 PM (delay due to severe storm). Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter and Surveyor, Russ Nelson.

A letter concerning the land fills from Indiana University was presented to the Board. The secretary was asked to fill out the questionnaire.

The contracts on the James E. Fleming and the Stanford-Elmore Ditches were signed.

Mr. Nelson stated the L & N Railroad gave their approval on boring for the James E. Fleming Ditch. No extra money is needed for insurance on the Fleming Ditch as the boring company has liability to cover this.

The total work completed on Lye Creek is approximately 43% ^{and McLaughlin ditch} The payment for this month is

The Tri-county meeting on the Potato Creek Dredge is Wednesday June 4th, 7:30 PM, at the Maxwell's residence.

The minutes of last meeting were read and approved.

Mr. Richard Lang discussed with the Board (prior to this meeting) the idea of a breather in the Jesse Snoddy Ditch. Surveyor, Russ Nelson stated the ditch is running to full capacity now. To bring more water in the tile would likely cause more problems.

There being no further business the meeting was adjourned.

Nine encumbrances were signed.

George Hutton Ditch	\$621.46
Alvin Aparks Ditch	213.75
Alvin Sparks Ditch	178.51
Moses Allen Ditch	101.80
Albert C. Nobes Ditch	185.80
Anthony Stingley Ditch	4.63
Chrineyance-Schenck Ditch	1270.82
James B. Gilliland Ditch	229.12
James Sanders Ditch	549.11

Donald L. Maxwell

(Chairman)

Samuel R. Boots

Robert M. Thayer

Lee Swank

Secretary

Montgomery County Drainage Board

June 16, 1980

The Montgomery County Drainage Board met Monday, June 16, 1980 at 3:40 PM in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; and Surveyor, Russ Nelson.

The Birge Brothers removing grade stakes on Lye Creek was discussed. An extra surface pipe has been placed at the drive entrance and one pipe has been relocated for them. The question of them having power of attorney for Mrs. Edwards was discussed. If any more trouble arises, the Prosecutors Office will be contacted and Mrs. Edwards will be ask to send a copy of power of attorney to the Surveyors Office. There is a 27 foot easement on the Lye Creek berm.

Mr. Steve Emmert of the Schoen Ditch will be contacting the Surveyors Office. He is questioning if a tile he found is county or not. The Surveyor reported it is a private tile.

The Montgomery County Drainage Board will be paid \$3,500.00 for the James E. Fleming Ditch Improvement Fund from the Indiana Gas Company. The boring company had to bore 2 feet further under the gas line than was originally planned. The boring companys machine suffered a broken water line plus 1 day and 3 hours down time.

There being no further business, the meeting was adjourned.

Ronald L. Maxwell
Chairman

Robert M. Thayer

Samuel L. Boots

Lee Swank
Secretary

Montgomery County Drainage Board

July 7, 1980

The Montgomery County Drainage Board met Monday, July 7, 1980 at 3:50 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Surveyor, Russ Nelson and Auditor, Mary Helen Carter.

An addendum for Bart Maxwell to increase the cost of reconstruction on the James E. Fleming Ditch in the amount of \$7,248.09 was signed.

Forrest and Edward Patton would like for the Drainage Board to pay for crop damage. The Surveyor stated he didn't think this was necessary as the spoil will not be spread until fall. The Fleming Ditch is nearly completed.

The Drainage Board approved the letter the Surveyor sent to Indiana State Highway requesting 50% payment for boring under 231 North (near Millers Gift Shop).

The Surveyors Office ask to transfer \$5,443.21 (paid Hendricks Excavating 1-15-79) from Lye Creek Maintenance Fund to Lye Creek Reconstruction Fund. Bob Thayer made a motion to approve the transfer of funds. Sam Boots seconded the motion. Motion passed.

The minutes from the Tri-County Drainage meeting were read, corrected and approved. The correction being the percent of acreage to ~~approve the reconstruction~~ ^{petition for reconstruction} of a drain from 51% to 10% of acreage involved.

The Surveyor was ask to talk with members of the Waynetown Town Board about a possible ditch reconstruction.

The Stanford-Elmore Ditch was discussed. As soon as the Klepfers get the wheat out the ditch will be staked and levels shot. Then reconstruction can be started.

The Surveyor stated Mike Spencer had been sent the names and addresses on the Martin P. Gray Ditch.

The petition for Mr. Leon Webber, on the McLaughlin Ditch will be changed from Reconstruction to Reconstruction and Maintenance. This is to establish a reconstruction and maintenance fund with one petition.

There being no further business the meeting was ajourned.

Donald L. Maxwell
Chairman

Robert M. Thayer

Samuel L. Boots

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

July 21, 1980

The Montgomery County Drainage Board met Monday, July 21, 1980 at 2:15 P.M. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Surveyor, Russ Nelson, Auditor, Mary Helen Carter; First Deputy, Bruce Keller; Contractors, Frank Gray, and Darryl Bell.

An addendum on the James E. Fleming Ditch was signed in the amount of \$342.13 (an increase). Bringing the total contract cost to \$23,318.72.

Mr. Ed Patton wants to be reimbursed for crops (where the spoil needs to be spread). The County feels this is not necessary as the Surveyor discussed this with Mr. Patton before reconstruction was ever started.

The Drainage Board members signed three encumbrances. George Nichols Ditch - \$87.50 (Jerry Hughes); James E. Fleming Ditch - \$20,986.85 (Bart Maxwell); and the Edward Patton Ditch - \$786.41 (Jerry Hughes).

The Snoddy Ditch was discussed. Richard Lang does not want any work done until the fall. He also discussed with the Surveyor that he did not want an open ditch. The Surveyor stated an open ditch and a surface drain are two entirely different things. Russ Nelson reported that there is a maintenance easement of 75 feet on either side of a County legal Drain. The Drainage Board felt that since the weather was dry, reconstruction should start as soon as possible. Before reconstruction starts Russ was ask to talk to Mr. Lang. Sam Boots made a motion to go ahead with repairs of the Snoddy Ditch. Bob Thayer seconded the motion. The motion passed. Mr. Frank Gray reported he could start work the latter part of this week.

The Surveyor reported the County truck is in need of a new clutch. The approximate cost will be \$103.00.

The Edward Berry ditch was discussed. Mr. Luther Lofland sent a bill to the office in the amount of \$122.00. for repairs. The Drainage Board will not pay this as the ditch does not have a maintenance assessment fund.

July 21, 1980

(Conti)

The secretary reported the balance of the Reconstruction Fund \$69,934.22 and the Maintenance Fund \$135,730.15.

The Drainage Board looked at the McLaughlin and Potato Creek Area Drains.

The minutes of the last two meetings were read, corrected and approved.

There being no further business, the meeting was adjourned.

Donald L. Maxwell

Chairman

Robert M. May

Samuel R. Berts

Lee Swank

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

September 15, 1980

The Montgomery County Drainage Board met Monday, September 15, 1980 at 1:35 PM, in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Auditor, Mary Helen Carter and Surveyor, Russ Nelson.

Mary Helen Carter stated Mr. Carroll Beeson had stopped in her office about the willows in the County Ditch on his property. (Levi Hawkins Ditch).

The Surveyor stated the Jesse Snoddy Ditch work is completed.

Wayne Foust gave permission for extra dredging on the John Berry property (Lye Creek). Sycamore's bill of \$4,500.00 will be taken out of the Maintenance Fund.

A letter from Fidelity Insurance & Bonding Company was presented to the Board. The letter was mainly requesting the percentage of work completed on Lye Creek. The letter is to be completed by the Surveyor and returned.

Three encumbrances were signed by the Board. Stanford-Elmore Ditch \$5,973.30; Guy Little Ditch \$842.57; and the James Fleming Ditch \$2,210.75.

Don Maxwell stated the Martin P. Gray Ditch hearing will be held October 1st, 9:00 A.M. in the Lafayette Commissioners Office. The hearing will be to establish a maintenance fund & to accept the maintenance assessments.

The minutes were read and approved.

There being no further business the meeting was adjourned.

Lee Swank
(Secretary)

Ronald L. Maxwell
(Chairman)
Samuel M. Boots
Samuel L. Boots

MONTGOMERY COUNTY DRAINAGE BOARD

October 6, 1980

The Montgomery County Drainage Board met Monday, October 6, 1980 at 2:35 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Auditor, Mary Helen Carter; Surveyor, Russ Nelson and the following landowners (John Gobin Ditch # 2) Bruce Conrad, Indiana St. Hwy. Co., L.E. Thomas, Norfolk and Western Railroad; Andrew Johnson; Charles Bennett; Darl Jarnecke; Mrs. John Simmons. Ed and Forrest Patton the James Fleming Ditch.

This hearing is to accept or reject the Reconstruction and the Maintenance Reports as presented by the Surveyor on the John L. Gobin Ditch # 2. This ditch is located in Sections 7-8-17-18-19 & 20, Township 20, Range 4 West. (located west of Linden). The total area drained is approximately 1,807 acres. The Reconstruction report totals \$27,409.44. The yearly Maintenance report is \$1500.00 per year.

The Surveyor reported the County only lays and maintains the main line of any ditch. The individual property owners are responsible for any tying into the main ditch line.

The Gobin Ditch was constructed in 1893 and reconstructed in 1938.

Mr. Thomas, of the N & W R.R. ask how the percentages were figured, to arrive at the cost on reconstruction and maintenance. Mr. Nelson explained different things are taken into consideration such as the use of the land, the location of property, the location of acres in relation to the ditch. Mr. Jarnecke stated he was not opposed to the reconstruction but was questioning his 6 acres assessment since the land is not tillable and returns no profit. The Surveyor reported some consideration was given but not a lot since it is located in the country.

Some acreage will need further study as in probability John Simmons will have some acreage dropped and Mr. Harold Binford will have acreage added to the ditch assessments.

Sam Boots made a motion to accept the Reconstruction cost of \$27,409.44 and the Maintenance assessment of \$1,500.00 per year on The John L. Gobin Ditch # 2. Bob Thayer seconded the motion. The motion passed unanimously.

Forrest Patton stated he had planted corn on the west side of the Fleming Ditch. He was asking the Drainage Board for crop damages on approximately 7 rows wide by 80 rods in length (damages to corn) The Surveyor reported he told them the Drainage Board would take a 25 foot easement on the West side. The County has a legal right to

75 foot easement on either side of the drain during reconstruction. In the past the Drainage Board has not paid crop damages. It was decided that no damages would be paid.

The banks along the ditch need to be leveled as quickly as possible as landowners are wanting to plow.

There being no further business, the meeting was adjourned.

Ronald L. Maxwell
Chairman
Richard M. Thayer
Samuel L. Boats

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

The Montgomery County Drainage Board met Monday, October 21st 1980 at 2:50 PM. in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter and Surveyor, Russ Nelson.

The Surveyor reported final inspection on the Armentrout Branch of Lye Creek will be Thursday, October 23rd at 9:15. The meeting will start at the construction trailer on County Road 450E near McBee's farm.

It was also reported Lye Creek has cut off access to a field belonging to McDougall. It will involve getting an easement on a small triangle of land on the Spitznagle property. Sam Boots suggested Russ talk to Mrs. Spitznagle and ask if the fence could be removed and also remove the corner post. Russ Stated he could set a permanent marker.

On County Road 450E the pipe needs a guard rail set. The bridge through there is very narrow. Traffic needs to be kept off of the berm. A guard rail was not a good idea, as large farm equipment could not pass. Bob Thayer suggested a low guard rail. The County Highway is going to widen the berm, Also they will remove the concrete post and change the pipe in the side ditch of McBee's farm.

Sycamore Industries have not turned in the bill for \$4,500.00 on the straightening of Lye Creek thru the Berry property.

The Fleming Ditch spoil has been leveled. Also the voucher to the State Highway have been sent (to collect the \$4,500.00.)

Mr. Dick Tulley will be in the Surveyors Office to pick up the names and addresses of property owners on Potato Creek.

Russ reported grass seed needs to be sowed on the Jesse Snoddy Ditch.

Mr. Boyd Hudson (upper end of Rusk Ditch) needs an animal guard installed. As the pipe is flush to the wall, Don Maxwell suggested using a drop in grate to keep out the muskrats.

The minutes of the last two meetings were read and approved. There being no further business the meeting was adjourned.

Donald L. Maxwell
Chairman

Robert M. Thayer

Samuel L. Boots

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

The Montgomery County Drainage Board met Monday, October 21st 1980 at 2:50 PM. in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter and Surveyor, Russ Nelson.

The Surveyor reported final inspection on the Armentrout Branch of Lye Creek will be Thursday, October 23rd at 9:15. The meeting will start at the construction trailer on County Road 450E near McBee's farm.

It was also reported Lye Creek has cut off access to a field belonging to McDougall. It will involve getting an easement on a small triangle of land on the Spitznagle property. Sam Boots suggested Russ talk to Mrs. Spitznagle and ask if the fence could be removed and also remove the corner post. Russ Stated he could set a permanent marker.

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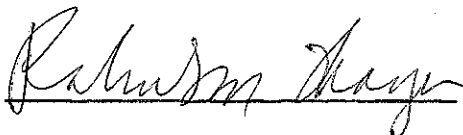
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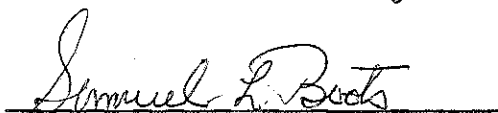
Mr. Boyd Hudson (upper end of Rusk Ditch) needs an animal guard installed. As the pipe is flush to the wall, Don Maxwell suggested using a drop in grate to keep out the muskrats.

The minutes of the last two meetings were read and approved.

There being no further business the meeting was adjourned.


Chairman





Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

November 17th 1980

The Montgomery County Drainage Board met Monday, November 17th at 1:55 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey Auditor, Mary Helen Carter and Surveyor, Russ Nelson.

Russ Nelson reported final inspection on Lye Creek had been completed with him and Don Maxwell attending. Inspection was made Thursday, November 13, 1980. The placing of signs and seeding are the only things that need to be done for the completion of Lye Creek.

Mr. Joe Smith on the Durham Farm lost a farm tractor tire due to a marker which was at least 20 feet out of line with the others. The cost of replacing the tire was \$900.00. There is a wash (which no longer functions) this is the reason the marker was not in line. The markers are 2-inch steel pipes. No decision was made as to absorbing the cost of \$900.00 and taking out of the Maintenance Fund of Lye Creek.

The Surveyor approached the Board about setting up a spraying program. The Dalton Gang (a company which specializes in spraying only) has been contacted. The cost could be figured on a charge per acre then taken from each ditch maintenance fund. The Surveyor would also like to set up a mowing program.

The Board was reminded of Contractor's Bid opening on the John L. Gobin #2 Ditch at 1:00 PM December 1st, 1980. The engineers cost estimate is \$27,409.44 for reconstruction, the annual maintenance is to be \$1500.00 per year.

A joint County Drainage Board was established via phone with Clinton County. Sam Boots and Bob Thayer will represent Montgomery County. Mr. Ellsworth Biesecker and Bill Lucas will represent Clinton County.

The Birge Brothers bill on the Edward C. Patton Ditch was discussed. The work was done on the Warren Harshbarger property. The charge was \$1457.50.

The Drainage Board signed seven encumbrances. Listed as follows: Lye Creek (Sycamore Industries) 10,573.73; Patton (Birge Brothers) 1,457.50; Patton (H & W Concrete Products) 1,412.91; Snoddy (Bart Maxwell) 1639.31; Fleming (Kenneth Craig) 250.00; Little (Jack Brown) 137.50; Jesse Snoddy (Bart Maxwell) 600.00.

November 17th 1980

-conti-

The minutes were read and approved.

The secretary was instructed to send a copy of todays minutes to the Clinton County Surveyor.

There being no further business the meeting was adjourned.

Ronald L. Maxwell
Chairman
Robert M. May
Samuel R. Berto

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

December 1st, 1980

The Montgomery County Drainage Board met Monday, December 1st at 1:00 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Contractors, Ray Blackford, Bob Hodgen, Darrell Birge and Surveyor, Russ Nelson.

Contractors Bids on the John L. Gobin # 2 Ditch are as follows:

Engineers Cost Estimate	\$27,409.44	
	Total Bid	Quantity Sheet
Bob Hodgen	\$24,670.00	\$27,230.00
Bart Maxwell	23,740.60	23,440.60
Birge Farm Drainage	24,400.69	24,446.39
Fram & Foster	27,500.00	NO UNIT BREAK DOWN
Ray Blackford	25,336.00	25,386.00

Bob Thayer made a motion for the Surveyor to check the bids for accuracy. Sam Boots seconded the motion.

When the quantity sheets do not agree with the total bid, the figures on the quantity sheet will stand as the final bid.

The bid of Bart Maxwell was off \$300.00. Bart was contacted by phone and the discrepancy was he had not figured in the amount of the bid bond.

Sam Boots made a motion to accept the bid of Bart Maxwell. Bob Thayer seconded the motion. The motion passed unanimously.

The Surveyor reported that tile and stone may vary slightly from the quantity sheet. The estimated working days on the ditch is 25 days. All debris will be burned or buried.

The \$900.00 damage to Mr. Joe Smith's tire was discussed. The Drainage Board will not pay the damages. Mr. Nick Whaley, S.C.S. Office stated the marker could be moved.

There being no further business, the meeting was adjourned.

Donald L. Maxwell
Chairman

Robert M. Thayer

Samuel L. Boots

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

December 15th, 1980

The Montgomery County Drainage Board met Monday, December 15th, 1980 at 1:45 PM., in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Sam Boots; Member, Bob Thayer; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; S.C.S. Office represented by Steve Woll and Wayne Foust; Surveyor, Russ Nelson and Property Owner, Marvin (Andy) McBee.

Andy McBee was here to discuss standing water on the Andrews Farm. He suggested placing a pipe under the lane (Lye Creek).

Andy, Russ and Steve Woll plan to meet on the site to see if this is a problem caused by the Lye Creek reconstruction or if it was ^{an} existing problem. The meeting date was set at 1:00 PM December 18th, 1980.

Steve Woll stated he would do the surveying. As this section of Lye Creek has passed final inspection, any repairs will have to be taken out of the Maintenance Fund.

The Drainage Board authorized Russ to spend \$1,000.00. Any amount over this would have to be approved by the Drainage Board.

Steve Woll discussed tree planting on Lye Creek. The unit as a whole consists of 21 acres. The first unit is short because of the Wilcox Farm. The Second unit is (11 acres) a 15 foot strip from 800N less the Lois Warren property the complete length of Lye Creek. There will be a plus of .55 acres for both sides of the Dick Ward Farm. (See attached memo). The tree planting will take place in April 1981. Bid openings will be in February. The Surveyor has been authorized to order the trees. Steve Woll gave the order blank and the instructions for ordering to the secretary. Mr. Woll also ask that a copy of todays minutes be sent to his office.

Steve Woll & Wayne Foust upon request by the Drainage Board would be willing to look into assisting on the Potato Creek Project.

A petition on the Joseph Hall Ditch was presented to the Drainage Board. Bob Thayer made a motion to accept the petition. Sam Boots seconded the motion. Motion carried. Russ Nelson, Surveyor, ask that a hearing be held to discuss hiring an engineer to draw up plans on the Hall Ditch. The Drainage Board set January 19th 1981, 2:00 PM for the hearing date.

1. A complete planting, from 800 North to the end of construction on Upper Main and Rusk Ditch, also the total length of the Armentrout Ditch, with exception to those areas where heavy growth exist. The Acres planted is 10.98 Acres.

We need 11.0 Acres.

2. Also proposed is to plant both sides of the Dick Ward, formerly Harold Barclay, to shrubs. In particular low level shrubs. This would total .55 additional acres. It would offset those areas not planted due to roads, surface pipes, etc.

The Total planting would be 11.53, less roads, lanes, and other gaps.

conti

December 15th, 1980

The secretary discussed the following, overpayments on ditch assessments and raising ditch maintenance assessments to the minimum which is \$3.00 per year. The State Board of Accounts advised the Drainage Board to act on this.

The Drainage Board instructed the Surveyor to revise all ditch maintenance assessments to the \$3.00 per year minimum.

The Board decided anything \$1.00 or less would not be refunded.

Minutes of the last meeting were read and approved.

There being no further business, the meeting was adjourned.

Ronald L. Maxwell
Chairman

Samuel Boots

Salvador M. Hayes

Paul Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

December 29, 1980

A brief meeting was held Monday, December 29th, 1980. Maintenance of the Minnich, Miser & Asa Corn Ditch was discussed. Located in Section 30, Township 18 North, Range 3 West. Russ Nelson, Surveyor, briefed the Board on the clearing of trees and shrubs from the above mentioned ditch. This will be Maintenance not Reconstruction.

The Drainage Board gave their approval to accept a bid of under \$5,000.00. Mr. Nelson stated all bids were to be in before 4:00 PM, January 5th, 1981.

Sonny Enlow bid \$700.00 to cover the cost of 2 water ways, 4 pipes and one rock shute on the Andrews property (Lye Creek).

Ronald L. Maxwell
Chairman

Samuel Boots

Robert M. Hays

Jac Levan
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

January 5th, 1981

An informal brief meeting was held Monday, January 5th, 1981, in the Auditor's Office, Courthouse, Crawfordsville, Indiana.

Russ Nelson, Surveyor presented the following bids to the Drainage Board on the Minnich, Miser & Asa Corn Ditch.

Gary Frame	\$4,700.00
Sonny Enlow	5,000.00
Dan Brown	4,150.00
Jack Skinner	4,800.00
Ray Blackford	4,384.00
Bart Maxwell	3,949.00

Bob Thayer made a motion the Drainage Board accept the bid of Bart Maxwell. Sam Boots seconded the motion. The motion carried.

Donald L. Maxwell
Chairman

Samuel Boots

Robert M. Thayer

Be [Signature]
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

January 19, 1981 2:00 PM

The Montgomery County Drainage Board met Monday, January 19th, 1981 at 2:00 PM in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Surveyor, Russ Nelson and the following landowners; (Joseph Hall Ditch) Keith E. Sayler, John A. Simpson, Everett Todd, Leon Weber, Charles Rush, Bill Reed, Foxworthy Farms, Inc., Fred Payne for Fern Payne, Marsh Jones, Harold Binford, Wallace Kobel, Bill Todd, Jay Clifton, Omer D. Elmore, David Shelton, Luther Lofland representing First National Bank, Ted Devore, Howard W. Cochran, Mr. and Mrs. Jim Sabens, Bart Maxwell and Mr. and Mrs. Phillip Prosser.

The John Gobin Ditch # 2 was discussed. The Surveyor reported Bart Maxwell would remove the trees, but due to the freezing the surface inlet pipes would have to wait. There are less inlets than originally figured. The money saved on this will be used for straw and seeding.

Landowners were here to discuss the Joseph Hall Ditch. The Hall Ditch will take in the Thompson, Flether, Cochran & Newkirk Ditches. This ditch consists of approximately 7 miles of open ditch and approximately 5,200 acres will be involved. The ditch would start at 231 north and continue on northerly.

Surveyor, Russ Nelson, explained that an engineering firm needs to be consulted to draw up plans on this ditch. As the county does not have enough money to cover this, the landowners need to commit themselves as to whether they want to cover this expense or not. The engineering cost has to be paid whether or not the ditch goes thru.

Chairman, Don Maxwell stated that as Russ is not a registered engineer, he could not engineer the ditch.

An engineering firm could possibly take anywhere from 6 months to one year to draw up plans.

After a vote of 14 to 9, Sam Boots made a motion to proceed with getting an engineers estimate. Bob Thayer seconded the motion. February 17th, 1981 at 1:30 PM is the date set to have the engineers give their estimate.

Conti-
January 19, 1981

The Board suggested calling the following firms: Brian Dickerson and Associates; Franklin & Moses; Associated Planners and Don A. Yount.

The minutes of the last meeting were read and approved.

There being no further business, the meeting was adjourned.

Ronald L. Maxwell
Chairman

Robert M. King

Samuel L. Boats

Bill Searcy
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

February 17, 1981

The Montgomery County Drainage Board met Tuesday, February 17th, 1981 at 1:30 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; Dick Cunningham and Bob Hill of Associated Planners, of Indianapolis; Don A. Yount, and following land owners (Joseph Hall Ditch) Everett Todd, John Simpson, James Foxworthy, Luther Lofland, Charles Rush, Bart Maxwell, Phil & Pat Prosser, David Shelton, H. Worth Cochran, Ken M. Bullerdick, Clyde Bullerdick, Leon Weber, D.A. Sabens, Dale Crum and Martin Foreman representing Carrie Cotton Estate.

Engineers Cost bids on the Joseph Hall Ditch were opened

Associated Planners	\$15,780.00
Don A. Yount	18,000.00

Mr. Cunningham stated they have done all of Clinton Counties dredging projects for the past 6 years. He thought the job could be finished in roughly 3-4 months, and contractors bids be let in the fall (November) of this year. Tentative plans were to begin the first of March. The first payment will be due in May.

Landowners voted 14 in favor, none opposed to accept the bid of Associated Planners.

Surveyor, Russ Nelson, stated that at Associated Planners bid this is a cost of Approximately \$3.04 per acre. There are 5,251.70 acres in the Hall Ditch.

Bob Thayer made a motion to proceed with Associated Planners doing the engineering. Sam Boots seconded the motion. The motion carried. The Drainage Board then signed the contract.

The Board signed three encumbrances:

Swearingen Runyon Ditch	\$413.00
James Grimes Ditch	138.58
W. Linn-Himes Ditch	571.43

The Surveyors Office presented a list of Ditches owing money to the Improvement Fund. Russ ask the Boards concurrence to transfer \$9,676.32 from Maintenance to Improvement Fund. Sam Boots made a motion to transfer the above mentioned total. Bob Thayer seconded and the motion carried.

Board members read and approved the minutes of the last meeting.

There being no further business the meeting was adjourned.

Donald J. Maxwell
Bob Thayer
Sam Boots

Bo Linn

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 2, 1981

The Montgomery County Drainage Board met Monday, March 2, 1981 at 1:00 PM in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Attorney, Warren McGaughey; Surveyor, Russ Nelson; Auditor, Mary Helen Carter; Jerome Daugherty, Supervisory Contract Specialist S.C.S. Office; Steve Woll, S.C.S. Office; Richard Aldrich, Forestry Technican (A.F.M. Inc.) and Thomas Martin, Alternative Forest Management, Inc.

Bids were opened on Lye Creek tree planting Unit II

Mark Lawson \$3,231.00
10722 Zimmerman Road
Marysville, IN 47141

Alternative Forest Management, Inc. 4,707.19
Box 418
Springport, IN

Bob Thayer made a motion to accept the bid of Mr. Mark Lawson. Don Maxwell seconded the motion. The motion carried.

A letter was signed at the meeting, asking the concurrence of the Soil Conservation Service. Mr. Daugherty delivered the letter to the Indianapolis office.

The Surveyor, Russ Nelson, presented the signed petition on the Fred T. Maxwell Ditch to the Board.

Bob Thayer made a motion to proceed with the reconstruction and maintenance of the Maxwell Ditch. Don Maxwell seconded the motion. The motion carried.

The Surveyor ask the Board about leaving the Ditch Books in the hall (outside the Surveyors Office). The Board stated the books would need to be locked in the Office at night. The Board stated they would have a light installed above the table.

(S. Boots on vacation)

Donald L. Maxwell
Chairman
Bob Thayer

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 16, 1981 1:50 PM

The Montgomery County Drainage Board met Monday, March 16, at 1:50 PM in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Surveyor, Russ Nelson; and Otis Thayer attending later.

The Surveyor presented the Board with the signed petition for Minnich, Miser & Corn Ditch. The petition was to extend and reconstruct the ditch. There are 1175.45 acres in the drainage area.

Sam Boots made a motion to proceed with reconstruction of the above said ditch. Bob Thayer seconded the motion. Motion carried.

The Surveyor reported he and First Deputy, Bruce Keller attended the Road School seminar at Purdue University March 11.

Otis Thayer and Russ approached the Board about purchasing new aerial photos. Two companies were mentioned in particular, one in Chicago who took photos for Public Service Power Company and the U.S. Dept. of Agriculture of Salt Lake City, Utah. Sam Boots made a motion that Russ and Otis get a cost estimate for the photos and discuss this with the Board at a later date. Bob Thayer seconded the motion. Motion carried.

The minutes were read and approved.

There being no further business the meeting was adjourned.

Ronald L. Maxwell
Chairman

Samuel L. Boots

Robert M. Thayer

Bill Lovell
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

April 6th 1981

1:45 PM

The Montgomery County Drainage Board met Monday, April 6th at 1:45 PM. Those present were Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; and Surveyor, Russ Nelson. (Don Maxwell was with OSHA rep.), Otis Thayer attended later. *Don Maxwell returned in time for meeting.*

The Surveyor approached the Board about expanding the Surveyors Office. Bob Thayer ask Russ to figure the amount of material which would be needed.

The Marion-Conner Ditch is being cleaned by the landowners.(this is N. of Interstate 74 & E of New Ross Road).

Aerial photos were discussed. The cost will be approximately \$5,015.00 for 167 photos. Bob Thayer made a motion to purchase the photos. Sam Boots seconded the motion. The motion carried.

Four encumbrances were signed.

Lye Creek	\$472.50
John L. Gobin # 2	2414.56
Minnich-Miser-Corn	813.25
Ebenezer McClaskey	360.00 + 133.06

There being no further business, the meeting was adjourned.

Ronald L. Maxwell

Samuel L. Boots

Robert M. Thayer

Bill Lovell
Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

May 4th, 1981

1:45 PM

The Montgomery County Drainage Board met Monday, May 4th, 1981, at 1:45 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter and Surveyor, Russ Nelson.

The Carper Crowder Ditch was discussed. It can be left a tiled ditch in which case new tile will need to be laid and possibly a pipe installed under the road.

-or-

An open ditch can be constructed in which case a petition will need to be signed by landowners.

Levels will be needed to be shot on the ditch at the County Road to determine if the pipe under the road is deep enough for an open ditch.

The Hawker Ditch needs a hole repaired at the catch basin. This will be repaired. The other hole is on a private tile which is at the landowners expense.

There being no further business, the meeting was adjourned.

Ronald L. Maxwell
Samuel L. Boots
Robert M. Thayer

R. L. Sevald
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

May 18, 1981

1:45 PM

The Montgomery County Drainage Board met Monday, May 18, 1981 at 1:45 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; and Mr. Harry ^{MAN}Harlem of Linden Town Board.

Harlem
Mr. ~~Harlem~~ was here to discuss the James Hose Ditch in Linden. It is not clear if the Hose Ditch or the Linden Town Ditch is plugged on the Koontz property. The Board suggested Russ contact Max Glascock to dig on the Koontz property and find the problem.

The Surveyor ask that \$5,443.21 (Lye Creek Maintenance Fund) be transferred to the Improvement Fund. Sam Boots made a motion to this effect, Bob Thayer seconded the motion. The motion carried.

The minutes of April meeting were read, corrected and approved.

There being no further business the meeting was adjourned.

Donald L. Maxwell

Chairman

Samuel P. Boots

Bob Thayer

Secretary

Secretary left the meeting at 2:15 PM.

MONTGOMERY COUNTY DRAINAGE BOARD

June 15, 1981

1:30 PM

The Montgomery County Drainage Board met Monday, June 15, 1981 at 1:30 PM in the Auditors Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; County Health Officer, Bob Walters; Robert Hill, Engineer from Associated Planners; and the following landowners; Mr. Merle Redmond; Mrs. Beverly Bruton, Mr. & Mrs. Robert Middleton, and Mrs. Barton Paddack.

The Landowners were here to discuss drainage problems in the Oak Hill area.

After much discussion as to drainage, landowners were informed to get a petition started. The Board has agreed to accept the petition prior to next months meeting. Russ was instructed to establish a water shed boundry as soon as the petition is turned into the Surveyors Office.

Don Maxwell instructed the Boards secretary to type a petitionform which Mr. Middleton will pick up Tuesday June 16th.

Mr. Robert Hill presented the Board with elevation plans on the Joseph Hall Ditch. This ditch has very little fall. Several lift pummas are located in this drainage area. Mr. Hill ask if the pumps were to be removed. The Board stated this was up to the individual property owners. Namely on the Jones and Burnover properties. It will be 8 weeks before cross section plans of the ditch can be finished.

The Surveyor reported markers on Lye Creek were missing on the Hobart Mennen Farm. Markers were placed every 600 feet. Russ was instructed to check the ditch for these markers. The cost of replacing markers was discussed. The Board instructed Russ to notify all landowners that all markers would be replaced at the expense of the property owners.

The Surveyor proposed to the Board to raise the maintenance assessments of the following ditches.

-conti-

June 15, 1981

AMOUNT DUE GDI	DITCH	PRESENT ASSESS	PROPOSED ASSESS
102.80	Moses Allen	51.36	102.72
2436.00	Howard Cline	150.00	900.00
499.07	George Hinkle	150.00	300.00
496.46	George Hutton	125.00	250.00
1888.32	Guy Little	400.00	800.00
2014.16	Lough-Miller	600.00	1200.00
1427.40	L.M. McClamroch	201.42	805.68
1012.97	Ebenezer McClaskey	350.00	700.00
888.91	George Nichols	250.56	501.12
7246.22	Edward Patton	756.48	3025.92
4463.35	Swearingen-Runyon	602.24	1204.48

Sam Boots made a motion to proceed with setting hearing dates on the above mentioned ditches to raise maintenance assessments. Bob Thayer seconded the motion. The motion carried.

Chairman, Don Maxwell signed amendment # 2 regarding the tree planting project of Lye Creek Drain.

The Board signed the following encumbrances:

Max Glascock (Lye Creek)	37.50
Mark Lawson (Lye Creek)	2876.22
Const Products (James Sanders)	14.10
Const Products (E McClaskey)	56.40
Ray Blackford (B Crabbs)	410.00
Jerry Hughes (G Nichols)	55.00
Jerry Hughes (Moses Allen)	30.00
Watkins Construction (U B Cross)	126.94

There being no further business, the meeting was adjourned.

Donald L. Maxwell
Chairman

Samuel P. Boots

Robert M. Thayer

Lee Swaup
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

July 20th, 1981

1:35 PM

The Montgomery County Drainage Board met Monday, July 20th, 1981 at 1:35 PM, in the Auditors Office. Those present were Chairman, Don Maxwell; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson and the following land owners; (Moses Allen Ditch; Mr. & Mrs. James Foxworthy representing Foxworthy Farms, Inc. and Mr. Omer D. Elmore; (Howard Cline Ditch was cancelled) Mrs. Howard Cline; (George Hinkle Ditch no landowners present.

^{Moses}
~~Somes~~ Allen hearing 1:35 PM

The Surveyor reported there are 107 acres in this drainage area. The landowners stated no opposition to raising the maintenance assessments. The Assessments doubled. The total yearly assessment was \$51.36 going to \$102.72.

Sam Boots made a motion to proceed with the revised assessments. Don Maxwell seconded the motion. The motion carried.

The Howard Cline Ditch hearing CANCELLED.

Mrs. Howard Cline stated to the Surveyor she felt nothing had been done on the Cline drain. Russ reported he had been out to check the ditch, but he would go out again and check out the grate and drop box. The grate was placed but not where originally planned because one of the landowners objected.

George Hinkle Ditch Hearing

No landowners present. The proposed maintenance assessment from \$150.00 to \$300.00 was accepted by the Drainage Board. Sam Boots made a motion to proceed with the revised assessments. Don Maxwell seconded the motion. The motion carried.

The Board approved and signed four encumbrances:

James Sanders Ditch (Richard Harshbarger)	\$42.43
James Gilliland Ditch (Jerry Hughes)	589.93
Nancy Clark (Jack Skinner)	92.52
Stanford-Elmore (B & D Lumber Co.)	17.10
Stanford-Elmore(Kitts Gravel Co)	136.33
Stanford-Elmore (Jack Skinner)	643.59

The Surveyor presented the Middleton petition (for a Reconstruction and Maintenance Report) to the Drainage Board. Sam Boots made a motion to accept the petition. Don Maxwell seconded the motion. Motion carried. Mr. Middleton delivered the petition to the Surveyors Office.

A letter from Mrs. Fern Payne was presented to the Board, although the Board sympathizes with Mrs. Payne financial problems, she is assessed her fair share on the Joseph Hall Drain Engineers Cost. They will make no allowances.

There being no further business, the meeting was adjourned.

DITCHES AND AMOUNTS DUE THE GENERAL DRAIN IMPROVEMENT FUND.

Moses Allen Ditch	\$102.80
George Hinkle Ditch	499.07

Donald L. Maprell
 Chairman
Samuel L. Boats

[Signature]
 Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

August 3rd, 1981

1:30 PM

The Montgomery County Drainage Board met in the Auditor's Office, Monday, August 3rd, 1981 at 1:30 PM. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; Mr. Ray Leonard representing Arthur Kelley of the L.B. McClamroch Ditch; Mr. Joe McClaskey of the Ebenezer McClaskey Ditch; Mrs. Jannice C. Harris, Mr. Dean Gaylor of the George Nichols Ditch; Mr. Robert Hill and Mr. Richard L. Cunningham, Engineers from Associated Planners, Indianapolis, Indiana.

Surveyor, Russ Nelson presented a contract to the Chairman of the Board for his signature, this concerns a contract between the L & N Railroad and the Drainage Board ^{ER} pertaining to the revising of the contract to eliminate the rental of the storm drainage pipe on the James Fleming Ditch, near Manchester, Indiana.

Mr. Robert Hill & Mr. Richard Cunningham discussed the Joseph Hall Ditch. There is no fall in this ditch, from CO-OP Elevator to the Marsh Jones property the fall is 6 inches to 1,000 feet. The Engineers suggested dredging about four feet. But soil test borings in five different locations need to be taken. There is a possibility of quick sand (in which case armouring would be necessary which is quite costly.)

Bob Thayer suggested renting a backhoe, to get the soil samples. Then this could be paid from the Maintenance Fund (which at this time has not been acted upon). The County Highway is anticipating a new bridge in this area. They could possibly do a soil test in that area. Chairman, Don Maxwell suggested contacting a Contractor, Bart Maxwell to do the digging. Bart could not be reached by phone at this time.

The soil testing is the only thing holding up the final plans for Associated Planners. Mr. Cunningham is to contact the Surveyors Office, Wednesday morning August 5th as to what has been decided.

1:55 PM the Hearing on Lemuel B. McClamroch began.

Mr. Ray Leonard questioned the boundry of the drainage area, in particular the starting of the ditch. The Surveyor reported the drainage area was platted years prior. This ditch is located Section 2, Township 19 North, Range 5 West. The assessment is to be raised four times the figured assessment. From \$201.42 to \$805.68.

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Bob Thayer made a motion to proceed with the revised assessments.
Sam Boots seconded the motion. Motion carried.

2:05 PM Hearing on Ebenezer McClaskey Ditch

Mr. Joe McClaskey thought it a waste of money to keep repairing this ditch from the Maintenance Fund as the ditch is full of willows. The Board suggested reconstruction but a petition would be needed. Joe stated he would Not carry a petition.

The maintenance assessment is to be raised from \$250.56 to \$501.12 per year. Bob Thayer made a motion to proceed with the revised maintenance assessment. Sam Boots seconded the motion, motion carried.

2:15 PM George Nichols Ditch Hearing

The Surveyor requested the drainage maintenance assessment be raised from \$250.56 to \$501.12 per year.

Mr. Dean Gaylor has drainage problems on his property. He thought there was no fall in the ditch, but the Surveyor shot levels last spring and this proved not to be. Later Mr. Gaylor uncovered some tile and found water standing in the line. The Surveyors Office shot levels and flagged the ditch thru all the low ground. Water is standing approximately 3 feet over the surface drain. The Surveyor reported he would check out the ditch further north to find out the problem. If the trouble is in the hill, the tile there is 15 feet below the grade. A backhoe will be needed to check the tile, the estimated cost is approximately \$200.00 to \$300.00 just to find the problem area.

Mr. Gaylor went on to state he has been able to plow twice and plant once since he purchased this property. He felt any more work done on the tile thru his property was a waste. He was opposed to raising the maintenance assessment. Mr. Gaylor questioned the encumbrance (September 1979, for \$1909.72) This was the final 10% payment paid to Mr. Walter Taylor.

Mrs. Harris stated if the ditch had been put in properly, there would be no need to raise the assessment. The ditch was reconstructed 2 years ago. Mrs. Harris also ask about suing the contractor, (Mr. Taylor). County Attorney, Warren McGaughey replied this would be very difficult to prove as soil sometimes shifts causing the tile to separate and leave larger cracks between them than is necessary. Contractors receive final payment 60 days after a job is completed. Mrs. Harris also objected to raising assessments.

Sam Boots made a motion to proceed with the revised maintenance report. Motion was seconded and carried.

The only purpose of raising the aforesaid ditch assessments are because the ditches owe the General Drain Improvement Fund.

L.B. McClamroch Ditch	\$1427.40
Ebenezer McClaskey Ditch	1012.97
George Nichols Ditch	888.91

The Surveyor presented the Board with the State Auditors report for Jan 1, 1978 to December 31, 1979 on the Ditch Ledger.

There being no further business, the meeting was adjourned.

NOTE: Please note the encumbrance you signed last month on the Nancy Clark Ditch should have been on the John Wilkinson Ditch. The dollar amount remains the same.

Ronald L Maxwell
Chairman

Samuel L Boots
Robert M Hayes

[Signature]
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

August 17th, 1981

1:35 PM

The Montgomery County Drainage Board met Monday, August 17th, 1981 at 1:35 PM in the Auditors Office, Courthouse, Crawfordsville, Indiana. Those present were Chairman, Don Maxwell; Vice_Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Surveyor, Russ Nelson; and the following Landowners George Hutton Ditch, Judge Sommers; Guy Little Ditch, Mr. George McCormick; Lough-Miller Ditch Mr. Terry Cain, Mr. John Booher and Carolyn Flaningam.

George Hutton Ditch hearing 1:35 PM

Judge Sommer attending.

The Judge raised no opposition to the revising of maintenance assessments.

There are 418 acres in the Hutton Drainage area.

Revised maintenance assessments will be from \$125.00 to \$250.00. The ditch balance is \$536.41.

Sam Boots moved and Bob Thayer seconded the motion to accept the revised maintenance assessment report. Motion Passed.

Guy Little Ditch hearing 1:45 PM

Mr. George McCormick attending.

Balance in the find is \$1888.32.

413 acres in the Little Ditch drainage area.

Mr. McCormick raised no objections to the revised report from \$400.00 to \$800.00.

Sam Boots moved and Bob Thayer seconded the motion to accept the revised maintenance report. Motion passed.

Mr. McCormick discussed the Chrineyance-Schenck Ditch. Russ Nelson suggested an open ditch. The Schenck and Little Ditch join on McCormicks property. It is approximated nearly 1800 acres empty into a 24" tile. Mr. McCormick agreed an open ditch would be the best way to handle the drainage.

Russ will get the Reconstruction Cost figured in the next 45 to 60 days.

Lough-Miller Ditch hearing 2:00 PM

Attending were Carolyn Flaningam, Mr. Terry Cain and Mr. John Booher.

The proposed revised assessment was from \$600.00 to \$1200.00. Balance of the Ditch Book \$2,074.16.

August 17th 1981

-conti-

468 acres in the Lough-Miller Ditch water shed.

Mr. Booher questioned the woods on his property being assessed. Also, the fact that the Pence property is not assessed, but he feels the water drains into this ditch. The Surveyor reported he was not aware of this. But would check into this.

Mr. Cain suggested each landowner repair their own tiles, instead of raising the assessments. Chairman, Don Maxwell stated this was fine but until the General Drain Improvement Fund is paid (\$2074.16) No work can be done on the ditch and the County pay. When the GDI Fund is paid and landowners verify the repair was on the County line of the tile a claim can be submitted to the Surveyors Office for payment of any work done after said repayment.

Landowners opposed the revised maintenance report. Assessments will stand at \$600.00 per year.

Bob Thayer moved and Sam Boots seconded the motion to let the \$600.00 per year assessment stand. Motion passed.

Mr. Booher ask about the Moses Maxwell Ditch. This will be a joint ditch with Boone County. As of this date Russ has not been contacted by the Boone County Surveyor.

Russ reported to the Board on borings on the Joseph Hall Ditch. Test borings are as follows

#1	Maxwells lift pump	Blue Clay
#2	Marsh Jones crossing	Gravel
#3	Back to Jones & Maxwells property line	Blue Clay
#4	North side Dr. Sabens property	Blue Clay

With these findings there will be approximately 400 to 500 feet of armoring thru the Marsh Jones property.

There will be a public meeting on the McLaughlin Ditch (a Tri-County meeting) Thursday, September 3rd, 1981, 7:30 PM at the Don Maxwell residence.

Russ Nelson presented a petition to reconstruct the John and Sara Niven Ditch to the Drainage Board. Bob Thayer moved and Sam Boots seconded the motion to accept the Niven Ditch Petition. The motion passed.

The minutes were read, corrected and approved.

The Board signed 3 encumbrances; George Hutton Ditch (Jerry Hughes) \$39.95; James Gilliland Ditch (Skelton-Skinner) \$36.39; James Gilliland Ditch (McKinney Farm Drainage) \$159.25; Joseph Hall Engineering Cost (Associated Planners) \$5,523.00.

There being no further business the meeting was adjourned.

Ronald L. Maxwell
Robert M. Thayer
Samuel P. Boots

Joe Lamb
Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

September 21st, 1981

1:35 PM

The Montgomery County Drainage Board met Monday, September 21st, 1981 at 1:35 PM in the Auditors Office, Courthouse, Crawfordsville, Indiana. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Surveyor, Russ Nelson; Mr. Robert Hill and Mr. Richard Cunningham, Engineers from Associated Planners, Indianapolis; (Swearingen-Runyon Ditch) Micheal S. Suitors, Homer L. Steele and Jack Klepfer; (Edward Patton Ditch) Edward C. Patton and Donald Miles. Attending later for the Hose Ditch Petition, Alvin R. Winger, James Koontz, Harry Hailman, Clerk-Treasurer of Linden and Donald Wise, President of the Linden Town Board.

Swearingen-Runyon Ditch Hearing:

Proposed revised ditch assessments from \$602.24 to \$1204.48.

471.30 acres in watershed.

Mr. Klepfer was opposed to raising the assessments as they were increased only 2 years ago. The ditch was dredged on the Leo Thompson property by Sonny Enlow. The charge for the amount of dredging was not a fair price. (approximately 1240 feet was dredged at a cost of \$2500.00) Mr. Mills contacted Mr. Enlow to do the work. This should have been cleared through the County Surveyors Office, before any work was done.

The balance in the cash ledger is \$4,463.35. With the revised assessments it will be approximately 4 years before the GDI will be repaid.

Bob Thayer moved and Sam Boots seconded the motion to accept the revised assessments. The motion passed.

Edward Patton Ditch Hearing

The proposed assessment is from \$756.48 to \$3025.92

Balance in the cash ledger is \$7246.22

Mr. Edward Patton stated that stone needs to be placed at the mouth of the tile as the soil is washing badly. Also 2 or 3 tiles are broken. He also stated he didn't want any of the work done until after the crops are out.

The Surveyor reported it was alright for landowners to have contractors repair their tile. But first contact the Surveyors Office to verify that the work is in repairing the County Tile.

Bob Thayer moved and Sam Boots seconded the motion to accept the revised assessment roll. The motion passed.

September 21st, 1981

-conti-

Joseph Hall Ditch

Mr. Robert Hill presented and discussed the final plans the Hall Ditch.

Maximums of quantities are stated in the plans. The cost could vary.

A new culvert will need to be placed at 200^E & 550^N ~~East~~. The County will pay for the pipe.

Farm crossings were discussed. Landowners will be ask to absorb part of the cost on these crossings. The Surveyor was ask to contact landowners then report his findings to Associated Planners for a more accurate cost estimate on this project. If the Surveyor can report to Associated Planners on the farm crossings this week, Mr. Hill will have final figures October 5th. The short open tributary on the Moses Allen Ditch has been added to the Hall Ditch.

Russ Nelson ask the Board to approve the transfer of funds in the Surveyors account. He requested \$100.00 be transferred from #215 (road school) to #243 (photography).

Sam Boots moved and Bob Thayer seconded the motion for the transfer of funds. The motion passed.

Mr. Nelson presented the signed petition on the Arthur Fraley Ditch to the Drainage Board. Bob Thayer moved and Sam Boots seconded the motion to accept the Fraley ditch petition. Motion passed.

Mr. Roger Buck ask the Drainage Board to investigate the possibility of reconstructing a water way in the Pleasant View Addition (State Road 32 East) in section 34, township 19N, range 4 west. The form presented to the Surveyors Office was not a petition as such, it only ask the Board to help solve the drainage problem. As this is not a County Drain, the Board suggested the landowners meet with Mr. Kentner whose property joins the back of the sub-division.

Mr. Harry Hailman of Linden presented a petition (with 182 signatures) to the Drainage Board for a tributary to be constructed (East edge of Linden). In the area of 1000 North to the Alvin Winger property. The trubutary would outlet at the Shumaker-White Ditch.

The Surveyor and the Drainage Board felt a new ditch would help but not that much as the problem is with storm sewer drainage. This would be very costly compared to no more benefits received.

Mr. Hailman ask whose responsibility it was to keep the Linden Town Ditch in good repair. Landowners have no funds, as a city assessment

has never been collected. But it is the town of Lindens responsibility.

Sam Boots moved and Bob Thayer seconded the motion to accept the Hose Ditch Tributary Petition.

Mr. Hailman ask the Surveyor to check on the tiles located on the old Smith Property (Walnut Street between Meridian & High Streets) He thought perhaps some tiles in this area may be broken.

There being no further business, the meeting was adjourned.

NOTE: Minutes of the August 17th meeting were not available at this meeting.

Donald L. Maxwell
Chairman

Robert M. Thayer

Samuel L. Boots

Lee Swank
Lee Swank, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

October 19, 1981 1:55 PM

The Montgomery County Drainage Board met Monday, October 19, 1981 in the Auditors Office. Those present were Chairman, Don Maxwell, Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor; Russ Nelson; Anthony V. Beccia, Engineer, Flaherty Giavor Associates; Dennis L. Ward, Engineer, Raybestoes Manhatton Co. and Mr. Robert Hill, Engineer Associated Planners and Designers of Indianapolis, and Mr. Leon Weber.

Mr. Becci and Mr. Ward were here to discuss the expansion of Raybestoes. The new structure is to be built on Shelly Ditch. The engineers propose an open ditch around the new structure and along the railroad track. Shelly Ditch is a 24 inch tile under the proposed new addition. The Drainage Board could fore see no problem. Sam Boots moved and Bob Thayer seconded a motion to concur with Raybestoes plan to re route Shelly Ditch. Mr. Ward ask that a copy of todays minutes be forwarded to his office.

Mr. Leon Weber stated there are several tiles broken in the Basil & Anna VanCleave Ditch in New Market (at the Servies Green House area). He also ask if the Members would check the Beeson farm near the Shades State Park and 850 East. The Drainage Board and Mr. Weber will meet for lundh amd an inspection Monday, November 2nd.

Mr. Hill presented final plans and figures on final reconstruction cost on the Joseph Hall Ditch. The final cost is estimated to be \$265,500.00. All farm crossings are included in this final cost. They will be using 16-33 ft rails at each farm crossing. The Hall Ditch will have 5,925 acres in the watershed. The hearing date is Monday, December 7th, 1981 at 3:00 P.M.

The financing of reconstruction of drains was discussed. In the near future, reconstruction cost will need to be collected before actual work is started. The Surveyor ask about a transfer of funds from the County Revenue to the Reconstruction fund. This action would go before the Montgomery County Council.

Attorney, Warren McGaughey stated several changes in the Drainage code laws had accoured. The Surveyor and the Sttorney stated they would need to read the new supplement to the Burns Statute Book.

~~October~~
November 19, 1981
-conti-

Don Younts bid on the McLaughlin Drain was discussed. Don did not set a dollar amount he would receive in the event property owners veto the reconstruction of the McLaughlin Drain. Bob Thayer moved and Sam Boots seconded a motion for Mr. Yount to specify this in the bid.

One encumbrance was signed.

Joseph Hall Drain (Associated Planners) \$ 1,578.00

The minutes were read and approved.

There being no further business the meeting was adjourned.

Donald L. Maxwell
Chairman

Samuel R. Boots

Robert M. Thayer

Lee Swank
Lee Swank, Secretary

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Drainage Bd.

(317) 253-3375

ASSOCIATED PLANNERS & DESIGNERS
A DIVISION OF AERO-FINANCIAL CORPORATION

5825 N. LA SALLE
INDIANAPOLIS, INDIANA 46220

Sept. 8, 1981

Montgomery County Drainage Board
Court House
Crawfordsville, In.

Re: Joseph Hall Ditch
Preliminary Plans and Cost Estimate

Attn: Mr. Don Maxwell, Pres.
Sam Boots
Robert Thayer

Enclosed are the preliminary plans and cost estimate for the Joseph Hall Ditch. The estimate of cost are based on the maximum required structures on the ditch. It maybe necessary to revise the quantities after review.

Sincerely,

Robert R. Hill

Robert R. Hill P.E.

Encl:
File

deverage Rd.

COPY

OFFICE OF COUNTY SURVEYOR

MONTGOMERY COUNTY

CRAWFORDSVILLE, INDIANA

47933

CARROLL O. NELSON, A.T.A.-P.E.

TELEPHONE 362-5868

Russell K. Nelson

Board of Commissioners:

R.E. Transfer of Funds:

SAM BOOKS

Chairman BOB TRAYER:

The Montgomery Surveyor's Office wishes to transfer \$100⁰⁰ from #215 Road Schools to #243 Photography.

Thank-you -

Sincerely
Russell K. Nelson

MONTGOMERY COUNTY DRAINAGE BOARD

November 2, 1981 1:35 PM

The Montgomery County Drainage Board met Monday, November 2nd, 1981 in the Auditor's Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Soots; Auditor; Mary Helen Carter; Surveyor, Russ Nelson; and the following landowners; for the Charles Schoen Drain # 2 Bob Hodgen; For the Fred T. Maxwell Drain, James E. Jordan, Donald E. Richards, Donald E. Wilkinson, Jeff Storms, Terry Stephens, Mike Williams, Edward Stephens, Kevin Storms, Frank Storms and Frank Harlan.

Fred T. Maxwell hearing:

The Surveyor reported the exact acreage could not be figured on the Harlan property until the crops are out.

There are two separate cost estimates on the reconstruction. (Depending on what landowners want.)

Plan # 1 would entail completely cleaning and laying of new tile. (thru the Stevens and Wilkinson farms). \$ 24,412.26 or \$49.06 per acre.

Plan # 2 repair the existing tile and dredge the open ditch. \$ 16,102.34 or \$ 32.36 per acre.

There is no maintenance fund on this drain at this time.

Another hearing will be held approximately the middle of December.

Mr. Wilkinson stated he had new tile installed approximately 15 years ago. And the old county line was done away with. The holes in the ditch (on the old line) were filled with gravel.

Mr. Frank Storms ask Russ Nelson to check the acreage on his property as he thinks the land drains in both directions due to a ridge thru his land.

Landowners were in favor of Plan # 2. (to repair the existing tile line.)

Sam Soots moved and Bob Thayer seconded a motion instructing Surveyor, Russ Nelson to refigure acreage in the drainage area and to re-schedule the hearing for December 21st, 1981. Motion passed.

Mr. Storms stated there is a tile on County Road 600 West that is about to break thru the road. Sam Soots stated tiles are either privately owned or legal drains. The County Highway will fill in with gravel, when the tile breaks.

Charles Schoen # 2 Drain Hearing.

Bob Hodgen attending this hearing.

The Anderson property has water standing on their property. Bob Hodgen stated he had dug a trench out at the fence as soil and corn stalks had washed, stopping the natural flow of water. The tenant farmer on Anderson filled in the trench. Mr. Hodgen stated he would not get involved in any dispute with his neighbors, Mr. Anderson could come to the Drainage Board with the water problem.

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November 2nd 1981

-conti-

Bob Thayer moved and Sam Boots seconded a motion to add a tributary (could be the old Walter Schoen Drain) to the Charles Schoen # 2 Drain. The motion passed.

There being no further business the meeting was adjourned.

Ronald L. Maxwell

Samuel R. Boots

Richard M. Thayer

Lee Swank
Lee Swank, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

November 16, 1981

The Montgomery County Drainage Board met Monday, November 16, 1981 at 1:50 P.M. Those present were Chairman, Don Maxwell; Vice-Chairman; Bob Thayer; Member, Sam Boots; Auditor, Mary Helen Carter; Attorney, Warren McGaughey; Surveyor, Russ Nelson.

The Linden water problem was discussed. The Surveyor reported He had been to Linden and opened the town ditch. The town tile was not running water. Vice-Chairman, Bob Thayer suggested having the fire truck pump water into the two ditches, to check the water flow. He also suggested incorporating the town tile into the Hose Ditch. J.C. Eads, contractor, thought the sewer line was interfering with the tile drainage. It was also stated that the Town tile has more fall than the Hose Ditch.

Mr. Harry Hailman is carrying the petition for reconstruction of the Hose Ditch. The Linden town ditch was constructed in 1904 and the Hose Ditch in 1899.

A letter from Ted DeVore was presented to the Drainage Board. Mr. DeVore is not in favor of the Joseph Hall Drain at the estimated cost.

The Surveyor, reported, that from talking to different contractors, he would estimate that bids from contractors would be lower than the estimated cost.

Drainage Code booklets were presented to the Board. The Booklets are \$ 2.00 each, from Farm Bureau, Indianapolis, Indiana.

A letter requesting a transfer of funds (Building Commissioner from #360 Office Supplies to #213 Mileage Mileage in the amount of \$138.68. The secretary was instructed to present this to the Cuncil.

The minutes were read and approved. Bob Thayer moved and Sam Boots seconded a motion to accept the minutes as read.

The Drainage Board signed eight encumbrances. Listed as follows:

John L. Gobin Ditch	(Ladoga Culvert)	\$ 804.34
	(Chuck Watkins)	765.19
Jesse Snoddy Ditch	(Chuck Watkins)	715.79
Will N. Brown	(Kentucky Stone)	77.44
John L. McLaughlin	(Frankfort Times)	3.07
	(Journal Courier)	3.03
	(The Office)	5.00
	(Frankfort Times)	2.11
Peter A. Barley	(Ollie Crull)	122.29
W Will N. Brown	(Walkins Const.)	150.20
Richard Faust	(Joe Findley	597.21
George Nichols	(Jerry Hughes)	260.15
	(Skelton Skinner)	12.60

There being no further business the meeting was adjourned.

Donald L. Maxwell
Robert M. Thayer

Lee Swank

MONTGOMERY COUNTY DRAINAGE BOARD

December 7th, 1981 2:35 PM

The Montgomery County Drainage Board met Monday, December 7th, 1981 at 2:35 PM. The meeting started in the Auditors Office later continuing in the Court Room, 3rd floor the County Courthouse. Those present were, Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Surveyor, Russ Nelson; Auditor, Mary Helen Carter; President of Linden Town Borad, Marry Hailman; Engineer from Associated Planners, Mr. Bob Hill; and the following landowners (Joseph Hall Drain) Robert G. Haderle, James Foxworthy, Joann Bullerdick, Ken Bullerdick, Clyde Bullerdick, Foxworthy Farms, Leon Weber, Harold Binford, Randy Denhart, Charles Rush, Bill Reed, Stan Hatke, Everett Todd, Floyd L. Davidson, Gladys E. Dickerson, Wm. Corey, Dale Crum, Carrie Cotton, Bill McClamroch, James & Martha Rogers, Wallace & Judy Kobel, William D. Todd, Larry Burton, Hazel C. Smith, Bill Lyon, Ted DeVore, Keith E. Saylor, Kenneth Royer, Fern Payne, John Simpson, David Layton, Phyllis & Jor Wilson, John L. Austin, Bart Maxwell, Larry Bennett, Edwin Chenoweth, Omer Elmore, Luther Lofland, the Prossers, and Dan Hughes.

(In the Auditors Office)

Mr. Harry Hailman was here to discuss the Hose Ditch. The Surveyor reported he and the First Deputy, Bruce Keller had been in Linden working on the ditch for several days. A new C.M.P. Was installed under Walnut Street. Also, a tree was removed and the roots cleaned out on the Lottie Conrad property located on the southern edge pf :ondem/^{HAILMAN}

Mr. Harry^A presented a reconstruction and maintenance petition to the Board.

Sam Boots made a motion to withdraw the petition (on the Hose Ditch) the Board had accepted two months ago in leiu of this petition. Bob Thayer seconded the motion. The motion carried.

The Board instructed the Surveyor to do a preliminary survey of the Hose Ditch. Mr. Hailman ask if there would be a charge for this survey. The Board stated no, this is part of the County Surveyors duties.

The Joseph Hall Ditch Hearing reconvened in the Court Room.

The surveyor reported the cost estimate to be \$265,00.00 on the Reconstruction of the Joseph Hall Ditch. There are 5,900 acres in this watershed.

The Drain starts behind the Co-Op Elevator on U.S. 231 North and runs North and East to 800 North. Both banks of the drain would be cleaned.

MONTGOMERY COUNTY DRAINAGE BOARD

-CONTI-

Many landowners stated they were not notified of this meeting. Many also thought it very underhanded to place only legals in the paper. They were also very dissatisfied with the way per cent of cost was figured.

The Surveyor stated each step that was taken and also all steps were followed according to the Burns Statute Book.

Mr. David Layton made a motion to break down the reconstruction of the drain to four (4) different parts and let contractors bid on each part. Mrs. Wilson seconded the motion. The motion carried.

Mrs. Prosser made a motion that with the next notices sent also include a map of the approximate drainage area.

Wally Kobel seconded the motion. The motion carried.

Mrs. Foxworthy made a motion asking that contractors bids be let then notify all landowners (with a set dollar amount stated). Wally Kobel seconded the motion. The motion carried.

Mr. Wm. Corey made a motion to adjourn. Dan Hughes seconded the motion. The motion carried.

Chrineyance-Schenck Ditch Hearing 4:20 PM

Those landowners attending were as follows: David Rush, Luther Lofland, George McCormick, Donald G. Moore, Ancil Ballard, Kenneth Husson, Rex Ballard, Wayne Rush, Henry W. Wood, Paul Galloway, Jack Grimble (Donelson-Bonnell Farms), David Legg (Gray Farms), and Francis Gray.

This petition is for reconstructing a part of the Chrineyance-Schenck Ditch.

The Ditch would start approximately 70 feet from the Galloway & McCormick property line.

It would be an open ditch thru the Galloway property.

It would be 650 feet in length

Would need (head wall - if a rock chute were used, it would lower the cost.

The Surveyor reported he estimated the cost would be between \$10,000.00 & \$11,884.00 .

Mr. McCormick ask if the Soil Conservation Service would assist. It was stated they would help but only with the water Ways.

Mr. McCormick made a motion to halt any further work as money was in short supply. The motion died for lack of a second.

Mr. Galloway made a motion to proceed with the project. The motion died for lack of a second.

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MONTGOMERY COUNTY DRAINAGE BOARD

-conti-

Mr. Jack Grimble made a motion to proceed with getting a contractors bid with the option of landowners to veto such reconstruction. Henry Wood seconded the motion. The motion carried.

The Drainage Board instructed the Surveyor to proceed with the Contractors bids.

There being no further business. Bob Thayer made a motion to adjourn. Sam Boots seconded the motion. The Motion carried.

Ronald L. Maxwell

Samuel L. Boots

Robinson King

[Signature]
Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

December 21st, 1981 (1:40 PM)

The Montgomery County Drainage Board met Monday, December 21st, 1981 at 1:40 P.M. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; First Deputy Surveyor, Bruce Keller; Mr. Luther Lofland, Don Wilkinson and Frank Harlan.

1:40 PM Will N. Brown Hearing

This hearing was to raise maintenance assessments. Sam Boots made a motion to accept the revised maintenance report. This changes the annual assessment from \$220.00 to \$440.00 per year. Bob Thayer seconded the motion. Motion carried.

1:45 PM Richard Faust Hearing

Bob Thayer made a motion to accept the revised maintenance assessment report. This changes the annual assessment from \$153.00 to \$306.00 per year. This ditch is \$673.95 in arrears. With more maintenance work scheduled to be done. Sam Boots seconded the motion. The motion carried.

2:00 PM Fred T. Maxwell Hearing (Reconstruction \$18,954.66)

Mr. Wilkinson questioned his acreage in this drainage area. He was also wanting to know if the banks would be built up, also if the surface inlet pipes were figured in the reconstruction cost. The surface pipes are already figured in the final cost estimate. Also the pipes would go thru the spoil into the open ditch. Mr. Wilkinson and Mr. Harlan were both in favor of reconstruction. Sam Boots made a motion to let contractors bid on the Fred T. Maxwell Ditch reconstruction. Bob Thayer seconded the motion. The motion carried.

Bruce Keller presented the John & Sarah Niven Ditch petition for Reconstruction and Maintenance to the Board. Bob Thayer moved and Sam Boots seconded the motion to accept the petition. The motion carried.

A petition for reconstruction and maintenance of the Joseph Ludlow Ditch was presented to the Drainage Board. Bob Thayer moved and Sam Boots seconded a motion to take this petition under advisement. The 1st Deputy Surveyor was requested to check out the land-owners signatures. Ten per cent of the property owners signatures are required on a petition.

There being no further business the meeting was adjourned.

Ronald L. Maxwell
Samuel L. Boots
Bob Thayer

J. L. Swank

Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

December 28, 1981

The Montgomery County Drainage Board met Monday, December 28th, 1981 in the Auditors Office. Those present were Chairman, Don Maxwell; Vice-Chairman, Bob Thayer; Member, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; 1st Deputy, Bruce Keller; Robert Hill Engineer of Associated Planners and Designers.

JOSEPH HALL DRAIN

Mr. Hill presented title sheets and notices to bidders to the Drainage Board for their signatures. The bid opening on the Hall Ditch is set for January 18, 1982, 2:30 P.M.

There being no further business the meeting was adjourned.

Ronald L. Maxwell

Chairman

Samuel L. Boots

Robert M. Thayer

(Nelson Vacation)

(Lee Sick)

MONTGOMERY COUNTY DRAINAGE BOARD

January 18, 1982

1:30 P.M.

The Montgomery County Drainage Board met Monday, January 18, 1982 at 1:30 PM in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Auditor Mary Helen Carter; Attorney, Warren McGaughey; Surveyor, Russ Nelson; 1st Deputy Surveyor, Bruce Keller; Lacy Bluhauer, and the following Contractors; Dalton Asphalt, Ron Taylor, Bob Hodgen, Bob Watkins, Chuck Watkins, Robert Steele, Joe Bramble and Hap Rhodes of Fauber Construction, Kevin Miller, Gary Frame Excavating, John Hendricks, Dave and Darrell Birge and Mr. Robert Hill, Engineer of Associated Planners and Designers, Indianapolis.

1:30 Contractors Bids	Fred T. Maxwell Drain
Engineers Cost Estimate	\$18,954.80
Birge Farm Drainage	10,289.69
Dalton Asphalt	17,708.70
Watkins Construction	8,265.71
Ron Taylor	12,404.00
Fauber Construction Co.	15,316.80
Gary Frame	10,213.41
Bart Maxwell	16,666.72
Miller Excavating	10,763.54

Don Maxwell moved and Sam Boots seconded the motion to take all bids under advisement until all bids could be checked for accuracy. The motion was unanimous.

Don Maxwell moved and Sam Boots seconded the motion to accept and award the bid of Watkins Construction Company, Inc. Motion was unanimous.

2:00 Contractors Bid	Chrineyanca-Schenck Drain	
Engineers Cost Estimate	\$11,774.90	
Méndricks Excavating	7,957.00	
Miller Excavating	4,631.25	\$5,247.40 (corrected)
Bart Maxwell	10,502.35	8,934.48 (corrected)
Gary Frame	3,342.00	4,159.00 (corrected)
Fauber Construction	6,011.00	
Ron Taylor	7,815.00	
Watkins Construction	5,564.75	
Dalton Asphalt	11,663.85	11,843.85 (corrected)
Bob Hodgen	4,405.00	4,555.00 (corrected)

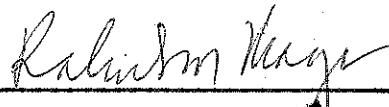
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Don Maxwell moved and Sam Boots seconded a motion to take all bids under advisement until March 1st, 1982. Motion was unanimous.

2:30	Contractors Bids	Joseph Hall Drain	
	Engineers Cost Estimate	\$265,000.00	
	Grage X	338,941.00	339,210.00 (corrected)
	Ron Taylor	323,430.00	
	Reith-Riley	438,698.35	
	Faubers	242,773.80	
	Bart Maxwell	245,689.06	
	Birge Brothers	233,381.74	
	Miller Excavating	231,064.71	231,311.31 (corrected)


Don Maxwell moved and Sam Boots seconded a motion to take all bids under advisement until March 1st, 1982. Motion unanimous.

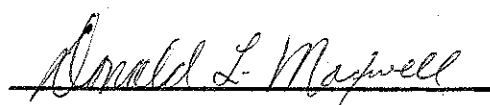
The Secretary was requested to send a copy of todays three lowest bids (the quantity sheets) to Dalton Asphalt Corporation.

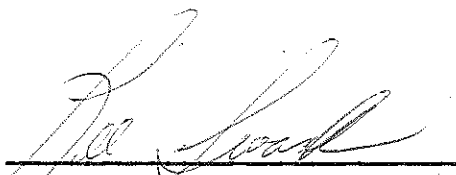
There being no further business, Bob Thayer moved and Sam Boots seconded the motion to adjourn. Motion unanimous.



Chairman







Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

February 16, 1982 1:30 PM

The Montgomery County Drainage Board met Tuesday, February 16, 1982 in the Auditors Office. Those present were Chairman, Bob Thayer; Member, Don Maxwell; Surveyor, Russ Nelson, 1st Deputy Surveyor, Bruce Keller and the following landowners: Lewis L. Fellows, Sr., William Dice for Christa Douglas (Clahan), Lewis Fellows, David A. Rhoads, Stanley Harris, Gertrude M. Beck, Louise C. Hayes, Lowell McMullen, and Beverly Turner.

Minnich-Miser-Corn Drain Reconstruction Hearing:

Engineers Estimated Reconstruction Cost \$18,637.46

The Surveyor reported the drain is to be dredged and extended and surface inlet pipes installed. Some parts will be lowered 4½ feet.

Mr. Lewis Fellows, stated he has 2 acres that will not drain. It has done this since the clearing. The Surveyor thought perhaps a tile line had been cut. Mr. Fellows stated the corrugated pipe had been moved to a different location.

Mr. Lewis Fellows Sr. stated he was going to tile his property on the Miser Tributary. He also ask about the tile size. Russ stated he had measured it before, and thought it was a 12 inch. And you should not go to a smaller size. Russ reported there is a great amount of fall in this tile line.

Stanley Harris wanted it to go on record that Mr. Fellows, Sr. would go ahead and tile his property. Stanley ask that it be done before the dredging begins. Mr. Fellows stated it would be done after.

Mr. Harris ask how Russ had arrived at the per cent to figure the cost. Russ stated Mr. Beeson had already figured the percentages. It appeared he had taken into consideration the lands location, acres involved, use of the land, etc.

Mrs. Hayes ask about the farm crossing on her property. Russ reported the ditch would lowered. But instead of a concrete abutment, Robert Thayer stated stone and rip-rap would be used. The crossing will be put back in the same condition as before. Any pipes replaced will be at the landowners expense.

Chairman, Bob Thayer, stated if landowners wanted the reconstruction done, now was the time as there is money in the fund at this time. But if they wait, the money will not be available. So payments at this time could be made over a 5 year period. The

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interest rate is 12% with the first year interest free. Also any charges for Reconstruction Cost has to be at least \$100.00 per year. And the Maintenance assessment no less than \$3.00 per year. If landowners put off reconstruction at this time, at a later date, they will have to put up the money before reconstruction can start.

The Surveyor reported there will be a 75 foot easement along the ditch to maintain it. Also the banks would be sloped at 1½ to 1.

At this time contractors are turning in very low bids, in which case the charges to landowners could be less. But there is no guarantee this will happen. The Surveyor only estimates, from previous projects what the cost could be.

Lewis Fellows moved and Lewis Fellows, Sr. seconded a motion to proceed with reconstruction. Motion was unanimous.

Don Maxwell moved and Bob Thayer seconded a motion to proceed with letting contractors bids. The motion was unanimous.

The Arthur Fraley Ditch petition to place said drain on a maintenance fund was presented to the Board. Don Maxwell moved and Bob Thayer seconded a motion to place the Fraley Ditch on maintenance. The motion was unanimous. The landowners are doing the reconstruction on their own.

The Surveyor brought to the Boards attention the fact that the Surveyor Repair of Equipment Fund is nearly depleted. And he anticipates more office equipment in need of repair before spring. Chairman Robert Thayer stated this has to be in letter form to be presented to the County Council. No decision was made at this time about hiring part-time employees to draft plat books during the summer months.

Six encumbrances were signed as follows:

Some encumbrances are grouped together

JOHN L. McLAUGHLIN DRAIN	
Lafayette Journal Courier	3.03
Lafayette Journal Courier	2.90
Journal Review	2.60
The Frankfort Times	2.29
Lee Swank	425.40
Ellsworth Biesecker	294.94
Bill Vanderveen	152.00
Don Maxwell	292.72
Warren McCaughey	619.30
Bruce Osborn	126.40

Minutes -conti-

JESSE SNODDY DITCH	(881.55)
H & W Concrete Products	56.55
Watkins Construction	825.00
SWEARINGEN-RUNYON DITCH	2025.82
H & W Concrete Products	92.88
Watkins Construction	1463.50
Flora Tile Co.	117.32
Ladoga Culvert	469.44
WILL N. BROWN DITCH	368.98
Joe Southard	368.98

There being no further business, the meeting was adjourned.

Robert M Thayer

Chairman, Bob Thayer

Ronald L Maxwell

Lee Swank

Lee Swank, Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD
March 1st, 1982 1:30 PM

The Montgomery County Drainage Board met Monday, March 1st, 1982 at 1:30 PM in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; 1st Deputy Surveyor Bruce Keller; and the following Landowners: Wayne D. Rush, Frances Gray, Paul Galloway, David Rush and Luther Lofland.

Re: Reconstruction of Chrineyance-Schenck Ditch

Engineers Cost Estimate \$ 11,774.90

Low Bidder: Gary Frame 4,159.00

Mr. Galloway ask if all pipes had been included in the cost? Russ reported yes, also included is a rock shute, clearing 100 feet of ditch and the pipe under the road would be taken out and reused elsewhere.

The cost to landowners will be approximately 1/3 of what was originally figured.

Surveyor, Russ Nelson also reported he would try to be on the ditch at least once a day to keep a close watch on reconstruction.

Paul Galloway moved and Luther Lofland seconded a motion to accept the bid of Gary Frame. Motion was unanimous.

Don Maxwell moved and Sam Boots seconded a motion to proceed with reconstruction of the Chrineyance-Schenck Ditch. Motion was unanimous.

The February meeting minutes were read, approved and signed.

The Board then proceeded to the Circuit Court Room for the hearing on the JOSEPH HALL DRAIN. (to accept or reject the Contractors' Bids.

The following attending: Dan Pool, Dave Birge, Harold Binford, Randy Denhart, Bruce McClamroch, Robert G. Haderle, Leon Weber, Stan Hatke, Sheridan Bright, Fern Doty, Foxworthy Farms, Inc., David A. Shelton, Fred Payne for Fern Payne, Phil & Patty Prosser, Bill Reed, Beverly Reed, Martha Robers, Dan W. Hughes, Keith E. Sayler, Richmond Farms rep. by Russell Pruett, Bart Maxwell, Ken Bullerdick, Bill McClamroch, Charles Rush, Joe & Phyllis Wilson, Luther Lofland, Doan Farm Manager for Carrie Cotton Estate, Dale Crum, William D. Todd, Mr. & Mrs. Ted DeVore, Floyd L. Davidson, John Simpson, David Layton and Omer Elmore.

Chairman, Bob Thayer called the meeting to order.

Low bidder was Miller Excavating with a bid of \$231,311.31.

This Drain will have to be financed as there is not enough in the Improvement Fund at this time to cover the reconstruction cost.

Mr. Elmore does not think his full 40 acres should be in the drainage area. He also ask how long the ditch would be on maintenance assessment. The Surveyor stated 4 years - if no money is spent on maintaining said drain.

The Moses Allen open ditch will be under the maintenance fund of

the Hall Ditch. Russ stated he figured the reconstruction cost by the low bid. Russ also stated he would check out the property Mr. Elmore was questioning.

The Wilsons ask about landowners who were not in attendance of this meeting. It was reported that they need to have someone here to represent them or reply by mail. Landowners have 20 days to remonstrate.

* Don Maxwell stated ^athe bank would loan the money at 10% for the first year. The bank would treat this like a municipal loan. The State Board of Accounts stated this was not legal. But other counties have done this in the past. The County Attorney will research and give his opinion.

The bank would make a loan as by note not bond issue. The Drainage Board would act as the agent and borrow the money at 10% interest for the first year. But there is no guarantee of 10% for the other four (4) years. It could be an escalating interest rate. The note would be renewed annually.

Mr. Russell Pruett; representing Richmond Farms, Inc., made a motion to accept the low bid of Miller Excavating, as contractor; with a 5 year repayment (if the loan is approved) and to go ahead with the reconstruction.

Mr. Dale Crum made an addendum to the motion; to vote by ballot instead of a show of hands.

Mr. Nelson stated on each ballot to put name and acres. (this will be one vote per acre.)

Bill Todd seconded the motion.

Mr. Dan Hughes ask how to vote if both husband and wife were attending this meeting. Bob Thayer stated one vote per property owners.

The Surveyor reported letters the Board had received on this drain.

Wally Kobel - is in favor with 158.05 acres (Mr. Kobel was not able to attend the meeting) But he thought \$1.00 per acre for maintenance was to high.

John Simpson - attending the meeting so letter was not read.
Dan Hughes - attending the meeting so letter was not read.
Mr. & Mrs. Joe Wilson - also attended the meeting so letter was not read.

Mr. Don Maxwell, Russ Nelson and the Secretary counted the ballots. Results are as follows:

In Favor	1,958.63	corrected to	2,262.903
Opposed	1,803.95	corrected to	1,720.732

Robert Thayer announced the results of the voting.

56% voted in favor of the drain.

* The loan would be acceptable if the County Attorney gives a favorable opinion by letter to the State Board of Accounts.

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Mr. Elmore thought everyone should be assessed the same as every owners water flows to the same outlet. He also ask what the lowest assessment per acre was on figuring the reconstruction. It was reported that \$ 4.71 per acre was the lowest.

The Maintenance is set at \$1.00 per acre. Mrs. Wilson stated she would like the money to be put in each division. (This drain was figured in 4 seperate units).

Don Maxwell stated the Drainage Board sets the amount for the maintenance fund of legal drains.

Don Maxwell made a motion for the contractor and the surveyor to proceed with the reconstruction of the Joseph Hall Drain. Sam Boots seconded the motion. Motion was unanimous.

Mr. Bob Thayer stated landowners have 20 days to remonstrate. 51% of the acerage involved would be needed on a petition to stop the Joseph Hall Drain.

Brush will be cle aned from both sided of the banks.

Russ stated sprays could be used as long as problems do not arise from the use of certain types of chemicals.

Another meeting will not be needed unless a remonstrance is filed.

Seventy-five (75) feet from the top of each bank is the right-of-way for the contractors use during reconstruction.

A time limit was not in the contract. Mr. Miller stated he would like to start as soon as possible. Taking into consideration the weather he thought perhaps in 8 to 9 months the project could be completed.

Russ stated reconstruction payments could not be any less than \$50.00 each installment or \$100.00 per year.

Don Maxwell moved and Bob Thayer secoded a motion to adjourn. Motion was uanaimous.

Bob Thayer
Chairman, Bob Thayer

Samuel B. Boots

Donald L. Maxwell

Bill Swank
Secretary

Montgomery County Drainage Board

March 15, 1982

The Montgomery County Drainage Board met Monday, March 15, 1982 at 1:30 PM. Those present were Chairman, Bob Thayer; Vice Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Surveyor, Russ Nelson; and 1st Deputy Surveyor, Bruce Keller.

Don Maxwell (via phone) talked with Mr. Caress, President of First National Bank about the proposed loan for the reconstruction of Joseph Hall Drain. Mr. Carass, stated the loan would be approved.

The legality of a loan as opposed to bond issue will be further investigated by Attorney, Warren McGaughey and Mr. Willis Trosper of State Board of Accounts.

The February minutes were read, corrected and approved by the Board.

Sam Boots moved and Don Maxwell seconded a motion to adjourn.

Bob Thayer

Bob Thayer, Chairman

Samuel L. Boots

Donald L. Maxwell

[Signature]

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 29, 1982

8:00 P M

A Drainage Board meeting was held Monday March 29th, 1982 8:00 PM in the Auditor's Office. Those present were Chairman, Bob Thayer, Vice-Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Surveyor, Russ Nelson; and County Highway Superintendent, Gordon Holloway.

The Drainage Board signed the contracts on the Fred T. Maxwell, Chrineyance-Schenck and Joseph Hall Drains.

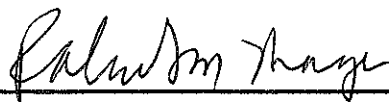
The maintenance assessment on the Joseph Hall Drain was discussed. Many landowners felt \$1.00 per acre is excessive. Don Maxwell moved and Sam Boots seconded a motion to set the maintenance at \$.75 per acre.

The First National Bank Board has approved the loan to reconstruct the Joseph Hall Drain.

A letter commending the Drainage Board was received from the Soil Conservation Service on the completion of Lye Creek Drain.

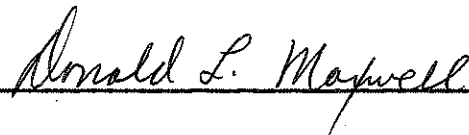
The Alvin Sparks Drain was discussed, the Surveyor ask if an open ditch could be constructed along the road. Mr. Holloway reported he would prefer getting the Drain off of the county road Right-of-Way.


There being no further business, the meeting was adjourned.



Chairman






Secretary

NOTE: The secretary brought up the problem of turning ditches into the Treasurers Office after March 1st (the deadline). Attorney, Warren McGaughey stated that this was al right, as in all probabily not very many ditches would be coming up at the last minute. The Drainage Board was in agreement with this. This includes Ditches for reconstruction and maintenance.

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MONTGOMERY COUNTY DRAINAGE BOARD

April 5th, 1982 1:30 P.M.

The Montgomery County Drainage Board met Monday, April 5th 1982 at 1:30 PM. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Surveyor, Russ Nelson; 1st Deputy, Bruce Keller; Auditor, Mary Helen Carter; Landowners, Stan Harris and Scott Taylor of Taylor Excavating, of North Salem, IN. Attending later were landowners David Layton and Mr. & Mrs. Joe B. Wilson.

The bids for Minnich-Miser-Corn Drain were opened.

	Engineers Cost Estimate	\$ 18,687.41	
Faubers Construction	\$ 15,925.00		
Bart Maxwell	15,039.20		
Birge Brothers	22,411.80	corrected	\$ 22,304.80
Gary Frame	20,224.20		
Ron Taylor Exc	20,175.50		

The Surveyor, Russ Nelson, checked all bids for accuracy.

Don Maxwell moved and Sam Boots seconded a motion to accept the bid of Bart Maxwell. (\$15,039.20)

Landowners were here to discuss the maintenance fund of the Joseph Hall Drain.

Mr. Wilson stated the remonstrance on the maintenance fund (Joseph Hall Drain) was for 50¢ an acre. The Drainage Board brought to Mr. Wilsons attention the 50¢ per acre was not stated in the remonstrance. Mr. Layton stated many landowners wanted the maintenance fund broke down into the different units as the reconstruction cost was. Don Maxwell stated a ditch is a unit and the maintenance fund is not broken into seperate divisions.

Sam Boots stated the record books would be virtually impossible to keep if done on a seperate basis. Layton and Wilson stated landowners did not want to pay to the maintaining of the drain when it did not go thru their property.

Don Maxwell made a motion to leave the maintenance fund as one whole unit. Motion died for lack of a second.

Bob Thayer suggested the Board take a view of the ditch.

No decision was made at this meeting as to how to divide the Maintenance Fund / or leave as one fund. Sam Boots suggested they table any decision today, but would follow up at the next meeting with a decision.

The Surveyor recommended leaving as to one fund. But he stated he would see if it was at all possible to divide by the 4 different Units.

Minutes of the March meeting were read and approved.
There being no further business the meeting was adjourned.

Ruben M. Tracy

Chairman

Samuel L. Bost

R. P. Sewall
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

May 17, 1982

1:30 P.M.

The Montgomery County Drainage Board met Monday, May 17, 1982 at 1:30 PM in the Auditors Office. Those present were Chairman, Bob Thayer; Vice Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson; County Health Officer, Robert L. Walters; Mr. Boyd Hudson; and the following landowners from Browns Addition (Moores Heights), Russell Abbot, John D. Luzader, Maurice Smith, Larry Smith, Irene Smith, Della Pfluge, Willard Pfluge, Robert Dellinger, Ronald Robbins, Cheryl Luzader and Pam Robbins.

The Surveyor reported the headwall at the Allie J. Peterson Ditch was in need of repair. Russ ask if the repairs were to be incorporated in the John L. McLaughlin Reconstruction or to be taken from the Maintenance fund. The Drainage Board suggested repairs come from the Peterson maintenance fund.

Landowners presented a petition to the Board to construct and maintain a tributary and restore aforesaid to better drainage for Browns Addition.

Landowners ask permission from Smiths to tie into their tile line. The Smiths were in agreement. Smiths ask if they would be charged for reconstruction and also if they would be placed on maintenance. They also stated at one time raw sewerage was in the tile line. They discovered this when they replaced some 6 or 8 inch tile about four years ago. Smiths stated the tile would be about 800 feet thru their property and about 4 or 5 feet deep.

After the reconstruction the tile will be placed on maintenance.

The Board replied they would not be charged for reconstruction but if they wanted the tile line maintained (that which goes thru their field North of Browns Addition) they would be required to pay the maintenance assessment.

Landowners ask about when the work could be done. Surveyor, Russ Nelson, stated it would be about 5 to 6 weeks to draw up plans and define a drainage area. Then at least 30 days notice to each property owner before another hearing could be held.

Don Maxwell stated that the Smiths should be paid, as the area to be drained will be going into a private line, but no specific amount was mentioned at this meeting.

Mr. Walters (letter attached) stated he would assist Russ in this project, if the Surveyor so desired. Mr. Walters presented the idea of " private construction."

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Bob Thayer moved and Don Maxwell seconded a motion to accept the petition of Joseph Smith Drain (Browns Addition). Motion unanimous.

The Board instructed the Surveyor to proceed with plans and specifications on the Smith Drain.

Mr. Walters reported to the Board on the Kriste and McMurry properties. (top of Covington Hill area). The past County Highway superintendent, Mr. Jackson had blocked a tile line. Causing drainage problems for the above mentioned property owners. The Drainage Board replied they had no knowledge of this. Sam Boots then mentioned he had gotten reports of this and of another tile line blocked in the area of the Robert Middletons. Middletons are farther west and south of this tile problem being discussed today.

The Kriste and McMurrys were to see the Board at 3:15 today, in the meantime Mr. Walters was briefing the Board on the general problem. The Board stated this should be taken to the County Highway Department. Mr. Walters left sketches on the area on Browns Addition and the Kriste properties.

The Surveyor presented a signed petition to the Drainage Board on the Swearingen-Runyon Ditch.

The petition is requesting a short tile line (on Klepfers, Wilson's & Petitts properties) be made a part of said ditch and maintained as a part of said drain.

On the Swearingen-Runyon petition, Don Maxwell struck the work "county" and inserted legal.

Sam Boots moved and Don Maxwell seconded a motion to accept the Swearingen-Runyon petition. Motion unanimous.

Mr. Boyd Hudson ask Attorney, Warren McGaughey what becomes of the maintenance funds? If they were invested - what happens to the interest, is it channeled into the ditch funds. Hr. Hudson stated ditch assessments are not taxes and should not be treated as such. Warren McGaughey stated he would research and get back to him of this. But for now earned interest is placed in the County General Fund. Mr. Hudson feels the Drainage Board members are as Trust Officers and the earned interest should be returned to the individual ditch funds. He said he also realizes this would call for more book-keeping on the part of the Office personel.

The Surveyor and the Board discussed the Shelly Ditch (east of the City). A new apartment complex is being built East of Cloverdale Apartments. The city has annexed this into the city limits and the Board feels the City should be responsible for the drainage problem with the ditch. With Cloverdale Apartments using this ditch, the Shelly is working at maximum capacity now.

The Surveyor presented a letter to the Board from Attorney, Eric T. Dean, Jr. This letter is in regards to Saylers assessment on the Joseph Hall Drain. The letter is Cause # C82-123. The Board signed the agreement and the Secretary was instructed to return the petition to Mr. Deans Office.

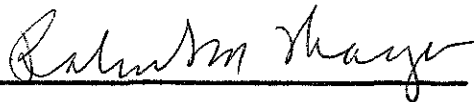
Warren McGaughey reported on the funding of the Hall Drain. As of today Miller Excavating has not turned in any claims. Warren stated he had talked to Mr. Trosper, with the State Board of Accounts, and Mr. Don Euratte, Office Supervisor of Counties with the State Board of Accounts, Indianapolis in regards to obtaining a loan. Mr. Euratte stated he did not know the statute number but he felt with Warrens decision in writing it would be legal to borrow the funds. Warren could not find any thing like this in the Burns Statute Books, however he did find State # 36-9-27-94 (C-B-E) which states up to \$10,000.000.00 may be borrowed. Anything over this amount would be issuing bonds. Warren stated if they issue bonds, it will take approximately 6 weeks to draft all the necessary plans.

All members but one signed 5 encumbrances. Listed as follows:

Jesse Snoddy Ditch	\$ 6,046.69	Frame Exc.	\$ 3,670.00
		Ladoga Culv	406.06
		Burkhardtts	857.50
		Morgan & Ches	461.81
		Kentucky Stone	651.32
Stanford Elmore Ditch		Frame Exc.	75.55
Swearingen-Runyon Ditch		Frame Exc.	75.00
Charles O. McFarland		H & W Concrete	46.41
John L. McLaughlin (engin)		Don Yount	1080.00

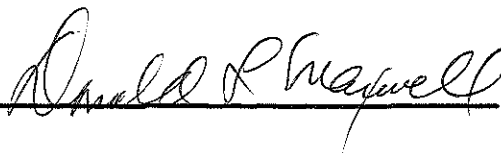
The minutes were read and approved.

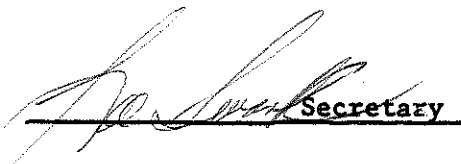
There being no further business, the meeting was adjourned.



Chairman






Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

June 1, 1982 7:30 PM

The Montgomery County Drainage Board met Tuesday evening June 1st, 1982, 7:30 PM in the Auditors Office.

Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Robert Hill, Engineer (from Associated Planners); Kevin Miller (arriving later), and the following landowners; Wally Kobel, Bill Todd, Curt Hudson, Marsh Jones and Russell and Creo Pruett representing Richmond Farms.

Robert Thayer reported \$69,097.05 had been received in the spring settlement of reconstruction cost on the Joseph Hall Drain. Landowners were here to discuss the reconstruction of the Hall Drain.

Due to the indecision on financing of the Hall Drain, Mr. Miller was ask to temporarily stop work. Letter sent May 21, 1982. Mr. Miller has not turned any claims into the Surveyors Office as of this date.

If the project is stopped now, Associated Planners will receive 65% of the total engineers cost. The engineers cost that has been collected so far is in a seperate account.

The Board all agreed that the project has to be completed.

Mr. McGaughey stated in borrowing funds, the Board could not borrow over \$10,000.00. This is stated in the Statute Books. They could secure a loan of over the above stated amount but only with a letter of recommendation from Mr. McGaughey, which Mr. McGaughey did not want to do. Therefore the only other resourse is to go with bonds.

Don Maxwell stated the interest on bonds would be much more than the anticipated interest of 10% for a loan.

Mr. Marsh Jones ssated if money could be borrowed for 10% this was more practical than going by bond issue. The Board was in agreement. The landowners property will be the collateral. The Board agreed with the fact that with the assessments coming in - in the spring and fall of each year a new and smaller loan could be negotiated. Due to the time involved bonds are not favorable as Mr. Miller (the contractor) has already felled about 4 miles of trees. And with the recent rains the brush and trees are making drainage worse than before the reconstruction began.

Mr. Caress was not sure the Board of Directors (from the Bank) would be in favor of a loan without Mr. McGaugheys opinion.

Mr. McGaughey was asked to meet and discuss with Mr. Caress the borrowing of funds to finance the Hall Drain. To pay back the first of every year and negotiate a new loan each year. Mr. Pruett suggested in case First National Bank is not agreeable to try Elston Bank.

The Board stated by Monday June 7, 1982 they would have a decision from the bank concerning financing.

Don Maxwell moved and Sam Boots seconded a motion to proceed with obtaining a bank loan, for 1 year and negotiate a new loan the first of every year, with the property in the Hall Drainage Area as collaterals. Motion unanimous.

Armouring on the ditch was also discussed, Mr. Hill stated if armour was not needed it would certainly not be used, but they would have to wait until construction thru that section was done to determine for sure.

Mr. Miller was ask to proceed with clearing of the trees. Mr. Miller stated he could wait for payments. He would be willing to be paid after spring and fall settlements.

There being no further business, the meeting was adjourned.

Robert M. Morgan
Chairman

Samuel H. Boots

Ronald L. Maxwell

Lee Swank, Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

June 7, 1982

1:30 P.M.

The Montgomery County Drainage Board met Monday June 7, 1982 1:30 PM in the Auditors Office. Those present were Vice-Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson and Landowner, Jack Klepfer.

Landowners ask that a 14 inch concrete tile line be made a part of the legal drain of the Swearingen-Runyon Ditch. Don Maxwell moved and Sam Boots seconded a motion to include the tile line to the maintenance fund. Motion unanimous.

Chuck Watkins had discussed with the Surveyor, that tile priced had increased since the signing of the contract. Watkins had stated on his quantity sheet the priced he quoted on tile was good for 30 days. The Drainage Board will not absorb the rise in the tile prices.

A few landowners on the Hall Drain discussed with Russ the possibility of leaving the stumps on the Hall Drain, Russ and the ^{BOARD} ~~Board~~ felt it would be better to remove all stumps.

The Nichols Drain was discussed The Drain was reconstructed 2 years ago, but is still not working properly. Three contractors have given bids, Joe Findley, Gary Frame and Hood & German. Russ estimated between \$4,000.00 and \$6,000.00 for the necessary repairs. The Board set July 19, 1982 as the hearing date.

The Surveyor presented a petition for reconstruction to the Board on the Moses-Maxwell Drain. This is a joint ditch with Boone County. The Boone County Surveyor recommended that each County have its separate maintenance funds. Don Maxwell moved and Sam Boots seconded a motion to accept the Moses-Maxwell reconstruction petition. The motion unanimous.

The Surveyor reported the bridge on 150 N had been removed. The cost of removal was \$500.00.

Warren McGaughey reported the loan on the Joseph Hall Drain has been cleared thru the First National Bank. Don Maxwell moved and Sam Boots seconded a motion to proceed with obtaining the loan on a one year basis and to negotiate a new loan each year until the Hall Drain is paid in full. Motion unanimous.

The Surveyor also ask if the overhead pipe in the Surveyors Office could be fixed this summer. The pipe is leaking, he stated it should be repaired before the heat is turned on this fall.

The Board stated this should be reported to Bob Thayer as he is in charge of all Courthouse repairs.

There being no further business, the meeting was ajourned.

~~Samuel R. Boots~~

Samuel R. Boots

Ronald L. Maxwell

Lee Swank, Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD
June 21st, 1982
1:30 P.M.

The Montgomery County Drainage Board met Monday, June 21st, 1982 at 1:30 PM in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russell R. Nelson; Robert Hill, Engineer; Mr. Boyd Hudson; Sam Kessler, Sherman Kessler, Wayne McCutchan, Fritz Holzgrafe, Jr., William J. Mercer and William M. Cloud.

Landowners were here to discuss drainage problems on the Wm. Yelton Ditch; The Albert R. Hysong Ditch and another tile line in Section 13, Twp. 17, Range 3 West.

Sam Kessler ask the Surveyors Office to do a preliminary survey on the Wm. Yelton Drain. The Yelton Drain had been vacated. The Surveyor reported a typed petition would be mailed out to Mr. Kessler in a few days.

Wayne McCutcheon discussed with the Board another water problem (this is on the Albert Hysong- a joint drain with Hendricks County). This ditch is classified reconstruction. The Board explained a petition for reconstruction and maintenance will be needed for this also. Fritz Holzgrafe, Jr. (representing Agri-Vest Farms) was in favor of reconstructing the ditch.

Landowners discussed combining the two drains, the Surveyor stated he did not think this was possible as the drains have no common outlet.

Drainage problems in Section 13, Twp. 17, Range 3 West, was discussed this is on Mercers and Clouds property. This will later be named the Sam Kessler Drain.

The Board was presented a letter from the S.C.S. Office concerning the maintenance of Lye Creek.

A letter concerning the Nichols Drain was presented to Russ Nelson, Ivan Cunningham was questioning the directional flow of water on his property.

Mr. Boyd Hudson ask the County Attorney about earned interest on ditch funds. Mr. Hudson stated he was another legal opinion which differs from the way Montgomery County has been handling the funds. Since all assessments are not the same, the interest should be returned to the individual ditches. Mr. Hudson feels the county is not right in returning the interest to the General Fund. Mr. Hudson has ask the Attorney before to research this. Bob Thayer stated he would have the answer at next months meeting. The Attorney Warren McGaughey stated he would talk to the Treasurers Office and get her opinion.

June 21, 1982

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The minutes were read and approved.

There being no further business, the meeting was adjourned.

Ralph M. Thayer

Chairman

Samuel L. Boots

Vice-Chairman

Ronald L. Maxwell

Bo Swartz Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

July 19, 1982 1:45 PM

The Montgomery County Drainage Board met Monday, July 19, 1982 1:45 PM, in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Surveyor, Russ Nelson, 1st Deputy Surveyor, Bruce Keller; Auditor, Mary Helen Carte; S.C.S. Officer, Steve Woll; and the following landowners (Geo. Nichols Ditch) Howard Short, Bernie Harris, Dean Gaylor and Alvin Winger, representing the Cemetery Association.

GEORGE NICHOLS DITCH HEARING (to reconstruct a portion of the drain)

After checking out the ditch it is found to be almost full of sand (in the area south of the railroad tracks, owned by Bibles). The Surveyor reported non-perforated or tongue and groove tile should have been used.

The idea of suing the contractor, Mr. Taylor was discussed. The attorney stated the county has only 2 years to file legal action. Last payment to Mr. Taylor was in the fall of 1979.

A figure of \$2,600.00 (for labor) plus the material was turned in by contractor, Joe Findley. The Surveyor has estimated the partial reconstruction at \$5,000.00. Other bids were \$50.00/hr plus \$12.00/hr for laborer plus material cost, were the averages the other contractors turned in.

The Chairman reported they would check further with the contractor then report back to landowners.

ROBERT MIDDLETON DITCH HEARING

Landowners present were Wes Ehrie, Melsena Hay, Lois Ridge, Alinda Whittinghill, Odus Hay, Paul E. Ridge, George Brooks, R.J. Mershom, James Murdock, B.J. Bruton McCollum, Wm. E. Campbell, Albert L. Knowling, Mrs. Robert Miller, Larry Whittinghill, Robert Middleton, Geneva Middleton, Wm. R. Remley, Doug Kellerman, Ralph Pulliam, Charles Largent, Phil Boots, Tom Cedars, David Thompson, Isabell Sering, Oscar Sering, Pauline Pulliam, Robert Smith, Melvin Kelly, Robert L. Morris, Natalie Lofland and Wanda Lee Kelly.

A petition to stop proposed construction was presented to the Board.

Don Maxwell moved and Bob Thayer seconded a motion to accept the petition to stop the construction on the Robert Middleton Ditch.

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July 19, 1982

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After much discussion, Chairman, Bob Thayer ask the Surveyor, to further investigate the culverts going under the County road in the approximate area of W J Ehries property. Then he will report to the Board and landowners his findings.

There being no further business, the meeting was adjourned.

Robert M. Thayer

Chairman, Bob Thayer

Samuel L. Berts

Ronald L. Maxwell

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

July 27, 1982

7:30 PM

A brief meeting of the Montgomery County Drainage Board was held Tuesday, July 27, 1982 in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell and Attorney, Warren McGaughey.

The Board signed 6 encumbrances listed as follows:

George Washburn	Bart Maxwell	\$ 213.05
George Nichols	Jerry Hughes	103.78
James Sanders	Max Glascock	304.01
James Sanders	Watkins Const.	51.70
Fred Maxwell	Gary Frame	286.70
Minnich-Corn	Bart Maxwell	13,027.81
Fred Maxwell	Watkins Const.	5,039.05

There being no further business, the meeting was adjourned.

Robert M. Thayer

Chairman

Samuel L. Boots

Donald L. Maxwell

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

August 16, 1982

1:30 P M

The Montgomery County Drainage Board met Monday, August 16, 1982 in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Surveyor, Russ Nelson; 1st Deputy Surveyor, Bruce Keller; Engineer, Robert Hill and Dave Hill; and Mr. & Mrs. Wally Kobel.

Member, Don Maxwell ask about the Joseph Hall Ditch. The project is progressing a little slowly. Miller Excavating has been paid approximately \$30,000.00 to date.

Wally Kobel was here to discuss the farm crossing on his property. He stated he needed the crossing to accomodate 25 tons. The cost is to be shared 50-50 by the landowner and the contract price. Mr. Hill figured total cost to be \$7,000.00. \$1500.00 has been alloted in the ditch plans.

Mr. Kobel does not have the price of rails as of yet. He will be attending a later meeting with the figures. He also stated he would like the crossing started as soon as possible as he will be using it in 60 days.

The Surveyor reported he had talked to Ron Taylor concerning the Nichols Ditch. Mr. Taylor reported he coult not see any way he could do anything for the ditch now. But when the Drain goes up for bid he would be interested in placing another bod.

The Surveyor reported he had been to Shelly Ditch to check the changes Raybestoes had done. They have built a mamhole (by the new addition). The water raises 3.9 feet to flow in to an open water way (behind Raybestoes). The Surveyor is going to contact the Contractors (Kettlehut) and Raybestoes about this. A lift pump or an open ditch will be suggested as the alternative to help drainage.


The Surveyors Office has run levels on the Middleton Ditch. One encumbrance was signed.

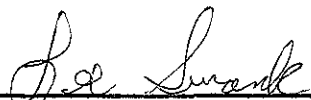
Minnich-Miser & Corn Ditch (Bart Maxwell) \$2,847.33

Minutes read and approved.

There being no further business, the meeting was adjourned.


Chairman




Lee Swank, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

September 2, 1982

2:10 P.M.

The Montgomery County Drainage Board met September 2, 1982 at 2:10 PM in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Attorney, Warren McGaughey, Auditor, Mary Helen Carter; and landowner, Wally Kobel.

This meeting was to meet with the engineers of Raybestoes Co., but they have not acknowledged a letter sent August 25, 1982 asking them to attend this meeting to discuss the Shelly Ditch.

A letter from Kettlehut Construction was presented to the Board. (see attached).

Wally Kobel presented an estimate of \$4,000.00 for the farm crossing on the Hall Ditch.

- 3360.00 I Beams
- 400.00 Cement
- 240.00 lumber for the plank flooring

\$1500.00 per farm crossing has been projected in the total project.

Bob Thayer moved and Sam Boots seconded a motion for Wally Kobel to proceed with the farm crossing on his property. Motion unanimous.

Mr. Kobel will pay for the crossing then will be reimbursed for part of the cost from the Surveyors Office.

The County Commissioners have placed \$150.00 in the Drainage Board office supply account (Account # 210). This is to be used for the aerial photos.

There being no further business, the meeting was adjourned.

Robertson Thayer
Chairman

Samuel L. Boots

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KETTELHUT CONSTRUCTION, INC.

GENERAL CONTRACTOR

740 SAGAMORE PARKWAY SOUTH

P.O. BOX 5000

LAFAYETTE, INDIANA 47903

PHONE (317) 447-2181



August 26, 1982

Montgomery County Drainage Board
Court House
Crawfordsville, Indiana 47933

Attention: Mr. Russell R. Nelson

Re: Raybestos-Manhattan
New Steel Plant
Project 2850

Gentlemen:

We are in receipt of your letter of August 25, 1982 concerning the drainage tile on the Raybestos-Manhattan property.

As a contractor with a contract with an Owner, we are required to follow their instructions and Contract Documents furnished to us by the Owner and Architect Engineers. In the matter you have mentioned we have complied with the contract requirements.

If this is not acceptable to you or the Montgomery County Drainage Board, this problem will have to be reviewed with Mr. John Harris of Raybestos and Mr. Chuck Newman of Flaherty-Giavara Associates.

If we can be of further assistance, please contact us at your earliest convenience.

Very truly yours,

KETTELHUT CONSTRUCTION, INC.

B. W. Biddle
Project Manager

BWB/js

cc: J. Harris
C. Newman

MONTGOMERY COUNTY DRAINAGE BOARD

September 20, 1982 1:30 PM

The Montgomery County Drainage Board met September 20, 1982, at 1:30 P.M. in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Auditor, Mary Helen Carter; Attorney, Warren McGaughey; 1st Deputy Surveyor, Bruce Keller; Surveyor, Russ Nelson, Mr. Boyd Hudson; and the following landowners; Moores Heights Drain Hearing; Russell Abbott, Donald B. Grimes, Ethel Quigg, Mabel E. Grimes, Richard Quigg, Robert L. Dellinger, Pam Robbins, Kathy McKinney, Cheryl Luzader, Edith Leonard, Carina Leonard and Mrs. Cash Furr.

This is the hearing on Reconstruction and Maintenance reports of the Moores Heights Addition Ditch.

The Surveyor read three letters opposing the cost of reconstruction and benefits to the following landowners, Norman Clouser, Donald Grimes and Richard Quigg.

Mrs. Irene Smith will not allow this now proposed tile to tie in the existing private line on their property, but they are in agreement to a new line thru their property, to reach the same outlet. Mr. Kenneth Smith has given verbal permission to cross his property, but the Drainage Board will request permission in writing. It was suggested the Smiths be placed on maintenance as they will also benefit from this ditch. This will be approximately 600 to 700 feet of tile thru Smiths. The estimated cost is \$1,516.00 for the reconstruction and \$101.85 per year maintenance assessments.

This ditch will have approximately 1200 feet of 6 inch tile, a surface inlet pipe, and the blocked tile line will be opened up again. One tile line was blocked because it was reported raw sewerage was in the tile.

The Surveyor reported the money for reconstruction will need to be paid before contractors bills come due. As there is not enough money in the Improvement Fund.

The Chairman called for a voted

- In Favor 6
- Opposed 4 (Norman Clouser, Donald Grimes, Ethel Quigg, and Richard Quigg)

Don Maxwell moved and Sam Boots seconded a motion to proceed with the reconstruction of the Moores Heights Ditch. Motion unanimous.

Joseph L. Ludlow Ditch Hearing (Reconstruction and Maintenance)

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The following landowners attending: Earl Smith, Jr., David Birge, Jesse Irvin (Mr. Irvin also representing John Mitchell), John Greenburg, Charles Cooley, Ed Southerlin, Greg Myers, Luther Lofland(representing Bessie Wilson), Jesse E. Howard, Mary Jane Surface, Jim Fulwider, Willis Surface, Roy Neff, Paul Fulwider, and Mary Runyon.

The Surveyor read two letters, Mrs. Runyon (attending, was opposed to the project. Mr. Beardsley (Not attending, was not opposed to the reconstruction project but he questioned the per cent of total cost he was assessed.

This ditch will be 1600 feet of open ditch and 6,684 feet of tile. These are approximate figures. This watershed will serve 821 acres.

The project is estimated at \$61,237.23 for reconstruction and maintenance is set at \$825.48 per year.

The Chairman called for a vote.

In Favor	8	542.47 acres
Opposed	4	132.50 acres

Bob Thayer moved and Don Maxwell seconded a motion to proceed with reconstruction of the Joseph Ludlow Ditch. Motion unanimous.

The Surveyor will check to see if Mrs. Runyons property should be deleted from the watershed.

Kenneth Hudson Ditch Hearing (revising maintenance assessments)

Those present were Earl Smith, Jr.

Annual maintenance on the ditch is \$100.00 per year.

Balance due the Improvement fund from Maintenance is \$1,225.20.

Contractor, Claude Barker, has done extensive work (removing roots) on this ditch.

The Surveyors plan is to raise assessments for the year of 1982 ONLY. (to \$1,000.00) Then in 1984 set the maintenance at \$200.00 per year.

No one was opposed.

Sam Boots moved and Don Maxwell seconded a motion to proceed with revising said assessments. Motion unanimous.

The pipe on 150 East (Joseph Hall Drain) was discussed with the Board. The Board stated the County has paid for the pipe and the Contractor is to install the pipe. The Board considers assembly of said pipe as a part of installing the pipe.

Mr. Boyd Hudson was here to discuss the interest earned on ditch maintenance funds.

Mr. McGaughey stated he had talked to the Attorney Generals

Office about this. The Commissioners rule this. At the present time, the interest is returned to the County General Fund. It is not broken down into each individual ditch fund.

Warren McGaughey stated he could not find a ruling stating differently, Mr. Hudson ask for this in written form from Mr. McGaughey.

The Board signed the following encumbrances.

Fred T. Maxwell Ditch	(Watkins Const)	\$ 1,226.56
John L. McLaughlin	(Don Yount)	753.60
Minnich-Miser-Corn	(Lewis Fellows)	393.18
	(Bart Maxwell)	1,991.11
	(Bart Maxwell)	2,847.33
George Washburn	(E.B. Foster)	315.00
Kenneth Hudson	(Max Glascock)	200.00
Chrinyance-Schenck	(Gary Frame)	610.93

The Timothy Lane and Wm. Yelton Drain petitions were presented to the Board.

Don Maxwell moved and Sam Boots seconded a motion to accept these two petitions.

There being no further business, the meeting was adjourned.

Richard M. Sharp

Chairman

Samuel R. Boots

Vice-Chairman

Donald L. Maxwell

Bill Swack

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

Sept 27, 1982 7:30 PM

The Montgomery County Drainage Board met Wednesday evening at 7:30 PM in the Auditors Office. Those present were Chairman, Bob Thayer, Vice-Chairman, Sam Boots; Member, Don Maxwell; Auditor, Mary Helen Carter; Attorney, Warren McGaughey; Surveyor, Russ Nelson; Contractor, Kevin Miller; and Mr. Robert Hill, Engineer of the Joseph Hall Drain.

The Board discussed who would put together the pipe on the Hall Ditch project. The Board attached an addendum to the contract stating Mr. Kevin Miller would be paid labor cost only on assembling pipe.

The Board also discussed the ledge in the Hall Ditch. The Board agreed to leave said ledge as a travel path.

There being no further business, the meeting was adjourned.

Bob Thayer
Chairman

Samuel L. Boots
Vice-Chairman

Donald L. Maxwell

Bill Swank
Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD

October 4, 1982 2:00 P.M.

The Montgomery County Drainage Board met Monday, October 4, 1982 at 2:00 PM in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; 1st Deputy Surveyor, Bruce Keller; Surveyor, Russ Nelson; Landowners, Mr. Wilbur Owen, Mrs. Jan Harris and Mr. Dean Gaylor.

(NICHOLS DITCH HEARING)

The Surveyor reported the cost of repairing the Nichols Drain would be approximately \$4,000.00 (to repair the lower end).

About 100 feet of tile has been uncovered. It is opened on Gaylor and Bibles Property.

Mr. Gaylor reported he loses about 5 acres a year. The year the ditch was reconstructed (about 3-4 years ago) was a dry year. so the problem in the line could not be seen. By the time it was discovered the tile was not working properly the time limit to have the contractor, Mr. Taylor redo part of the ditch, the time limit was up.

Mrs. Harris feels the County is at fault, as they have paid their reconstruction cost. Also the Commissioners were called several times during reconstruction that the job was not being done properly. The Commissioners can understand landowners feelings, but there is nothing that can be done now.

Chairman, Bob Thayer called for a vote.

All Landowners attending voted NO.

Harris	25	acres
Owens	1.5	acres
Gaylor	62.45	acres

It was decided to do nothing at this time, but cover the opened hole on the ditch and do repairs when the maintenance fund builds up.

The Surveyor presented the petition on the Kessler Drain to the Drainage Board. This petition is to establish as a legal drain, to reconstruct and to maintain said drain.

Don Maxwell moved and Sam Boots seconded a motion to accept the Kessler Drain Petition. Motion unanimous.

There being no further business, the meeting was adjourned.

Robert M. Thayer
Chairman

Samuel L. Boots

Donald L. Maxwell

Lee Swank
Secretary

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MONTGOMERY COUNTY DRAINAGE BOARD
November 1st, 1982 1:45 PM

The Montgomery County Drainage Board met Monday, November 1st, 1982, 1:45 pm in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Auditor Mary Helen Carter; Attorney, Warren McGaughey; Surveyor, Russ Nelson and the following Waynetown residents; Frank Bunnell, Leo W. Curran, Richard Peterson and Juanita Blackford.

Landowners from Waynetown were here to discuss drainage in the North edge of Waynetown.

The Board stated this was not a legal drain and they could do nothing at this point. The Board suggested landowners petition to establish a legal drain and it would be best if a landowner in the vicinity involved carry the petition. 10% of the acreage involved is needed to start a (legal Drain) petition. But to be approved at the time of reconstruction / maintenance 51% of the acres involved is needed.

The drain lies on the East side of 25 North from the Railroad to Coal Creek. Mr. Bunnell stated he thought the tile was a 15 inch tile. This tile line drains 2 farms and then is a storm sewer thru part of Waynetown to Coal Creek.

Mr. Peterman ask if the proposed apartment complex could legally tie into this existing tile. The Board stated not unless they wanted to stand liable for the damages which could result. The Board stated the complex could put in their own storm sewer.

The Surveyor presented a letter from Larry & Irene Smith (Re: Moores Heights Drain) to the Board. The Smiths ask to see the plans on the ditch. They also ask that an 8 inch tile be used. The Board requested Russ to meet with the Smiths.

The Surveyor ask the Boards permission to charge for ditch plans in the future. Sam Boots moved and Don Maxwell seconded a motion to set the charge at \$7.50 each. This is a non-refundable fee. Motion unanimous.

Joseph Hall Drain was discussed. The Board stated in the future, leveling and seeding is to be done as quickly as possible after excavating and leveling is done.

There being no further business, the meeting was adjourned.

Donald L. Maxwell

Samuel E. Boots

Robert D. Thayer
Chairman

Lee Swank
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

November 15, 1982 1:30 PM

The Montgomery County Drainage Board met Monday, November 15, 1982 in the Auditors Office, Crawfordsville, Indiana.

Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots; Member, Don Maxwell; Attorney, Warren McGaughey; Auditor, Mary Helen Carter; Surveyor, Russ Nelson and the following; Luther Lofland, Buck Eads, Don Lambert, Jack Skinner, Chuck Watkins, Gary Frame, Jess Howard, Mike Maxwell, Dich Short (of Maxwell Tile Co.) and Bart Maxwell.

Jess Howard stated he needed all new tile thru his property. Contractors Bid Openings on the Moores Heights and Joseph Ludlow Drains.

MOORES HEIGHTS DRAIN BID OPENING

Engineers cost Estimate

6 inch tile	\$ 1,516.00	
8 inch tile	2,000.00	
Bart Maxwell	1,523.00	(6 inch tile)
	1,989.00	(8 inch tile) - this is the corrected figure)
Gary Frame	2,399.00	(8 in tile)
Miller Excavating	2,593.00	(6 in tile)
Watkins Construction	1,525.34	(6 in tile)
	2,958.00	(8 in tile)
Delco Excavating	3,000.00	(6 in tile)
	3,280.00	(8 in tile)
Faubers Construction	3,430.00	(6 in tile)
	3,675.00	(8 in tile)

Sam Boots moved and Don Maxwell seconded a motion to take bids under advisement. Motion unanimous.

Bids Opened on Ludlow Drain

Engineers Cost Estimate	\$61,237.27
Birge Brothers	39,976.69
Faubers Construction	44,237.15
Bart Maxwell	53,598.36
Miller Excavating	56,381.50
Delco Excavating	68,283.00

Chairman, Bob Thayer stated he wanted all 20 inch tile replaced (on the Ludlow Drain).

Nov 15, 1982 conti

This will be approximately 822 feet of tile.

Don Maxwell moved and Sam Boots seconded a motion to take all bids under advisement. Motion Unanimous.

The Surveyor will ask contractors for a time schedule on both ditches.

The Surveyor will contact the engineer, Mr. David Best from the Cloverdale Heights Apartment Complex to repair the catch basin near Traction Road.

The Board signed 5 encumbrances. Listed as follows:

Guy Little Drain	(\$186.40)
Jerry Hgghes	26.40
Jack Brown	160.00
Fred Maxwell Drain	(78.08)
Kentucky Stone	78.08
John McLaughlin (Engineering Cost)	62.80
Lee Swank	35.00
Russ Nelson	27.80
Swearingen-Runyon Drain	549.33
Jack Skinner	549.33
Stanford-Elmore Drain	
Watkins Const.	203.17
Flora Tile Co	49.80
Jesse Snoddy Drain	
Watkins Const	93.51

Meeting reconvened at 3:05

Don Maxwell moved and Sam Boots seconded a motion to accept Bart Maxwells bid of \$1,989.00 on the Moores Heights Drain and to accept the bid of Birge Brothers \$39,976.69 on the Ludlow Drain. Motion Unanimous.

There being no further business the meeting was adjourned.

Chairman

Samuel L. Boots
Robert M. Kaye
 Donald L. Maxwell

Lee Swank
 Secretary

THE MONTGOMERY COUNTY DRAINAGE BOARD
December 20, 1982 (2:30)

The Montgomery County Drainage Board met Monday, December 20, 1982 at (2:30) in the Auditors Office. Those present were Chairman, Bob Thayer; Vice-Chairman, Sam Boots, Member, Don Maxwell; Attorney, Warren McGaughey, Auditor, Mary Helen Carter; Surveyor, Russ Nelson John Booher and Mr. Fletcher (regarding the Moses Maxwell Drain.)

Surveyor, Russ Nelson presented a letter to the Board concerning a joint Board with Boone County regarding the Moses Maxwell Drain. The joint Board meeting is for January 17, 1983.

The Surveyor reported he needed to contact Mr. Leon Weber regarding an open ditch - an outlet for the Allen Lewis Drain.

The Board signed 3 encumbrances:

George Hutton Drain	\$ 129.56	Mrs. Bill Burton
Swezringen-Runyon	109.65	Morgan & Chesterson Gravel Co.
John L. McLaughlin	2.80	Journal Review

There being no further business, the meeting was adjourned.

Chairman

Samuel P. Boots
Bob Thayer
Donald L. Maxwell

Secretary (Swank on Vacation)

THE MONTGOMERY COUNTY DRAINAGE BOARD

December 29, 1982 (2:00)

The Montgomery County Drainage Board met Wednesday, December 29, 1982 at 2:00 PM. Those present were Chairman, Bob Thayer; Member, Don Maxwell; Attorney, Warren McGaughey, Auditor, Mary Helsn Carter; Surveyor, Russ Nelson; and landowner Mr. Gary Meade.

Mr. Meade was here to discuss water problems with the Shelly Drain.

Mr. Best and Mr. Pence (of the Cloverdale Apartment Complex), Mr. Pence and Russ have met on the Shelly Drain once. (December 14, 1982). The Surveyor was not present when the search for the old tile line was done. Mr. Pence stated he could not find the tile line.

The Surveyor will be contacting the engineers (regarding the manhole near Raybestoes) asking them to attend the January 17th 1983 meeting. The Surveyor feels the manhole is causing back pressure on the Shelly Drain.

The will also be cntacting the Indiana Water Dept., The Water Company has installed new fire hydrants for the Cardinal Industries Apartments on 136 East (left side of highway). The contractors have put in a new storm sewer line and this outlets near Traction Road. There is a good possibility the new storm sewer line has cut the old tile line (Shelly Drain). In the Surveyors opinion the contractors should install a new storm sewer line to State Road 32.

The Surveyor ask the Board about hiring an Engineer and paying his fees from the maintenance fund. The Board has not had a chance to discuss this. The Chairman did state from now on it is to be stated in ditch petitions, that landowners will pay the engineering costs. (To post a bond). The bond would cover the cost of ditch advertising notices.

The secretary ask the Attorney, Mr. McGaughey if the Surveyors Office was to continue with notices to landowners on the John L. McLaughlin Drain. The Surveyor presented a letter (see attached) from Attorneys, Deets & Kennedy of Lafayette, Indiana. The attorney stated to proceed as planned.

There being no further business, the meeting was adjourned.

Bob Thayer
Chairman

Donald L. Maxwell
Vice-Chairman

Lee Swank
Lee Swank, Secretary

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Sandy Deets & Kennedy

FILED
DEC 29 1982

410 Main Street, P.O. Box 1537, Lafayette, Indiana 47902
6 North Shield Street, Knox, Indiana 46534 (219) 772-5129

RUSSELL R. NELSON
CLERK OF SUPERIOR COURT
MONTGOMERY COUNTY, INDIANA

TO: Tri-County Drainage Board of Tippecanoe, Clinton
and Montgomery Counties

DATE: December 28, 1982

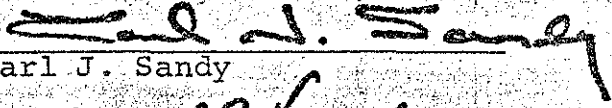
RE: Reconstruction Of The John McLaughlin Drain

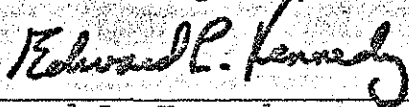
Dear Board Members:

Enclosed please find a copy of a letter forwarded to you on the 9th day of December, 1982, enumerating objections which we have regarding the procedure surrounding the current John McLaughlin Drain Reconstruction and Addition.

As Mr. Kennedy pointed out during your meeting, we would prefer to resolve this matter in an agreeable manner; however, unless our specific objections are responded to and corrected to the satisfaction of our clients, we will have no alternative other than to attempt to seek a Court Order restraining further actions by this Board.

As I stated, above, litigation would be our final alternative, and one which we do not prefer. Accordingly, would you please advise us well in advance of your next proceedings as to your position on the above so that we might consult with our clients.


Carl J. Sandy


Edward L. Kennedy

ATTORNEYS FOR REMONSTRATORS

CJS/cer

Enclosure:

Attorneys at Law

D. Emmett Ferguson (1963)

Carl J. Sandy
Charles R. Deets III
Edward L. Kennedy

Lynn Murray

Tri-County Drainage Board of Tippecanoe,
Clinton and Montgomery Counties
Page 2
December 28, 1982

FILED

DEC 29 1982

RUSSELL R. NELSON
SURVEYOR, MONTGOMERY COUNTY

cc: Bruce Osborn, Member
Ellsworth Biesecker, Member
Don Maxwell, Member
Warren McGaughey, Montgomery County Attorney
Fred Hoffman, Tippecanoe County Attorney
Ted R. Johnson, Clinton County Attorney
Russell Nelson, Montgomery County Surveyor
Neil Conner, Clinton County Surveyor
Mike Spencer, Tippecanoe County Surveyor

Robert Johnson, Landowner
Robert Blacker, Landowner
Ed Gable, Landowner (Gable Family Farms, Inc.)
William Scanlon, Landowner (R. B. Scanlon Farms, Inc.)
Melvin Long, Landowner
Ruth Bowles, Landowner (Virginia S. Clark Farms, Inc.)
Bruce Smith, Landowner
Robert Dukes, Landowner
Hal Clark, Landowner
Maywood Winger, Landowner
Charles Haughs, Landowner
Kenneth Wien, Landowner
John R. Jenkins, Landowner (Jenkins Farms)
Martin Campbell, Landowner
Ray Sabens, Landowner
Evelyn Welshimer, Landowner

Sandy Deets & Kennedy

410 Main Street, P.O. Box 1537, Lafayette, Indiana 47902 (317) 423-1554
6 North Shield Street, Knox, Indiana 46534 (219) 772-5129

TO: Tri-County Drainage Board of Tippecanoe, Clinton
and Montgomery Counties

DATE: December 9, 1982

RE: Reconstruction Of The John McLaughlin Drain

Dear Board Members:

Please be advised that our law firm represents the following landowners with regards to the proposed reconstruction of the John McLaughlin Drain:

1. Robert Johnson
2. Robert Blacker
3. Ed Gable
4. William Scanlon
5. Melvin Long
6. Ruth Bowles
7. Bruce Smith
8. Robert Dukes
9. Hal Clark
10. Maywood Winger

With regards to your hearing of December 16, 1982 at 7:30 P.M., please be advised that the foregoing property owners object to the proposed reconstruction and further object to any action being taken at said meeting for the following reasons:

1. The costs, damage, and expenses of the proposed reconstruction will exceed the benefits that will result to the owners of land benefited.
2. The benefits assessed against the landowners are excessive.
3. The above landowners will be damaged by reconstruction and the Board has failed

Attorneys at Law

D. Emmett Ferguson (1963)

Cari J. Sandy
Charles R. Deets III
Edward L. Kennedy

Lynn Murray

to find the land will be damaged or has inadequately assessed damages.

4. The Tri-County Drainage Board has no jurisdiction or authority to act on this matter because the initial Board was never formed in compliance with Burns Statutes governing the same. Thus, any action taken to date has no legal effect.
5. The County Surveyor has not performed all conditions precedent under Indiana Statutory and Case Law; specifically failing to comply with I. C. §36-9-27-34, 35, 36 and 55.
6. The Petitions for Reconstruction and Maintenance filed with the Board by certain landowners do not conform with the Statutory requirements regarding the same, and therefore, there is no valid Petition before the Drainage Board upon which any action may be taken.
7. That the Drainage Board has not complied with the Indiana Sunshine Law regulating public notices and advertising and posting of agendas for all of the meetings heretofore held.
8. That the landowners have already been improperly assessed for engineering work performed by a certain Don Yount for the following reasons:
 - a. There was no advertisement of the project and request for written bids, which is in violation of Indiana Statutory Law since it was in excess of \$5,000.00.
 - b. Any assessment for these costs can not be made until the final project has been approved and proceeded on.

Tri-County Drainage Board of Tippecanoe,
Clinton and Montgomery Counties

Page 3

December 9, 1982

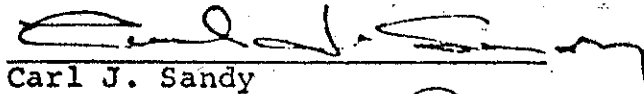
c. It involved work which the County Surveyor has a duty to perform at no cost to the landowners.

9. The Petition for Reconstruction and/or engineering work had already been rejected twice by landowners at the November 19, 1981 meeting. Therefore, until and unless additional, legally prepared petitions were presented to the Drainage Board, the Board had no authority to continue to take any action designed to obtain a favorable result on reconstruction matters on this ditch.
10. It appears in the January 21, 1982 Board Minutes, that computations and votes were recorded in a private meeting at the Montgomery County Surveyor's Office On January 22, 1982 with regards to the veto of any reconstruction; which action is in violation of the Indiana Sunshine Law.
11. That the notice for the meeting of December 16, 1982 at 7:30 P.M. is wholly inadequate and not in compliance with I. C. §36-9-27-52.
12. That the Drainage Board has failed to comply with all conditions precedent; specifically failing to meet the requirements of I. C. §36-9-27-50, 52.
13. That it appears certain petitions were filed to establish a new drain in January, 1979 and March, 1980 with the Drainage Board; however, I. C. §36-9-27-58, 60, 61, 62, and 63 were not complied with by the parties.

For each of the foregoing reasons, the aforementioned landowners object to the meeting of December 16, 1982 at 7:30 P.M. and request that said meeting be cancelled. In the event

Tri-County Drainage Board of Tippecanoe,
Clinton and Montgomery Counties
Page 4
December 9, 1982

the meeting is held, the aforementioned landowners request
that no action be taken by the Drainage Board.



Carl J. Sandy



Edward L. Kennedy

ATTORNEYS FOR REMONSTRATORS

ELK/cer

cc: Bruce Osborn, Member
Ellsworth Biesecker, Member
Don Maxwell, Member
Warren McGaughey, Montgomery County Attorney
Fred Hoffman, Tippecanoe County Attorney
Ted R. Johnson, Clinton County Attorney
Russell Nelson, Montgomery County Surveyor
Neil Conner, Clinton County Surveyor
Mike Spencer, Tippecanoe County Surveyor