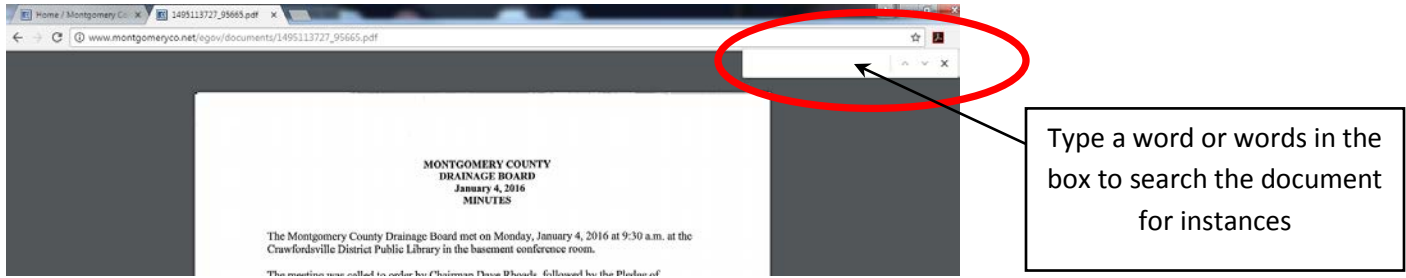
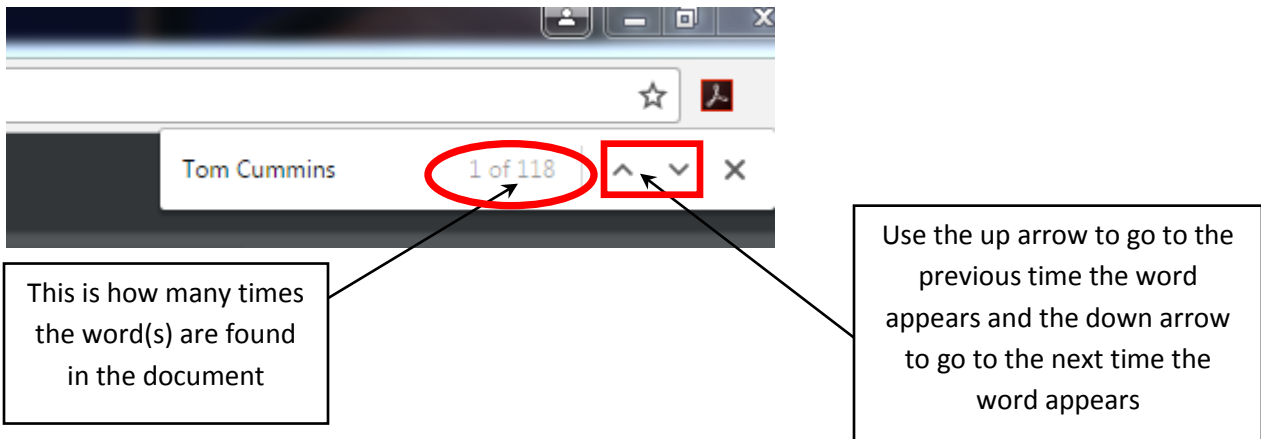


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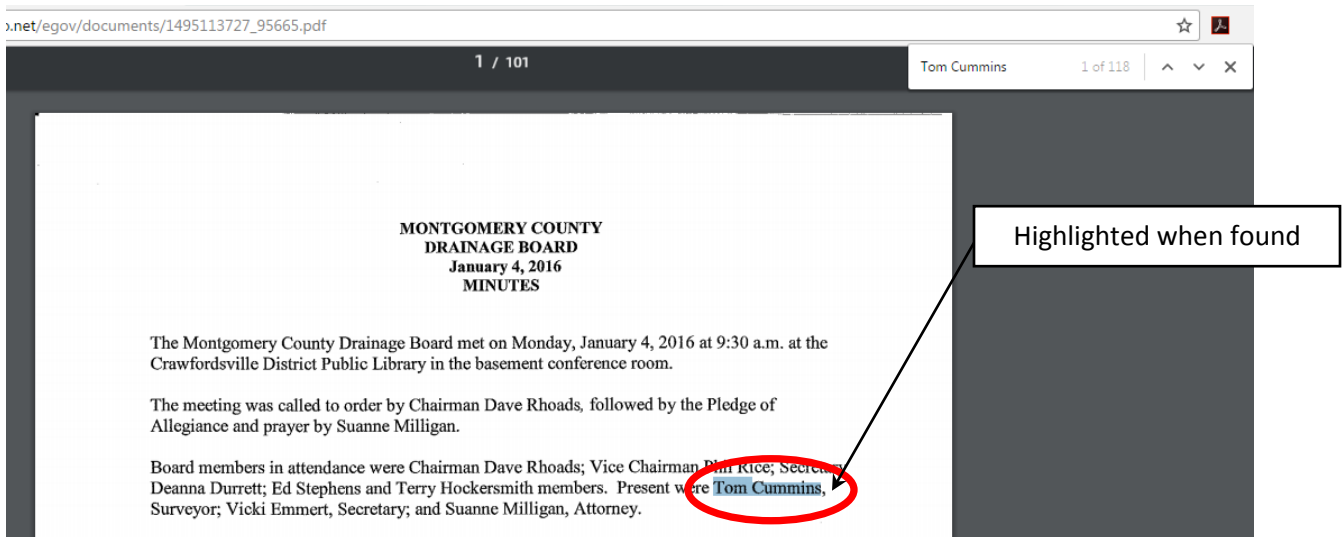
- **Hold down the CTRL key and the letter 'F' at the same time. A search box appears in the upper right hand corner. Type a word(s) in the box to search the document for the word(s).**



- **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  
Tuesday, January 12, 2010  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, January 12, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary, and attorney Suanne Milligan. Deputy Surveyor Greg Woods was absent.

Also present were Marian Lindow of the Montgomery County League of Women Voters, Dave White, Dave Deckard, Don Harshbarger, Marc Bonwell, Bart Maxwell, Joe Miller of Banning Engineering, Curt Hudson, Bill Calander, Jim Arland, Lee Meriam, and Leroy Bunnell.

There were no minutes to review.

### **2010 Reorganization**

Jennifer Bertley Montgomery County Clerk, was present to swear in the returning members Dave Rhoads, Terry Hockersmith and Phil Rice of the Drainage Board. Members recited the Oath of Office and signed the Oath of Office for the Clerk.

**Deanna Durrett moved, seconded by Phil Rice, to appoint Suanne Milligan as Drainage Board attorney for the 2010 year. Motion carried, 5-0**

**Phil Rice moved, seconded by Terry Hockersmith, to retain the same officers for 2010. Motion carried, 5-0.** 2010 officers will be Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice members.

Discussion of new schedule of Drainage Board meetings, were discussed. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold the 2010 Drainage Board meetings on the second Monday at 9:30 a.m. at the Crawfordsville District Public Library with special meetings to be called when necessary. Motion carried, 5-0.** Deanna Durrett reported the board held 28 meetings in 2009.

### **Old Business**

Curt Hudson was present to discuss the petition to attach to the **Arthur Fraley #596**. The open ditch serves four tiled drains, **Arthur Fraley #596, James B Grimes #521, Wm. Kirkpatrick #635, and W. Hawker #522**. Mr. Cummins reported that to make the open ditch a part of a legal drain the landowner will need to bring a petition to the Drainage Board and contact all landowners involved himself. Mr. Cummins will be meeting with Tippecanoe County in

February and will discuss this area as it joins Montgomery County. Tom Cummins says he will create a watershed for this area by the February Drainage Board meeting.

Tom Cummins reported landowners from the **unknown ditch** were notified about today's informal meeting. Mr. Cummins inquired of landowners who were present if the watershed he created is accurate. Landowners present were Jim Arland, Bill Calander representing Marion Wells, Leroy Bunnell representing Clark Alford, and Lee Meriam. Mr. Bunnell stated the new drain should be called Clark Alford as it has been in his family ninety years. Bill Calander reported it needs to go further east. Ms. Durrett reported Mr. Johnson came to the office yesterday. Mr. Cummins reported he met with Mr. Johnson in the afternoon. Mr. Cummins explained the process of making this ditch a legal drain.

Ms. Durrett reported there is nothing new on the **William Shelley #706** impact area resolution.

Terry Hockersmith and Tom Cummins reported meeting with Michelle Cash and Nate Bohanan about giving Mr. Cummins authority to enter MVP Rates on the computer. No determination has been made.

### **Linn-Himes #533**

Dave Deckard of Deckard Engineering, representing Ceres Solution, presented a petition to attach to the **Linn-Himes #533 Drain**. It was reported that Bart Maxwell will be paid the difference to upgrade the tile from a 15" to 24" tile by Ceres Solution and all other related costs. Suanne Milligan, Drainage Board attorney, read the agreement and the petition has all the signatures required from Ceres Solution, Nucor and Bart Maxwell. **Kenneth Pearson moved, seconded by Deanna Durrett, to accept the petition to attach from Ceres Solution to the Linn-Himes # 533 Drain. Motion carried, 5-0. Deanna Durrett moved, seconded by Kenneth Pearson, to approve the agreement between Ceres Solution, Nucor, Bart Maxwell and the Drainage Board. Motion carried, 5-0.** Deanna Durrett questioned whether landowners should be notified about this petition and agreement. Suanne Milligan stated it is not necessary to notify landowners as they will be paying less and were already notified about the reconstruction hearing. Dave Rhoads chairman of the Drainage Board inquired if his signing the agreement and petition would matter since he is a landowner on the **Linn-Himes #533 Drain**. Ms. Milligan stated it would be best to withdraw the motions. ***Kenneth Pearson and Deanna Durrett both agreed to withdraw their motion to attach. Motion carried, 4-0. Dave Rhoads abstained.*** Deanna Durrett moved, seconded by Terry Hockersmith, to approve the petition to attach from Ceres Solution to the **Linn-Himes #533** with vice chairman Kenneth Pearson signing the petition. **Motion carried, 4-0. Dave Rhoads abstained. Deanna Durrett and Kenneth Pearson, withdrew the motion for the agreement between Ceres solution, Nucor, Bart Maxwell and the Drainage Board. Motion carried, 4-0. Dave Rhoads abstained.** Deanna Durrett moved, seconded by Terry Hockersmith, to accept the agreement between Ceres Solution, Nucor, Bart Maxwell and the Drainage Board with vice chairman Kenneth Pearson signing the agreement. **Motion carried, 4-0. Dave Rhoads abstained.**

### **New Business**

Tom Cummins reported meeting with Tom Deaton about the **John Galey #518** of Lithonia Lighting. Mr. Deaton is concerned about too much water on his land. Mr. Cummins would like to have an engineer to look at the drainage problem. There is money in the drain's maintenance fund to cover the cost of an engineer. **Phil Rice moved, seconded by Terry Hockersmith, to give authority to Mr. Cummins to request an engineer to look at the drainage problem on the John Galey #518. Motion carried, 5-0.**

#### **Foster Fletcher #573**

**Deanna Durrett moved, seconded by Terry Hockersmith, to hold a special Drainage Board meeting on the Monday, January 25, 2010 at 9:30 a.m. at the Crawfordsville District Public Library, concerning the Foster Fletcher #573. Motion carried, 5-0.**

Marc Bonwell reported the City Council is changing their storm water ordinance concerning the **Foster Fletcher #573** on one acre and above. They have heard their first reading of the revision and would like input from the Drainage Board concerning their **Foster Fletcher Impact Resolution**. The City Council meets on the 2<sup>nd</sup> Monday in February. Mr. Bonwell is to receive the revised draft today.

Deanna Durrett presented the 2009 Annual Report to the Drainage Board. A copy of this report will be put in the Exhibits Notebook.

Curt Hudson commended the Drainage Board and the Surveyor on a job well done. Dave White inquired about there being no funds in the **William Shelley #706 Drain** and if the ditch listing is to be published to the web there may be some confusion about assessments. Phil Rice inquired as to why the **John McCorkle #608R** fund is in the red. Mr. Cummins reported because that the contractor was paid before the bank loan was received.

#### **Other Business**

Tom Cummins reported that Mr. Bob Mills of 305 Louise Ave, Crawfordsville is in the **William Shelley #706 Drain** and would like to build an addition of three bedrooms and a garage to his property. It is an increase of 13% run-off. The 1998 resolution allows no more than the 10% run-off. **Deanna Durrett moved, seconded by Phil Rice, to deny the petition to build as it is more run-off than is allowed. Motion carried, 5-0.**

Vicki Emmert presented Greg Wood's monthly activity report to the Board as he was unable to attend today. Mr. Cummins reported he has drawn new watersheds for many of the un-assessed drains and Mr. Woods is working on the landowner lists and percentages for each.

#### **Public Comment**

Dave White inquired as to what is planned next for the **William Shelley #706 Drain**. Mr. Cummins says in the spring he wants to locate more tiles. There are some small tile holes along Park Lane and Wabash Avenue and at this time he does not know if they are part of the **William**

**Shelley** or just low spots. Phil Rice inquired about work on the impact resolution being created for the **William Shelley**. Deanna Durrett says there is still more research to be done.

Tom Cummins reported that Arthur Excavating has completed the tile work on the **Raymond Weliever #564** but the swale is to be completed this spring when weather is better. Mr. Cummins reported Jacob Arthur has submitted a bill for the tile work. Mr. Cummins said the loan has not been made yet and that he will pay Mr. Arthur out of Funds without Drains at this time for the work completed.

The next meeting will be Monday, February 8, 2010 at 9:30 a.m. at the Crawfordsville District Public Library.

Curt Hudson inquired about putting in a pumping station on the **Arthur Fraley #596**. Tom Cummins reported the information he has received from other counties concerning this is 50/50 as to whether the law allows construction of a pumping station on a legal drain. Mr. Cummins stated at the Surveyor's state meeting in March he will inquire about the matter.

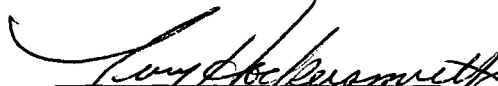
**Kenneth Pearson moved, seconded by Phil Rice, to adjourn the meeting at 11:30 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, January 25, 2010  
Foster Fletcher Special Meeting  
MINUTES**

The Montgomery County Drainage Board met in special session to discuss the Foster Fletcher Drain on Monday, January 25, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

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

Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, Dave Deckard, Joe Miller of Banning Engineering,

**Terry Hockersmith moved, seconded by Deanna Durrett, to approve the December 8, 2009 minutes. Motion carried, 5-0.**

The purpose of the meeting was to develop a strategy for drainage in the Foster Fletcher watershed.

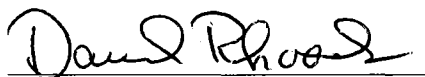
Tom Cummins and Joe Miller reviewed the three alternatives that were previously presented to the Board.

The Board discussed the options and possible remedies.

Deanna Durrett will plan a meeting with the Crawfordsville stakeholders for Monday, February 22, 2010 at the Crawfordsville District Public Library.

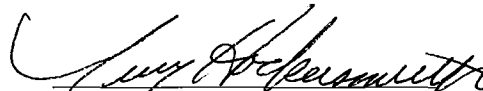
**Kenneth Pearson moved, seconded by Deanna Durrett, to adjourn at 11:22 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member



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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Tuesday, February 8, 2010  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, February 8, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary, and attorney Suanne Milligan. Deputy Surveyor Greg Woods was absent.

Also present were Marian Lindow of the Montgomery County League of Women Voters, Dave White, Marc Bonwell, Jeremy Potter, Curt Hudson, and Troy Stalh of Bonar Group.

Minutes approved

**Terry Hockersmith moved, seconded by Phil Rice, to approve the January 12<sup>th</sup> & 25<sup>th</sup> 2010 minutes. Motion carried 5-0.**

**Old Business**

Tom Cummins reported on the **Arthur Fraley #596**. Curt Hudson will be sending a private mailing to all the landowners involved in the petition to attach and become part of the **Arthur Fraley #596 Drain**. A written request was presented to Mr. Cummins to take jurisdiction of a mutual drain from Curt Hudson. **Deanna Durrett moved, seconded by Kenneth Pearson, to set a hearing for Monday, March 22, 2010 at 9:30 a.m. at the Surveyor's Office at 110 W. South Boulevard concerning the Arthur Fraley #596. Motion carried, 5-0.**

Terry Hockersmith reported that the Auditor's Office, Tom Cummins and Nate Bohanan are still working on acquiring a license for Mr. Cummins to be able to use the MPV computer system. Mr. Hockersmith introduced Jennifer Andel the new employee at the Auditor's office who will be responsible for Legal Drains. Ms. Andel will be giving the Drainage Board updates.

Tom Cummins reported on the **Albert Hysong Joint Drain #618**. Mr. Cummins has not received any updates from Hendricks County concerning the **Albert Hysong Drain**. He does have a landowner list. Mr. Cummins reported there is a dispute between the Hendricks County Surveyor and the Hendricks Drainage Board. Mr. Cummins did receive an e-mail from the DNR stating that permits would be necessary before work could be done. Deanna Durrett will prepare a letter to send to the Hendricks County Surveyor, Drainage Board, Commissioners, and the landowners involved. Ms. Durrett will forward it to the Montgomery County Drainage Board for review before sending.

Troy Stahl of Bonar Group gave updates on the **Boswell Clough #595 Drain** for the town of New Richmond. Mr. Stahl displayed a map showing where the tiles and ponds are now and where they will be moved. Mr. Stahl is asking for a variance of the Boswell Clough #595, due to where the new pond will be. It was stated a variance couldn't be given without the exact location of the legal drain and the footage of the variance. **Deanna Durrett moved, seconded by Terry Hockersmith, that the Drainage Board is in agreement with the plan and would like all of the information to be presented to the board before allowing a variance at the March 22, 2010 meeting. Motion carried, 5-0.**

Tom Cummins reported he would have an update on the **John Galey #518** at the March 8, 2010 meeting.

Deanna Durrett has prepared a letter for the **Foster Fletcher #573** meeting with the city of Crawfordsville. It will be Monday, February 22, 2010 at 9:30 a.m. at the Surveyor's Office at 110 W. South Boulevard, Crawfordsville, IN 47933.

### **New Business**

Deanna Durrett presented a spreadsheet of contractor claims dating back to 2004 to 2009 displaying the amounts paid to contractors for repairs and reconstructions. Ms. Durrett also presented a Ditch Listing report with corrections of James Emmerson #702. Jennifer Anandel will find out more information about the Harris Transaction System. Phil Rice inquired why the **John McCorkle # 608 Drain** had been on assessment for 9 ½ years. Mr. Cummins reported it had to do with the way transfers used to be made from maintenance to improvement with the previous Surveyor and not counting the accumulation of cash in an account.

Mr. Cummins presented the off-list of drains for 2010. There are three on the list that are highlighted and he would like to keep them on assessment as they need work, they are the **Allie Peterson #549, Swearingen -Runyon #557, and Rankin Walkup #579**. The **Marsh Samuel #639** should be added to the off-list. Mr. Cummins will research the **Ziegler #571 Joint Drain** with Boone County. **Deanna Durrett moved, seconded by Phil Rice, to accept the 50 drains on the off-list except for the Allie Peterson #549, Swearingen-Runyon#557 and Rankin Walkup #579, and adding the Marsh Samuel #639. Motion carried, 5-0.**

Tom Cummins presented the Drain Fund Transfer Report. This report shows transfers from Maintenance to Improvement funds in the amount of \$42,439.90.

### **Other Business**

#### **Public Comment**

Dave White inquired to what MVP is? Mr. Cummins stated it is the Manatron software used by the County for their tax data.

Phil Rice inquired whether a person designated as a landowner's power of attorney in fact could act for a landowner in actions before the Drainage Board. Suanne Milligan reported it would depend on the language of the power of attorney document.

**Claims**

There were no claims.


Mr. Rhoads stated the next two meetings would be Monday, February 22, 2010 at the Surveyor's Office and the March 8, 2010, meeting at the Crawfordsville Library.

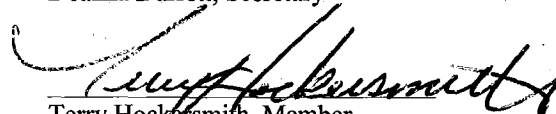
**Terry Hockersmith moved, seconded by Kenneth Pearson to adjourn the meeting at 11:00 a.m.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, February 22, 2010  
Foster Fletcher Special Joint Meeting  
MINUTES**

The Montgomery County Drainage Board met in special joint session with officials from the city of Crawfordsville to discuss the Foster Fletcher Drain on Monday, February 22, 2010 at 9:30 a.m. at 110 W. South Boulevard in the conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary, and attorney Suanne Milligan. Greg Woods Deputy Surveyor was absent.

Also present Marian Lindow of the Montgomery County League of Women Voters, Dave White, and Marc Bonwell City officials in attendance were; Brandy Allen of city planning; Chris Kaufman, City Engineer; Charlie Coons, Mayor of Crawfordsville; and Gary Weliever, Stormwater Utility Department Superintendent.

Tom Cummins described the **Foster Fletcher Drain #573**. Mr. Cummins presented maps and data from Banning Engineering including the three options available. He provided the November 10, 2008 special impact area resolution.

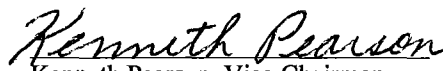
- Options were discussed.
- It was stated the Drainage Board and the city of Crawfordsville would rather be pro-active than re-active to the drainage problems with the Foster Fletcher Impact Area.
- Concerns of who is to pay for the improvements that are needed to prevent future drainage problems were discussed.
- Discussed the possibility of a landowner meeting concerning their long range goals for their properties, along with the Drainage Board, Re-Development, Montgomery County Economic Development Commission and Crawfordsville Stormwater Utility Board.
- 


There will be a meeting with the Crawfordsville Stormwater Utility on March 24, 2010 at 7:00 p.m. and Tom Cummins will be attending. Mr. Cummins was requested to please bring maps of legal drains that encroach into the Crawfordsville city limits.


The meeting was adjourned at 11:00 a.m.

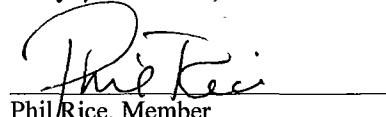
Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday March 8, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, March 8, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

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

Also present were Marian Lindow of the Montgomery County League of Women Voters, Dave White, Marc Bonwell, Robert & Julie Mills, David Crum, Joe Miller of Banning Engineering, Jennifer Andel, Randy L. McCormick, and Brenda Foster.

Minutes approved

**Deanna Durrett moved, seconded by Phil Rice, to approve the February 8 & 22<sup>nd</sup> 2010 minutes. Motion carried 5-0.**

**Old Business**

**A. F. Ward #561**

Tom Cummins presented background information on the A. F. Ward #561 joint drain with Boone County. It is controlled by Montgomery County.

**Drain Information:**

Constructed:	1929
Reconstructed:	N/A
Location:	T. 20N R3W; Sections 35 & 36 – Montgomery County T. 19 N. R3W; Sections 1 & 2 – Montgomery County T. 19N R2W; Section 6 – Boone County

Watershed Acres:	496.88 Acres - Montgomery County ~350 Acres – Boone County
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Tile Length:	~10,000 ft.
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Tile Sizes:	15”
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Open Ditch length	2,100 ft.
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Current Maintenance: \$0.62/acre

Current Maintenance Balance: -\$507.52

**Surveyor's Observations:**

The **A. F. Ward Drain** is currently carrying a deficit in the Maintenance fund, with an unusually low maintenance assessment. The drain is also in need of work on the open ditch



portion, specifically dipping of the ditch to allow maximum flow and to relieve pressure on the outlet of the 15" tile.

Based on these observations, the Montgomery County Surveyor recommends increasing the **A. F. Ward** maintenance assessment from \$0.62/acre to \$6.00/acre for the 2010 year, with a plan to reduce the assessment to \$2.50/acre after 2011.

**Deanna Durrett moved, seconded by Phil Rice to set a hearing on Monday, May 10, 2010 at the Crawfordsville District Public Library at 9:30 a.m. for the AF Ward #561 Joint Drain with Boone County to raise the assessment from \$0.62 to \$6.00 an acre. Motion carried, 5-0.**

### **Shelley Drain #706**

Present were Robert and Julie Mills of 305 Louise Ave. Crawfordsville, IN who were re-submitting new building plans, which lie in the **Shelley Drain** watershed, and result in a 9% increase in runoff. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve Robert and Julie Mills plans to build as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1.** Terry Hockersmith inquired as to the progress of the work on the **Shelley Drain**. Tom Cummins reported that more camera work needs to be completed and there have been weather delays. Mr. Mills stated for future reference if title and abstract companies knew about the building restrictions in the **Shelley Drain** area it would be much appreciated. If they had known about the no-build situation before they purchased the property they would never had bought there, as their intention was always to build on.

Tom Cummins reported that everything is current with Curt Hudson and the hearing for March 22, 2010 for the **Arthur Fraley #596 Drain**.

Terry Hockersmith and Tom Cummins reported about the MVP rates. Mr. Cummins reported the MVP software is in place and he can now edit from his office. He would like for the Auditor to be in charge of entering the rates. Jennifer Andel from the Auditor's office reported rates changes have been entered. Ms. Andel stated that a landowner list is needed to enter the Shelley Drain rate increase. Mr. Cummins reported a list had been previously provided and he will provide another list. Phil Rice stated his concern that rates are not already in place for the Shelley Drain. Marc Bonwell reported the rates have to be entered manually for each landowner.

Tom Cummins reported he has not received a call from the Hendricks County Surveyor concerning the **Albert Hysong #681 Joint Drain**. Mr. Cummins stated he would see him on Wednesday at Road School. Joe Miller of Banning Engineering stated he will be in contact with their Deputy Surveyor Brett Picket and will mention it to him. Ms. Durrett will draft a letter to Hendricks County Surveyor and Board notifying them we are moving ahead with rate increase hearing.

### **Boswell Clough #595**

Tom Cummins reported he has not heard from Troy Stahl, concerning the **Boswell Clough #595**.

### **John Galey #518**

Tom Cummins reported he should have a report at the April meeting. Mr. Cummins reported work on this drain should be done when the weather is dry.

Dave Rhoads reported the **Foster Fletcher #573** meeting held on February 22, 2010 went well. Deanna Durrett reported she has sent a draft letter to the Board and would like their input. Mr. Cummins is still to meet with the City Stormwater Utility Board and asked to keep it on the agenda for the April meeting.

### **Reconstruction Reports from Tom Cummins**

**Raymond Weliever:** The tile work has been completed and that portion has been paid to the contractor. The contractor is waiting for dry weather to complete the swale work.

**Linn-Himes #533:** Bart Maxwell has completed the open ditch work. Mr. Cummins has the paperwork to send in for the permits for the railroad work. Mr. Maxwell will work on the tile portion up to the railroad on both sides.

**John Galey #518:** Waiting on an engineering report as well as weather.

**Moses Allen #500:** Waiting for better weather.

**John Gobin #520:** Waiting on info for pump station at Road School.

### **Other Business**

Randy McCormick inquired why the **Guy Little #534** was not on the agenda and why the work has not been completed. It was stated the **Guy Little #534** has received quotes for the project, but weather this winter has not permitted the work to be completed.

### **New Business**

Leroy Bunnell is working with landowners on his power of attorney in order to move forward on the **Clark Alford Drain (unknown drain)**.

Deanna Durrett presented a ditch listing report to the Board.

Jennifer Anandel informed the Board as of March 15, 2010 she will be working full time at the Auditor's office.

Tom Cummins reported the transfers from maintenance to improvement have been completed.

### **Other Business**

Mr. Crum representing the Mace Methodist Church presented a draft plan to put in an elevated berm and build a 20 x 54 (1080 sq. ft) addition. **Kenneth Pearson moved, seconded by Terry Hockersmith, to approve the plan with the elevated berm and expansion of the Mace Methodist Church. Motion carried, 5-0.**

Greg Woods presented his January activity report and reported on the grass-way/culvert project. Mr. Woods will be working on inventory and design of waterways this spring. Through the Soil and Water Conservation District, the will be evaluating water ways that landowners are paid for. The Soil and Water purchased a new 4-wheel drive Kubota UTV that will be available for his use.

Dave Rhoads inquired who the contractor is to work on the **Guy Little #534**. Mr. Cummins reported it is Dave Foster.


There were no claims.

Next meetings will be: Special meeting on March 22, 2010, and regular meeting April 12, 2010.

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

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

\_\_\_\_\_  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday March 22, 2010  
Special Hearing  
MINUTES**

The Montgomery County Drainage Board met on Monday, March 22, 2010 at 9:30 a.m. at 110 West South Boulevard, Crawfordsville, IN

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, member. Phil Rice, member, was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor, and Suanne Milligan Attorney.

Also present were, Dave White, Scott Odle, Jenny & Sherry Baird, Bill Fugate, Dale Grimes, Steve Hudson, Aaron Bennett, Robert Reamer, Russ Hiatt representing JC Halstead, Curt Hudson, Christopher Hudson, George Raub representing G. David Malsbary, Rick Bymaster, and Dan Gwinn representing Tom Wiseman.

Mr. Rhoads turned the meeting over to Tom Cummins. Mr. Cummins invited questions concerning the petition from Mr. Curt Hudson, landowner, to take jurisdiction of a private open ditch. It is in Madison Twp. This ditch serves as an outlet for five drains: **William Hawker #522, William Kirkpatrick #635, Arthur Fraley #596, James Grimes #521 and Ed Coleman** an un-assessed drain. This ditch crosses into Tippecanoe County. A maintenance assessment can only be collected if the Drainage Board grants the petition from Mr. Hudson. The current assessment rates per acre of the existing drains are **William Hawker #522 \$1.66, William Kirkpatrick #635 \$1.56, Arthur Fraley # \$1.38 and the James Grimes #521 \$.38.**

Landowners and the Drainage Board discussed the problems along the open ditch and the five drains that outlet into it. One section of the open ditch runs very close to a road and is in need of work.

Dave Rhoads invited objections to the petition. Aaron Bennett voiced his concerns about fencing and straightening the ditch in the woods. Mr. Cummins responded that the repairs will include repair of fences and that straightening will not negatively affect him. There were no objections to the petition.

**Deanna Durrett moved, seconded by Kenneth Pearson, to grant the petition to make a mutual drain a regulated drain in accordance with IC36-9-27-19. The drain will be known as the Arthur Fraley Drain #2. Motion carried 4-0.**

After Mr. Cummins evaluates the ditch, another hearing will be held to set an assessment and to hear Mr. Cummins' estimate of the cost of maintaining the drain.

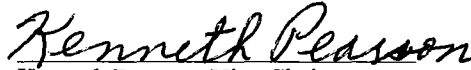
Tom Cummins reported that Bart Maxwell has completed the tile work on the **Linn-Himes #533** reconstruction. Mr. Cummins would like approval to pay that portion of the reconstruction. **Deanna Durrett moved, seconded by Terry Hockersmith, to pay Mr. Maxwell for the completed tile work on the Linn-Himes #533. Motion carried 4-0.**

**Terry Hockersmith moved, seconded by Kenneth Pearson, to adjourn the meeting. Motion carried, 4-0.**

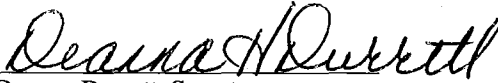
Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member

\_\_\_\_\_  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday April 12, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, April 12, 2010 at 9:30 a.m. at 110 West South Boulevard, Crawfordsville, IN.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice, members. (Mr. Rice entered at 9:44 a.m.) Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor, and Suanne Milligan, Attorney.

Also present were, Dave & Nancy White, Ray Smith, Dean Kiger, Marion Lindow of the Montgomery County League of Women Voters, Jennifer Andel, Jeff Troike, Randy L. McCormick, Dave Foster, Dave Deckard, Marc Bonwell, Kathy Clawson, Mr. Wolf, and Donnie Lawson, Boone County Drainage Board members and Ken Hedge, Boone County Surveyor.

**Organization of joint board for the A. F. Ward Drain #561**

Dave Rhoads introduced members of the Boone County Drainage. Boone County Drainage Board member, Mr. Wolf, was absent. Montgomery County representatives are Deanna Durrett and Mr. Rhoads.

**A. F. Ward #561**

Surveyor, Tom Cummins presented the following information on the A. F. Ward #561 a joint drain with Boone County. It is controlled by Montgomery County.

**Drain Information:**

Constructed: 1929  
Reconstructed: N/A  
Location: T. 20N R3W; Sections 35 & 36 – Montgomery County  
T. 19 N. R3W; Sections 1 & 2 – Montgomery County  
T. 19N R2W; Section 6 – Boone County

Watershed Acres: 496.88 Acres - Montgomery County  
~350 Acres – Boone County

Tile Length: ~10,000 ft.

Tile Sizes: 15"

Open Ditch length 2,100 ft.

Current Maintenance: \$0.62/acre

Current Maintenance Balance: -\$507.52

The **A. F. Ward Drain** is currently carrying a deficit in the Maintenance fund, with an unusually low maintenance assessment. The drain is also in need of work on the open ditch portion, specifically dipping of the ditch to allow maximum flow and to relieve pressure on the outlet of the 15" tile.

Based on these observations, the Montgomery County Surveyor recommends increasing the **A. F. Ward** maintenance assessment from \$0.62/acre to \$6.00/acre for the 2010 year, with a plan to reduce the assessment to \$2.50/acre after 2011.

The discussion was recessed until Mr. Wolf arrived.

### **Minutes Approved**

**Terry Hockersmith moved, seconded by Kenneth Pearson, to approve the March 8, and March 22, 2010 minutes. Motion carried, 4-0.**

Drainage Board member Phil Rice arrived at 9:44 a.m.

### **Old Business**

Surveyor, Tom Cummins reported on the following drains.

#### **Albert Hysong Joint Drain # 618**

Brett Pickett, Hendricks County Deputy Surveyor gave permission for Mr. Cummins to proceed in getting the proper permits needed to work on the **Albert Hysong**.

#### **Boswell Clough #595**

Jeremy Potter, New Richmond Town Council telephoned today and said there would be no representative at the board meeting today. Mr. Cummins is still waiting on information from the Bonar Group. This information is required before scheduling a special meeting.

#### **John Galey # 520**

No new report; the surveyor is waiting on a report from Banning Engineering.

#### **Clark Alford #n/a (unknown drain)**

Mr. Bunnell is working on a power of attorney issue before proceeding to create a new drain.

#### **Arthur Fraley #2**

**Deanna Durrett moved, seconded by Phil Rice, to set an assessment rate hearing for the Arthur Fraley # 2 Drain for Monday, June 14, 2010 at the Crawfordsville District Public Library. Motion carried, 5-0.**

### **Continuation of the A. F. Ward #561 Joint Drain meeting**

Mr. Wolf arrived. Ken Hedge reported there is to be a five member board: two members from each county with the fifth member from a county not involved. Dave Rhoads will be chair and Donnie Lawson will be the secretary. This meeting will be held on Monday, June 14, 2010 at 9:30 a.m. at the Crawfordsville District Public Library. The surveyors will agree on a fifth member.

### **Request for a change in drainage plans**

Marc Bonwell reported to complete the review for Ceres Solutions, on detention requirements on the north part of the subject area and 50 foot setback for detention on the south side. Dave Deckard, surveyor appeared before the Board representing Ceres Solutions to request a change of requirements

per the Montgomery Stormwater ordinance 1-54-02-C. Deanna Durrett inquired of Mr. Bonwell and Mr. Cummins if they were okay with the changes. Both were fine with the plans. **Deanna Durrett moved, seconded by Phil Rice, to accept the change requirements for the Ceres Solutions construction drainage plans. Motion carried, 5-0.**

### **New Business**

Deanna Durrett presented the financial report. The Surveyor's balance sheet and the Treasurer's register balance at the end of March 2010. Jennifer Anadel of the Auditor's office reported she would have more information about the funds without drains account before the next meeting. Dave Rhoads inquired of Ms. Anadel if this year's tax statement would state which drains a landowner would be paying for with a breakdown of each. Ms. Anadel will research this question for Mr. Rhoads as she has not seen the actual bills.

### **Otis O. Thompson Drain**

The **Otis O. Thomas** is located on US231 and drains into the **Joe Hall 581 Drain**. It has been off assessment since the 1960's. Joe Wilson has contracted with Soil & Water to do a waterway project and will be using this drain as the outlet. There are four or five tile holes that need to be repaired as well as general maintenance. Mr. Cummins would like to put the **Otis O. Thomas Thompson** back on assessment and raise the rates to \$3.00 per acre. Mr. Cummins would like a special rate hearing on Monday April 26, 2010, in order to meet the time line to get this waterway completed with the Soil and Water District. Mr. Bonwell reported he would like the Ceres Solution project to be on the agenda that day too. **Terry Hockersmith moved, seconded by Phil Rice, to hold a rate assessment hearing for the Otis O. Thomas Drain to raise the rates to \$3.00 an acre on Monday, April 26, 2010 at 8:15 a.m. at 110 W. South Boulevard, Crawfordsville, IN. Motion carried, 5-0.**

### **Linden Drain Issue**

Dean Kiger discussed the drainage problem at Linden at his house that still has standing water after three weeks. He has been in contact with the Indiana State Highway Department. Mr. Burns of the State says the tile flows 12 feet and now it is a county problem. Tom Cummins will investigate the matter and plans to throw dye in it to see where it outlets. Mr. Cummins will contact the State Highway Department.

### **Other Business**

Randy McCormick asked for an estimated time for completion of the work on the Guy Little #534. Dave Foster, the contractor involved, reported he could seed until May 15 and plans to complete all the work at one time. Mr. Cummins reported it will be staked out the first part of May. Mr. McCormick stated this is a rotational pasture and he will keep the cattle off the new waterway. Dave Foster inquired if a waterway next to a legal drain needs a variance. Greg Woods reported the life span of a waterway is considered 10 years. All tiles should have a 2 foot cover. This discussion will be put on the agenda for the next meeting.

Greg Woods presented his March report. Mr. Woods has been inspecting waterways with contracts that are up for renewal with Soil and Water. Mr. Woods is still converting squared off watersheds to contour watersheds. .

### **Public Comment**



Dave White inquired if there was anything new with the **William Shelley # 706 Drain**. Mr. Cummins reported nothing new.

Ray Smith of 6 Park Lane East, Crawfordsville, reported that he has sink holes on the back part of his property which are three feet deep. The field tile is breaking down. Mr. Smith's place receives a lot of water from Shady Knoll Apartments. The fence line has eroded so much in that area that you can see the footings of the fence posts. Mr. Smith reported children play out in that area and someone could get hurt. He has lived there since 1989 and Shady Knoll was built in 1990. Mr. Cummins reported that they would like to locate more of the **Shelley Drain** before digging and cannot say if this is part of the Shelley Drain until further investigation is done. Mr. Cummins reported this may be a common enemy law problem, requiring Mr. Smith to file legal action against Shady Knoll.

There were no claims.


Jennifer Andel wanted to clarify that all the drains balance and drains without funds balance with the Treasurer. Ms. Andel is still trying to figure out why the information does not balance with the Surveyors' ditch listing report. Phil Rice thanked Ms. Andel for getting the **Shelley Drain** back on assessment.

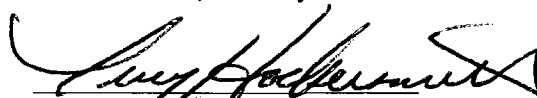
**Phil Rice moved, seconded by Terry Hockersmith, to adjourn at 11:24 a.m. Motion carried 5-0.**


Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Special Meeting  
Monday April 26, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, April 26, 2010 at 8:15 a.m. at 110 West South Boulevard, Crawfordsville, IN.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor, and Suanne Milligan, Attorney.

Also present were, Dave & Nancy White, Marion Lindow of the Montgomery County League of Women Voters, Marc Bonwell, F. Dale Crum, Joe Wilson, Mark McClamroch, & David Layton.

**Otis O. Thompson Drain Hearing**

Tom Cummins presented information on the **Otis O. Thompson Drain #708**. It is located on US 231 and drains into the **Joe Hall #581 Drain**. It has been off assessment since the 1960's. Joe Wilson has contracted with Soil & Water to do a waterway project and will be using this drain as the outlet. There are four or five tile holes that need to be repaired as well as general maintenance. There are 846.27 acres and in 1920's the watershed was reconstructed with an open ditch. Deanna Durrett inquired if all landowners were notified. Mr. Cummins reported all landowners were notified. Discussion by landowner followed. There were no objections to raising the assessment to \$3.00 per acre. **Phil Rice moved, seconded by Kenneth Pearson, to put the Otis Thompson Drain #708 back on assessment and raise the assessment from \$0.00 to \$3.00 an acre. Motion carried, 5-0.**

**Ceres Solution Stormwater**

Marc Bonwell reported the Stormwater Plan for Ceres Solution has been reviewed by the DLZ and given their approval. **Deanna Durrett moved, seconded by Terry Hockersmith, to approve the Stormwater Plan for Ceres Solution. Motion carried, 5-0.**

**Other Business**

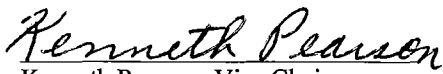
Kenneth Pearson inquired regarding the **James Servies #703**. The **James Servies #703** will be put on the May 10, 2010 Drainage Board agenda.

Dave Rhoads inquired when the next Linden Town Hall meeting concerning the grant will be. Mr. Cummins reported it will be Tuesday, April 27, 2010 at 7:30 p.m. at the Linden Town Hall.

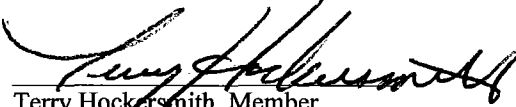
**Kenneth Pearson moved, seconded by Terry Hockersmith, to adjourn the meeting at 8:45 a.m. Motion carried, 5-0.**

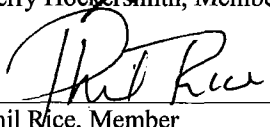
Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday June 14, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, June 14, 2010 at 10:00 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer by Phil Rice.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor, and Suanne Milligan, Attorney.

Also present were, Dave & Nancy White, Marion Lindow of the Montgomery County League of Women Voters, Randy L. McCormick, Marc Bonwell, Eric Wathen, James Davis, Lindsay D. Casper, Dean Kiger, Mary Rose Duncan, Darrell Birge, Curt Hudson, Mark Kessler, Carroll Cunningham, Jeff Wolf, and Donnie Lawson, Boone County Drainage Board members and Ken Hedge, Boone County Surveyor.

Approval of Minutes

**Deanna Durrett moved, seconded by Kenneth Pearson, to approved the April 12, 2010 and April 26, 2010 Drainage Board minutes. Motion carried, 5-0.**

**Arthur Fraley #2 Hearing**

Tom Cummins reported there are 1,908.9 acres in the Arthur Fraley #2 Drain. Landowners Curt Hudson and Mary Rose Duncan were present for discussion. Mr. Hudson inquired if all the work could be done at one time. Mr. Cummins reported it would depend on if there were financial resources available. Ms. Duncan inquired as to where her 11.95 acres is located in the watershed. Mr. Cummins reported the **Thomas Wilkins** drain reconstruction, which involves some of the same landowners as the **Arthur Fraley Drain**, is not complete and the Soil and Water and are waiting on the contractor to complete it. Phil Rice requested looking very closely at lowering the rate when the work is complete. Randy McCormick inquired how costs are estimated Mr. Cummins explained the formulas used. **Deanna Durrett moved, seconded by Kenneth Pearson, to raise the assessment to \$5.00 an acre on the Arthur Fraley # 2. Motion carried, 5-0.**

**Old Business**

Tom Cummins reported there will be an update on the **Albert Hysong #618** at the next meeting.

There will be an update on the **Albert Hysong #618** at the next meeting.

**Boswell Clough #595**

There were no representatives from the Bonar Group in attendance. Mr. Cummins reported the bid has been awarded to Brad Conners. The Bonar Group has not turned in their new drainage plans. Mr. Cummins is to meet with Brad Conners this afternoon to locate tile. The Bonar

Group is to turn in new drainage plans to the Board and they have not done that yet. **Dave Rhoads moved, seconded by Deanna Durrett, to create a stop order to be sent to the Town of New Richmond from attorney Suanne Milligan until the drainage plan is turned in. Motion carried, 5-0.**

Tom Cummins reported he will be meeting with an engineer concerning the **John Galey #518** in the upcoming week.

Mr. Cummins reported the Leroy Bunnell will be sending the petition to the landowner concerning the **Clark Alford Drain**.

### **New Business**

Tom Cummins reported on the **Allie Peterson #549** and that Mr. Kendall wanted to redirect a tile, everything else will be the same. Due to a time constraint and wet weather and because this area needs to be as dry as possible to complete the project, Mr. Cummins would like the board to call a special meeting. **Deanna Durrett moved, seconded by Terry Hockersmith to hold a special Reconstruction Hearing on Monday, July 19, 2010 at 9:30 a.m. at 110 W. South Boulevard, Crawfordville, IN for the Allie Peterson Reconstruction # 549 Drain. Motion carried, 5-0.**

Tom Cummins received a petition to attach to the **Charles McFarland #545** from Doris Middleton to connect a 4-inch private tile to the legal drain. Mr. Cummins says the **Charles McFarland** is able to handle the extra water. **Phil Rice moved, seconded by Kenneth Pearson, to allow Doris Middleton to attach her private tile to the Charles McFarland #545. Motion carried, 5-0.**

Mr. Cummins reported the **Otis Thompson #708** should be taken off the agenda as a hearing has already occurred.

Mr. Cummins reported he had not received the petition yet for the **Allen Lewis #578**.

Dean Kiger of Linden came and presented photographs to the Board about the drainage problem where he lives. Darrell Birge local contractor and Tom Cummins have inspected the area. The area is on the South side of the Lindy Freeze where there is a sewer pipe emptying into the storm water. Mr. Cummins notified Wade Bennett the town board president about the situation.

Lindsay

Casper and Jim Davis reported on water issues in their area. Most of the trouble started after a large hole was filled in near the Lindy Freeze in 2007. Mr. Cummins reported all we can do is give advice as it is a private drain. Darrell Birge says the tile near the ethanol plant should be investigated going northwest. It may be collapsed resulting in an obstruction in the watershed. Mr. Cummins reported a removal of an obstruction would have to have a petition by the landowner. Mr. Cummins will discuss this issue with attorney Suanne Milligan. It was stated the State Highway and Linden will not claim the problem. The State Highway does not deal with underground water issues.

## **Un-assessed Drains**

Tom Cummins reported that several of the un-assessed drains have been brought to him in the last few months about being put back on assessment. To put them back on assessment a landowner must petition the Board and go through the hearing process. Deanna Durrett directed Mr. Cummins to bring a report of those drains to the next meeting.

The Deadline for the 2011 Budget is Friday, June 18, 2010. **Kenneth Pearson moved, seconded by Phil Rice, to table the budget. Motion carried, 5-0. Deanna Durrett moved, seconded by Dave Rhoads, to hold a special meeting on Friday, June 18, 2010, at 8:30 a.m. at 110 W. South Boulevard, Crawfordsville, IN. Motion carried, 5-0.** Deanna Durrett will provide notice of the meeting.

Tom Cummins presented the Classification Report and the Long Range Plan to the Board. The classification report clarifies drains that are in need of periodic maintenance, drains in urban classification and drains that need reconstructions. **Deanna Durrett moved, seconded by Terry Hockersmith, to accept the Classification Report. Motion carried, 5-0.**

The Long Range Report gives a time line of work needed on drains. Dave Rhoads inquired about the **James Servies #703**. Mr. Cummins reported it is all maintenance for the **James Servies**. Mark Kessler reported the crops have not been planted yet as it is too wet. Mr. Cummins reported a window of dry weather is needed to complete the work. Deanna Durrett requested Mr. Cummins to put in writing the James Servies plan. **Deanna Durrett moved, seconded by Kenneth Pearson, to accept the Long Range Plan. Motion carried, 5-0.**

## **Other Business**

Dave Rhoads inquired if there would be a Drainage 101 conference this year. Vicki Emmert will check Farm Bureau's website and let Mr. Rhoads know.

Mr. Rhoads inquired about spraying ditches. Tom Cummins reported that he has three contractors all from outside of the county who will spray this year. Mr. Cummins will give them equal amounts to do and this will help in setting prices for spraying. Mr. Rhoads inquired about the **Wm. Epperson #622** near Nucor. Nucor used to keep this ditch clean and now it is overgrown.

## **Public Comment**

Randy McCormick reported that Mr. Foster has not come out to work on the **Guy Little # 534**. Mr. Cummins reported it has been staked out along the open ditch. Phil Rice noted that in the beginning the plans were changed several times. Mr. McCormick reported it has not changed since March 2009. Mr. Cummins reported that the equipment is just down the road, ready to move when the weather cooperates. Mr. McCormick discussed the fence and easement rights with the board and whose responsibility it is to repair fence.

Marion Lindow of the League of Women's voters requested a copy of Mr. Cummins' reports.

Mark Kessler inquired why the **John Galey # 518 Reconstruction** is not complete, as he understood the official time of completion was January 1, 2010. Tom Cummins reported after the bid was let out, it came to his attention that one of the landowners had a problem with where the water was going to be directed on his property and he had to go back to the engineers to examine that area. Mr. Cummins reported the project was due to be completed this summer.

Darrell Birge reported that Curt Hudson had redirected water to another watershed and laid a tile without permission to attach. **Deanna Durrett moved, seconded by Kenneth Pearson, to put the Curt Hudson issue on the agenda for the next meeting and to discuss it with attorney Suanne Milligan. Motion carried, 5-0.**

Phil Rice inquired about the **Joseph Conway #700** in Coal Creek Township. Greg Woods and Tom Cummins will inspect the open drain as it is in need of bottom/dipping.

Phil Rice inquired of Mark Kessler who works with Jacob Arthur the contractor who did the reconstruction of the **John McCorkle #608** that he has only received two of the GPS points and would like the rest of the GPS points. Mr. Kessler stated he would report this to Mr. Arthur.

Dave White inquired about an update for the **William Shelley #706 Drain**. Tom Cummins reported he will have a contractor do more camera work around the Kroger area and search for more obstructions.

Greg Woods presented his report to the Board for their review.

Tom Cummins reported the **Foster Fletcher #573** was not on the agenda for today. Mr. Cummins reported the storm water issue needs to be addressed with the City of Crawfordsville as Ivy Tech keeps contacting him on an update. Marc Bonwell reported the Drainage Board should meet with the Crawfordville Storm Water Utility Board. Ivy Tech should be talking to the City Board as they are going to be paying two fees in the future.

**Dave Rhoads moved, seconded by Phil Rice, to adjourn the meeting at 12:05 p.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

\_\_\_\_\_  
David Rhoads, Chairman

*Kenneth Pearson*  
Kenneth Pearson, Vice Chairman

*Deanna Durrett*  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

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Phil Rice, Member





**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Special Meeting  
Monday July 19, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, July 19, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor, and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Jeremy Potter, Jennifer Andel, Kenny Cain, Ed Gable, and Donald C. Whitehouse.

**Allie Peterson #549 Reconstruction Hearing**

Tom Cummins reported the reconstruction of the **Allie Peterson # 549** entails the following:

3,564 ft	30" smooth-core tile	@ \$31.00/ft	= \$110,484.00
1,350 ft	24" smooth-core tile	@ \$20.00/ft	= \$ 27,000.00
4,914 ft	Destruction of old tile	@ \$ 1.00/ft	= \$ 4,914.00
1%	Contingency	@ 1%	= \$ 1,423.00
		Total	= \$143,821.00

Watershed =1,370.21 acres  
Rate per Acre = \$104.96

Landowners present were Kenny Cain, Ed Gable, and Donald C. Whitehouse. Kenny Cain reported he had done unauthorized repairs on the Allie Peterson # 549 in 2009 and has a claim for the work he would like to present to the board. Mr. Cain using the GIS program pointed out the work he had done removing trees that were obstructing the drain. Mr. Cain stated it was important to the landowners to have a voice in bid/contractor/selection. Discussion between the landowners, Drainage Board, and the Surveyor were concerning open ditch work, the outlet and the blue line stream. The outlet is not part of the legal drain and is in need of work and an investigation is required as to who should pay for the work and whether it could become part of the legal drain. Suanne Milligan will research open ditches that are also blue-line streams. Ed Gable reported Mr. Schembs has several Silver Maples that he does not want cut down. **Phil Rice moved, seconded by Kenneth Pearson, to allow the reconstruction of the Allie Peterson #549 drain at an estimate of \$143,821.00.** The floor was opened for discussion. Phil Rice reported that according to the Drainage 101 meeting you are supposed to select the contractor with the lowest most responsive and most responsible bid. Mr. Cummins reported that an itemized proposal is included in each bid packet. The itemized proposal lists the cost for each aspect of the reconstruction. Suanne Milligan reported a landowner could present evidence to the board as to the contractor's irresponsibility. **Motion passed, 5-0.** The bids will be opened at the August 9, 2010 meeting.

**Boswell Clough # 595 Petition**

Tom Cummins reported he had received a Petition for a Variance from the Town of New Richmond on the **Boswell Clough # 595 Drain**. **Deanna Durrett moved, seconded by Terry Hockersmith, to grant a reduction in the easement from 75 foot to 65 foot on the south side of the tile, for the reason the petitioner will be building a retention pond within the easement, of the Boswell Clough #595 drain. Motion carried, 5-0.**

**Linn-Himes #533**

Tom Cummins reported on the **Linn-Himes** meeting with Ceres Solution as follows:

Original Reconstruction Specifications

- Install 1,800 ft. of 15" smooth-corr tile
- Destroy 1,800 ft. of existing 15" tile
- De-brush north bank and dip out 1,800 ft. of open ditch
- Bore railroad and install 24" CMP casing pipe with 15" smooth-corr carrier pipe

\*Based on the needs of the new Ceres solutions liquid fertilizer plant, the Montgomery County Drainage board entered into an agreement with Nucor Corporation and Ceres Solutions to increase the size of the proposed tile from 15" to 24", for approximately 1,400 ft. The added expense for this increase in tile size was paid by Ceres Solutions. The project was partially completed (from the Ceres Solutions manhole structure east) in February 2010. Four hundred ft. of tile is left to be installed as well as the bore across the existing railroad.

\*\*Installation is set to begin on a new railroad spur by Ceres Solutions, also part of the fertilizer plant construction. This new railroad spur will cross over the new tile which is to be installed in conjunction with the railroad bore. The specifications for the new railroad require the 15" tile to be installed with 15" RCP pipe (reinforced concrete pipe). This will increase the cost for that section of tile, which was agreed on in the reconstruction. A new agreement will need to be signed between the Montgomery County Drainage Board and Ceres Solutions to ensure that Ceres Solutions is responsible for any increase in cost over and above the original price approved in the reconstruction.

\*\*\*In the process of submitting an application to CSX, we learned their specifications would not allow for a directional bore across the existing railroad. The original reconstruction specs called for a directional bore, installation of a 24" casing pipe, and a 15" carrier pipe inside. Based on the CSX specs, the bore will need to be done by process of "jack and bore", with installation of a 30" steel casing pipe, and a 15" carrier pipe inside, secured by spacers. This change in the bore will result in a major increase in the price which will require a new bid process as well as a new reconstruction hearing involving the landowners of the **Linn-Himes** regulated drain.

How to pay for the "jack and bore" that CSX Railroad is requiring was discussed. Phil Rice reported the Indiana Drainage Code Section 36-9-27-71 states the railroad shall pay half of the cost of the jack and bore. (Terry Hockersmith left the meeting at 10:26 a.m.) Mr. Cummins was directed to get firm costs of what the jack and bore will be and call CSX Railroad. Deanna Durrett inquired, what would happen if we went ahead and put in the original bore. Mr. Cummins stated CSX will tear it out and replace it. Mr. Cummins reported the engineering design cost will be about \$5,000.00 and the permit will be \$3,500.00. Mr. Cummins was asked by the Board to research relationship with CSX and their responsibility under the Drainage law to pay half of the cost of work under their railroad. Specifically he is to contact Clinton County Surveyor and the Indiana County Surveyor Association. No action was taken.

**Allen Lewis**

Richard Inskeep, landowner, has signed a Petition to Advance the Date for a Reconstruction of the **Allen Lewis #578**. **Phil Rice moved, seconded by Kenneth Pearson, to advance the date for the Surveyor, to report the cost of a reconstruction of the Allen Lewis #578 at the August 9, 2010 Drainage Board meeting. Motion carried, 4-0.**

**Private Drain Issue**

Tom Cummins reported that Dean Kiger could not attend today. Mr. Cummins was directed to have Mr. Kiger talk to the landowner about the obstruction of the tree roots in the tile. If Mr. Kiger has no results with the landowner then he should come in and amend his Petition to Remove Obstruction, naming the correct respondent.

**New Business**

Tom Cummins reported, that Walt Nelson reported on the **Timothy Lane #602**. Two old concrete field crossing bridges that have collapsed and they need to be removed.

**Other Business**

Deanna Durrett thanked Jennifer Andel from the Auditor's office for coming to the meeting.

**Public Comment**

Jeremy Potter of New Richmond reported that there are two houses on the North side of town that are having flooding issues. He inquired about the work being done in that area. The landowners are the Snyder's and Coverts. Tom Cummins reported the drain can only take subsurface water, not surface water, and there has been too much rain this summer. Mr. Cummins reported the people out there working are just checking the directional flow, not repairing.


**Phil Rice moved, seconded by Kenneth Pearson, to adjourn at 10:50 a.m. Motion carried, 4-0.**

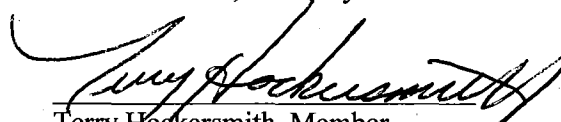
Vicki Emmert,  
Recording Secretary

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David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

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Phil Rice, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday July 12, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday July 12, 2010 at 10:05 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer by Suanne Milligan.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor, and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Eric Wathen, Darrell Birge, Chris Patterson, Jack Fifer, Richard Inskeep, Jack Klepfer, Troy Stahl, Jennifer Andel, Gerald E. Shelburn, Jeremy Potter, Jim Ayers, Brenda Foster, Kenny Cain, Ken Larson, Mark Nesbitt, Carroll Cunningham, Kathy Clawson. Jeff Wolf, and Donnie Lawson, Boone County Drainage Board members and Ken Hedge, Boone County Surveyor.

There were no minutes to approve.

### **Boswell Clough**

The Board previously approved the **Boswell Clough #595** drainage plan. It is partly in the Town of New Richmond and also farm ground. The town has a grant to repair their drainage problems. Mr. Troy Stahl of the Bonar Group presented a layout of the work that will be done. Drainage Board members and landowners discussed what will be done if laterals are damaged or located in the process of building the retention pond. Mr. Cummins recommends that all laterals be repaired and reconnected to the **Boswell Clough #595**. Mr. Cummins reported today the Town of New Richmond should petition for a variance as the retention pond encroaches into the easement of the **Boswell Clough #595**. **Dave Rhoads moved, seconded by Kenneth Pearson, to allow the disconnection of the two tiles north of the tracks, and requiring the contractors to repair any laterals they encounter and damage, on the Boswell Clough # 595 subject to the submission and approval of a petition for variance for encroaching the retention pond onto the Boswell Clough.** The floor was opened for discussion. Landowners discussed the flooding issues and the need of a reconstruction of the **Boswell Clough**. Darrell Birge inquired if it should be classified as an urban drain. Mr. Cummins reported yes. **Motion carried, 5-0.** The petition for a variance will be placed on the agenda of the next meeting on July 19, 2010 at 9:30 a.m. at the Crawfordsville District Library.

### **Foster Fletcher**

Ken Larson from Ivy Tech appeared before the Board concerning the **Foster Fletcher # 573** allowable water run-off. Deanna Durrett and Tom Cummins met with the City of Crawfordsville. Mr. Larson reported that Ivy Tech moved to this location four years ago and has

one more year on its lease. Ivy Tech has grown tremendously and is almost out of space. They have 90 parking spaces and now exceed that. The students at times park at John Allen Truck Sales, Murphy Trailer Sales and Wright Implement. Mr. Larson says John Allen Truck Sales has  $\frac{3}{4}$  of an acre that could be paved but not with the ordinance that is in place now. If this area was paved they would lease it from John Allen Truck Sales. Mr. Larson feels they bring value to the community and their lease will be up soon and is looking for an option to keep Ivy Tech at its present location. Deanna Durrett inquired about using pervious pavement. Ms. Durrett reported she and Mr. Cummins met with the City MSR director and engineer. Several days later the City produced a letter addressed to Dave Rhoads. Mr. Rhoads reported he never received it. The letter states they do not have the money for this project. Phil Rice inquired as to how Wright Implement expanded. Mr. Cummins reported they did it a little at a time and did not ask anyone. Mr. Cummins reported now the City would want a storm water plan. Mr. Cummins reported one option is to use the existing parking lot as a retention pond and move their parking lot. Before they moved to this location Ivy Tech looked at the Commerce Park site. Terry Hockersmith inquired about the Banning Engineering study and their three options. It was suggested that Ivy Tech contact Banning Engineering.

### **Linden Private Drain Issue**

Tom Cummins reported contractor Dave Foster dug up the tile in different areas and has found a big tree blocking the tile. Suanne Milligan reported based on the law the landowner should first be contacted as the tree needs to be removed. Dean Kiger will come to the Surveyor's office and sign an amended petition for the removal of obstruction of a drain. Mr. Cummins reported a bill has been turned in from the contractor and Mr. Kiger has collected the money to pay this claim. Ms. Milligan requested it be on the agenda for Monday.

### **Linn-Himes #533**

Tom Cummins reported the reconstruction is partially completed for the **Linn-Himes #533**. The plan was to do a directional bore under the railroad. According to CSX Railroad permitting department there are new specifications to use to complete the project and that would be a Jack and Bore. This part of the project now exceeds the 20% cost overrun that is allowed on a reconstruction project and will need to be rebid. It was originally figured at \$7,000.00 but may be three time that now. Mr. Cummins will meet with Ceres Solution on Tuesday. Deanna Durrett directed Mr. Cummins to bring written facts about the jack and bore to the July 19, 2010 meeting.

### **Smith- Elmore #641**

Mr. Cummins has been in touch with Vestor & Associates.

### **New Business**

Mr. Cummins reported the petition to attach to the **John Ward #562** is not complete.

Tom Cummins reported he has received two petitions from Wayne McCutchan to connect to the **Alvin Sparks #554** and the **George Hinkle # 524** drains. Mr. Cummins reported the drains can

accommodate the additional drainage and recommends this be allowed. **Deanna Durrett moved, seconded by Phil Rice, to allow the petitions to attach to the Alvin Sparks #554 and the George Hinkle # 524 per recommendation by the Surveyor that the drain is in good condition and is adequate to accept them. Motion carried, 5-0.**

Dave Rhoads inquired what the **John Ward #562** petition was about. Mr. Cummins reported Anthony Beach is building a pole building and would like to connect his down spouts to it.

Deanna Durrett reported at the next meeting Mr. Cummins will give a drain classification report and an update on the **James Servies #703**. Mr. Cummins said if the 2000 ft of tile at the same size of 10 inches it would cost approximately \$18,000. Since this option does not work well he recommends a reconstruction with larger tiles and new elevations at a cost of \$15,000 to \$20,000. A reconstruction may be started by landowner petition or by the surveyor classification.

Arrangements were made between Dick Inskip and Mr. Cummins to meet at the Surveyor's office today at 2:00 p.m. to sign a petition for reconstruction of the **Allen Lewis #578**.

Jack Klepfer inquired about the progress on the private drain on the Don Mills farm. Mr. Cummins reported they are still looking at the legal issues involved and will keep Mr. Fifer updated on what the best route to take will be.

Terry Hockersmith reported that at the budget meeting he voted to cut the wages of the Board members in the middle of their term. As the sitting commissioner he would like to change his vote. The original vote was 4-0, with Deanna Durrett abstaining. The original vote was to reduce wages from \$2,800 to \$2,000.00 for the 2011 year. **Terry Hockersmith moved, seconded by Dave Rhoads to keep the wages at \$2,800 with the sitting county commissioner at \$2,000. Deanna Durrett amended the motion to be say that all board members should keep their salaries at \$2,800, motion seconded by Dave Rhoads. Motion carried, 5-0.**

Greg Woods presented his report to the Board for their review.

Dave Rhoads reported there is a card to be signed for Marion Lindow for her service of over thirty years from the Montgomery County League of Women Voters. Marion Lindow was very instrumental in preparing a study of the Drainage Board. Nancy White will be replacing her as the representative from the League of Women Voters.

Dave Rhoads inquired about the upcoming Drainage 101 Conference on August 25, 2010. Greg Woods and Phil Rice are attending. Mr. Rhoads and Terry Hockersmith will let Vicki Emmert know if they can attend.

Dave Rhoads reported a meeting should be set up with Jacob Arthur and Mark Kessler concerning the **Raymond Weliever #564 Reconstruction**. Tom Cummins & Greg Woods reported we are waiting on a design from Chris Smith from the Soil and Water Tech Team. No work can be done until the design is ready.



Terry Hockersmith inquired if the New Market project is completed. Mr. Cummins reported it is not completed.

Dave Rhoads inquired if the commissioner had received the grant for the **James Hose 572**. Mr. Cummins reported they are still waiting for an answer.

### Public Comment

Dave White inquired about the **William Shelley #706**. Mr. Cummins reported he had been waiting on the contractor's rates for using a camera. He just received them as the contractor had been on vacation. Mr. White inquired about the **William Shelley** becoming an urban drain. Mr. Cummins reported with an urban drain, business and residential are assessed different rates for a reconstruction.

### Claims

Tom Cummins presented a claim from Maxwell Farm Drainage for the reconstruction of the **Moses Allen #500**. A loan has not been secured yet. **Deanna Durrett moved, seconded by Kenneth Pearson, to pay Maxwell Farm Drainage \$26,815.00 from the General Improvement Fund for the reconstruction of the Moses Allen #500 Drain. Motion carried, 5-0.**

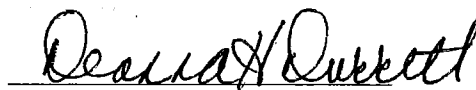
**Phil Rice moved, seconded by Terry Hockersmith to adjourn the meeting at 12:03 pm. Motion carried, 5-0.**

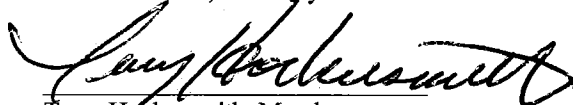
Vicki Emmert,  
Recording Secretary

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David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

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Phil Rice, Member

## MONTGOMERY COUNTY DRAINAGE BOARD

Monday, August 9, 2010

### MINUTES

The Montgomery County Drainage Board met on Monday, August 9, 2010 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Vice Chairman Kenneth Pearson at 9:30 a.m. followed by the Pledge of Allegiance and a prayer by Alan Goff.

Board members in attendance were Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, member. Board members, David Rhoads and Phil Rice were absent as was, Vicki Emmert, secretary. Present also were Tom Cummins, Surveyor; Greg Woods, Deputy Surveyor, Suanne Milligan, Attorney, and Jennifer Andel, office of the Auditor.

Also present were Harlan Vaught, Dave and Brenda Foster, Dave White, Nancy White of the Montgomery County League of Women Voters, Dean Kiger, Jon Hester, Mark Kessler, Jacob Arthur, Kenneth J. Cain, Ed Gable, Randy R. McCormick, Marc Bonwell, and Bart Maxwell

Approval of Minutes: Minutes were approved for June 14, 2010, July 12, 2010, and July 19, 2010.

Bid Opening: Mr. Cummins opened three sealed bids for the reconstruction of the Allie Peterson #549 as follows: Foster Farm Drainage, \$152,147.85; Arthur Excavating, \$132,932.24; and Maxwell Farm Drainage, \$135,950.00. Bids were taken under advisement until the end of the meeting to give Mr. Cummins time to review them.

#### OLD BUSINESS

**Linn Himes #533** update: Mr. Cummins reported that he communicated with CSX Railroad and believes they are receptive to paying one/half of the jack and bore. They are currently reviewing plans and agreed to follow-up.

**Smith Elmore #641** update: Vester Engineering, has completed their study and will submit plans soon.

**Guy Little #534** Update: Mr. Cummins told Mr. McCormick to remove the cattle from the drain easement. David Foster, contractor, has seeded the area. Dozing and scraping a surface drain remains to be done. Mr. McCormick reported that the drain is not working correctly. Discussion ensued about strategies with the conclusion that Mr. Cummins will place rip rap in a 200 foot section. He also said the drain was not designed well from the beginning and that he will monitor it for review by the Board in the spring.

**Allen Lewis #578:** Mr. Cummins reported on the petition to advance the date. **Deanna Durrett moved, seconded by Terry Hockersmith, to set a reconstruction hearing and maintenance assessment hearing for the Allen Lewis #578 on Monday, September 13, 2010, at 9:30 a.m. at the Crawfordsville District**

**Public Library.** The proposed maintenance increase will be from \$1.56 to \$3.00 per acre. Motion carried, 3-0.

**Joseph Conway #700:** Mr. Cummins reported that the maintenance cost will be \$5,800.

Linden: Mr. Dean Kiger appeared to report on the private drain problem in Linden. He is handling the problem with the landowner and hopes that he will not need to file a petition for obstruction.

**Basil and Anna Van Cleave:** Mr. Hockersmith inquired about progress on the Grayson property. Mr. Cummins reported that Turner & Turner Drainage will complete the project this week.

**James Servies #703**

John Hester inquired of the status of the **James Servies #703 Drain**. Tom Cummins reported after daylighting the tile in several places it was discovered it is in need of a reconstruction as the tile is too small. Any time a tile size is changed it is considered a reconstruction. Mr. Cummins prefers that landowners sign a petition. Suanne Milligan reported there is no cost to the landowners to fill out a petition. It takes landowners with 10% of the watershed acres to file a petition. Deanna Durrett reported the drain was taken off of assessment in 1968 and put back on assessment in late 2007 or early 2008. Mr. Cummins reported open ditch work has been done, but the real issue, are the tiles in the upper watershed. Mark Kessler inquired as to a past meeting he attended he thought work was going to be done. Mr. Cummins reported work has been done on the open ditch and now that they know the tiles are too small they can go no further without a reconstruction. Mr. Kessler stated it worked well up to 1990 and since then it has slowly deteriorated. Kenneth Pearson reported the county road department will need to fix culverts in the area too. Mr. Kessler inquired how long the process takes. Mr. Cummins reported three to four months. Terry Hockersmith reported he would check with the county on the road issues. Mr. Kessler said an area lying wet for such a long time may be considered a legal wetland. The issue will be looked into.

**NEW BUSINESS**

**Rankin Walkup # 579:** Mr. Jacob Arthur is the contractor for the Rankin Walkup. Mr. Cummins reported that Mr. Harland Vaught, who farms land for Hawley Farm, informed him that trees were removed from the site in violation of the specifications. The specifications provided "Large trees are to be piled and left for the landowner and smaller trees and brush is to be burned and buried on site." Mr. Cummins provided the Board with a copy of the specifications, filed as Exhibit A.

Mr. Mark Kessler asked to speak on the issue. When asked by Mrs. Durrett why he is involved, he replied that he deals in firewood. He presented a letter from David P. Hawley, landowner and attorney, filed as Exhibit B. Mr. Kessler said he thought he had permission from Mr. Hawley to remove all the wood. He sold some to Baird Sawmill. After Mr. Vaught complained, Mr. Kessler reimbursed Mr. Hawley for the timber.

Mr. Cummins, supported by Mrs. Milligan, told the Board that the issue is a private one between the landowner, Mr. Arthur and/or Mr. Kessler.

Tom Cummins reported he received a petition to attach to the **Chrin. Schenck #506** from landowner Randy McCormick. Mr. Cummins reported that water sits on the Chrin. Schenk tile and installing a French Drain will allow the water to leave the area. **Deanna Durrett moved, seconded by Terry Hockersmith, to allow the petition to attach to the Chrin. Schenk #506 from Randy McCormick. Motion carried, 3-0.**

**ALLIE PETERSON #549** bid award: Mr. Cummins reported that all bids are responsive to the specifications. Mr. Kenneth Cain asked to speak and presented a petition from eight landowners, representing 379.83 acres and 40 % of the drain, for special consideration that the bid to be awarded to Bart Maxwell.

Mr. Maxwell made three points: First, he said he thought the Board has a policy of not awarding a bid to a contractor with unfinished work for the Board. He reported that Mr. Arthur has not finished work on the **Raymond Weliever #564**. Mr. David Foster also asked about the Board's policy on unfinished work. Secondly, Mr. Maxwell said he has been told by landowners they will not ask the Board to reconstruct drains because they fear the Board will award the bid to a contractor they do not want. Finally, Mr. Maxwell said he can be at the site this afternoon.

Mr. Hockersmith said he will always vote the wishes of the landowners who pay for the reconstruction even if he had not heard the discussion on the **Rankin Walkup #579** drain.

**Mr. Pearson moved, seconded by Deanna Durrett, to award the reconstruction of the Allie Peterson #549 to Maxwell Farm Drainage, at a cost of \$135,950.00. Motion carried, 3-0.**

ADJOURNMENT: The meeting was adjourned at 11:10 a.m.

The next meeting is September 13, 2010 at 9:30 a.m. at the Crawfordsville District Public Library with a hearing on the **Allen Lewis # 578** reconstruction and maintenance rate increase.

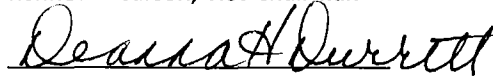
Submitted by Deanna Durrett

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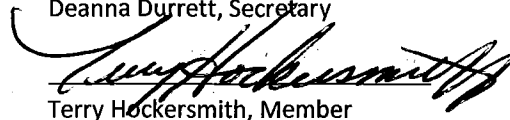
David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member

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Phil Rice, Member

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1911

Exhibit A

Attach to Aug 9, 2010 Minutes

Jacob Arthur

Mark Keoster

Log Issue

## Montgomery County Surveyors Office

110 W. South Boulevard

Crawfordsville, IN 47933

Phone: (765) 361-3234

E-mail: tom.cummins@montgomeryco.net

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November 13th, 2009

RE: Request for Quotes for the Rankin Walkup Maintenance Project

The Montgomery County Drainage Board, Indiana, is requesting quotes for the Rankin Walkup Drain Project. The project site is located in Scott Township; Twp.17N, R4W, Section 15.

The project consists of clearing 3,300 ft. of regulated open drain, as well as dipping where it is needed.

### Project Specifications

1. Remove any trees in the ditch as well as any trees on the bank, showing signs of erosion. Large trees are to be piled and left for landowner, and smaller trees and brush is to be burned and buried on site.
2. Dip out silted in areas of the open ditch to allow for maximum flow. Excavated material is to be used to level out the ditch banks and filling in the eroded areas around trees that are removed. Disturbed areas are to be re-seeded to minimize silting.

**\*Project completion contingent upon drainage board approval**

\_\_\_\_\_  
Tom Cummins  
Montgomery County Surveyor

\_\_\_\_\_  
Date

43.



We, the undersigned landowners of property in the Allie Peterson Drain #549 watershed, ask that special consideration be given to Bart Maxwell for the reconstruction of said drain due to be bid on August 9, 2010. Mr. Maxwell has demonstrated in past projects that he has the expertise, knowledge of this ditch, equipment, and on-time performance record necessary to complete this drain reconstruction.

Name (print & sign)	Address	City	State	Zipcode	Aff. Acres
1. <u>Edmund Gable</u>	<u>10098E 1050N Colfax</u>	<u>IN</u>	<u>46035</u>	<u>3.28</u>	
Signature <u>Edmund Gable</u>	date <u>8-3-2010</u>				
2. <u>John Gable</u>	<u>10174E 1050N</u>	<u>Colfax</u>	<u>IN</u>	<u>46035</u>	<u>.68</u>
<u>John R. Gable</u>	date <u>8-3-2010</u>				
3. <u>Richard L. Gable</u>	<u>10132E 1050N</u>	<u>Colfax</u>	<u>IN</u>	<u>46035</u>	<u>1.17</u>
	date <u>8-3-10</u>				
4. <u>Gable Family Farms, Inc</u>	<u>10098E 1050N</u>	<u>Colfax</u>	<u>IN</u>	<u>46035</u>	<u>230.86</u>
<u>Edmund L. Gable</u>	date <u>8-3-10</u>				
5. <u>John W. Cook</u>	<u>9645E 1050N</u>	<u>Colfax</u>	<u>IN</u>	<u>46035</u>	<u>30</u>
<u>John W. Cook</u>	date <u>8-3-10</u>				
6. <u>MARY LONG</u>	<u>9617 EAST</u>	<u>1100 N</u>	<u>COLFAX</u>	<u>IN</u>	<u>113.84</u>
<u>Mary Long to Robert Long POA</u>	date <u>8/05/2010</u>				
7.					
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379.83 Total



Faint, illegible text covering the majority of the page, possibly bleed-through from the reverse side.

We, the undersigned landowners of property in the Allie Peterson Drain #549 watershed, ask that special consideration be given to Bart Maxwell for the reconstruction of said drain due to be bid on August 9, 2010. Mr. Maxwell has demonstrated in past projects that he has the expertise, knowledge of this ditch, equipment, and on-time performance record necessary to complete this drain reconstruction.

Name (print & sign)	Address	City	State	Zipcode	Aff. Acres	
1. <i>Cain Stonehenge Farms Inc</i>	<i>4517N-925E Parkhurst Ln</i>	<i>Parkeet</i>	<i>IA</i>	<i>47940</i>	<i>150.42</i>	<i>10.98%</i>
Signature <i>Kenneth H. Cain Pres.</i>	date <i>8/7/10</i>					
2. <i>Clay Clifton Farms Inc</i>	<i>Plainfield</i>	<i>Ind.</i>			<i>88.48</i>	<i>6.46%</i>
<i>Kenneth H. Cain for Clay Clifton Farms Inc</i>						<i>8/8/10</i>
3.						
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12.						
13.						
14.						
15.						

\$152,485	Foster
\$132,913	Arthur
\$135,950	Maxwell

**DAVID P. HAWLEY**  
**ATTORNEY AT LAW**  
511 Georgia Avenue  
CHATTANOOGA, TENNESSEE 37403  
www.dphawley.com

Phone (423) 266-6136  
Toll Free 1-(888)-237-0082

Fax (423) 266-6136  
E-Mail dphawley@bellsouth.net

Mark Kessler  
5159 S. 200 E.  
Crawfordsville, IN 47933

Re: Timber taken from Hawley Farm

Dear Mark:

You asked that We write to confirm that this issue was resolved.

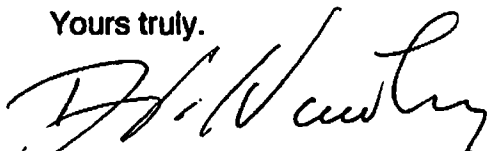
It is my understanding that the County contracted with Jacob Arthur to clear the ditch that runs across our farm located on 234 west of Ladoga and that the contract called for all timber to be left on the property and the brush burned.

I came to Indiana at Easter to visit my sister who was dying of liver cancer and was on the farm. My wife and I met Eli Arthur and Jeff Williams who were doing the work. They asked if they could take wood from the property and were told no. I do not know if they had already taken wood but do know that neither I nor my brother or sister had given them permission to do so.

It was later discovered that timber had been removed and taken to your hog farm and you arranged for the logs to be processed and sold to Baird Sawmill. You advised that you thought the timber had been removed with our permission but when advised otherwise agreed to make restitution and directed Baird Sawmill to make payment for the logs directly to us, which they have done.

The matter has been resolved and speaking for Randy Carroll and Will Hawley as well as myself, the owners of the farm, we appreciate your cooperation.

Yours truly,



David P. Hawley

7

Exhibit A - September 13, 2010 Drainage  
Board Meeting

To Whom it may concern

I Jeff Williams as a witness to removing wood from the Hawley's woods, was told by David P. Hawley to remove the wood as quick as possible so full Vaught to farm as quickly as possible. I also asked wood that was already down in the pasture area next to creek. He said yes, just take what was down to help remove it quickly as possible.

Jeff Williams

witness  
witness

Kyle M. Wether

Sharon Williams

Jal

This letter was presented to the Drainage Board  
September 13, 2010 from Jacob Arthur,



**MONTGOMERY COUNTY/BOONE COUNTY  
DRAINAGE BOARD  
A.F.WARD #561  
Monday June 14, 2010  
MINUTES**

The Montgomery /Boone County Drainage Board met on Monday, June 14, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads.

In attendance were Dave Rhoads, Donnie Lawson, Deanna Durrett, Jeff Wolf, and Eric Wathen. Also present were Tom Cummins, Montgomery County Surveyor; Ken Hedge, Boone County Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Montgomery County, Deputy Surveyor, and Suanne Milligan, Attorney.

Also present were, Dave & Nancy White, Marion Lindow of the Montgomery County League of Women Voters, Randy L. McCormick, Marc Bonwell, James Davis, Lindsay D. Casper, Dean Kiger, Mary Rose Duncan, Darrell Birge, Curt Hudson, Mark Kessler, and Carroll Cunningham.

**A. F. Ward Joint Hearing**

Donnie Lawson and Jeff Wolf represented Boone County, with Dave Rhoads and Deanna Durrett represented Montgomery County. The fifth member is to be from an uninvolved county. **Deanna Durrett moved, seconded by Donnie Lawson, to appoint Eric Wathen (Hendricks County Commissioner) as the fifth member. Motion carried, 4-0.**

**Eric Wathen moved, seconded by Jeff Wolf, to elect the officers of the A. F. Ward Joint Drainage Board as David Rhoads President, Donnie Lawson Secretary, Deanna Durrett, Jeff Wolf and Eric Wathen as members; Head Surveyor, Tom Cummins, with Ken Hedge as Assistant Surveyor. Motion carried, 5-0.**

Ken Hedge brought up for discussion who is to pay the board members. Mr. Wathen stated he would waive payment. Following discussion. **Deanna Durrett moved, seconded by Donnie Lawson, that board members would be paid by their respective counties and to accept Eric Wathen's offer of fore going payment. Motion carried, 5-0.**

Tom Cummins presented the proposal of work that needs to be done on the A. F. Ward.

Dipping the bottom of the open ditch-apr. 1,280' @ \$2.50/ft	= \$3,200.00
Spreading the spoil removed from ditch – 2 hrs. Dozer @ \$135/hr.	= \$270.00
Re-establishing tile headwall and cleanup – 2 hrs. Excavator @ \$100/hr	= \$200.00
	Total = \$3,670.00

Current Maintenance Assessment:	\$0.62/acre
Current yearly Assessment:	\$811.35
Current Maintenance Balance:	-\$507.52
Proposed Maintenance Assessment:	\$6.00/acre
Proposed 2011 Yearly Assessment:	\$4,908.08



Based on the maintenance needed, as well as the low current assessment of \$.62 and deficit, the Surveyor recommended raising the assessment to \$6.00/acre for the 2011 tax year, with a plan to reduce the assessment to \$2.50/acre after 2011.

Landowner Gerald Shelburne stated raising the assessment rate to \$6.00 is too high. Mr. Shelburne reported there should be more money in the drain account. Mr. Shelburne stated he has owned the property for the last nine years and no work has been done on it to his knowledge. According to his figures there should be approximately \$4,500.00 in the account and he would like to know where the money has been spent. Tom Cummins reported the drain is deficit \$2,239.92 as of 2008 and all the assessments collected have gone toward paying the deficit. Mr. Cummins will research the paper ledgers prior to 2008 and report on where the money has been spent.


Donnie Lawson inquired about the hearing notice that did not state that it was a joint meeting of Boone & Montgomery County. Ms. Milligan stated the board had not been legally formed when the notice was sent out. Eric Wathen inquired if the assessments are all paid directly to Montgomery County. Mr. Cummins reported no, Boone County's share is paid to them and then transferred to Montgomery County. **Deanna Durrett moved, seconded by Donnie Lawson, to hold an assessment hearing for the A. F. Ward # 561 on Monday, July 12, 2010 at 9:30 a.m. at the Crawfordsville District Public Library and the Montgomery County secretary will send out the notices on behalf of the joint board. Motion carried, 5-0.**

Gerald Shelburne landowner recommends that assessment rate be \$2.00 an acre. Tom Cummins reported it will take up to 2013 to pay off the deficit. Deanna Durrett reported that in making a motion to propose a high rate of \$6.00 does not mean that will be the amount decided by the board when the hearing is heard. It only means the rate cannot be higher than \$6.00, but can be lowered at the hearing. **Deanna Durrett moved, seconded by Eric Wathen, based on the maintenance needed, as well as the low current assessment and deficit, that the Montgomery County/Boone County Joint Drainage board recommend raising the assessment to \$6.00/acre for the 2011 tax year, with a plan to reduce the assessment to \$2.50/acre after 2011 for the A. F. Ward #561 Drain and that notice to landowners be sent out. Motion carried, 5-0.**

**Donnie Lawson moved seconded by Eric Wathen to adjourn the joint board meeting. Motion carried, 5-0.**

Vicki Emmert  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

  
\_\_\_\_\_  
Donnie Lawson, Secretary

  
\_\_\_\_\_  
Jeff Wolf

\_\_\_\_\_  
Eric Wathen

Deanna Durrett  
Deanna Durrett



**MONTGOMERY COUNTY/BOONE COUNTY  
DRAINAGE BOARD  
A. F. Ward #561  
Monday July 12, 2010  
MINUTES**

The Montgomery/Boone County Drainage Board met on Monday July 12, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads.

Board members in attendance were Dave Rhoads, Chairman; Donnie Lawson, Secretary, Deanna Durrett, Jeff Wolf, and Eric Wathen members. Present were Tom Cummins, Montgomery County Surveyor; Ken Hedge, Boone County Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Montgomery County Deputy Surveyor, and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Eric Wathen, Darrell Birge, Chris Patterson, Jack Fifer, Richard Inskeep, Jack Klepfer, Troy Stahl, Jennifer Andel, Gerald E. Shelburn, Jeremy Potter, Jim Ayers, Brenda Foster, Kenny Cain, Ken Larson, Mark Nesbitt, Carroll Cunningham, Kathy Clawson.

Tom Cummins presented the proposal of work that needs to be done on the A. F. Ward.

Dipping the bottom of the open ditch-apr. 1,280' @ \$2.50/ft	= \$3,200.00
Spreading the spoil removed from ditch – 2 hrs. Dozer @ \$135/hr.	= \$270.00
Re-establishing tile headwall and cleanup – 2 hrs. Excavator @ \$100/hr	= \$200.00
Total	= \$3,670.00

Current Maintenance Assessment:	\$0.62/acre
Current yearly Assessment:	\$811.35
Current Maintenance Balance:	-\$507.52
Proposed Maintenance Assessment:	\$6.00/acre
Proposed 2011 Yearly Assessment:	\$4,908.08

Based on the maintenance needed, as well as the low current assessment of \$.62 and deficit, the Surveyor recommends and the joint board gave notice to raise the assessment to \$6.00/acre for the 2011 tax year, with a plan to reduce the assessment to \$2.50/acre after 2011.

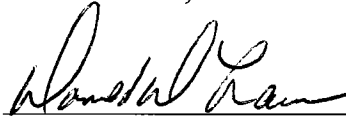
Donnie Lawson, Board Member, was concerned that the rate of \$6.00 was too high for landowners to pay. Gerald Shelburne, landowner, reported he has been paying assessment for the **A. F. Ward # 561** since 2004 and said there should be money in the fund. Deanna Durrett presented a ledger for the **A. F. Ward** and explained the debits and credits of the fund. Deanna Durrett inquired if the work could be done in sections. Mr. Cummins reported if the work was done in phases, tile holes will appear and cost more in the future. Ken Hedge, Boone County Surveyor, reported all the open ditch work needs to be done all at once. Jeff Wolf, Board Member, inquired if a rate of \$3.00 for two years would put the drain in the negative. Mr. Cummins replied there will be an assessment to do extra work. Eric Wathen, Board Member, inquired who will remember to lower it. Mr. Cummins reported he would monitor the

assessment. Suanne Milligan reported the landowner can come in and request the lowering of the assessment. Ken Hedge stated once the rate is set, an assessment order will be sent to all landowners involved. **Donnie Lawson moved, seconded by Jeff Wolf, to set the assessment rate at \$3.00 for the 2011, 2012 tax period then drop it to \$2.50 for the 2013 tax period for the A. F. Ward #561 Joint Drain. Motion carried, 5-0.** Ken Hedge reported that he should meet with Mr. Cummins and survey the **A. F. Ward Drain** and prepare a bid proposal for the contractors. **Jeff Wolf moved, seconded by Donnie Lawson, to set a joint meeting of the A. F. Ward #561 on September 13, 2010 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.** **Jeff Wolf moved, seconded by Donnie Lawson, to adjourn the joint meeting at 10:04 a.m. Motion carried, 5-0.**

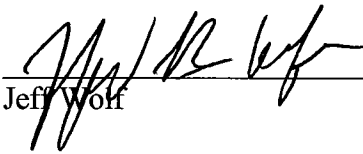
Vicki Emmert  
Recording Secretary



David Rhoads, Chairman



Donnie Lawson, Secretary



Jeff Wolf

Eric Wathen



Deanna Durrett

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday September 13, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, September 13, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor, Jennifer Anadel of the Auditor's Office and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Rick Cain, Gerald Shelburne, Jacob Arthur, Kenneth Moore, Gary Moore, Brenda Foster, Dean Rush, Mike Sprigg, Bart Maxwell Jr., Mark Barclay, Mark Kessler, Dave Nesbitt, Darrell Birge, Dan Sering, Pat Cunningham, Steve Roeschlein, and Joe Miller.

**Deanna Durrett moved, seconded by Terry Hockersmith, to approve the August 9, 2010 Drainage Board minutes. Motion carried 5-0.**

**Allen Lewis #578 Maintenance Assessment Hearing**

Tom Cummins reported that after receiving a petition to reconstruct the **Allen Lewis #578** a maintenance assessment increase would be required as the drain is in debt. **Durrett moved, seconded by Terry Hockersmith, to raise the maintenance assessment from \$1.25 to \$3.00 per acre for the Allen Lewis #578 Drain.** During the discussion Mr. Nesbitt inquired about the plan for reconstruction and Ms. Durrett gave background information as to why the drain is in debt. She stated work has been done on the **Allen Lewis** and money was borrowed from the Improvement fund. Since the rate is \$1.25 per acre the debt cannot be paid back in a timely matter. In order to proceed with a reconstruction an increase of assessment would be needed first as the drain is in debt \$12,608.19. **Motion carried, 5-0.** The increase will be on the land owner's 2011 spring tax bill.

**Allen Lewis #578 Reconstruction Hearing**

Tom Cummins presented the reconstruction report for the **Allen Lewis #578 Drain** as follows:

The Allen Lewis Drain is located in Coal Creek township; T20N, R5W, Sections 4, 5, 6, 7, 8, 9, and 10.

\*The Allen Lewis drain currently has two trouble areas, causing a significant reduction in flow. The downstream end is undersized and extremely shallow, which has led to many breakdowns and tile holes. This 27" tile needs to be upsized to a 36" tile and needs to be moved to pick up more cover. On the upstream end of the tile there is a "belly" in the 18" tile which has led to a decrease in water flow. This section of tile was replaced approximately 10 years ago after this "belly" was discovered. The new tile has also sunk due to the soils in the area. The soils are extremely silty, which creates a quicksand effect and causes the tile to sink.

Reconstruction estimate:

Install 1,000 ft. of 36" smooth-corr tile	@\$50.00/ft	= \$50,000.
Install 500 ft of 18" smooth-corr tile	@\$40.00/ft	= \$20,000.
Destroy 2,000 ft. of existing tile	@\$1.00/ft	= \$2,000.
10% Contingency	@\$7,200.00	= \$7,200.
Total		\$79,200.00

Landowners present were Darrell Birge and Dave Nesbitt. Deanna Durrett inquired about the silty quicksand and the solution to be used. Mr. Cummins reported that there is an old tile and a newer tile which has sunk due to the silty ground. After investigation it was discovered the old tile was still carrying water also. The plan is to destroy the old tiles and move the ditch and lay stone underneath it to make a drier bed and then lay the tile. Mark Nesbit and Dick Inskeep could not attend today but are in favor of the reconstruction Mr. Cummins reported. **Deanna Durrett moved, seconded by Phil Rice, to reconstruct the Allen Lewis # 578 at the cost of \$79,200. Motion carried 5-0.** Mr. Cummins reported bids would be received for the October 2010 meeting.

**Old Business**

Tom Cummins presented background information on the reconstruction of the **Smith-Elmore #641** that was to start last year. Landowners questioned the size of the tiles to be used and thought a larger tile should be used. Steve Roeschlien of Vestor & Associates was present to explain the reconstruction study. Mark Barlett inquired about doing the project in two phases. It was stated the first phase would be done and the second phase would begin five years later. Mr. Roeschlien explained how the inlets would be constructed with a cement and metal grate catch basin, where a controlled burn could be done. The question of who will clean the catch basin and burn the area was asked. Mr. Rosschlein stated to contact the County Surveyor when there is a problem. It will be up to the landowners to keep a watch on the catch basin. **Deanna Durrett moved, seconded by Phil Rice, to change the date of the next Drainage Board to Monday, October 18, 2010 and to hold a reconstruction hearing on the Smith-Elmore #641. Motion carried, 5-0.**

Tom Cummins reported the **Guy Little #534** is complete and Randy McCormick is now installing his fence. The **Basil and Anna VanCleave #559** on Mr. Grayson's property has been leveled and reseeded with straw bedding where it had settled and washed out after the 2007 reconstruction. The **Allie Peterson #549** is complete and the **Raymond Weliever #564** is also complete.

Mr. Cummins reported he met with Ken Hedge, the Boone County Surveyor, last week, concerning the **A. F. Ward Joint Drain #561**. He has taken grades and made up a profile. A new joint board meeting needs to be set. It cannot be done at our October 18, 2010 meeting as that is Boone County's meeting date. Dave Rhoads and Deanna Durrett who are on the joint board, stated October 4, 2010 would work for them.

**New Business**

Tom Cummins reported the **John Pogue #628 Drain** is in debt \$3,380.22 and in need of maintenance work. The current rate is \$1.05 and brings in \$469.60 a year. Mr. Cummins recommends raising the rate to \$3.50 as the current maintenance assessment is not sufficient to keep up with repairs. It is in the east part of the county in Walnut Township. The drain outlets into a farm pond and has multiple tile holes repaired in 2010 and the tile is shallow and deteriorating. There could be a possible reconstruction in the future. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a maintenance assessment hearing for the John Pogue #628 drain to raise it from \$1.05 to \$3.50, with the hearing to be October 18, 2010 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**  
**William Shelley #706 Drain**

Tom Cummins reported he has received a request to build at 1807 Hillcrest Ave, Crawfordsville in the **William Shelley #706** watershed. Homeowner wants to make the house handicapped assessable, adding an addition and putting in handicap ramps. Terry Hockersmith inquired as to what direction the water runs. Mr. Cummins reported based on the contours it runs N/W by West. The request is under the 10% runoff exception that is currently allowed. **Deanna Durrett moved, seconded by Phil Rice to approve the plans to build an addition at 1807 Hillcrest Ave., Crawfordsville, IN as it meets the 1998 William Shelley #706 Resolution runoff exemption. Motion carried, 4-1, with Terry Hockersmith opposing.** Mr. Cummins reported camera work and mapping has been done in the Englewood area of 32 & 47. Next time work is done a contractor will excavate an area to help locate more tiles. Mr. Cummins is waiting on the bill for the camera work before any more work is done.

Deanna Durrett reported she will present the financial report at a later date.

Greg Woods reported there are 31 active and 8 un-assessed legal drains for which the county does not control the drainage outlet.

Greg Woods, Phil Rice and Dave Rhoads attended the Drainage 201 workshop in August, sponsored by the Indiana Farm Bureau. Information was presented at the workshop concerning possible loans through the DNR that could be used for legal drains. Information was presented concerning MS4 (municipal separate storm sewer system) for cities and urban areas. Deanna Durrett inquired as to where such a loan could be used and Mr. Cummins stated the **Detchan-Adams**. He will report in January about it.

#### **Other Business**

Tom Cummins has received petitions from Mr. Jeremy Hester for reconstruction of the **James Servies #703**. **Kenneth Pearson moved, seconded by Davie Rhoads, for Tom Cummins to move forward with gathering information for a reconstruction report of the James Servies #703 drain at the October 18, 2010 Drainage Board meeting. Motion carried, 5-0.**

Mark Kessler inquired about updates of the **John Galey #518** and **Linn-Himes #533** projects. Tom Cummins reported he is waiting to hear if Lithonia Lighting is going to grant a right away for the installation of the tile according to the report. The **Linn-Himes #533** project is waiting on the CSX railroad approval. Their first e-mail indicated they would be willing to pay their share and their second e-mail indicated they had internal budget issues and wanted more information as to the cost of the bore and a work schedule.

Jennifer Andel of the Auditor's office reported they would need the updated watersheds before the end of year as they will be using a new bookkeeping program called GUTS. They will be meeting with GUTS on September 23, 2010. Information can be reported on an excel spread sheet. Letters have been sent to area banks for loan rates for the **Allie Peterson #549**, and **Raymond Weliever #564** reconstructions.

Jacob Arthur inquired of Bart Maxwell how wide was the trench the used in completing the **Allie Peterson #549** reconstruction. Mr. Maxwell reported it was 42". Mr. Arthur then questioned the diameter of the pipe. Mr. Maxwell replied the diameter is 35.3. Mr. Arthurs' next question was how much stone was used to bed the tile. Mr. Maxwell replied it was 260 tons. Mr. Maxwell stated it all had been video- taped if anyone wants to view it. Rick Cain of Fratco (Francesville Drain Tile Corp) was at the installation of the tile to inspect it all with Tom Cummins Surveyor. Mr. Cain reported they will stand by their tile product. Mr. Maxwell stated that he will stand by his installation of the pipe and his work.



Jake Arthur presented a letter from Jeff Williams concerning the **Rankin Walkup #579** reconstruction project to the Board members. Mr. Arthur stated it had been a total misunderstanding about the removal of wood. Kenneth Pearson inquired of Mr. Arthur who was running the business. Mr. Arthur replied it was him. In the future Mr. Arthur stated he would get written permission from the landowner to remove any wood.

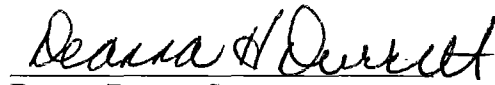
Phil Rice reported Jacob Arthur repaired the **John McCorkel #608** reconstruction project; repair was needed because an old tile was not destroyed. The area is now reseeded and complete.

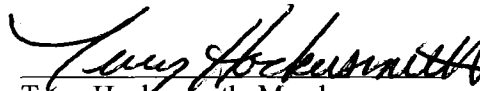
**Phil Rice moved, seconded by Terry Hockersmith to adjourn the meeting at 10:46 a.m. Motion carried, 5-0.**

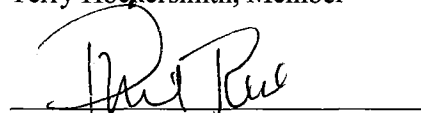
Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY/BOONE COUNTY  
DRAINAGE BOARD  
A.F.WARD #561  
Tuesday October 12, 2010  
MINUTES**

The Montgomery /Boone County Drainage Board met on Tuesday, October 12 2010 at 9:30 a.m. at 110 W South Boulevard, Crawfordsville, IN. in the conference room.

The meeting was called to order by Chairman Dave Rhoads, followed by the pledge of Allegiance.

In attendance were Board members Dave Rhoads, Donnie Lawson, Deanna Durrett, and Jeff Wolfe. Also present were Tom Cummins, Montgomery County Surveyor; Ken Hedge, Boone County Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Montgomery County, Deputy Surveyor and Carol Cunningham, Boone County Deputy Surveyor. Board member Eric Wathen was not present.

**Jeff Wolfe moved, seconded by Donnie Lawson, to approve the minutes of the June 14, 2010 and July 12, 2010 board meetings. Motion carried 4-0.**

Tom Cummins reported the contractor for the **A. F. Ward #561 Drain**, will perform 2,000 feet of bottom dipping. Information was sent to contractors from Boone and Montgomery County for quotes.

Quotes were received from:

Keyes Excavators, Inc.: \$2,650.

Cain's Home Like Farms: \$3,900.00

John Wilcox Excavating: \$3,420.00

Foster Farm Drainage: \$4,980.00

Conner Excavating: \$5,000.00

**Donnie Lawson moved, seconded by Jeff Wolfe, to award the maintenance work to Keyes Excavating in the amount of \$2,650.00 with John Wilcox Excavating to receive the work if Keyes Excavators, Inc. has miss-figured their quote as it is much lower than the other quotes for the A. F. Ward #561 joint drain with Boone County. Motion carried, 4-0.**

Mr. Cummins reported the quotes came in less money due to the dry weather and being able to locate the tiles. The plan is to complete the work this fall.

**Jeff Wolfe moved, seconded by Deanna Durrett, to adjourn the meeting at 9:48 a.m. Motion carried, 4-0.**

Vicki Emmert  
Recording Secretary

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David Rhoads, Chairman

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Donnie Lawson, Secretary

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Jeff Wolf

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Eric Wathen

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Deanna Durrett

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday October 18, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, October 18, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Jennifer Anel of the Auditor's Office and Suanne Milligan, Attorney. Greg Woods, Deputy Surveyor, was absent.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Kenneth Moore, Gary Moore, Brenda Foster, Dean Rush, Edith Rush, Bart Maxwell Jr., Mark Kessler, Dan Sering, Steve Roeschlein, Mark Barclay, Mark Nesbitt, Jonathan Hester, Robert Miller, Larry W. Myers, Richard Myers, Don Sabens, David Crumm, Gene D. Myers, Mike Spragg, and Jim Shilling.

**Kenneth Pearson moved, seconded by Deanna Durrett, to approve the September 13, 2010 Drainage Board minutes. The Following correction was noted. It was Mr. Jonathan Hester, not Jeremy Hester who petitioned the reconstruction of the James Servies #703 Drain. With correction motion carried, 5-0.**

**Smith-Elmore #641 Reconstruction Hearing**

Notice was given to landowners.

Tom Cummins gave the estimated cost of the reconstruction as follows:

4,240 ft	24" smooth-corr tile	@\$20.00/ft	= \$ 84,800.
4,240 ft	Destroy existing tile	@\$1.00/ft	= \$ 4,240.
1	Gravel road crossing	@\$5,000. /ea	= \$ 5,000.
120 sq. yds	Revetment riprap	@\$8.00/sq.yd.	= \$ 960.
2	Concrete end section	@ \$400. /each	= \$ 800.
1	Steel trash grate	@\$250. /each	= \$ 250.
4	8' Sections 24" RCP	@ \$180.80 ea.	= \$ 723.20
1	Contingency @ 10%		= 9,677.30
	Total		= \$106,450.30

Landowners in attendance: Mark Barclay, Gary Moore, Kenneth Moore, Mark Nesbitt, Larry W. Myers, Richard Myers, Don Sabens, Dan Sering, Dean Rush, Edith Rush and Gene D. Myers, also the engineer Steve Roeschlein from Vester & Associates.

The landowners, Board and Tom Cummins discussed the plans for the reconstruction and what funds would pay for the open ditch work. Mr. Cummins reported grade shots will be taken of the open ditch before work is done. The **Smith-Elmore** maintenance fund currently has \$21,642.02 in the account.

**Deanna Durrett moved, seconded by Phil Rice, to approve the Smith-Elmore #641 reconstruction for a total cost of \$106,450.30 and to hold a special meeting on November 1, 2010 at 8:30 a.m. at 110 W. South Boulevard, Crawfordsville, IN to open the bids. Motion carried, 5-0.**

### **John H. Pogue #628 Assessment Hearing**

Landowners in attendance: Robert Miller, David Crumm, and Jim Shillings. Dave Stanley sent a letter of approval of a rate increase.

The **John H. Pogue #628** is in Walnut Twp. and is debt \$3,380.22. The tiles are very shallow. The landowners, Board and Tom Cummins discussed the rates, a possible reconstruction and if the assessment would be reduced after the debt is paid back. Tom Cummins stated it would be reduced. **Kenneth Pearson moved, seconded by Phil Rice, to raise the assessment from \$1.05 to \$3.50 for the John H. Pogue #628. Motion carried, 5-0.**

Tom Cummins opened the reconstruction bids for the **Allen Lewis #578**. Bids were received from:

Foster Farm Drainage	\$50,558.50
Masterscape	\$48,375.00
Maxwell Farm Drainage	\$56,000.00

Mark Kessler inquired if there were any petitions from landowners. Tom Cummins reported "No".

Dave Rhoads reported there will be a short recess at the end of the meeting and will come back to the **Allen Lewis**.

### **Old Business**

Tom Cummins presented a reconstruction report for the **James Servies #703**:

Focus: The subsurface tile on the upstream end of the James Servies regulated drain is completely obstructed and provides no relief to the adjacent agricultural land. Day-lighting of the tile has confirmed that the tile is 75-90% full of dirt, significantly reducing any flow.

Outlet: The tile outlets into the open ditch portion of the James Servies regulated drain. It is open and clear of brush. The maintenance project completed in 2009, as well as work completed by tenants, has created a good flow through the open ditch portion, thus allowing for drainage from the upstream tile.

Area Characteristics: The area served by the tile is extremely flat, creating a need for a slightly larger tile than would normally be required. Tile will be installed at approximately 0.1% grade.

The area served is also owned by many different landowners, creating a need for an additional tributary to serve the area south of CR 700 S. This additional tributary will require additional easement, which would have to be acquired from the landowners affected.

Surveyor's recommendations:

- Install 1,350 ft. of 15" smooth-corr tile
- Install 1,275 ft. of 15" smooth-corr tile
- Install 675 ft. of 24" smooth-corr tile
- Destroy app. 2,100 ft. of existing tile

John Hester inquired about tying the two 15" into the 24". Mr. Cummins reported that is an option. The next step is to have a hearing on the petition. **Deanna Durrett moved, seconded by Phil Rice, to hold a landowner petition hearing for the James Servies #703 on November 1, 2010 at 8:45 a.m. at 110 W. South Boulevard, Crawfordsville, IN. Motion carried, 5-0.** It was discussed if to use Tom Cummins calculations or have an engineer study.

Tom Cummins presented a drain classification report of the **Martin Liter** because landowners have contacted him about putting it back on assessment, as it was taken off in the 1960's. The **Martin Liter** drains into the **James Fleming #517** then into Black Creek. David Crumm inquired about using filter strips. Mr. Cummins reported some farmers are just not interested and a lot of the land in the **James Fleming** is corporate owned and rented out. Phil Rice inquired about permits. Mr. Cummins probably will have to make application to DNR and Army Corp of Engineers. Mr. Cummins will present a proposed rate at the regular November meeting.

Tom Cummins reported they cannot get an easement from Lithonia Lighting of Crawfordsville, IN to run tile along the railroad for the **John V. Galey #518**. Mr. Cummins has talked to the Lithonia environmental manager, Tom Deaton, several times and he will not cooperate. The head- quarters is in Georgia. **Phil Rice moved, seconded by Terry Hockersmith, to talk to the head quarters in Georgia.** This project has already been bid out. If needed Terry Hockersmith will contact the company. **Motion carried, 5-0.**

### **New Business**

Tom Cummins presented a copy of a petition received September 24, 2002 that stated (In the Matter of **Joseph Hall #581** Legal Drain Petition To Establish a Tributary (To Be known as Tributary # 2 of 2) to this legal drain). Mr. Cummins cannot find in any of the past Drainage Board minutes that it was ever established as a legal drain. **Kenneth Pearson moved, seconded by Terry Hockersmith, to combine said Tributary # 2 of 2 to Tributary # 2 of the Joseph Hall Drain, adding 3,140 feet of open ditch. This area is already part of the Joe Hall watershed and all affected landowners are paying a maintenance fee. Thus, there will be no additional acres or landowners; only 3,140 feet of additional open drain. Motion carried, 5-0.**

Tom Cummins presented a petition to attach to attach to the **William T. Linn #580** drain from Jeff Linn. **Terry Hockersmith moved, seconded by Phil Rice, to allow the petition to attach to the William T. Linn #580 from Jeff Linn. Motion carried, 5-0.**

Tom Cummins reported Bob Hayes contacted him about the **Minn-Miser-Corn #539** requesting that small trees be cleared before they become a big problem. The drain is in debt \$665.91 and brings in \$4,415.16 a year. Mr. Cummins feels the work can be done for \$5,000.00.

Mr. Hayes will be doing some of the work himself. They will not be burying or burning the trees just stockpiling. Deanna Durrett is concerned about going in debt. Bart Maxwell who is on site doing other work believes the work can be done for the amount of fall assessment income.

Deanna Durrett moved, seconded by Phil Rice, \$2,500.00 more to be used to complete the project. Motion died. **After discussion, Deanna Durrett moved, seconded by Phil Rice, to allow up to \$2,500.00 to be used to complete the maintenance work on the Minn-Miser-Corn #539. Motion carried, 4-0. Dave Rhoads abstained.**

Vicki Emmert passed out Greg Wood's report to the Board as he was absent.

Dave Rhoads inquired if the work was complete on the **John Ward #562**. Mr. Cummins reported the bridge was replaced with three culverts.

### **Public Comment**

Mark Kessler inquired about the **Linn-Himes #533**. Tom Cummins reported he is waiting to hear from the CSX Railroad.

Dave White inquired about the **William Shelley #706**. Tom Cummins reported the camera man will be done with his current project in about three weeks and will then run the camera on the **Shelby Drain**. Mr. Cummins should have a report at the November meeting.

Deanna Durrett presented a current ditch listing report to the Board. Deanna recommends quarterly reports be put on the county website.

### **Allen Lewis**

After looking over the contractor bids for the **Allen Lewis**, Tom Cummins reported all three have their bid bond checks and all are responsive to specs. Mr. Cummins recommended accepting Masterscape's bid for a total of \$48,375.00. **Phil Rice moved, seconded by Deanna Durrett, to accept the bid from Masterscape of \$48,375.00 for the reconstruction of the Allen Lewis #578.** Mark Nesbit landowner reported he was comfortable with Bart Maxwell doing the work but did not know the other bidders. Bart Maxwell reported he was involved in the lay out work and will advise Masterscape what he has done. Mr. Maxwell reported his support of Clint Knoy of Masterscape. **Motion carried, 5-0.**

Dave Rhoads reported the regular Board meeting will be November 8, 2010 and our December meeting is the 13<sup>th</sup>. The November 1, 2010 meeting will be at 8:30 a.m. at 110 W. South Boulevard.

Phil Rice reported that he has had lots of questions from landowners about the **Allen Lewis #578**, the landowners upstream are paying assessment but the downstream landowners are not and did not realize it was two drains. It was explained the **Allen Lewis** drains into the **Clarkson**

mutual drain which is not regulated. It is a complete and separate drain from the **Allen Lewis**. Phil Rice inquired about the **Joseph Conway Drain**. Mr. Cummins will check with Tim Wilson.

Jennifer Andel of the Auditor's office stated they are waiting on receipt of fall tax money. The Auditor has received the paper work for the **Allie Peterson #549** and **Raymond Weliever #564** reconstruction loans and they should be signed by the end of the week.


Suanne Milligan suggested the Board have a policy set on when landowners can voice their opinion on the choice of contractor to be used for a reconstruction. Gene Myers reported he and Mark Nesbit were the major landowners on the **Allen Lewis** and he didn't realize he needed a petition before the bid was let or he would have had one today. Deanna Durrett reported it would be discussed at the November meeting.

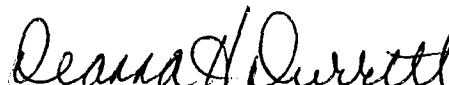
Mark Kessler inquired of the Board about using a land-owners petition versus using the lowest bid. The Board stated it all matters, the land-owners opinions, the professionalism of the contractors, and the bid all play a part in the selection of the contractor for a project.

**Kenneth Pearson moved, seconded by Phil Rice to adjourn the meeting at 11:37 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hookersmith, Member

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Phil Rice, Member



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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Special Meeting  
Monday November 1, 2010  
MINUTES**

The Montgomery County Drainage Board held a special meeting Monday, November 1, 2010 at 8:30 a.m. at 110 W. South Boulevard, Crawfordsville, IN in the conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; and Phil Rice, member. Terry Hockersmith, member was absent. Present were Tom Cummins, Surveyor; Greg Woods Deputy Surveyor; Vicki Emmert, Recording Secretary; Jennifer Andel of the Auditor's Office and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Harlan Vaught, Barry Dove, Dave and Brenda Foster, Bart Maxwell, Clint Knoy, Mark Kessler, Jacob Arthur, Larry Bullerdick, Jonathan Hester, and Richard Myers,

Tom Cummins reported there were four bids for the reconstruction of the **Smith-Elmore # 641**.  
Maxwell Farm Drainage \$79,510.40  
Turner & Turner Excavating \$104,204.00  
Foster Farm Drainage \$123,727.48  
Masterscape \$122,483.20 with a flat bottom trench and a round bottom w/o fill \$93,736.00

After discussion of specifics of how the tile should be properly laid, the Board decided to give Tom Cummins time to call Fratco (Francesville Drain Tile Corporation) regarding the exact specifications for installing their tile and to return to this agenda item at the end of the meeting.

**James Servies #703 Landowner petition hearing**

Landowners present were Larry Bullerdick, Jonathan Hester, Barry Dove representing Rohn Farms and Mark Kessler representing landowner John Stanley & Rosalie R. Alvey.

Discussion concerned where tiles should be placed and if using a new layout, it would require new landowner easements.

**Deanna Durrett moved, seconded by Kenneth Pearson, to hold a reconstruction hearing for the James Servies # 703 drain on Monday, December 13, 2010 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Tom Cummins inquired if all the Board received his e-mail concerning County Drainage Highway Assessment Easements. Mr. Cummins explained that landowners pay their assessment to the center of the road and there are no real parcel numbers for county easements. Currently money is collected from county easements. Mr. Cummins reported instead of the county paying assessments he would like to see money used toward cleaning out side ditches. This will be put on the agenda for the November 8, 2010 meeting.

Dave Rhoads reported if there are any additions or corrections to the October 18, 2010 minutes to contact Vicki Emmert prior to the November 8, 2010 meeting.

Tom Cummins reported he would like until November 8, 2010 to get more information from Fratco as he has recently received different specs from contractors for laying tile with Fratco tile.

**Phil Rice moved, seconded by Kenneth Pearson, to refer the report on the recommendation of awarding the bid for the Smith-Elmore #641 to Monday, November 8, 2010. Motion carried, 4-0.**

**Phil Rice moved, seconded by Kenneth Pearson, to adjourn the meeting at 9:25 a.m. Motion carried, 4-0.**

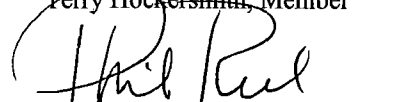
Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday November 8, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, November 8, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; and Terry Hockersmith, member. Phil Rice member was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor and Stu Weliever County Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Marc Bonwell, Woody Roeschlein representing Nucor Steel, Bart Maxwell, Dave Deckard representing Ceres Solutions, Bill Hayworth, Mike Spragg, Brenda Foster, Mark Kessler, Joe Miller, and Jacob Arthur.

Kenny Pearson moved, seconded by Terry Hockersmith, to approve the minutes of the October 18, 2010 Drainage Board meeting. Motion carried, 4-0.

**Smith-Elmore #641 Bid Opening**

Tom Cummins explained that at the last meeting there was some confusion as to the specifications for installing tile with different equipment. New specs were sent out to the bidders. Mr. Cummins contacted Fratco to get their requirements for installing their tile. Mr. Cummins received two new itemized proposal bids. Masterscape; \$97,340.00, and Maxwell Farm Drainage; \$91,480.00. **Kenneth Pearson moved, seconded by Terry Hockersmith, to recess at the end of the meeting to look at the bids. Motion carried, 4-0.**

**Martin Liter**

Tom Cummins has met with some of the landowners of the **Martin Liter Drain**, which is off of assessment. Mr. Cummins recommends setting the assessment high at \$20.00 an acre. This ditch requires a lot of maintenance or possibly a reconstruction. It is north of Crawfordsville, NE of the gravel pit. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold an assessment rate hearing on December 13, 2010 for the Martin Liter with a \$20.00 an acre assessment. Motion carried, 4-0.**

**John V. Galey #518**

Tom Cummins has talked to Lithonia Lighting's head-quarters in Georgia and the company is not willing to allow an easement. Mr. Cummins will now contact CSX Railroad to get a permit to bore under the railroad. He also reported the cost will be approximately the same as the old reconstruction project, but the specs will be different. It will need to be re-bid. **Deanna Durrett moved, seconded by Terry Hockersmith, to send out new specs to the John V. Galey #518**

**contract bidders and not to hold a new reconstruction hearing on December 13, 2010 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.**

**Linn-Himes #533**

Tom Cummins presented an e-mail from CSX Railroad with the cost of the bore and the requirements. A new reconstruction hearing notice will need to be sent to all landowners as the cost is higher for a jack and bore than just a bore under the railroad. **Deanna Durrett moved, seconded by Kenneth Pearson, to hold a new Linn-Himes #533 reconstruction landowner hearing on Monday, December 13, 2010 at the Crawfordsville District Public Library at 9:30 a.m.** In discussion it was reported all work is complete except for the jack and bore. **Motion carried 3-0.** Dave Rhoads abstained.

Dave Deckard of Deckard Engineering representing Ceres Solution presented a drawing of a new Hickenbottom assembly that will relieve the drainage problem and the adjoining landowners ground will not stand in water with this new assembly. He is requesting a petition to attach to the **Linn-Himes** drain. **Tom Cummins recommends approval. Deanna Durrett moved, seconded by Kenneth Pearson, to grant the petition to attach to the Linn-Himes by Ceres Solution. Motion carried, 3-0. Dave Rhoads abstained.**

**William Shelley #706**

Tom Cummins reported a camera crew video-taped the tiles in the Kroger Plaza area near State Road 32. They found a few obstructions such as a stop sign when placed had broken some of the tiles. Most of the section under the pavement is in good condition. Two thousand two hundred feet of tile were video-taped. Mr. Cummins will set up another day of camera work this week. Dave White inquired if when the obstructions were corrected, will there be a noticeable difference. Mr. Cummins replied "yes".

**New Business**

A strategic planning date was set for Monday, December 6, 2010 at 8:30 a.m. at 110 W. South Boulevard, Crawfordsville, IN.

Woody Roeschlein of RQAW Corporation representing Nucor Steel presented plans for the Nucor Sheet Steel Mill Levy Slag Processing Expansion. The plan is to build a retention pond and treat the water before it ever leaves their property. Nucor Steel will pay for everything and there will be no charge to the county. Marc Bonwell reported it meets the county's storm water ordinance allowable rate. It is in the **Joel Tobin #576** watershed. **Deanna Durrett moved, seconded by Terry Hockersmith, to allow the Nucor Sheet Steel Mill Levy Slag Processing Expansion at Nucor Steel. Motion carried, 3-0.** Kenneth Pearson had left the room for a few minutes and did not vote.

Greg Woods presented his monthly report to the Board. Mr. Woods reported several grass waterways were constructed this year. In some areas seeding the new areas has been a problem in June with too much water and now it is too dry for seeds to sprout. It was stated that areas the

Board should look at as good examples of grass waterways are the **Thomas Wilkins #589, Raymond Weliever #564, Carolyn Kenyon #704, and Benjamin Remley #597** projects. Deanna Durrett reported a presentation will be made to the County Council on December 16, 2010.

#### **Claims**

Tom Cummins presented a claim in the amount of \$416.80 for the **Jesse Snoddy #553** drain that was completed by Foster Farm Drainage. **Terry Hockersmith moved, seconded by Kenneth Pearson, to approve the claim in the amount of \$416.80 for the Jesse Snoddy #553 drain.**  
**Motion carried, 4-0.**

Tom Cummins recommends accepting the bid from Bart Maxwell for the Smith-Elmore reconstruction. **Kenneth Pearson moved, seconded by Terry Hockersmith, to award the Smith-Elmore #641 reconstruction project to Maxwell Farm Drainage in the amount of \$91,480.00.** Clint Knoy inquired if all the bidders met the specs and bond issues. Mr. Cummins replied "yes" **Motion carried, 4-0.**

Contractors, Bart Maxwell, Jacob Arthur and Clint Knoy discussed with the Board that specifications should state which method of installing tiles will be used, whether it is an excavator or a trencher. Mr. Cummins is inquiring with other tile manufactures other than Frato what they recommend for their products.

#### **Allen Lewis #578**

Tom Cummins reported that Mr. Inskeep would like to leave the 18" by-pass in place as there are tiles attached to it. Mr. Cummins reported the new 36" tile will be moved to the west, farther into the field to gain depth. The location for the new tile has been agreed on by the landowner, Mr. Gene Myers. Mr. Cummins will discuss with Suanne Milligan attorney about the new easement. Mr. Cummins also reported a new private main might have to be installed to allow drainage for the existing laterals which drained into the old, soon to be destroyed, 27" main. Mr. Cummins also asked for approval from the Board to install a surface inlet, breather pipe at the property line between Mr. Myers and Mr. Nesbitt, to help alleviate some of the surface water issues; which was approved by the Board. Mr. Cummins will report the progress at the next scheduled meeting. .

**Kenneth Pearson moved, seconded by Terry Hockersmith, to adjourn at 11:00 a.m.**  
**Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

*Deanna Durrett*

Deanna Durrett, Secretary

Terry Hockersmith, Member

Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday December 13, 2010  
MINUTES**

The Montgomery County Drainage Board met on Monday, December 13, 2010 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; Jennifer Andel, Auditor's Office; and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Bob Stwalley, John Frey, Jeff Myers, Susie & Bill Main, Denny Bonwell, James M. Rosen, Bill Calder, Matt Mitchell, Charles Devore, Michael DeVore, Martha E. Morrison, Stan Harris, Mark Kessler, Curt Hudson, Chris Hudson, Harlan Vaught, Keith Saylor, Harold Reeves, Jacob Arthur, and one other name is not legible.

**Deanna Durrett moved, seconded by Phil Rice, to approve the minutes of the special November 1, 2010 Drainage Board meeting. Motion carried, 5-0.**

**Martin Litr Assessment Hearing**

The Martin Litr Drain is in N. Union Twp. Current landowners contacted Tom Cummins about putting the Martin Litr back on assessment. In the 1960's it was taken off of assessment. In the last forty years there has been a lot of tree growth and silting in the drain. The proposed assessment is \$20.00 an acre for a total of \$17,906.40. Deanna Durrett inquired about a reconstruction. Mr. Cummins reported it would be very expensive. Landowners present were Jeff Myers, Bob Stwalley, Jim Rosen, and Charles Devore. They discussed with Mr. Cummins and the Drainage Board wildlife habitat, route, and how long it would require a \$20.00 assessment. **Terry Hockersmith moved, seconded by Phil Rice, to raise the Martin Litr Drain assessment from zero to \$20.00 beginning in 2011. Motion carried, 5-0.**

**James Servies Reconstruction Hearing**

Mr. Cummins reported on the proposed reconstruction with his recommendation to extend the open ditch to 700 S with a culvert installed by the County Highway at the crossroads and a squash cross-pipe for the landowners to cross over. Landowners present were Dennis Bonwell, John Hester, Bill Main, and Mark Kessler. Landowners discussed with the Drainage Board the options to pay for the reconstruction, where the tiles and open ditch would be and lay of the land. **Deanna Durrett moved, seconded by Kenneth Pearson, to reconstruct the James Servies #703 drain at a cost of \$62,617.50 with bids to be opened on January 10, 2011. Discussion:**



Phil Rice questioned the fall of the tiles and the drainage because of the silt. Mark Kessler inquired about the tiles. Terry Hockersmith questioned the grade before the reconstruction. Suanne Milligan proposed a continuation of the hearing to the January 10, 2011 meeting. **Deanna Durrett and Kenneth Pearson withdrew their motion.** Mr. Cummins inquired of the landowners if they had any ideas for the project. Dennis Bonwell reported 98% of the project will be on his property. Mr. Bonwell says the headwall was put in because of a farmer's dispute. **Kenneth Pearson moved, seconded by Terry Hockersmith, to continue the James Servies #703 hearing, pending a survey of grade shots to the area to be reconstructed, to January 10, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

#### **Linn-Himes#533 Reconstruction Hearing**

Tom Cummins reported the change of the bore project with the cooperation of the railroad has been completed and the total cost of the bore is estimated to be \$74,967.75. CSX personnel will be at the site when work is done. CSX Railroad will pay their half after the reconstruction is complete. The specifications have changed and that is why there will be a re-bid of this portion of the reconstruction. Mark Kessler inquired if Mr. Cummins will contact bore companies. Mr. Cummins will send out bids to contractors and bore companies. Jacob Arthur discussed with the Board about the first bid and the approach that was taken about the railroad bore portion. **Deanna Durrett moved, seconded by Terry Hockersmith, to reconstruct the Linn-Himes #533 railroad portion at a cost of \$74,967.75, with bids to be opened on February 14, 2011. Motion carried, 4-0. Dave Rhoads abstained.**

#### **Old Business**

Tom Cummins reported that after discussing the matter with our attorney, Suanne Milligan, a new hearing should be set for the **John Gale #518**. **Deanna Durrett moved, seconded by Terry Hockersmith, to set a reconstruction hearing for the John Gale #518 for February 14, 2011 at 9:30 a.m. at the Crawfordsville District Public Library.** Discussion; Mark Kessler inquired if the railroad bore would be bid out separately. Mr. Cummins said, "No". **Motion carried, 5-0.**

#### **William Shelley # 706**

Tom Cummins reported that he and Mr. J. Paul of Accurate Bore will go to Traction Rd and the tributaries to the south and perform camera work. Thirty five percent has been video-taped.

#### **New Business**

The first meeting of 2011 will be January 10. **Deanna Durrett moved, seconded by Terry Hockersmith, that this be the Drainage Board organizational meeting. Motion carried, 5-0.**

Deanna Durrett reported that two member's terms are up and they must be reappointed by the commissioners. Terry Hockersmith and Kenneth Pearson have both agreed to new terms. This will go before the Montgomery County Commissioners this evening.

Greg Woods presented his November report. He reported he has inventoried and evaluated approximately 60 grass waterways in 2010. There are 180 grass waterways that will need to be renewed in 2011. Mr. Woods report contained a list of regulated drains, showing the converted ACWS contoured watershed schedule of assessments CWS-SOA, the number of landowners involved, and the acreage in each watershed. Good progress is being made to convert all regulated drainage areas of regulated drains to contour-based data.

Deanna Durrett would like for Tom Cummins to gather a list of drains to vacate for the next meeting. **Deanna Durrett moved, seconded by Dave Rhoads, direct Tom Cummins to bring a schedule to the January 2011 meeting of drains to vacate in 2011. Motion carried, 5-0.**

Dave Rhoads reported there are landowners on the **James Harris Drain**, at New Ross that would like to have the drain put back on assessment.

Deanna Durrett inquired about what to do with un-assessed drains, with unregulated outlets. Mr. Cummins reported he has talked to other counties assessed and DNR. Eventually they will have to be put back on assessment. Deanna Durrett moved, to put back on assessment the Linn Ashbury, John and the Joseph Butcher drains. Dave Rhoads would like to have landowners present that are interested in putting a drain back on assessment before a hearing is held. Ms. Durrett withdrew the motion.

#### **New Petition**

Tom Cummins has received a petition for the **John Gobin # 2 #520 Drain**, from Norm Blanchard of Valero Energy to add a private drive. A variance is needed to encroach upon the easement. When the ethanol plant was built the **John Gobin #2** was re-directed. Valero Energy would like to have a private drive for cars only on an existing impervious area that is old railroad track and use the other drive for semi's only. Mr. Cummins recommends allowing the variance. **Kenneth Pearson moved, seconded by Dave Rhoads, to allow the petition for a variance to change it from 75 feet to 30 feet easement on the John Gobin #2 #520 Drain to build a private drive 45 ft wide. Motion carried, 5-0.**

Mr. Cummins has received a petition from Randy Borden. He has built a pole barn on 150 S and would like to tie the barns' down spouts to the **John Galey #518 Drain**. Mr. Cummins recommends approving the petition. **Dave Rhoads moved, seconded by Kenneth Pearson, to allow the attachment to the John Galey #2 # 518. Motion carried, 5-0.**

Tom Cummins reported he has received the invoice from Masterscape for the reconstruction of the **Allen Lewis #578**. Mr. Cummins reported Masterscape did a good job. The invoice needs to go to the Council to get the loan processed. The invoice was 30% higher than the bid due to unforeseen changes and new tile, but still under the original proposal of \$79,200. **Deanna Durrett moved, seconded by Kenneth Pearson, to have Tom Cummins, Jennifer Anzel, the Auditor, Dave Rhoads and Suanne Milligan to meet before the next Drainage Board meeting to set an organization committee to stream line the loan process and to pay Masterscape out of Funds without Drains #400 until loan is processed for a total of \$64,638.95 for the Allen Lewis #578 reconstruction. Motion carried, 5-0.**

## Public Comment

Curt Hudson reported he has located a tile south of Heinold Hog Market under the railroad which drains into a pond south of the hog market. He has used a camera and has been unsuccessful. He would like to make it a county tile and wants the work to be part of a county drain and assessment that we already have in place for the **John Gobin # 2 # 520**. Mr. Cummins and Mr. Hudson believe there was a tributary that was either moved or added in past by the County Highway Dept. Good records have not been found to prove this. It was done in the early 1980's. Mr. Cummins would like to take the **Shelley Drain** camera crew to the **John Gobin # 2 #520** Drain in the future to map the location of the drain.

Mark Kessler inquired about the **John Gobin #2 #520** drain, getting an accurate bid on a jack/bore for a railroad project. Dave Rhoads reported the contractors and the boring companies will need to work together.

Martha Morrison inquired about the **Martin Liter # 710**, the cost of an assessment and how it works. Dave Rhoads explained.

**Phil Rice moved, seconded by Terry Hockersmith to adjourn the meeting at 11:47 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary



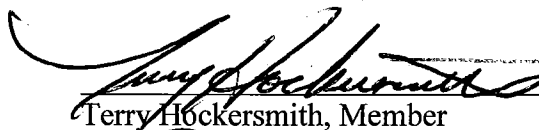
David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday January 10, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, January 10, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Deanna Durrett, Secretary; and Phil Rice member. Terry Hockersmith, member was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Jennifer Andel, Auditor's Office, and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, and Everett Bamish.

**Deanna Durrett moved, seconded by Kenneth Pearson, to approve the minutes of the special November 8, 2010 Drainage Board meeting. Motion carried, 4-0.**

Tom Cummins reported the surveying for the south side of the **James Servies #703** has been completed, but the north side is underwater and waiting for a freeze. Mr. Cummins would like a continuation of the hearing. **Deanna Durrett moved, seconded by Phil Rice, to continue the James Servies # 703 reconstruction hearing for Monday, February 14, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

**Old Business**

Tom Cummins reported he spoke to the engineers last week concerning the **John Galey #518** and will talk to them again before the February 14, 2011 hearing.

Tom Cummins reported on the progress on the **William Shelley #706** drain. The camera crew has been to Traction Rd, dug up areas and day-lighted them. It is 90% full of silt and roots. They worked in a corn field along Ceres Solution and on the North side of Traction Rd. Most of the areas are full of silt and roots. Mr. Cummins will have a vac truck take the roots out of the tiles. Dave White found a hole in an open area in the bowl area and this will be repaired. An animal guard will be put in to keep the rip rap out of the drain.

Deanna Durrett presented an action plan to request a reconstruction loan: She and Jennifer Andel will work with the council's attorney on a step by step process. The goal is to streamline the obtaining of a loan.

**New Business**

The Board discussed the 2011 Drainage Board meetings. The next meeting will be February 14, 2011. **Dave Rhoads moved, seconded by Phil Rice to select the first Monday of the month,**

**second choice is the third Tuesday and third choice is the 3<sup>rd</sup> Monday of the month. Motion carried, 4-0.** Phil Rice went upstairs to check dates with the Library.

Deanna Durrett reported that Suanne Milligan will continue as the 2011 Drainage Board lawyer.

Everett Bamish of Walnut Township would like the **John Harris** and the **Marion Conner Drains** be put back on assessment. Both are part of Boone County. Tom Cummins will check with Boone County to see if they want to waive their rights and let Montgomery have jurisdiction over them. Mr. Bamish reported the **John Harris** was cleaned out thirty or forty years ago and work was done on the **Marion Conner** privately about 20 years ago. Mr. Bamish reported the railroad and I-74 are problem areas. **Deanna Durrett moved, seconded by Phil Rice, to direct Tom Cummins to start the process of holding a rate assessment hearing and to check with Boone County about waiving their rights of jurisdiction or be part of the process. Motion carried, 4-0.**

Phil Rice reported about the dates open for Drainage Board meetings. **Phil Rice moved, seconded by Kenneth Pearson, that after the February meeting to hold the meetings on the 1<sup>st</sup> Monday of the month with the exception of July & September on the 3<sup>rd</sup> Monday of the month. Motion carried, 4-0.** Dave Rhoads requested that Vicki Emmert e-mail the schedule of meetings to all Board members.

David Crumm has petitioned the Drainage Board for reconstruction of the **John Pogue # 628**. **Deanna Durrett moved, seconded by Phil Rice, to hold a landowners petition hearing for the John Pogue #628 Drain on Monday, February 14, 2010 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Vicki Emmert distributed Greg Woods's monthly report as he was attending a workshop. Deanna Durrett discussed the notation on the report: "FYI- Chad McGaughey of FSA has informed me that the total money paid out for waterway construction in the year of 2010 is \$2,042,529. This surpasses the best pay-out year to date of 2008 which was about \$600,000 by more than \$1,400,000. ", Greg was commended for his outstanding work with Coal Creek Township landowners.

#### **Public Comment**

Dave White reported there is a Nature Conservative Video on 2-stage ditches. Tom Cummins reported he is looking at the county ditches, to see which of the county ditches would work for a 2-stage ditch.

There were no claims.

Jennifer Andel has given Tom Cummins his contact information for the new G-UTS program. Tom Cummins, Nancy Stonebraker, and Karen Arnold will attend a program on Wednesday to learn how to use the new G-UTS software.

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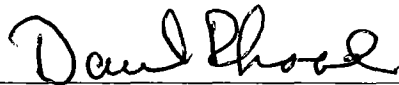
Tom Cummins, Greg Woods and Vicki Emmert are working on the new watershed assessments for the new tax program.

Suanne Milligan will look at the drainage law as to whether new hearings are needed when watersheds change their acreage. Deanna Durrett recommends an article be sent to the newspapers about the new recreation of watersheds.

Deanna Durrett thanked Jennifer Andel for coming to the Drainage Board meetings.

**Kenneth Pearson moved, seconded by Phil Rice to adjourn at 10:42 a.m. Motion carried 4-0.**

Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman



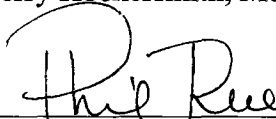
Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice, Member

MONTGOMERY COUNTY COUNCIL

RESOLUTION 2011-4

A CONTINUING RESOLUTION AUTHORIZING LOANS FOR 2011 DRAIN  
RECONSTRUCTION PROJECTS

WHEREAS, pursuant to Indiana Code §36-9-27-97.5, the Montgomery County Drainage Board has the authority to request that the Montgomery County Council obtain loans in order to finance the reconstruction of drains and ditches approved by the Board;

AND WHEREAS, in order to expedite the process of the reconstruction of these drains and ditches, the Drainage Board has requested that the Montgomery County council approve a continuing resolution that authorizes the Council President to execute loans for all projects properly approved by the Drainage Board and eliminate the necessity of the Board having each loan approved by the Council;

AND WHEREAS, Indiana Code §36-9-27-97.5 authorizes the Council to obtains loans which have either a fixed or variable rate of interest, which mature in not more than six years after obtained, and which are repaid from installments collected from assessments of landowners over a five-year period;

AND WHEREAS, the Montgomery County Council believes that it is in the best interests of the citizens of the County to adopt this continuing resolution in order to expedite the reconstruction process, improve drainage, and increase the productivity of land in Montgomery County

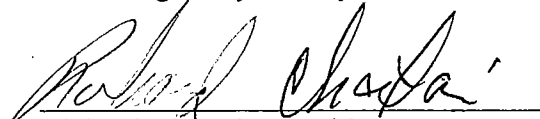
IT IS, THEREFORE, RESOLVED, that during 2011, Richard Chastain is hereby authorized, on behalf of the Montgomery County Council, to obtain loans for reconstruction of drains and ditches as requested by the Drainage Board, to sign on behalf of the County Council





any and all documents necessary in order to obtain loans which satisfy the criteria provided for in Indiana Code §36-9-26-97.5 for these reconstruction projects, and to take all other action necessary to facilitate the financing of drain reconstruction projects.

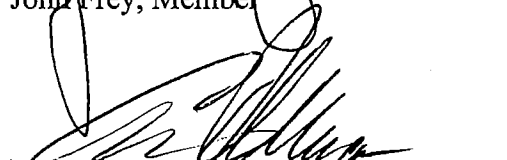
Date: February 8, 2011

Representing a Majority of  
the Montgomery County Council

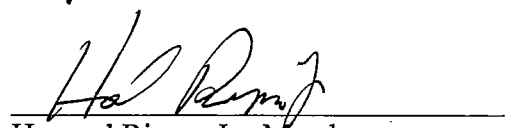
  
Richard Chastain, President

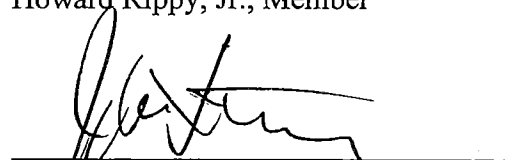
  
Brian Keim, Vice President

  
John Frey, Member

  
Aaron Morgan, Member

  
Michael Plant, Member

  
Howard Rippey, Jr., Member

  
Tom Utley, Member

Attest: \_\_\_\_\_  
Michelle Cash, Auditor

MONTGOMERY COUNTY  
DRAINAGE BOARD

~~Monday February 14, 2011~~ Feb 21, 2011  
Strategic Planning Meeting  
MINUTES

The Montgomery County Drainage Board met on Monday, ~~February 14, 2011~~ Feb 21, 2011 at 9:30 a.m. at 110 W. South Boulevard, Crawfordsville, Indiana in the conference room.

The meeting was called to order by Chairman Dave Rhoads.

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

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Marc Bonwell, Rex Tribbett, Josh Tribby, and Joe Miller of Banning Engineering.

The Board discussed the **Foster Fletcher #573** Impact area and the three options that Banning Engineering presented in September 2008. Rex Tribbett, representing 4-H, says they would like all work to be done according to correct standards and codes for future development of the new 4-H fairgrounds. Dave Deckard could not attend and did not have the new calculations for the driveway ready. Deanna Durrett stated it should be changed to an urban drain. Tom Cummins reported it is in need of a reconstruction as classified now. Two watersheds should be created, one for farmers and one for an urban drain. The **Foster Fletcher** was built in 1905. Dave Rhoads inquired if Mr. Cummins could figure the cost of a reconstruction for an urban section versus the farm ground. Deanna Durrett moved, seconded by Phil Rice, assuming the driveway plan meets our specifications to okay the plan at the March meeting. Deanna Durrett and Phil Rice withdrew their motion. Terry Hockersmith stated it should be declared an urban drain at the March meeting. Rex Tribbett inquired why an urban drain. Mr. Cummins reported you can assess different land owner's different ways.

Deanna Durrett discussed the ditch listing report with the Board. Ms. Durrett explained the **Sarah Kincaid #530-01** reconstruction drain has a deficit. The loan has been paid off. This took place under the past Surveyor. Money will transferred from the **Sarah Kincaid** maintenance fund to the reconstruction fund to zero it out. The **James Emerson #702-01** reconstruction account, loan has been paid. There is \$5,198.28 in the account due to landowners paying 10% interest and the loan taken was for less interest. Discussion has to what should be done with the balance. Should it go into **Funds without drains #400** to help financially when desired? Tom Cummins reported he answers to the landowners and it should go into the **James Emerson #702** maintenance fund. More research into the code will be needed. This will be put on the agenda for the March meeting.

Election of officers will be held at the March meeting.

Tom Cummins reported the following drains should have their assessments lowered for 2011 taxes.

#514 Jesse Evans	\$10.00 to \$4.96	Yearly Assessment \$2,385.74
#524 George Hinkle	\$ 8.00 to \$4.31	Yearly Assessment \$1,773.35
#533 Linn-Himes	\$ 6.50 to \$5.61	Yearly Assessment \$7,581.69
#541 George McClain	\$8.37 to \$6.78	Yearly Assessment \$2,438.70
#544 E. P. McClaskey	\$8.42 to \$2.88	Yearly Assessment \$1,714.69
#548 Edward Patton	\$10.60 to \$7.33	Yearly Assessment \$2,743.18
#592 Roy Harper	\$11.58 to \$4.94	Yearly Assessment \$1,195.84

Phil Rice moved, seconded by Terry Hockersmith, to lower the assessments rates for the following drains and take them to the Auditor to be filed.

<u>#514 Jesse Evans</u>	\$10.00 to \$4.96	Yearly Assessment \$2,385.74
<u>#524 George Hinkle</u>	\$ 8.00 to \$4.31	Yearly Assessment \$1,773.35
<u>#533 Linn-Himes</u>	\$ 6.50 to \$5.61	Yearly Assessment \$7,581.69
<u>#541 George McClain</u>	\$8.37 to \$6.78	Yearly Assessment \$2,438.70
<u>#544 E. P. McClaskey</u>	\$8.42 to \$2.88	Yearly Assessment \$1,714.69
<u>#548 Edward Patton</u>	\$10.60 to \$7.33	Yearly Assessment \$2,743.18
<u>#592 Roy Harper</u>	\$11.58 to \$4.94	Yearly Assessment \$1,195.84

**Motion carried, 5-0.**

Tom Cummins reported he talked with Wade Bennett. We did not receive the grant for the **James Hose # 572** Drain. Mr. Cummins stated Shannon McCloud the grant writer did not contact him.

Marc Bonwell inquired if Jim Davis's property drained into the **James Hose #572**. Theoretically it does, Mr. Cummins reported. Mr. Bonwell reported the building permit will be denied.


Deanna Durrett requested an updated ditch listing for the March meeting for all Board members in color. The ditch # will now be in red to clarify the drain is currently on the off-list. Tom Cummins will decide what to do with the **Edger Henry #705** and **Joseph A Schmoltzer # 707** drains.

Dave White inquired if there will be a news release about the **William Shelley # 706** Drain in the future. Tom Cummins replied after the mapping is done Mr. Cummins reported on Tuesday the camera crew will move into Crawfordsville to Wabash Ave. and has spoken to Tom Mitchell about the Crawfordsville sewers. The camera crew will send cameras down into the sewer to see if there are any tiles connected to them. Mr. White reported in the bowl area there is a gas marker that has fallen. Mr. Cummins replied there may be a hole in the tile.

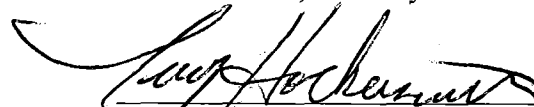
**Kenneth Pearson moved, seconded by Phil Rice, to adjourn the meeting at 11:17 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hoekersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday February 14, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, February 14, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Jennifer Andel, Auditor's Office, and Suanne Milligan, Attorney. Deputy Surveyor Greg Woods was absent.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Larry Pickett, Jonathan Hester, Barry L. Dove, David McKim, Harold Reeves, Bryan Monts representing 4-H, Dean Kiger, Roy Sillery, Gil Tobias, Sam and Jan Valliere, John Brock, Jacob Arthur, Dave Deckard, Chris Hudson, Mark Kessler, and Robert Miller.

**Kenneth Pearson moved, seconded by Phil Rice, to approve the minutes of the December 13, 2010 Drainage Board meeting. Motion carried, 5-0.**

**Kenneth Pearson moved, seconded by Phil Rice, to approve the minutes of the January 10, 2011 Drainage Board meeting. Motion carried, 4-0. Terry Hockersmith abstained.**

**Linn-Himes #533 Reconstruction Sealed Bids**

Tom Cummins reported he has received three bids for the **Linn-Himes #533** reconstruction for the Jack and Bore along the railroad. Arthur's Excavating, \$70,000.00, Snyder Construction \$42,000.00 and Midwest Mole, Inc. \$38,500.00, all with bid bond checks enclosed. The matter was tabled until later in the meeting.

**James Servies #703 Reconstruction Hearing**

Tom Cummins reported the survey work is now completed in response to drainage concerns from the December meeting. The surveying work was delayed by the weather. Landowners present discussed the findings of the report with the Board. There are three sections, the south and north main profiles and the open ditch profile. There will be an angled culvert put in by the county across 100 South. Chris Torpe of Soil and Water is verifying in a report that the area is not a wetland. The estimated cost is \$62,617.50. **Deanna Durrett moved, seconded by Phil Rice, to hold the James Servies #703 reconstruction sealed bid opening on Monday, March 7, 2011 at 9:30 a.m. at a cost of \$62,617.50. Motion carried, 5-0.**

**John V. Galey #518 Reconstruction Hearing**

Tom Cummins reported there are 1,560 acres in the **John V. Galey #518** watershed. Mr. Cummins explained that since Lithonia Lighting will not allow the tile along the railroad on their property, we will have to go back to the original plan of boring under the railroad and replacing the tile to the outlet. This will entail replacing 850 feet of tile, with 30-inch tile to the outlet and boring under the railroad at a cost of \$134,134.00. Landowners present who discussed the project with the Board were Roy Sillery, Sam & Jan Valliere, John Brock, and Robert Miller. **Kenneth Pearson moved, seconded by Phil Rice, to rescind the vote made on October 27, 2009 and to reject all bids for the reconstruction of the John V. Galey #518. Motion carried, 5-0. Kenneth Pearson moved, seconded by Phil Rice, to approve the reconstruction of the John V. Galey #518 at a cost of \$134,134.00. The sealed bid opening will be held on Monday, April 4, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

#### **John Pogue #628 Landowner Petitioner Hearing**

Landowner Robert Miller was present. The Surveyor reported that the **John Pogue #628** is in Walnut Township. There are lots of tile holes on Dave Crum's property. It is extremely swallow in areas with only 6 inches of cover over the drain. It drains into the old Caster farm pond. It is currently being no-till farmed. Concerns were raised as to who would pay for the survey work. **Deanna Durrett moved, seconded by Terry Hockersmith, to move forward with the survey work, to be paid out of the maintenance fund on the John Pogue #628 drain and to hold a reconstruction hearing on Monday, April 4, 2011 at 9:30 a.m. at the Montgomery County District Public Library. Motion carried, 5-0.**

#### **Old Business**

##### **Storm-water Plans**

Marc Bonwell displayed a plan from Bane Equipment for a 90 x 120 foot maintenance building on their five-acre site. They would like to create a dry pond. They would like a fifty-foot set back from the property line. They will not be adding any more additional parking. The plan has been reviewed and approved by DLZ. Mr. Bonwell recommended the Board approve it. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve the Bane Equipment expansion, the dry pond, and the fifty-foot setback. Motion carried, 5-0.**

Marc Bonwell presented plans for a new 7,200 square foot fire station in Ladoga. It is next to L & M Lounge on 2.39 acres. Ken Smith of Municipal Civil Corporation of Lafayette, IN has done the calculations for the drainage and has designed it beyond our requirements. It has been approved by DLZ. **Terry Hockersmith moved, seconded by Phil Rice, to approve the drainage plan for a new 7,200 square foot fire station at Ladoga. Motion carried, 5-0.**

Dean Kiger of Linden was present and reported the property owner with the tile blocked by tree roots still has not corrected the problem. It has been over six months. Suanne Milligan reported a hearing can be set by code 36-9-27.4. Mr. Kiger should sign a new petition and then come to the next Drainage Board meeting and a hearing date will be set.

Deanna Durrett reported the County Council has signed resolution 2011-4 to make it easier to get loans for reconstructions now.

### **New Business**

Tom Cummins presented to the Board the list of drains that will be off of assessment for 2011 and a list of drains that money will be transferred from Maintenance to Improvement to pay off deficit. The Joint drains have not been done.

Deanna Durrett discussed the financial report and the ditch listing reports. Ms Durrett reported money from the **Sarah Kincaid#530** maintenance fund will be transferred to the **Sarah Kincaid # 530-01** reconstruction fund to pay off the deficit of \$2,425.41. The loan to the bank has been paid back. This took place under the previous Surveyor. The **James Emerson #702-01** is paid off.

A strategic Planning meeting will be scheduled for Monday February 21, 2011 at 9:30 a.m. at 110 W. South Boulevard in the conference room.

### **Other Business**

Wade Bennett and Chris Hudson were present and discussed the **John Gobin # 2 # 520** drainage problem with the Board. The area south of the Heinold Hog Market is caved in under the railroad and it is wet on the East side of the overpass. Tom Cummins reported that at a prior meeting Curt Hudson had brought up the drainage problem on the **John Gobin**. Mr. Cummins reported there is only one map in the file and it is not reliable. Mr. Cummins would like to take the camera crew out and start at the outlet and map the area. It would be paid for out of the **John Gobin #2 #520** maintenance fund.

Dave Deckard presented plans from 4-H. 4-H owns ground in the **Foster Fletcher #573** impact area and would like to put in a 90 x 500 foot gravel driveway. The 4-H group would like to plan an event for July as a fundraiser for the new fairgrounds. Due to the limited amount of run-off allowed they were requesting an exemption. Joe Miller of Banning Engineering reported there were three options in the original report. **Deanna Durrett moved, seconded by Dave Rhoads, to put the 4-H request on the Foster Fletcher #573 on the strategic planning meeting agenda for February 21, 2011 at 9:30 a.m. at 110 W. South Boulevard, Crawfordsville, IN. Motion carried, 5-0.**

Greg Woods' monthly report was submitted by Vicki Emmert as Mr. Woods is on vacation.

### **Public Comment**

Dave White inquired about the progress on the **William Shelley #706 drain**. Tom Cummins reported camera work has been done near Meadow Wood apartments and due to the weather will now move over to the urban area.

There were no claims.

At this time the Board recessed to look at the bids for the **Linn-Himes # 533 drain**.

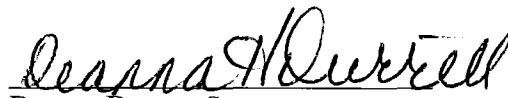
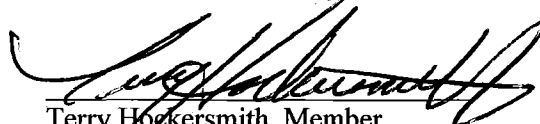
The meeting then reconvened, Dave Rhoads inquired of Tom Cummins what his recommendation was for the bid for the **Linn-Himes #533** reconstruction. Mr. Cummins replied his recommendation would be to accept the bid of Midwest Mole, Inc. at \$38,500. **Kenneth Pearson moved, seconded by Deanna Durrett, to accept the bid of Midwest Mole at \$38,500.00 for the reconstruction of the Linn-Himes #533 railroad portion of the drain. Motion carried, 5-0.**

**Kenneth Pearson moved, seconded by Phil Rice, to adjourn the meeting at 11:38 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman  
Deanna Durrett, Secretary  
Terry Hogkersmith, Member

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Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday March 7, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, March 7, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; Jennifer Anandel, Auditor's Office, and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Jon Hester, Dave & Brenda Foster, Bart W. Maxwell, Gil Tobias, Dean Kiger, Jacob Arthur, Dave Deckard, Curt & Chris Hudson, Mark Kessler, Clint Knoy, Barry Dove, and Joe Miller of Banning Engineering.

Tom Cummins opened sealed bids for the **James Servies #703** Reconstruction:

Masterscape \$42,492.50  
Foster Farm Drainage \$ 45,119.92  
Maxwell Farm Drainage \$ 40,747.00  
Arthur Excavating \$41,769.00

All have bid bonds in place. Mr. Cummins will go over the bids and report back later in the meeting.

**Dave Rhoads moved, seconded by Terry Hockersmith, to correct the date of the minutes to read February 21, 2011 not February 14, 2011. Motion carried, 5-0.**

**Kenneth Pearson moved, seconded by Phil Rice, to approve the strategic planning minutes of February 21, 2011. Motion carried, 5-0.**

Dave Rhoads congratulated Deanna Durrett on receiving the Frank O'Bannon Sunshine Award.

**New Business**

**Phil Rice moved, seconded by Terry Hockersmith, to keep the current offices held by the Drainage Board for 2011. Motion carried, 5-0**

Dave Rhoads- chair	Terry Hockersmith- member
Kenneth Pearson- vice chair	Phil Rice- member
Deanna Durrett- secretary	



Mr. Cummins presented new specifications for installing pipe as follows;

**1. Scope**

This practice describes the specifications adopted by Montgomery County for the installation of sub-surface, high density polyethylene pipe for gravity-flow drainage systems. These procedures are outlined to minimize pipe deflection and structural damage during and after the installation process. These specifications are specific to type of trench only, and not specific to what type of machinery is used during installation. The types of trench and general requirements for each are detailed below.

**2. “Rounded bottom trench”:**

Installation of tile in a rounded bottom trench will require no bedding; i.e. stone, sand, etc., below the tile. This type of trench supports the “haunches” of the tile. Backfill will consist of #8 stone, filled to the top of the pipe. The remaining trench is to be backfilled with any excavated soil.

**2.2 “Flat bottom trench”:**

Installation of tile in a flat bottom trench will require a 3-inch layer of bedding using #8 stone. This bedding is designed to support the “haunches” of the tile. Backfill will consist of #8 stone, filled to the top of the pipe. The remaining trench is to be backfilled with any excavated soil.

- These specifications address only the bedding and backfill requirements, which have been set forth by the Montgomery county surveyor, and only pertain to projects under the direction and supervision of the Montgomery county surveyor and the Montgomery County Drainage Board.

For all other specifications and practices, the ASTM standards and manufacturer’s standards should be followed.

**Terry Hockersmith moved, seconded by Phil Rice, to accept Mr. Cummins specifications for installing HDPE tile pipe with stone.** Discussion was between the Board and landowners concerning the correct procedure of laying tile. **Motion carried, 5-0.**

Tom Cummins reported all bids were responsive for the **James Servies #703** reconstruction and recommends the lowest bid of Maxwell Farm Drainage at \$40,747.00.

**Kenneth Pearson moved, seconded by Dave Rhoads, to accept the bid of \$40,747.00 from Maxwell Farm Drainage for the James Servies #703 Reconstruction. Motion carried 5-0.**

Mr. Cummins reported he has a letter from NRCS that the **James Servies #703** is not a wetland. Completion date for the **James Servies #703** reconstruction is June 1, 2011, weather permitting.

**William Shelley # 706**

Tom Cummins reported more camera work has been done at Grace Avenue and Park Lane East sites. There is a crushed tile at the Shady Knoll Apartments. Gary Weliever sent an e-mail to Mr. Cummins with a map of the sewers south of Wabash Ave. Any tiles that are in that area are fed directly into the sewer. Where there has been road construction the tiles have been cut.

When it dries up or freezes up can work in other areas. Currently less than \$10,000.00 has been spent on camera, jet truck, vac truck & mapping. Deanna Durrett inquired when the mapping would be finished. Mr. Cummins reported hopefully by the end of the year. Deanna Durrett inquired if any repairs have been done. Mr. Cummins stated in areas where possible a vac truck was used to clean out the tile.

### **John Pogue # 628**

Mr. Cummins reported the need to reschedule the **John Pogue #628** reconstruction hearing to May due to weather conditions and the survey work needed. **Deanna Durrett moved, seconded by Terry Hockersmith, to re-schedule the hearing from April 4, 2011 to May 2, 2011 for the John Pogue #628 reconstruction hearing. Motion carried, 5-0.**

### **James Hose # 572**

Mr. Cummins reported the grant for the **James Hose #572** was not awarded. Joe Miller of Banning Engineering has spoken with Shannon McCloud, the grant writer. There will be another hearing in Linden on March 17, 2011. The town of Linden will submit a new grant.

### **Foster Fletcher # 573**

Discussion on changing the **Foster Fletcher #574** from an agriculture drain to an urban drain was explained. Mr. Cummins reported that changing the purpose of drain from farm to urban would enable more options concerning assessment and reconstructions. This will allow the landowners who need more drainage a way to resolve their problems. Right now the **Foster Fletcher #574** is an urban impact area. Joe Miller reported with an urban classification the pay back for a reconstruction loan is twenty years versus the normal five years. **Deanna Durrett moved, seconded by Kenneth Pearson, to declare the Foster Fletcher #574 an urban drain. Motion carried, 5-0.**

Deanna Durrett requested that a copy of the minutes, after they are approved, be put in the **Foster Fletcher #574** file.

Dave Deckard of Deckard Engineering & Surveying recommends backfill stone should always be "Class A Material" as lower qualities will break down and make the situation worse. Mr. Deckard then presented the plans to the board for the driveway that the 4-H would like to build. Tom Cummins inquired if the design meets the .015cfs/acre release rate for the **Foster Fletcher #574** impact area. Dave Deckard reported he doesn't yet have the correct invert elevation of the tile and the slope of the tile they will be connecting to. Deanna Durrett inquired what does it takes to get the invert information to make the plan work. Mr. Deckard reported the tile needs to be probed or dug up to get the correct elevation. **Phil Rice moved, seconded by Deanna Durrett, to allow Dave Deckard to probe the Foster Fletcher #574 area grade and elevations needed to complete the plan for the 4-H driveway. Motion carried, 5-0.**

Gil Tobias, representing 4-H, reported they will be looking at the master plan with an over-all master drainage plan in the future. Dave Deckard inquired who else will be sharing in the cost of the drainage in the **Foster Fletcher #574**, besides 4-H. Tom Cummins reported he will create a landowner list and acreage for the April meeting. Mr. Cummins reported once Mr.

Deckard gets the plan designed, he should submit it as DLZ will still have to approve it. Curt Hudson inquired what Dave Deckard meant by "Class A Stone". Mr. Deckard reported it is a testing classification that INDOT uses to grade stone and gravel.

### **Reconstruction Loan Payments**

Deanna Durrett discussed with the Board and landowners where excess money should go when a reconstruction loan is paid off to the bank. A landowner has five years to pay the loan back with 10% interest. Most landowners opt to pay off in advance. For those who take five years the interest paid results in excess funds at the end of the loan period. Ms. Durrett would like to see the money directed to **Funds without Drains #400** to build the fund. Phil Rice, Terry Hockersmith, Dave Rhoads, and Mark Kessler spoke as landowners and would like to keep the money in the maintenance account of the relevant drain. Dave Rhoads inquired as to why some counties have a million dollars in their accounts. Mr. Cummins replied it is because their county appropriates money yearly to them. Dave Rhoads would like to keep this topic on the agenda for the next meeting. Currently the only source of revenue for **Funds without Drains #400** is the yearly interest earned by the two drain funds.

### **New Business**

Tom Cummins reported that Dean Kiger has petitioned for the removal of an obstruction on a private tile at Linden. Mr. Kiger reported he has spent \$1,600.00 last year on the drainage problem. There is a cottonwood tree on Steve Stewart's property, four feet from the tile and the tile is full of roots. Mr. Kiger is not asking for reimbursement of damages of the three houses that were filled with water up to the duct work. Suanne Milligan reported under the code 36.9.27.4 the Board must hold a hearing. **Phil Rice moved, seconded by Terry Hockersmith, to hold a hearing for Mr. Kiger's petition on April 4, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Deputy Surveyor Woods had no report.

Tom Cummins asked for Board direction concerning open ditch projects. In the past Mr. Cummins has sent out a request for quotes from the contractors on each project. There are several projects that need to be done this spring. Mr. Cummins would like to know if the Board will approve spreading the projects out among the contractors and not waiting for quotes as that slows the process down. All the contractors are very close in their work quotes now. The Board gave Mr. Cummins the approval to proceed with sending out projects to contractors without quotes.

### **Public Comment**

Jacob Arthur inquired about landowner petitions concerning the contractor to be used. Dave Rhoads reported the board will consider each on a case by case.

Jennifer Anadel reported the Auditor's office has received all of the ditch assessments from the Surveyor's office for the transition to the GUTS tax system.

Terry Hockersmith reported the work that has been done at New Richmond is working great at getting the water out of town.

Phil Rice directed a problem to Curt Hudson who is on the Tipmont REMC Board. Mr. Rice believes a pole was put in which hit one of the tiles on the John McCorkle and crushed it. Mr. Rice reported Andy Karle is aware of the problem. Mr. Rice requested REMC to call if they hit a tile in the future.

Curt Hudson inquired about an update on the **Arthur Fraley # 1 #596** and **Martin Liter #710**. Tom Cummins reported the projects have been submitted to DNR. He is waiting on reports from the Army Corps of Engineers if they want to be a part of the process.


Curt Hudson reported on the section of tile south of Heinold Hog Market that he thinks is part of the **John Gobin #2 # 520**. At his expense he had a camera sent down by Atlas Day Lighting. Mr. Hudson has a video that shows an obstruction. Mr. Hudson has requested information on tile location from D Ramsey, who performed the work about fifteen years ago. Tom Cummins reported he plans to send a camera crew to map the area to verify the exact location of the **John Gobin # 2 #520**.

The next meeting will be April 4, 2011 at 9:30 a.m. at the Crawfordsville District Public Library.

**Kenneth Pearson moved, seconded by Dave Rhoads, to adjourn the meeting @ 12:14 pm. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

\_\_\_\_\_  
Phil Rice, Member



# Montgomery County Surveyors Office

110 W. South Boulevard

Crawfordsville, IN 47933

Phone: (765) 361-3234

E-mail: tom.cummins@montgomeryco.net

February 15th, 2011

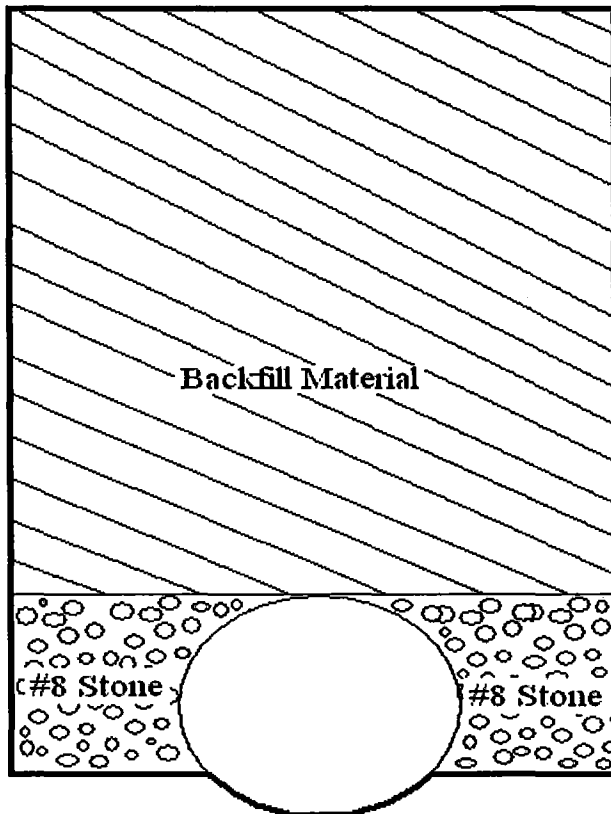
RE: Montgomery County HDPE pipe install specifications

## 1. Scope

This practice describes the specifications adopted by Montgomery County for the installation of sub-surface, high density polyethylene pipe for gravity-flow drainage systems. These procedures are outlined to minimize pipe deflection and structural damage during and after the installation process. These specifications are specific to type of trench only, and not specific to what type of machinery is used during installation. The types of trench and general requirements for each are detailed below.

### 2.1 "Rounded bottom trench":

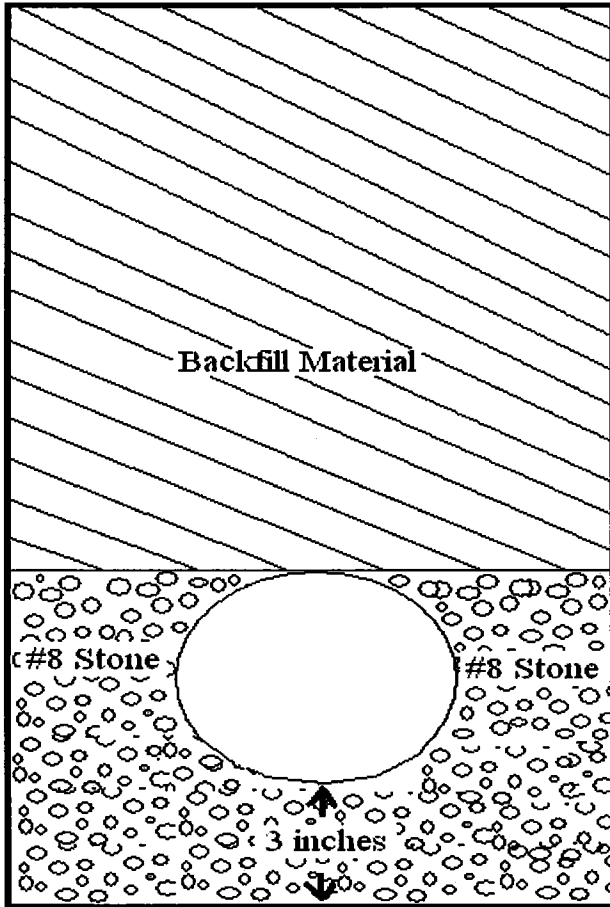
Installation of tile in a rounded bottom trench will require no bedding; i.e. stone, sand, etc., below the tile. This type of trench supports the "haunches" of the tile. Backfill will consist of #8 stone, filled to the top of the pipe. The remaining trench is to be backfilled with any excavated soil. (illustration 2.1 shown below)





**2.2 "Flat bottom trench":**

Installation of tile in a flat bottom trench will require a 3 inch layer of bedding using #8 stone. This bedding is designed to support the "haunches" of the tile. Backfill will consist of #8 stone, filled to the top of the pipe. The remaining trench is to be backfilled with any excavated soil. (illustration 2.2 shown below)



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\*These specifications address only the bedding and backfill requirements, which have been set forth by the Montgomery County Surveyor, and only pertain to projects under the direction and supervision of the Montgomery County Surveyor and the Montgomery County Drainage Board.

For all other specifications and practices, the ASTM standards and manufacturer's standards should be followed.



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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday April 4, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, April 4, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; and member Terry Hockersmith. Phil Rice, member, was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Dave & Brenda Foster, Dean Kiger, Gordon Kiger, Dave Deckard, Curt Hudson, Clint Knoy, Lindsay D. Casper, John Brock, Wade Bennett, and Jim Shilling.

**Deanna Durrett moved, seconded by Kenneth Pearson, to approve the minutes of the February 14, and March 7, 2011 meetings. Motion carried, 4-0.**

**Bid Opening: John Galey # 518 Reconstruction**

Sealed bids were opened by Tom Cummins.

Midwest Mole, Inc. \$95,060.00

Snyder Construction \$ 79,800.00

The estimate for the reconstruction was \$134,134.00. Landowners present were John Brock representing his parents. Mr. Cummins will review the bids for action later in the meeting.

Tom Cummins presented a petition from Doug Mills to advance the date of a petitioners hearing for a reconstruction of the **Rankin Walkup # 579**. **Terry Hockersmith moved, seconded by Kenneth Pearson, to hold a petitioners hearing for the Rankin Walkup #579 on May 2, 2011. Motion carried, 4-0.**

**Old Business**

**Hearing on obstruction of a private drain IC 36.9.27.4**

**Dean Kiger/ Steve Stewart Hearing**

Steve Stewart was not present at the hearing. Dean Kiger, Gordon Kiger, and Lindsey Casper were present. Lindsey Casper presented photos to the Board of the recent rain of 4 ½ inches. Dean Kiger reported to the Board the actions that he and his neighbors have done to remove the water from the houses involved with the flooding. They have rented two trash pumps and pumped all day removing water from the area. Three of the houses had to shut off their air conditioners due to the high water. Lindsey Casper reported he has water in his crawl space even when it is not raining. Deanna Durrett inquired if Dean Kiger has been in contact with Steve Stewart. Mr. Kiger responded, "yes". He spoke to him on the phone and told him he would be willing to meet with him at the site. Mr. Stewart told Mr. Kiger he would like to select the contractor to remove the tree and roots, and fix the tile. Mr. Stewart never responded back to

Mr. Kiger about the tree again and that is the reason for the hearing today. Tom Cummins reported all parties involved received notification of the hearing. Mr. Cummins reported he spoke with Steve Stewart twice last week. Mr. Stewart did not want to take time off work to attend the hearing. There are no objections in writing. Dean Kiger reported he has spent approximately \$1,600.00 to remove water from the area. Deanna Durrett inquired what the cost is to remove the tree. Mr. Cummins reported he didn't have a definite price of what it would cost to remove the tree and repair the tile. Dave Rhoads inquired of Dave Foster, local contractor, what he thought the price would be to remove the tree and repair the tile. Mr. Foster replied approximately \$1,000.00. Mr. Kiger reported he would like it to be done correctly. **Deanna Durrett moved, seconded by Kenneth Pearson, in absence of the landowner Steve Stewart who had proper notice, that the petition be granted and Mr. Stewart have 14 days after the proper notice is received by him to remove the tree and repair the tile. Motion carried, 4-0.** An order was signed by Board members and Suanne Milligan will send out the notice to Steve Stewart in accordance of code 36-9-27.4.

### **John V. Galey # 518**

Tom Cummins reported both bids for the **John V. Galey #518** reconstruction contained bid bonds and were responsive to the specifications. Mr. Cummins recommended awarding the bid to Snyder Construction for \$79,800.00. The completion date is August 1, 2011. **Kenneth Pearson moved, seconded by Terry Hockersmith, to award the bid to Snyder Construction for the reconstruction of the John V. Galey #518 in the amount of \$79,800.00. Motion carried, 4-0.**

Tom Cummins presented a preliminary list for the **Foster Fletcher # 573** urban drain of 104.67 acres.

Tom Cummins reported Phil Rice has spoken with Tipmont REMC. They will take care of the pole that damaged the **John McCorkle #608** drain and repair the drain.

Mr. Cummins has received permission from the DNR and Army Corps of Engineers to work on the **Arthur Fraley #1 #596** and the **Martin Liter #710** drains.

Tom Cummins reported a camera crew will be mapping the **John Gobin #2 #520** either this week or next week. Curt Hudson reported he has a quote for 100 ft of re-line under the railroad for around \$20,000.00. Mr. Cummins reported he will not know until the mapping is complete if the area under the railroad is part of the **John Gobin #2 #520**. The camera crew will start at the outlet and it will take two to three days. Wade Bennett inquired if the railroad would pick up half of the cost. Mr. Cummins reported the railroad is only responsible for reconstructions. Mr. Hudson inquired if he could fix the area without a permit from the railroad. Mr. Cummins reported fines are high if something goes wrong. Tom Cummins recommended Mr. Hudson stone the area and recover the tile now open until the mapping is complete to determine if it is part of the **John Gobin #2 # 520**. The Board recommends that Mr. Cummins work quickly on this project.

**William Shelley #706:** Nothing new to report.

### **Guy Little #534**

Tom Cummins reported it is working fine with the exception of heavy rains. The cattle are fenced out.

### **Loan Procedure:**

It was reported it took 1 ½ weeks to secure a loan with the new loan procedures in place. The Auditor's office would like to add a resolution page to future loans.

A copy of the new reconstruction assessment billing statement was provided for the Board to review. The word reconstruction will be added to the new statements.

#### **New Business**

Dave Deckard of Deckard Engineering & Surveying presented a drainage plan for the 4-H grounds of the **Foster Fletcher Urban #574** drain. Mr. Deckard reported he found two suck holes in the field, one is a 12- inch clay and the other is a 6- inch plastic pipe. After reviewing several different drainage options Mr. Deckard reported it is not feasible to plan a driveway with the .015cfs/acre run-off that is allowed now and the 4-H will not be able to develop the land. Mr. Cummins advised that making an exception would cause future drainage problems in the area. Tom Cummins reported he will be speaking with Banning Engineering concerning which landowners should be involved in the **Foster Fletcher** reconstruction option #3. **Terry Hockersmith moved, seconded by Deanna Durrett, to deny the drainage plan for the roadway that the 4-H grounds would like to build in the Foster Fletcher Urban #574 drain area. Motion carried, 4-0. Dave Rhoads moved, seconded by Kenneth Pearson, to hold a reconstruction hearing for the Foster Fletcher #574 Urban Drain on Monday, June 6, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.** Deanna Durrett reported she will write a press release for the May meeting to explain why the reconstruction is necessary in a long term drainage plan.

Greg Woods presented his monthly report to the Board. Mr. Woods is verifying all the ditch assets on the county drains. (Entering into the computer how many tiles and sizes there are for each drain.) At the NRCS office, the water way inspections are 90% complete.

#### **Other Business**

Dave White inquired if a grate should be put on the bowl to keep rip-rap out of the bowl on the **William Shelley #706** drain. Mr. Cummins replied, now that it is dry, a grate could be installed.

Suanne Milligan reported she has received a letter from Kent Minnette reporting that plaintiffs John Binder and Daniel Booher have filed suit against the Montgomery County Commissioners. They are represented by Greg Miller.

The next Drainage Board meeting will be Monday, May 2, 2011 at 9:30 a.m. at the Crawfordsville District Public Library.

**Kenneth Pearson moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:30 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

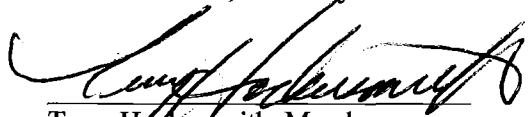


David Rhoads, Chairman



Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

\_\_\_\_\_  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday May 2, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, May 2, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Stu Weliever, Dean Kiger, D. Dericks, James Shillings, Jeremy Potter, Doug E. Mills, Curt Hudson, Chris Hudson, Wade Bennett, David Crum, Richard "Stoney" McGaughey and Robert Miller.

**Deanna Durrett moved, seconded by Terry Hockersmith, to approve the minutes of the April 4, 2011 meetings. Motion carried, 4-0. Phil Rice abstained.**

**John Pogue # 628 Reconstruction Hearing**

Tom Cummins reported the **John Pogue # 628** is in Walnut Township. Proper notice was given to landowners. Landowners present were David Crum, James Shillings, and Robert Miller. David Crum was the petitioner. Mr. Shillings reported he was opposed to the reconstruction. Mr. Cummins proposed after discussion with landowners to replace tile only in the swallow area which will be approximately 500 to 600 feet on the south side of drain with two feet of cover. The drain outlet's into a pond, which has never risen to the tile outlet in the pond. The drain is in debt \$4,079.55 and needs to be paid back before more work is done. The assessment is \$3.50 per acre. **Deanna Durrett moved, seconded by Phil Rice, to deny the reconstruction petition of the John Pogue # 628 and hold a assessment rate increase hearing for the John Pogue # 628 on July 18, 2011 at 9:30 a.m. at the Montgomery County District Public Library. Motion carried, 5-0.** Mr. Cummins will report the proposed assessment rate at the June meeting.

**Rankin Walkup # 579 petitioner hearing to advance the date of reconstruction from Doug Mills**

Tom Cummins reported the **Rankin Walkup #579** crosses 234 East of 231. Clearing of trees along the open ditch was done in the past. It is undersized at the outlet end. Possibly needs to be reconstructed from an 18" to a 24" in tile. A bore will need to be done under the highway 234. It is not known whether the state would pay for the bore under the highway or if it would be a shared cost. About 40% of the ground belongs to Doug Mills. The current assessment is \$1.77 an acre with 791 acres in the watershed. **Deanna Durrett moved, seconded by Kenneth Pearson, to hold a reconstruction hearing for the Rankin Walkup #579 drain on Monday, July 18, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.** Mr. Cummins said the annual assessment rate must be increased in order to repay the debt and accumulate funds to pay for future maintenance work.

**Petitions**

Mr. Steve Stewart presented a Petition to Reconsider the Board's action of April 4, 2011 ordering Mr. Stewart to remove an obstruction per IC 36-9-27-4. Mr. Stewart, who was not present, was represented by attorney, Richard "Stoney" McGaughey. Also present were Dean Kiger, one of the landowners who filed the petition for the removal of the obstruction, Linden Town board member, Wade Bennett, and Linden Town attorney, Stu Weliever.

Mr. McGaughey reported that the Town of Linden vacated the street in November 2010. The vacation was appealed by Darrell Birge and Mr. Stewart in circuit court and it was overruled.

Ms. Durrett said she saw nothing in the petition to reconsider that would make her change previous her vote, as no proof was presented to support Mr. Stewart's position that he does not own the land. His garage is on the same land as the tree and that suggests that if he is using the land, it appears to be his.

Mr. McGaughey said the cost to remove the tree should be shared by all landowners. Mr. Kiger offered to pay half of the cost although he has already paid \$1,600 for probing the drain and pumping the flooded houses on the west side of US 231. A suggestion by Mr. Curt Hudson that the tile be rerouted was deemed unadvisable by Mr. Cummins because the tree roots would find the new tile as well.

**Deanna Durrett moved, seconded by Phil Rice, to deny the Petition to Reconsider, and that Mr. Stewart be ordered to pay the entire cost to remove the tree and return the tile to adequate working condition within 14 days from the date he receives notice of the Board's order. If he does not comply, Surveyor Cummins will have the tree removed and send the bill to Mr. Stewart. Motion carried, 5-0.**

#### **William T. Linn # 580 Petition**

Mr. Wayne McCutchan presented a petition to advance the date of the reconstruction of the **William T. Linn #580**. Mr. McCutchan owns just under 40% of the land. Jeff Linn and Mr. McCutchan are the major landowners. It is near 500 south and west of US 136. The outlet to the drain is too small. **Terry Hockersmith moved, seconded by Phil Rice, to hold a petitioner's reconstruction hearing for the William T. Linn # 589 on June 6, 2011 at 9:30 a.m. at the Montgomery County District Public Library. Motion carried, 5-0.**

Tom Cummins received a Petition for Variance from the town of New Richmond to cross a drain when they put in new water and sewer lines. They will cross an existing drain and encroach upon another one. Since two drains are involved Mr. Cummins would like to table this until the June meeting to get both petitions in place.

Tom Cummins received a Petition to Attach to the **Clarence Widener # 582** from Nancy Snyder. She wants to replace an existing tile. Deanna Durrett inquired if attaching to the drain would compromise the drain. Mr. Cummins reported it would not. **Deanna Durrett moved, seconded by Dave Rhoads, to grant the Petition to Attach to the Clarence Wildener #582. Motion carried, 5-0.**

Tom Cummins received a Petition to Attach to the **James Servies #703** from Jonathon Hester. Phil Rice inquired about connecting new laterals and the water flow to the James Servies. This is a new reconstruction project. **Terry Hockersmith moved, seconded by Phil Rice, to table the petition until the June meeting for further information. Motion carried, 5-0.**

#### **Old Business**

Deanna Durrett presented a press release draft to the Board concerning the **Foster Fletcher Urban Drain #573**. Tom Cummins presented a new landowners list consisting of agricultural, commercial and residential property. Mr. Cummins has been discussing the potential for reducing the cost of the reconstruction with Joe Miller of Banning Engineering by using plastic pipe instead of concrete. **Phil Rice moved, seconded by Kenneth Pearson, to hold a reconstruction hearing for the Foster Fletcher Urban Drain # 573 on July 18, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins reported camera work has begun on the **John Gobin #2 # 520**, but because of weather conditions it had to be halted.

No report for the **William Shelley # 706**.

There was no new business.

Deputy Surveyor Greg Woods reported that 98% of the assets of the county drains have been calculated. Mr. Cummins reported more accurate assessments will be possible with the new information. Deanna Durrett commended Mr. Woods' work on this project. The total mileage of assessed and un-assessed drains is currently 317 miles. Mr. Woods reported CRP re-enrollments are now completed for the year.

#### **Other Business**

Curt Hudson inquired about the **Arthur Fraley # 2 #709** and the **Martin Liter # 710**. Mr. Cummins reported work orders have been given to contactors who are waiting for the weather conditions to improve.

Deanna Durrett presented a reconstruction report. If it were not for these funds, the improvement fund would be in the red.

Curt Hudson has now replaced and covered the tile on the **John Gobin # 2 #520** until the mapping is complete.

Dave Rhoads inquired about getting the **James Harris** ditch at New Ross back on assessment. Mr. Cummins reported that letters were sent to Boone County, as it is a joint drain along with the **Marion A. Connor** drain to see if they want to be a part of the process.

Dave Rhoads inquired about the **Fred Maxwell #585** that was sprayed in the past. Mr. Cummins reported he has four spraying companies that will be spraying those open ditches that have maintenance funds.

Dave Rhoads and Phil Rice voiced their concerns of the way the assessments appeared on the land-owners property tax forms this year. Mr. Rhoads reported he has met with the G-UTS program personnel and would like for them to come to a drainage board meeting. The tax form should show the name and amount of each drain not just a total of all them.

#### **Public Comment**

Jeremy Potter asked if anyone has come forward with a petition to reconstruct the **Boswell Clough # 595**. The town of New Richmond had flooding issues with the last heavy rain. Mr. Cummins reported no petition received. A petition must to come from a landowner who owns 10% of the watershed.



Wade Bennett inquired for Frank Hole of Linden about the water flow back of the gas station and railroad. Mr. Cummins suggest that Mr. Bennett or Mr. Hole to come to the office to look at the maps. In response to a question also about a drainage plan for the station, Mark Bonwell replied that if built before 1997 there may not be a plan on file.

The next meeting will be June 6, 2011.

Deanna Durrett left prior to the close of the meeting and the time was not recorded.

**Kenneth Pearson moved, seconded by Phil Rice, to adjourn the meeting at 11:45 a.m. Motion carried 4-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
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Kenneth Pearson, Vice Chairman

  
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Deanna Durrett, Secretary

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Terry Heckersmith, Member

  
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Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday June 6, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, June 6, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; and Phil Rice, member. Terry Hockersmith was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, John R. Mayotte, Ron Cunningham of Vester and Associates, Jon Hester, Tom Mitchell City of Crawfordsville Waste Water Department, Wade Bennett, Jeff Linn, Bart Maxwell, Wayne McCutchan, Jeremy Potter, Richard Linn, Shari Harrington, Montgomery County Health Department, and Jacob Arthur.

**Deanna Durrett moved, seconded by Phil Rice, to approve the minutes of the May 2, 2011 meeting. Motion carried, 4-0.**

### **Hearings**

#### **William T. Linn # 580 Petitioner Hearing: Walnut Township**

Tom Cummins reported the assets of the drain are the following:

Open ditch – None  
20" tile- 470 feet  
18" tile- 3,124 feet  
15" tile- 1,500 feet  
12" tile- 881 feet  
10" tile- 5,300 feet

Landowners present were Wayne McCutchan, Jeff Linn and Richard Linn. Bart Maxwell of Maxwell Drainage was present as he has done work in the area. Mr. McCutchan reported ponding on the upstream and a need to increase the outlet size. Mr. Linn reported that on his property everything is working fine. Work has been done on the headwall when the pipe rusted out and a 24 inch plastic pipe was inserted into the headwall. Mr. McCutchan reported about three years ago Mrs. Wright's house flooded and the two of them split the cost of putting in a 12-inch pipe with a breather in his field. Mrs. Wright's house does not flood now but the breather does as it needs an outlet. Jacob Arthur reported that the 18 inch clay tile is clean on the Linn property. Mr. Cummins has the lateral information from Mr. Arthur of the work he did last year for Linn's. Mr. Maxwell reported there is a surface water problem due to the way the State of Indiana put in their tiles. Dave Rhoads inquired how much money Mr. McCutchan and Mrs.

Wright paid to fix the earlier problem. Mr. McCutchan did not know. **Dave Rhoads moved, seconded by Kenneth Pearson, to hold a reconstruction hearing for the William T. Linn # 580 on Monday, July 18, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

#### **Continuation of the Variance for the town of New Richmond**

Tom Cummins reported the **Allen Lewis #578** runs parallel and also crosses the areas where the water main is to be placed. The Town of New Richmond is requesting a 45 foot variance from the 75 foot drainage easement to put in a water main. The second variance is to place a new eight inch water main, C900 pipe, approx 5 ' below existing grade to top of pipe. **Deanna Durrett moved, seconded by Kenneth Pearson, to grant both variances for the Town of New Richmond. Motion carried, 4-0.**

#### **Old Business**

##### **William Shelley # 706**

Tom Cummins is still in the process of mapping the William Shelley #706 drain. Camera crews and jet trucks have been used in locating the tiles. Mr. Cummins projected an aerial map showing where tiles have been found along Traction Rd this past week. On the south side of the road there is a septic problem on Brian Collom's property. The septic runs directly into the Shelley Drain. Tom Mitchell of the City of Crawfordsville Waste Water Department reported sewer lines have been in place for approximately eight to ten years in that area. As this property is annexed into the city of Crawfordsville. It will cost \$3,250.00 to hook up to the city sewer line. Shari Harrington of the Montgomery County Health Department reported on relevant Indiana codes. Mr. Mitchell reported there are two homes and a church in the area that have not hooked on to the sewer system. He also has a list of people on the sewer system. Ms. Harrington will contact the property owners. Rural Development low interest loans available. Deanna Durrett reported that Mr. Collom had called her at home and believed that he and his lawyer were to be present today. Tom Cummins reported there are trees in the easement of the tile and they made need to be removed after all the locations of the tile are found. John Mayotte inquired if there were trees on his property that were to be removed. Mr. Cummins replied we are still in the design stages and the tile behind Eastern Acres is not useable. **Deanna Durrett moved, seconded by Dave Rhoads, to support Shari Harrington and Tom Cummins on the septic and tree removal issues in the William Shelley #706 drain area. Motion carried, 4-0.** Deanna Durrett inquired as to whether a press release should be issued about the **William Shelley #706**. Dave Rhoads directed Mr. Cummins to invite the press to the site while locating the tiles.

##### **Foster Fletcher # 573**

Tom Cummins would like to postpone the **Foster Fletcher # 573** Reconstruction hearing on July 18, 2011 as more research is needed. **Deanna Durrett moved, seconded by Phil Rice, to postpone the July 18, 2011 meeting and reschedule the Foster Fletcher # 573 reconstruction for Monday September 19, 2011 at 9:30 a.m. at the Crawfordsville District Public Library.**

**Motion carried, 4-0.** Phil Rice directed Greg Woods to research the use of grants from the DNR from their revolving flood account.

John Hester asked for an update on the **James Servies #703**. He felt there were conditions earlier in the season when the project could have been completed. Mr. Cummins reported the completion date was June 1, 2011 but due to weather conditions it is not complete. Bart Maxwell is the contractor. The driest part of the year is usually July and August. The north side of the James Servies is very wet. Dave Rhoads directed John Hester to contact Tom Cummins when he feels it is getting dry enough to complete the project.

### **John Pogue # 628**

Tom Cummins reported the yearly maintenance assessment on John Pogue # 628 for one year to cover the cost of replacing 1,000 foot of smooth core tile will be \$32.00 an acre. **Deanna Durrett moved, seconded by Kenneth Pearson, to hold a rate assessment hearing on July 18, 2011 at 9:30 a.m. at the Crawfordsville District Public Library for the John Pogue # 628 to increase the rate from \$3.50 to \$32.00 an acre. Motion carried, 4-0.**

### **James Hose #572**

Deanna Durrett reported that Shannon McCloud of Priority Project Resources was notified that a grant for \$600,000.00 will be awarded for the **James Hose #572** reconstruction. The drain will match with \$100,000.00; 75% percent of the money in the maintenance fund, amount to about \$25,000 may be used toward the reconstruction project. The ceremony at the Indiana State House will be Wednesday, July 13, 2011 at 2:00 p.m. Wade Bennett of the Town of Linden stated the project started in January 2008 and this was a wonderful opportunity for the town. It was noted that this reconstruction project will be a prevailing wage and OSHA project.

### **Arthur Fraley #2 #709**

Tom Cummins reported maintenance work was to start over a week ago but the contractor has not shown up yet. Mr. Cummins will contact him again. The contractor is to dip from the county line to county road 150 E. Wade Bennett reported how the fence is set will affect Aaron Bennett's ability to pasture his cattle. There was an agreement made when the property was sold to Curt Hudson on where the fence was set. Mr. Cummins does not know if this was a verbal or written agreement between landowners. Mr. Cummins suggested that the Drainage board create a protocol on fencing issues with livestock. No action taken.

### **Martin Liter# 710**

Tom Cummins reported the **Martin Liter #710** project north of Crawfordsville to 100 E. is complete. Jacob Arthur reported it took eight to nine days to perform the work. Mr. Cummins reported that Mr. Myers said that Mr. Arthur did a good job.

### **John Gobin # 2 # 520**

Tom Cummins reported a delay in the camera work to locate the drain due to wet conditions. The red line on the map is the found location. Digging every forty feet was necessary due to broken tiles.

### **James Harris and Marion Connor**

Tom Cummins reported that packets have been re-sent to Boone County and two members need to be appointed to the Joint Board. Dave Rhoads and Kenneth Pearson will be on the Boards.

### **Dean Kiger/Steve Stewart Obstruction Order**

Tom Cummins reported the tree was removed by the electric company. Tordon was applied to the stump and a new tile was installed around it. Mr. Cummins observed that the tile was running well after the most recent rain.

### **Summer Spray Program**

Mr. Cummins reported four companies will spray this year. Only drains with maintenance funds will be sprayed.

### **Tax Statement Information**

Deanna Durrett reported she talked to G-uts and to the head of State Board of Accounts. Table five on the property tax statements will have the name of each drain and assessment from now on.

### **New Business**

#### **Long Range Plans**

Tom Cummins presented lists of Drains in Need of Periodic Maintenance, In Need of Reconstructions, In Need of Urban Classification and In Need of Vacating to the Drainage Board for their review. Deanna Durrett requested a list of drains in order of priority at the July meeting.

Greg Wood presented his May 2011 Activity Report

### **Other Business**

Deanna Durrett reported that Connie Cleek from Soil and Water inquired concerning the Drainage Board's interest in having a joint exhibit at the Montgomery County Fair this year. **Deanna Durrett moved, seconded by Phil Rice, not to have an exhibit at the fair this year. Motion carried 4-0.**

### **New Business**

Tom Cummins reported that Bill Corey is interested in building a new storage facility next to Muffs and Tails along State Road 47. The location is in the **William T. Shelley # 706** area, which has a no build status. Mr. Corey would like to know if he designs the building to drain into the swale retention area could he be exempt from the no build. No plans have been submitted.

**Public Comment**

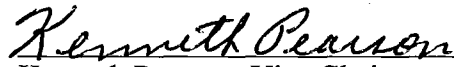
None

The next meeting will be Monday, July 18, 2011 at the Montgomery County district Public Library at 9:30 a.m.


**Phil Rice moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:50 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
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Kenneth Pearson, Vice Chairman

  
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Deanna Durrett, Secretary

  
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Terry Hockersmith, Member

  
\_\_\_\_\_  
Phil Rice, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Strategic  
Thursday June 30, 2011  
MINUTES**

The Montgomery County Drainage Board met on Thursday, June 30, 2011 at 8:30 a.m. at 110 W. South Boulevard, Crawfordsville, IN in the conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Jennifer Anel of the Auditor's office; and Suanne Milligan, Attorney. Greg Woods, Deputy Surveyor was absent.

Also present were, Dave White, and Nancy White of the Montgomery County League of Women Voters.

**Wage Hearings:**

Tom Cummins reported he has received information from the State of Indiana concerning common wages for reconstruction projects for the rest of this year. Due to wording of the law change any reconstruction project that is done till the end of year will need a common wage hearing. Reconstructions done in 2012 will need a hearing if over \$250,000.00. Hearings that we have on the agenda this year are **William T. Linn # 580, Rankin Walkup #579, and the Foster Fletcher # 573**. Wage hearings are held the last Tuesday of the month. Representatives from each of these groups will be on the hearing board: Department of Labor, Drainage Board, County Commissioner, Union, Associates of Builders and a knowledgeable person for the project (Surveyor).

**Open Ditches:**

What should be done concerning cattle grazing on open ditches and farmers who plant crops to the edge of the ditch which cause erosion was discussed. Phil Rice and Tom Cummins will draft a policy concerning these practices.

**Urban Ditches:**

Drains being considered for a classification change from a farming drain to an urban drain are **Foster Fletcher # 573, William T. Shelley # 706, Boswell Clough # 595, James Hose # 572,** and the **James Harris # N/A**.

Tom Cummins reported the mapping of the eastern leg of the **William T. Shelley # 706** is complete. The two houses that were not on septic at the last meeting are now connected. The Board discussed removing trees on the front lawns of properties along Traction Road that are



obstructing tiles. Suanne Milligan reported that Indiana Drainage Code section 36-9-27-46 gives the Surveyor the right to remove trees after a hearing is held on the obstruction.

**Spray Program:**

Tom Cummins reported there are four companies that will spray open ditches this summer: Daltons, Shidlers, Frank James and Anderson Tree Company. Only drains with maintenance funds will be sprayed, Forty Five miles are involved. All spraying is to be done by August 15, 2011. Mr. Cummins will check on insurance policy coverage with other counties.

**Other:**

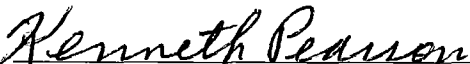
Phil Rice stated he prefers one long meeting a month rather than two a month.

Deanna Durrett's executive assistant position will be cut \$2,000.00 for the 2012 budget.

**Phil Rice moved, seconded by Kenneth Pearson, to adjourn the meeting at 10:23 a.m.  
Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
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Kenneth Pearson, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

  
\_\_\_\_\_  
Terry Hoekersmith, Member

  
\_\_\_\_\_  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, July 18, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, July 18, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer by Phil Rice.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, David L. Myers, Linda Myers, Edna C. Wright McLean, David Crumm, Bart Maxwell, Wayne McCutchan, Kenny Cain, Mike Patton, Brenda Foster, Bill Corey, Bryan Monts, Joseph D. Bishop PE, Roy Sillery, Robert Miller, Ginnie Linn, Richard Linn, Dan & Tori Michaels, Robert Young, Jacob Arthur, Jeff Linn, Joshua Wilson, John Wright, and Joe Miller of Banning Engineering.

**Kenneth Pearson moved, seconded by Deanna Durrett, to approve the June 6, and June 30 2011 minutes. Terry Hockersmith abstained on the June 6, 2011 minutes. Motion carried, 4-0. Motion carried, 5-0.**

**Petitions:**

Tom Cummins reported Dave Rhoads the petitioner requested the **Howard Cline # 508** petition be removed from the agenda.

Tom Cummins received a petition from Ed Runyon to attach three waterway tiles to the **James Emerson # 702**. Mr. Cummins recommended the attachments be allowed. **Terry Hockersmith moved, seconded by Phil Rice, to allow the three attachments to the James Emerson # 702. Motion carried, 5-0.**

Tom Cummins received a petition from Don Hester to attach a waterway tile to the **George McClain # 541**. Mr. Cummins recommended allowing the attachment. **Deanna Durrett moved, seconded by Phil Rice to allow the attachment to the George McClain # 541. Motion carried, 5-0.**

Tom Cummins has received a petition to advance the date when a regulated drain will be referred to the County Surveyor from Mike Patton for the reconstruction of the **Charles Cowan # 510**. The **Charles Cowan # 510** is located in Coal Creek Twp. Landowner Mike Patton owns 32% of the watershed. There are 91 landowners with a total of 430 acres. Mike Patton was present. There are constant tile holes, grade, and cover issues and the tile is undersized. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a petitioner's hearing for the Charles Cowan # 510 on Monday, September 19, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins has received a petition to advance the date when a regulated drain will be referred to the County Surveyor from Don Mills for the reconstruction of the **Swearingen Runyon #557**. Mr. Mills owns 11% of the watershed. It is in Ripley Twp. There are cattle on the pasture and there is a need to change the outlet. **Deanna Durrett moved, seconded by Phil Rice, to hold a petitioner's hearing for**

the Swearingen Runyon #557 on Monday, September 19, 2011 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.

**Hearings**

**William T Linn #580**

Landowners present were: Edna C. Wright McLean, Wayne McCutchan, Ginnie Linn, Richard Linn, and Jeff Linn. Tom Cummins presented three options.

**Option A**

4,900 ft.	30 "Smooth-Corr. Tile @	\$34.00/ft.	= \$ 166,600.00
4,900 ft	Destroy Existing Tile @	\$1.00/ft.	= \$ 4,900.00
1	Gravel Road Crossing @	\$1,000/ea.	= \$ 1,000.00
1	New Outlet at Headwall @	\$500/ea.	= \$ 500.00
			<b>Total = \$ 173,000.00</b>

**Option B**

3,700 ft.	30" Smooth-Corr. Tile @	\$34.00/ft.	= \$125,800.00
1,200 ft.	24" Smooth-Corr. Tile @	\$24.00/ft.	= \$ 28,800.00
4,900 ft.	Destroy Existing Tile @	\$ 1.00/ft.	= \$ 4,900.00
1	Gravel Road Crossing @	\$1,000/ea.	= \$ 1,000.00
1	New Outlet at Headwall @	\$500/ea.	= \$ 500.00
			<b>Total = \$161,000.00</b>

**Option C**

4,900 ft	24" Smooth-Corr. Tile @	\$24.00/ft.	= \$117,600.00
4,900 ft	Destroy Existing Tile @	\$ 1.00/ft.	= \$ 4,900.00
1	Gravel Road Crossing @	\$1,000/ea.	= \$ 1,000.00
1	New Outlet at headwall @	\$ 500/ea.	= \$ 500.00
			<b>Total = \$124,000.00</b>

Landowners discussed the drainage problems that have occurred with the Board. Mrs. Wright reported that after the Highway Dept. worked on the curve 1/2 mile west of her place, she spent \$8,000.00 to repair her drainage problem. Dan Michaels reported water runs across the road in areas. Wayne McCutchan discussed the steel grates and the railroad. Tom Cummins reported he recommends Option B. Mr. Cummins reported he has received information from the State of Indiana concerning common wages for reconstruction projects for the rest of this year. Due to wording of the law change, any reconstruction project that is done until the end of year will need a common wage hearing. Reconstructions done in 2012 will need a hearing if over \$250,000.00. Joe Miller reported the cost could go up 15 to 20 % with the common wage in place. Mr. Cummins reported it could be as high as 25% for the union wage. Landowner's were asked which option they preferred and they said Option B. **Phil Rice moved, seconded by Kenneth Pearson, to use Option B for the reconstruction of the William T. Linn # 580. Motion carried, 5-0. Deanna Durrett moved, seconded by Phil Rice, to table the William T. Linn # 580 the reconstruction hearing until the August 1, 2011 meeting. Motion carried, 5-0.**

**Rankin Walkup # 579 Hearing**

Tom Cummins presented a reconstruction report for the **Rankin Walkup #579**.

1,700/ft	24" Smooth-Core Tile	@	\$23.00/ft.	=	\$39,100.00
1,500/ft	Destroy Existing Tile	@	\$ 1.00/ft	=	\$ 1,500.00
1	Jack & Bore under SR 231	@	\$52,500/ea.	=	\$52,500.00
1	Asphalt Road Crossing	@	\$2,500/ea.	=	2,500.00
60 ft	Flowable Fill Existing Tile	@	\$1,000/ea	=	\$1,000.00
			Total		+96,000.00

Landowners present were David Myers(DL-J Farms), Robert Young, Gordan Mills and Roy Sillery. Landowners discussed their option with the Board. **Deanna Durrett moved, seconded by Kenneth Pearson, to table the reconstruction hearing of the Rankin Walkup to the January 9, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

**John H. Pogue #628 Assessment Hearing**

Tom Cummins reported the drain is in debt \$4,102.72 and the total assessment to be collected for 2011 will be \$1,608.25. Mr. Cummins reported he would like to raise the rate for one year to \$30.47 and then lower it in 2013. Landowners present were David Crumm and Robert Miller. Robert Miller reported there are large holes in the waterway. Greg Woods reported that the waterway portion on Dave Crumm's land is due for re-enrollment on October 1, 2011, and plans are to reconstruct it.

**Deanna Durrett moved, seconded by Kenneth Pearson, raise the assessment on the John H. Pogue # 628 to \$30.47 for the 2012 year and then lower the rate after the debt is paid. Motion carried, 5-0.**

**Old Business**

**Foster Fletcher # 573**

Tom Cummins presented the following report for the **Foster Fletcher # 573**:

Method of Assessment

The **Foster Fletcher** watershed is comprised of agricultural, residential, and commercial properties. These areas form two distinct uses of the watershed. The agricultural properties (rural), utilize sub-surface drainage; the residential and commercial properties (urban), utilize surface, or storm drainage.

The existing **Foster Fletcher** drain has served the agricultural area since 1905. The implementation of grassed waterways and filter strips have extended the life of the existing sub-surface tile system.

The upstream portion of the watershed has been converted, over the last 50 years, into more urbanized properties. This change in land use has created a need for more aggressive drainage tactics, creating the need for a reconstruction of the **Foster Fletcher** drain.

The reconstruction of the **Foster Fletcher** drain, must be the responsibility of the landowners within the watershed area. Based on the different needs, however, a more comprehensive approach is needed to distribute the financial responsibility.

For instance, the existing **Foster Fletcher** drain is adequate for the agricultural properties at present. What responsibility do they owe for reconstructing a drain, to serve an area which has been converted upstream? A portion of the residential properties also are served by the drain, which is used by the commercial properties as a storm sewer. Should these residential properties be assessed in the same manner as commercial properties?

Mr. Cummins presented a list to the Board with a breakdown of rural, urban and commercial landowners. The total projected price for the reconstruction is \$174,586.00. John Wright of Wright

Implement and Bryan Monts representing the 4-H Group were present. Mr. Wright stated whatever is done to do it right. Bryan Monts reported the new 4-H grounds cannot go forward until a plan is made and completed. Joe Miller of Banning Engineering will work with Mr. Cummins on the **Foster Fletcher # 573** project and bring the final figures to the August 1, 2011 meeting. **Deanna Durrett moved, seconded by Terry Hockersmith to table the Foster Fletcher # 573 till the August 1, 2011 meeting. Motion carried, 5-0.**

**James Hose # 572**

Tom Cummins reported the **James Hose #572** has received a grant for \$600,000. A reconstruction hearing date will need to be set. Joe Miller reported to keep the grant on track and maintain funding it must be done early. In the near future Mr. Cummins will meet with Shannon McLeod, the grant administrator, on the guidelines for the project. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a reconstruction hearing for the James Hose #572 on Monday, September 19, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Dave Rhoads inquired of Deanna Durrett whether the press release for the **Foster Fletcher # 573** will be sent out now. Ms. Durrett reported it should wait until the Board approved the schedule of assessments.

**William Shelley # 706**

Tom Cummins reported that Bill Corey would like to build a storage unit next to Zippy Lube along State Road 47. Joseph Bishop, Mr. Corey's site engineer, believes the gravel base outlet that was built in 1976 will take the run-off water and it will not affect the **William Shelley # 706** drain. Suanne Milligan suggested the Board look at the Indiana Code #36-9-27.33-D. **Deanna Durrett moved, seconded by Kenneth Pearson to hold a special meeting concerning the William Shelley #706 proposed development at 8:30 a.m. on July 25, 2011 at 110 W. South Boulevard, IN 47933. Motion carried, 5-0.** Mr. Cummins reported no mapping has been done recently on the **William Shelley #706**.

Dave Rhoads directed the Board to look over the handout that Mr. Cummins presented them concerning the work done on the **Arthur Fraley # 2 #709, Martin Liter #710, John Gobin # 2 #520, James Harris (#N/A) and the Marion Conner (#N/A)** and the spraying program that will be done late this summer.

Greg Woods presented his monthly report. Mr. Woods reported there are 45 un-assessed drains.

**Public Comment**

None

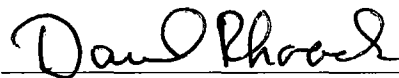
**Claims**

None

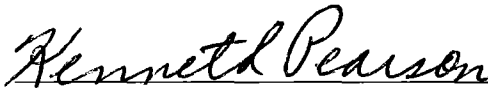
The next meeting will be August 1, 2011 at 9:30 a.m. at the Crawfordsville District Public Library.

**Kenneth Pearson moved, seconded by Terry Hockersmith to adjourn the meeting at 12:05 p.m. Motion carried, 5-0.**

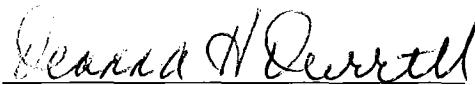
Vicki Emmert,  
Recording Secretary



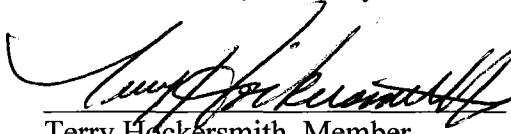
David Rhoads, Chairman



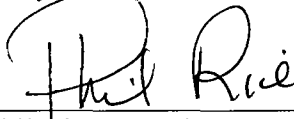
Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hoekersmith, Member



Phil Rice, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, August 1, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, August 1, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, Kenny Cain, Jennifer Andel of the Auditor's Office and Joe Miller of Banning Engineering.

There were no minutes to approve.

### **Hearings**

#### **William T. Linn #573**

Tom Cummins reported the common wage committee will meet on August 23, 2011. Mr. Cummins recommends Wayne McCutchan, landowner, be on the common wage committee. The Montgomery County Commissioners will meet on August 8, 2011 and at that time they may appoint the Drainage Board's recommendation. **Deanna Durrett moved, seconded by Phil Rice, to recommend Wayne McCutchan for the common wage committee. Motion carried, 5-0. Deanna Durrett moved, seconded by Terry Hockersmith, to approve the reconstruction of the William T. Linn #580 for \$161,000.00 with the bid opening on Monday, September 19, 2011 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 5-0.**

### **Old Business**

Tom Cummins presented invoices from Kenny Cain, contractor and landowner of land in the Allie Peterson # 549, for work he has done on the drain since March 30, 2009. The current assessment is \$1.25 per acre. The maintenance fund has \$11,399.96 in the account. It is currently off assessment. The total owed Mr. Cain is \$27,878.33. All work has been documented and approved by the Surveyor. **Dave Rhoads moved, seconded by Kenneth Pearson, to use the Allie Peterson # 549 maintenance fund, up to the amount in the maintenance fund to pay Kenny Cain for his recent work. Motion carried, 5-0. Deanna Durrett moved, seconded by Terry Hockersmith, to have Mr. Cummins calculate the pay balance to Kenny Cain and the amount it takes to maintain the Allie Peterson #549 for a new rate assessment for the next meeting on September 19, 2011. Motion carried, 5-0.**



### **Foster Fletcher #573**

Dave Rhoads reported that Bryan Monts of 4-H has questions about the **Foster Fletcher #573**. Questions concerned the pipe size and if the figures to be used would be for a percentage of the run-off or assessment per acre. Joe Miller of Banning Engineering reported on the size of pipe, and that a holding pond will be needed on the 4-H Grounds. Mr. Miller reported it is very complicated to figure percentage run-off for each and that calculation could be unfair over time. **Deanna Durrett moved, seconded by Phil Rice, to accept the schedule of assessments presented by the Surveyor for the reconstruction of the Foster Fletcher #573 for a total of \$286,450.00. Motions carried, 5-0.** Following Discussion, **Deanna Durrett moved, seconded by Phil Rice, to set a reconstruction hearing for the Foster Fletcher #573 on Monday, December 5, 2011 at 6:30 p.m. at the Crawfordsville District Public Library if space is available. Motion carried 5-0.** Ms. Durrett reported she will send the Board a new copy of the press release that will be sent to the newspapers prior to the hearing. Dave Rhoads requested Joe Miller come to the hearing.

### **William Shelley # 706**

Tom Cummins reported that Bill Cory withdrew his plans to build. Mr. Cummins will soon map the western leg of the **Shelley Drain**.

There was no report from the fencing committee.

Tom Cummins received notice from the Boone County Surveyor's Office that they would like to waive their rights for the **James Harris** drain and would like to be involved with the **Marion Conner** drain. **Deanna Durrett moved, seconded by Dave Rhoads, to re-schedule the October 3, 2011 meeting to October 10, 2011 and hold a joint meeting with Boone County concerning the Marion Conner at 9:15 a.m. and hold the regular meeting at 9:45 a.m. Motion carried 4-1.** Deanna Durrett will check to see if the Crawfordsville District Public Library is available.

### **New Business**

Tom Cummins reported there are four drains currently that are in debt and rate assessment increase hearings are recommended. Following discussion, **Deanna Durrett moved, seconded by Terry Hockersmith, to hold rate assessment hearings for the John V. Gale #518 current rate \$2.74, proposed rate \$3.95; James Sanders #550 current rate \$4.00, proposed rate \$25.70; Thomas Wilkins #589 current rate \$1.46, proposed rate \$15.70; and the Joseph Conway #700 current rate \$1.00, proposed rate \$4.12 on Monday, September 19, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

### **Storm Water Responsibilities**

Tom Cummins reported the County Attorney, Dan Taylor, is preparing a change to the ordinance concerning the responsibilities for storm water. Mr. Cummins will have more of the responsibility concerning storm water review. As it is now Marc Bonwell of the Building

Department does most of the related project work. It now will be a shared responsibility under the new ordinance. The storm water fund will be used to cover the cost of the work.

### **Long Range Plan,**

Tom Cummins reported there are fifteen drains that need to be put back on assessment or be vacated. Mr. Cummins prioritized the drains as follows; **Detchon Adams, Alfred Stingley, John Peterson, Charles Ludlow #1 George Rusk, William Servies, Edward & Minerva Coleman, John & Sarah Niven, Shumaker-White, James McMullen, Daniel Callihan, Clarkston Drain, Clearville Cook, Prince Croy, and George Jewell. Kenneth Pearson moved, seconded by Deanna Durrett, to accept the long range plan report on un-assessed drains. Motion carried, 5-0.** Hearings should be held prior to the 2012 deadline when rate assessments are accepted by the Auditor's Office. Mr. Cummins recommended holding special rate assessment hearings on the 3<sup>rd</sup> Monday of January and February 2012 to cover the above drains. Mr. Cummins will bring schedules of assessments to the October 10, 2011 meeting for the un-assessed drains.

### **Deputy Surveyor Report**

Greg Woods reported on his recently completed un-assessed drain project. Mr. Woods reported there will be a Two-Stage Ditch Field Day on August 11, 2011 at Dorsey Farms at Frankfort, IN. More information will follow.

### **Other Business**

Tom Cummins reported Dalton's Spraying Company has completed their assigned drains to be sprayed.

Mr. Cummins reported Bart Maxwell has cut a new open ditch to 700 South on the **James Servies #703**. The County has put in a new culvert. The landowner will need a new crossing over the open ditch and is requesting a 40 foot wide crossing due to size of current equipment.

### **No Public Comment**

Farm Bureau Drainage School will be August 24, 2011 and the attendees will leave the Surveyor's Office at 7:30 a.m.

**Phil Rice moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:16 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

Kenneth Pearson  
Kenneth Pearson, Vice Chairman

Deanna H. Durrett  
Deanna Durrett, Secretary

Terry Hoekersmith  
Terry Hoekersmith, Member

Phil Rice  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, September 19, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, September 19, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Dave White, Nancy White of the Montgomery County League of Women Voters, , Jennifer Andel of the Auditor's Office, Brenda Foster, Clint Knoy, Gary Huxhold, Adam Owens, Ed Chenoweth, Mary Rose Duncan, Dan Gwin, Marvin Barnes, Lee Brunton, Daniel Davis, Jerney Potter, Walt Nelson, Edward S. Graham, Roger Harshbarger, Richard Harshbarger, Charles Cooley, John F. Brock, Roy Sillery, Roger Morrison, Jacob Arthur, Dean Kiger, Jeff Healy, Dick Inskeep, Mike Patton, Matt Goings, Greg Morrison, Dave Wilkins, Wayne McCuthan, Bart Maxwell, Mark Kessler, Wade Bennett and name that is not legible.

**Approval of Minutes**

**Terry Hockersmith moved, seconded by Phil Rice, to approve the minutes from the July 18, 2011 and August 1, 2011 meetings. Motion carried, 5-0.**

**Bid Opening**

Dave Rhoads directed Tom Cummins Surveyor, to open the sealed bids for the **William T. Linn # 580.**

Goings Constructions \$219,985.00  
Foster Farm Drainage \$181,240.00  
Arthurs Construction \$144,668.00  
Maxwell Farm Drainage \$139,500.00  
Masterscape \$179,029.00

Dave Rhoads announced the Board would give Mr. Cummins ten minutes to go over the bids.

Deanna Durrett reported that Dave and Nancy White are moving to Ohio. She wanted to thank them for their service: Dave for representing the **William Shelley #706 drain**, and Nancy for representing the Montgomery County League of Women Voters.

Tom Cummins reported all bids for the **William T. Linn #580** are responsive to the specs'. Mr. Cummins recommended accepting the bid from Maxwell Farm Drainage at \$189,500.00 be accepted as the lowest responsive and responsible bidder to perform the reconstruction of the **William T. Linn #580**. **Kenneth Pearson moved, seconded by Phil Rice, to accept Mr. Cummins recommendation to accept the bid of Maxwell Farm Drainage bid of \$139,500.00 to perform the reconstruction of the William T. Linn #590. Motion carried, 5-0.**

## **Petitioners Hearing**

Tom Cummins reported the petition received from Mike Patton is to reconstruct the **Charles Cowen #510** in Coal Creek Township. Mr. Patton is the majority landowner. Mr. Cummins reported Greg Woods has researched plans to reconstruct this drain. Mr. Patton reported there are many broken tiles and it is under capacity. Mr. Cummins reported it could be designed with two different options. **Deanna Durrett moved, seconded by Phil Rice, to hold a reconstruction hearing for the Charles Cowen #510 on Monday, November 7, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins reported Don Mills is out of town and would like to reschedule the petitioners hearing for the reconstruction of the **Swearingen Runyon #557** for the October 10, 2011 meeting.

Mr. Cummins has received a petition from Kenneth Moore to attach to the **Swearingen Runyon #557** and recommends the approval to attach. **Terry Hockersmith moved, seconded by Phil Rice, to allow the attachment to the Swearingen Runyon #557. Motion carried, 5-0.**

Tom Cummins has received a petition from Jeremy Potter to attach to the **Odis Thompson #708** for a perimeter drain for the house he is building. Mr. Potter reported there is a landowner who will not give him an easement to cross their land and he would like to run the tile a different direction across the road and along the ditch. Mr. Cummins reported the drain is capable of taking on extra water. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow the petition to attach from Jeremy Potter to the Odis Thompson #708. Motion carried, 4-0. Terry Hockersmith abstained.**

Tom Cummins reported he would like to reschedule the **William Epperson #622** petition to attach from the Brown Trust to the October 10, 2011 meeting.

Tom Cummins reported he has received a petition from Don Hester to hold a petitioner's hearing to reconstruct the **George McClain #541** drain. **Phil Rice moved, seconded by Kenneth Pearson, to hold a petitioners hearing to reconstruct the George McClain #541 on Monday, October 10, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

## **Hearings**

Tom Cummins reported the **James Hose #572** was originally all farm ground and then the Town of Linden was built. The drain was built in the 1800's. It was not designed for surface water. The Town of Linden has a tile called the Town tile and together the Town tile and the **James Hose #572** cannot take care of the water issues. Linden could not afford a reconstruction and received a \$30,000.00 OCRA grant to design a new system. After that grant a reconstruction grant was submitted and they have received a \$600,000.00 grant to reconstruct the **James Hose #572**. The total cost is \$730,000.00 for the reconstruction. The hearing today is for the additional \$130,000.00 that is needed to complete the reconstruction. If paid back over 5 years there will be 10% interest on the landowners share. If paid up front the landowner will not pay interest. After the reconstruction is complete, it will show on the 2013 tax statements. Landowners in attendance were Marvin Barnes, Lee Brunton, Daniel Davis, Charles Cooley Roger Morrison, Brent Bible, and Wade Bennett. Landowners inquired if the reconstruction assessment will be a one-time assessment, if the drain has been designed to carry the extra water and about a holding pond. Mr. Cummins reported it would be a one-time assessment; it was designed to carry the extra water of the town and there will be a holding pond. Deanna Durrett inquired whether the 75% that is allowed to come out of the maintenance, fund was calculated to adjust the figures. Mr. Cummins

reported it was not. Lee Brunton inquired if the mistake on his property has been corrected and Mr. Cummins reported yes.

Phil Rice reported there are approximately five landowners who will pay the most for the reconstruction. Wade Bennett reported he has land and a house in town and the basement has issues, he is agreeable with the cost. Terry Hockersmith inquired if everyone in Linden is in the watershed. Mr. Cummins reported no, there are four regulated drains. Mr. Hockersmith inquired of the amount paid in assessment each year. The amount is \$6.00 an acre with a \$15.00 minimum. Mr. Bible inquired of how many acres in watershed. There are 304.52 acres. Darrell Morrison inquired about his parcel of land and Dave Rhoads suggested he visit with Mr. Cummins in his office about his land. Terry Hockersmith inquired if the outlet is in good shape. Tom Cummins reported the outlet is designed to handle the water. **Deanna Durrett moved, seconded by Phil Rice, to approve the reconstruction of the James Hose #572 drain, at an amount of \$130,000.00, to be adjusted at the time of procurement of the loan, to apply 75% of the maintenance balance for this reconstruction. This reconstruction amount represents the local match to supplement the Office of Community and Rural Affairs grant, of \$600,000.00. The reconstruction amount will be paid through landowner assessments. Motion carried, 5-0.**

#### **John Galey Assessment Hearing**

Tom Cummins reported the **John Galey # 518** improvement fund is in debt and that is the reason for the rate increase. Mr. Cummins recommended a raise from \$2.74 to \$3.95. Landowners present were Roy Sillery, Walt Nelson and John F. Brock. Mr. Sillery inquired if the reconstruction on the mouth of the drain has been done yet. Mr. Cummins reported he is still working on the agreement with CSX as they still had some inquiries about the bore. **Kenneth Pearson moved, seconded by Deanna Durrett, to raise the assessment rate from \$2.74 to \$3.95 an acre on the John V. Galey #518 drain. Motion carried, 5-0.**

#### **James Sanders #550 Assessment Hearing**

Tom Cummins reported the **James Sanders #550** improvement fund is in debt and that is the reason for the rate increase. Mr. Cummins recommended a raise from \$4.00 to \$25.70 for the 2012 year and in 2013 lower it to \$4.18. Landowners present were, Roger Harshbarger, Richard Harshbarger, and Roger Morrison. Roger Morrison reported one phase of the ditch is not working correctly. Mr. Cummins reported there are grade issues and after the crops on harvested Darrell Birge the contractor will look into the problem. If it is Mr. Birge's mistake he will repair it. **Terry Hockersmith moved, seconded by Phil Rice, to raise the assessment rate from \$4.00 to \$25.70 an acre for the 2012 year and then to lower it to \$4.18 for the 2013 year for the James Sanders #550 drain. Motion carried, 5-0.**

#### **Thomas Wilkins # 589 Assessment Hearing**

Tom Cummins reported the **Thomas Wilkins #589** improvement fund is in debt and recommends a raise in the assessment from \$1.46 to \$15.70 for the 2012 year and then to lower it to \$4.42 for the 2013 year. Deanna Durrett inquired as how Mr. Cummins calculates the figures. Mr. Cummins reported he received the information from an engineering firm on how to calculate it. Landowners present were Dan Gwin, Ed Chenoweth, and CK Wilkins. Mr. Chenoweth inquired as to why the debt wasn't paid when the reconstruction was completed. Mr. Cummins reported the debt was there before the reconstruction and the reconstruction loan could not be used for the improvement debt. Dan Gwin suggested helping landowners make the payments easier to reduce it to the amount to \$11.28 in 2012 without the new assessment of \$4.42 included and then lower it to \$4.42 in the 2013 year. CK Wilkins inquired if after the four year cap assessment it would go to zero. Mr. Cummins reported it would. Deanna Durrett reported there are 53 drains currently off assessment. **Phil Rice moved, seconded by Terry Hockersmith, to**

raise the rate to \$11.28 for the 2012 tax year and to lower it to \$4.42 for the 2013 tax year for the Thomas Wilkins #589 drain. Motion carried, 5-0.

#### **Joseph Conway Assessment Hearing**

Tom Cummins reported the Joseph Conway #700 improvement fund is in debt and recommended a raise in the assessment from \$1.00 to \$4.12. Landowners present were Edward Graham, and Dick Inskeep. Mr. Cummins presented on the overhead a map of the drain and all the tile holes that have been repaired. **Deanna Durrett moved, seconded by Kenneth Pearson, to raise the assessment from \$1.00 to \$4.12 for the Joseph Conway #700 drain. Motion carried, 4-0. Phil Rice abstained.**

#### **Variance Request**

Tom Cummins has received a request from Davis Morrison Realty Office for an addition of 16' x 40' to their building. It is in the **William T. Shelley # 706** watershed. Mr. Cummins reported it is under the 10% stormwater runoff that is allowed on the **William T. Shelley #706** drain. It is a 6% increase. **Deanna Durrett moved, seconded by Dave Rhoads, to approve the expansion of the Davis Morrison Realty Office as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1.**

Tom Cummins has received a request from Temple-Inland Container to build a silo pad. It is in the William T. Shelley #706 watershed. There is no increase in run-off. **Deanna Durrett moved, seconded by Phil Rice, to approve the request from Inland Container to build a silo pad as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1.**

#### **Old Business**

##### **Allie Peterson #549**

Tom Cummins reported there should be a rate increase for the **Allie Peterson #549** to pay back the deficit in the improvement fund. Mr. Cummins recommended the **Allie Peterson #549** be raised from \$1.25 to \$16.11 for the 2012 tax year and then lower it in 2013 to \$5.41. Phil Rice inquired whether the rate is high to offset the amount owed to Kenny Cain. Mr. Cummins reported it was. **Deanna Durrett moved, seconded by Phil Rice, to hold an assessment rate increase hearing for the Allie Peterson #549 on Monday, November 7, 2011 at 9:30 a.m. and to raise the rate from \$1.25 to \$16.11 for the 2012 tax year and then to lower it to \$5.41 in 2013. Motion carried, 5-0.**

#### **Updates:**

Tom Cummins reported that he met with Phil Rice and Greg Woods and would like to put the fencing issue on the agenda for the November meeting.

There will be a joint drain hearing with Boone County for the **Marion Connor** on Monday, October 10, 2011 at 9:15 with the regular meeting to start at 9:45 a.m. Mr. Cummins will have a recommendation at the October meeting for an assessment rate for the joint drain of the **James Harrison**.

#### **New Business**

There was no new business.

### **Deputy Surveyor Report**

Greg Woods presented his report to the Board. Mr. Woods reported the finalization of CRP re-enrollments will be evaluated when the crops have been harvested. The schedules of assessments for the drains and the watersheds will be updated in the future with new landowners changed as necessary. Tom Cummins will have a report in October for drains in order of priority.

### **Other Business**

Tom Cummins reported there was a billing problem with the **John McCorkle Reconstruction 608 R**. The landowners paid the estimated cost not the actual cost of the reconstruction. Mr. Cummins will meet with the Auditor's office on Wednesday at 9:00 a.m. in the Council Chambers. Jennifer Andel from the Auditor's office reported when refunds are made to landowners they usually receive 4% interest.

Greg Woods, Dave Rhoads, Phil Rice and Deanna Durrett attended the Farm Bureau Drainage School in August.


Dave Rhoads reported this was the first year for spraying of ditches and it went well in his area. Mr. Cummins reported there is one contractor who will finish up this week. Phil Rice reported he had been contacted about a contractor running on farm plates rather than commercial plates and who was contracted by the county. Wade Bennett reported he was pleased with the outcome of the spraying project in his area.

Dave Rhoads reported the Board will meet with the 4-H Board on October 6, 2011, at the fairground concerning the Foster Fletcher #573 drainage problem. Deanna Durrett reported JF New Environmental Engineering will be in attendance.

There were no claims.

**Phil Rice moved, seconded with Terry Hockersmith, to adjourn the meeting at 11:20 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman



*Kenneth Pearson*  
Kenneth Pearson, Vice Chairman

*Deanna Durrett*  
Deanna Durrett, Secretary

*Terry Hockersmith*  
Terry Hockersmith, Member

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Phil Rice, Member

**MONTGOMERY COUNTY/BOONE COUNTY  
JOINT DRAINAGE BOARD  
Marion Conner  
Monday, October 10, 2011  
MINUTES**

The Montgomery/Boone County Joint Drainage Board met on Monday, October 10, 2011 at 9:15 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Dave Rhoads.

Board members in attendance were Dave Rhoads, Kenneth Pearson, Byron Loveless and Jeff Wolfe. Present were Tom Cummins, Montgomery County Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Montgomery County Deputy Surveyor, and Suanne Milligan, Attorney.

Also present were, Don Mills, Neal Hall, Deanna Durrett, and Phil Rice.

Dave Rhoads presided over the organizational meeting of the Joint Board meeting.

**Byron Loveless moved, seconded by Kenneth Pearson, to nominate Dave Rhoads as the Chairman of the Board by acclamation. Motion carried, 4-0.**

**Jeff Wolfe moved, seconded by Dave Rhoads, to nominate Byron Loveless as Vice Chairman of the Board by acclamation. Motion carried, 4-0.**

**Dave Rhoads moved, seconded by Byron Loveless, to nominate Suanne Milligan as attorney by acclamation. Motion carried, 4-0.**

Tom Cummins reported the **Marion Conner** was constructed in 1880. Tributary #2 was re-constructed in 1966. It was taken off of assessment in 1968.

Mr. Cummins reported there should be a fifth member of the Board who is an un-involved landowner outside of the two counties. Mr. Cummins recommends Eric Wathen of Hendricks County. The Board agreed that Mr. Cummins contact Mr. Wathen.

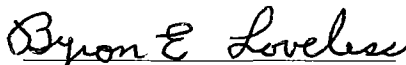
Boone County is still working on their assessment roll and Montgomery County's assessment roll is complete.

The next meeting will be on Monday, November 14, 2011 at 9:30 a.m. at 110 W South Boulevard Crawfordsville in the conference room.

**Dave Rhoads moved, seconded by Bryon Loveless, to adjourn the meeting. Motion carried, 4-0.**

Vicki Emmert  
Recording Secretary

  
David Rhoads, Chairman

  
Byron Loveless, Vice Chairman

*Kenneth Pearson*  
Kenneth Pearson

---

Jeff Wolfe

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, October 10, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, October 10, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; and Phil Rice, member. Terry Hockersmith, member, was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Greg Woods, Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Jennifer Andel of the Auditor's Office, Don Mills, Neal Hall representing Cracker Barrel, Ron Cunningham of Jester & Associates, and Mike Patton.

There were no minutes to approve.

### **Petition Hearings**

Tom Cummins reported he has a petition from Don Mills for the reconstruction of the **Swearingen-Runyon Drain**. Don Mills was present. The watershed is approximately 500 acres. There are lots of tile holes in the area of 700 W. The McGrady's have fixed tile holes on their property. There is a 20" tile at the outlet and reduces to an 18" to a 15". In the design Mr. Cummins has considered installing a new tile or moving the tile but believes where drains were placed originally is usually the best location. **Phil Rice moved, seconded by Deanna Durrett, to hold a reconstruction hearing for the Swearingen-Runyon Drain on Monday, December 5, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Tom Cummins reported he has received a petition to attach to the **William Epperson #622** from the Brown Family Trust. Mr. Cummins reported the drain can handle the extra water and recommends allowing the attachment. **Phil Rice moved, seconded by Kenneth Pearson, to allow the petition to attach to the William Epperson #622 from the Brown Family Trust. Motion carried, 4-0.**

Tom Cummins asked to keep the **George McClain #541** petition on the agenda for the November meeting.

### **Old Business**

Deanna Durrett reported a meeting had been held in which the Surveyor met with the Auditor's office and the GUTS people, concerning the **John McCorkle #608 reconstruction** refund. Some of the landowners have paid off their reconstruction loan share which was for the estimated amount of money for the project instead of the actual reconstruction loan assessment.

The concerns of Jennifer Andel of the Auditor's office will be the handling of the payments and interest they have accrued on the payments. Phil Rice reported as one of the largest landowners on the **John McCorkle** drain that he would be satisfied with just receiving his overpayment refund back without interest. Charlie Leslie of the Auditor's office has prepared a list of the break-down of landowners who have paid. Dave Rhoads inquired where should the answer come from as to when and where does the money come from to pay the refund interest. Suanne Milligan reported it should come from the State Board of Accounts. Tammy White is the State Board of Accounts contact with Jennifer Andel. Phil Rice requested he be kept informed.

### **Old Business**

Tom Cummins presented a list of drains he recommends to put back on assessment and be set for assessment rate- hearings:

**Detchon Adams** \$1.58 per acre  
**Shumaker-White** \$2.15 per acre  
**Charles Ludlow** \$4.11 per acre.  
**George Rusk** \$3.37 per acre

**Deanna Durrett moved, seconded by Phil Rice, to hold assessment rate hearings for the Detchon Adams at \$1.58 per acre, the Shumaker-White \$2.15 per acre, the Charles Ludlow at \$4.11 per acre and the George Rusk at \$3.37 on Monday, December 5, 2011 at the Crawfordsville District Public Library. Motion carried, 4-0.**

### **Deputy Surveyor Report**

Greg Woods presented reports to the Board on his work completed in the last month. In his report was the agreement for his work with Soil and Water. Dave Rhoads thanked Mr. Woods for all his work he has done researching the drains.

### **Other Business**

Neal Hall Design, Engineer for the new Cracker Barrel, presented plans to the Board. The Cracker Barrel will be constructed between Rick Ward's and the proposed Wendy's. Mr. Hall explained his plans and the run off rates which will exceed the current run-off rates allowed. A holding pond is in the plan. Mr. Hall reported building start will depend on when approval is granted. Phil Rice reported the Board has already denied 4-H and Ivy Tech their projects to build with the current run-off rate of .015cfs/acre of the **Foster Fletcher Urban Drain #573**. **Phil Rice moved, seconded by Kenneth Pearson, to address the Cracker Barrel's request at the December 6, 2011 Foster Fletcher # 573 reconstruction hearing. Motion carried, 4-0.**

Deanna Durrett reported the Board met with Brian Motts of 4-H and JFNew with their concerns to build the new fairgrounds. John Wright and Gil Tobias were also present. They will meet again in about nine weeks. Kenneth Pearson reported one of the possibilities to hold water in the parking lots could be rain gardens.

There was no public comment and no claims

Deanna Durrett presented a report to the Board concerning the payments made for the reconstruction loans. Dave Rhoads reported Bart Maxwell has completed the **William T Linn #580** and the **James Servies #703** reconstructions. Tom Cummins reported the fiber optic is the delay with CSX and should be completed next week at Whitesville.


Phil Rice inquired about the special fund contribution agreement with Soil and Water to cover Greg Woods and Vicki Emmert's salaries. Deanna Durrett reported this is only a temporary fix and the County Council does not understand the Surveyor's office work. It is the responsibility of the landowners to inform the County Council of the financial impact the Surveyor's work has on the county.


The next meeting will be Monday, November 7, 2011 at 9:30 a.m. at the Crawfordsville District Public Library.

**Kenneth Pearson moved, seconded by Phil Rice, to adjourn the meeting at 10:45 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

  
\_\_\_\_\_  
Kenneth Pearson, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

\_\_\_\_\_  
Terry Hockersmith, Member

\_\_\_\_\_  
Phil Rice, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, November 7, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, November 7, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett Secretary; and Terry Hockersmith member. Phil Rice, member was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Jennifer Andel of the Auditor's Office, and Suanne Milligan, Attorney.

Also present were, Mike Patton, Don Hester, Lee A Barnett, David Emmert, Ken Breaker, Neal Hall, Ed Gable, Don Lang, Bill Corey, Brenda Foster of Foster Farm Drainage, Michelle Armstrong of Cracker Barrel.

**Deanna moved, seconded by Kenneth Pearson, to approve the September 19, 2011 and October 10, 2011 minutes. Motion carried, 4-0.** Terry Hockersmith abstained from the October minutes. **Motion carried, 3-0.**

**Petitions to Attach**

Tom Cummins has received petitions to attach for the following drains and recommends they be approved

**Joseph Ludlow #586** from Jim Fulwider for a new waterway and eight inch tile;

**Deanna Durrett moved, seconded by Terry Hockersmith, to approve the petition to attach to the Joseph Ludlow #586 from Jim Fulwider upon the Surveyors recommendation. Motion carried, 4-0.**

**Jesse Snoddy #553** from Don Mills for a new waterway and six inch tile;

**Terry Hockersmith moved, seconded by Kenneth Pearson, to approve the petition to attach to the Jesse Snoddy #553 from Don Mills upon the Surveyors recommendation. Motion carried, 4-0.**

**Robert Jeffries #N/A** is an un-assessed drain from Don Mills for two waterways;

**Kenneth Pearson moved, seconded by Terry Hockersmith, to approve the petition to attach to the Robert Jeffries #N/A from Don Mills upon the Surveyors recommendation. Motion carried, 4-0.**

**Minn-Miser-Corn #539** from Aron Rhoads to install 4-6 inch lateral tiling;

**Terry Hockersmith moved, seconded by Deanna Durrett, to approve the petition to attach to the Minn-Miser-Corn #539 from Aron Rhoads upon the Surveyors recommendation. Motion carried, 3-0. Dave Rhoads abstained, Aron is his son.**

**Claude Moody #N/A** an un-assessed drain from Greg Linn building a house in the town of Mace and would like to attach his septic system four inch perimeter tile. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve the petition to attach to the Claude Moody #N/A from Greg Linn upon the Surveyors recommendation. Motion carried, 4-0.**



### **George McClain #541 petitioner hearing**

Tom Cummins reported receiving a petition from Don Hester for the reconstruction of the **George McClain #541**. Landowner Don Hester was present. The drain is in Scott Township with 357 acres in the watershed. The assessment rate is \$6.78 per acre. There are twelve landowners. Greg Woods inspected the drain. DK Farms, Inc (Don Hester) owns 35% of the watershed. Mr. Hester reported there are broken tiles and numerous tile holes on his farm and his cousin's farm and would like to reconstruct. Currently there is 10" to 12" tile. The open ditch is in good shape but needs new tile. The drain has a filter strip along the open ditch. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a reconstruction hearing for the George McClain # 541 Monday, January 9, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Tom Cummins reported he has received a petition to advance the date to hold a reconstruction hearing for the **Richard Thomas #625** from Mr. Fifer. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a petitioner's hearing for the Richard Thomas #625 drain on Monday, December 5, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried 4-0.**

Tom Cummins reported he has received a petition to advance the date to hold a reconstruction hearing for the **Stanford-Elmore #555** from Francis McGrady. **Terry Hockersmith moved, seconded by Kenneth Pearson, to hold a petitioner's hearing for the Stanford-Elmore #555 drain on Monday, December 5, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Tom Cummins reported he has received a petition for a variance on the **William Epperson #622** from the company who is designing the new waste water treatment plant in the Nucor corridor. They would like to build a 7 x 11 foot concrete box to cross the **William Epperson #622**. At a later date they will submit a petition to attach. The land is owned by the Montgomery County Sewage Board and Phil Bane is president. **Deanna Durrett moved, seconded by Dave Rhoads, to approve the variance for the William Epperson # 622 pending the correct signature of the owner on the petition. Motion carried, 3-0. Terry Hockersmith abstained.**

Tom Cummins reported that Lee Barnett, 109 N. Grace Ave. Crawfordsville, IN is in the **William Shelley #706** and has built a 14 x 20 foot storage shed/garage. The runoff increase is 2% which is under the 10% runoff that is allowed and recommends approving the plan. Mr. Barnett was present. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve Lee Barnett's storage shed/garage as it meets the 1998 William Shelley #706 Resolution runoff exemption. Motion carried, 3-1. Terry Hockersmith opposed.**

### **Charles Cowan #510 Reconstruction Hearing**

Tom Cummins reported after discussing the project with the two largest landowners, Mike Patton and Dick Chastain, the size, design and scope of the project has changed. Landowners present were Mike Patton, Kenneth Brewer and Dick Chastain. Mr. Patton reported he owns 47% of the watershed and the tiles are undersized, not deep, and continually breaking down. Mr. Chastain reported he has no benefit of the drain except for surface water. He would like to see the old tile connect to the new through the wetland. The headwall is in good shape.

Mr. Cummins provided the following information for the reconstruction of the **Charles Cowan#510**.

500 ft	18" Smooth-corr.tile @ \$17.00/ft	= \$8,500.00
500 ft	15" Smooth-corr.tile @ \$13.00/ft	= \$6,500.00
1,600 ft	12" Smooth-corr.tile @ \$11.00/ft	= \$17,600.00
1,000 ft	10" Single-wall tile @ \$5.50/ft	= \$5,500.00
800 ft	8" Singe-wall tile @ \$4.00/ft	= \$3,200.00
4,600 ft	Destroy existing tile @ \$1.00/ft	= \$1,000.00
1	Contingency @ 10%	= \$4,230.00
	Total	= \$46,530.00

**Deanna Durrett moved, seconded by Kenneth Pearson, to approve the reconstruction of the Charles Cowan #510 at a cost of \$46,530.00 with bid opening at the December 5, 2011 meeting. Motion carried, 4-0.** Dave Rhoads explained the loan process.

Tom Cummins reported he has received a petition to take over jurisdiction of a private drain from Dick Chastain. It is a 12" tile and he would like to add it to the **Charles Cowan #510** and make it into tributary #3. Mr. Cummins reported an increase in the size of the watershed will be needed to allow this. Mr. Chastain will have an additional 35 acres in the watershed. It will cost Mr. Chastain more but less for the rest of the landowners. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow the County to take over jurisdiction of the private drain and make it part of the Charles Cowan #510 watershed. Motion carried, 4-0.**

#### **Allie Peterson #549 Assessment Rate Hearing**

Tom Cummins reported he has received a letter of objection from Mr. Cooley. Landowner present was Ed Gable. Mr. Cummins reported after talking to several of the landowners they would like to pay back the debt in 2 to 3 years since in 2012 they will start paying on the reconstruction of the **Allie Peterson #549**. The landowners would like to drop the rate to either \$10.76 for two years or \$8.98 for three years then drop it to maintenance at \$5.41. **Deanna Durrett moved, seconded by Kenneth Pearson, to increase the Allie Peterson #549 from \$1.25 to \$10.76 for two years and then lower it to \$5.41. Motion carried, 4-0.**

#### **Old Business**

Tom Cummins reported that Cracker Barrel has submitted their plan to Banning Engineering. Banning Engineering reviewed and modified the plans. The overland discharge flow has not been addressed yet. Mr. Neal reported they cannot design all their part until the Drainage Board has completed their design. Cracker Barrel had deadlines financially for their fiscal year. **Deanna Durrett moved, seconded, by Terry Hockersmith, to start design work for the future Foster Fletcher #573 reconstruction. Motion carried, 4-0.**

Tom Cummins would like to set up an informational meeting for landowners in the **Foster Fletcher #573 drain** before the reconstruction hearing. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a landowner Foster Fletcher #573 informational meeting on**

**Monday, November 21, 2012 at 6:30 pm. The place will be determined later. Motion carried, 4-0.** The Drainage Board would like for Joe Miller and someone from the Crawfordsville Stormwater to attend.

Jennifer Anadel of the Auditor's office reported on the meeting with G-UTS concerning the **John McCorkle #608** reconstruction billings. Suanne Milligan, Drainage Board attorney, has submitted an order to the Auditor's office to allow the landowners to receive their refunds, and the Auditor approved it. **Terry Hockersmith moved, seconded by Deanna Durrett, to approve the amended order to allow a refund to the John McCorkle #608 landowners who overpaid. Motion carried, 4-0.**

Tom Cummins reported he has received the agreement with CSX for the **John V.Galey #518** railroad bore.

Deanna Durrett presented a press release for the **Foster Fletcher #573** reconstruction hearing and informational meeting to the Board to review. Terry Hockersmith will read the landowner press release on the radio.

Tom Cummins reported Mr. Corey was present and would like to be on the agenda for the December 5, 2012 meeting for the storage unit near Kroger in the **William Shelley #706** watershed.

Jennifer Anadel of the Auditor's office reported there will be a meeting with G-UTS on November 30, 2011 at 10:00 a.m. in the Council Chambers.

### **New Business**

Tom Cummins reported receiving a letter from Tippecanoe County Drainage Board asking Montgomery County Drainage Board to waive their right to be represented at an assessment increase hearing for the **Romney Stock Farm Drain #109**, December 7, 2011. Mr. Cummins reported we are not assessing landowners now and the county has very little land that drains into the **Romney Stock Farm Drain #109**. Mr. Cummins recommends waiving our rights to be present at the hearing. **Deanna Durrett moved, seconded by Kenneth, to waive the Drainage Board's rights on the Romney Stock Farm Drain #109 joint drain with Tippecanoe County. Motion carried, 4-0.**

Tom Cummins reported that he, Phil Bane, Commissioner, and Marc Bonwell met recently with the wind farm company Akuo that is proposing windmills in Madison and Sugar Creek townships. Mr. Cummins says there will need to be agreements between the county for infrastructure and drainage easements and crossing of drains to deal with. Mr. Bane has requested Tom Cummins to ask the Drainage Board to give Mr. Cummins the authority to work directly with the wind company on agreements and what is allowed by the code. David Emmert, landowner of property in the proposed area, was present. **Kenneth Pearson moved, seconded by Terry Hockersmith, to give Tom Cummins the authority to negotiate the agreements for the Drainage Board.** Mr. Cummins reported he will be discussing with the wind farm companies where the county tiles are located, our easements, the depth of the tiles, and which

tiles will have to be replaced etc. All agreements will go to Suanne Milligan and the Drainage Board to approve. The proposed plan is for 83 towers and 50 drain crossings. Mr. Emmert will give Tom Cummins a copy of their agreement with the wind farm company. **Motion carried, 4-0.**

Greg Woods presented his monthly report. Mr. Woods has been working on the eight segments with NRCS that funds this position.

Deanna Durrett reported there are three members of the Board which are up for reappointment Terry Hockersmith (Commissioner), Phil Rice (Soil & Water) and Deanna Durrett (County Council). Ms. Durrett will send letters to the Commissioners, Soil & Water and the County Council to remind them that appointments need to be made for 2012.

**No Claims**

**No Comments**

**Upcoming Meeting**

**Marion Conner** Joint Drainage Board with Boone County November 14, 2011

Landowner **Foster Fletcher #573** Information meeting November 21, 2011


Drainage Board December 5, 2011

**Foster Fletcher #573** Reconstruction Hearing December 6, 2011


**Terry Hockersmith** moved, seconded by **Kenneth Pearson**, to adjourn at 11:46 a.m. **Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

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**MONTGOMERY COUNTY/BOONE COUNTY  
JOINT DRAINAGE BOARD  
Marion Conner  
Monday, November 14, 2011  
MINUTES**

The Montgomery/Boone County Joint Drainage Board met on Monday, November 14, 2011 at 9:30 a.m. at 110 W. South Boulevard, Crawfordsville, IN in the conference room.

The meeting was called to order by Dave Rhoads.

Board members in attendance were Dave Rhoads, Kenneth Pearson, Byron Loveless and Jeff Wolfe. Present were Tom Cummins, Montgomery County Surveyor; Ken Hedge Boone County Surveyor; Carol Cunningham Boone County Surveyor's Office.

Tom Cummins reported the **Marion Conner Joint Drain** is an un-assessed drain. Everett Bamish came to the Montgomery County Drainage Board and inquired if it could be put back on assessment. A meeting was held prior to set up the Board. Mr. Cummins has received the assessment rolls for both counties. Eric Wathen is present and will be the fifth member of the Joint Board if accepted.

**Jeff Wolfe moved, seconded by Kenneth Pearson, to accept Eric Wathen as the unassociated fifth member of the Joint Board between Montgomery and Boone County. Motion carried, 4-0.**

Ken Hedge recommended now that the full Board is in place the officers be re-elected according to state statute.

**Byron Loveless moved, seconded by Kenneth Pearson, to nominated Dave Rhoads as the Chairman of the Joint Board by acclamation. Motion carried, 5-0.**

**Jeff Wolfe moved, seconded by Dave Rhoads, to nominate Byron Loveless as Vice Chairman of the Joint Board by acclamation. Motion carried, 5-0.**

**Eric Wathen moved, seconded by Byron Loveless, to appoint Suanne Milligan as attorney. Motion carried, 5-0.**

**Jeff Wolfe moved, seconded by Byron Loveless, that Tom Cummins be the lead Surveyor, with Ken Hedge as his assistant. Motion carried, 5-0.**

Tom Cummins reported there are approximately 716.38 acres in Montgomery County and approximately 603.47 acres in Boone County. The tile size ranges from ten to eighteen inches. Mr. Cummins presented an overview of the watershed. Mr. Cummins has prepared calculations for the drain and recommends \$5.22 per acre. At this rate if landowners feel the rate is high the Board may lower it but cannot raise it at the hearing more than the recommended \$5.22 with a \$5.00 minimum.

**Byron Loveless moved, seconded by Kenneth Pearson, to set the maintenance assessment rate at \$5.22 with a \$5.00 minimum per acre for the Marion Conner Joint Drain. Motion carried, 5-0.**

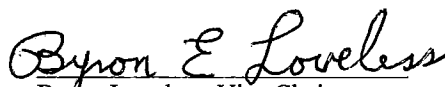
**Jeff Wolfe moved, seconded by Eric Wathen, to accept the assessment rolls presented before the Board. Motion carried, 5-0.**

**Eric Wathen moved, seconded by Byron Loveless to hold the assessment rate hearing for the Marion Conner Joint Drain on Monday, January 9, 2011 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

**Kenneth Pearson moved, seconded by Byron Loveless, to adjourn the meeting. Motion carried, 5-0.**



David Rhoads, Chairman



Byron Loveless, Vice Chairman



Kenneth Pearson

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Jeff Wolfe



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, December 5, 2011  
MINUTES**

The Montgomery County Drainage Board met on Monday, December 5, 2011 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson, Vice Chairman; Terry Hockersmith and Phil Rice, members. Deanna Durrett, secretary was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Jennifer Andel of the Auditor's Office, and Suanne Milligan, Attorney.

Also present were, Rick Ward, James Rusk, Marion Brown, Mary Winger, Curt Hudson, Jack Fifer Jim Harlan, Donald Lang, Dennis Webster, Tim Wilson, Ed Runyon and Christopher Hudson.

There were no minutes to approve.

Tom Cummins reported the bid opening for the **Charles Cowan #510** has been postponed to the January 9, 2012 meeting.

**Richard Thomas #625 Reconstruction Petitioner Hearing**

Tom Cummins reported the **Richard Thomas #625** drain is in Coal Creek Township, with 35% of it owned by landowner Jack Fifer. It crosses 400 west. Land owners present were Jack Fifer and Ed Runyon. In the past they have had beaver problems. Last year there were 5 or 6 tile blowouts. When replacing tile, they have found the old tile is odd shape and hard to connect to. Mr. Cummins recommends replacing 2500 ft of 24" tile up to the road and replacing 3,000 ft of 18" upstream. There are approximately 583 acres in the watershed with only about 12 landowners. The estimated cost is \$175 an acre. Mr. Runyon has a contractor who will remove the Willow trees which are a food source for the Beavers. **Terry Hockersmith moved, seconded by Phil Rice, to hold a reconstruction hearing for the Richard Thomas #625 on February 6, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

**Stanford-Elmore #555 Reconstruction Petitioner Hearing**

Tom Cummins reported Francis McGrady is not present and owns 30% of the watershed. It is in Ripley Township. There are 659 acres, with sixteen landowners and four owning the majority. A reconstruction was discussed in 2005 but it did not occur. A reconstruction was done in the 1990's. Mr. Cummins projects the cost to be approximately \$50.00 an acre. **Phil Rice moved, seconded by Kenneth Pearson, to table the petition hearing for the Stanford-Elmore #555 to the January 9, 2012 meeting. Motion carried, 4-0.**

**Assessment Rate Hearings**

Tom Cummins reported the **Detchon-Adams #N/A** is the largest un-assessed drain with 9851.98 acres in the watershed. Mr. Cummins recommends setting the rate at \$1.58 an acre for a yearly proposed



assessment of \$15,841.58. Mr. Cummins presented handouts to the Board for their review. Mr. Cummins gave the Board a copy of the objection letter from Wayne Zink. The money could be used to open up the outlets for the **James Sanders #550, Benjamin Remley #597, George Hutchinson #527, Samuel Humphrey #526, Kenneth Hudson #525 and Oscar Summer #** which all drain into the **Detchon-Adams**. There are three legs of open ditch. Landowners present were Jim Harlem, Ed Runyan, Phil Campbell and Marion Brown. Jim Harlem reported it was a good idea. Marion Brown was opposed because of the way the money was collected in 2000 and the job the contractor did. Phil Rice responded to Mr. Brown that the management by the Drainage Board and the Surveyor's office has greatly improved. Jennifer Andel reported there is a \$5.00 minimum per parcel for Maintenance and \$25.00 per parcel for reconstruction required by state law. **Kenneth Pearson moved, seconded by Phil Rice, to raise the assessment rate of the Detchon-Adams #N/A from zero to \$1.58. Motion carried, 4-0.** Terry Hockersmith, Phil Rice, and Jennifer Andel explained how the money is collected and how the funds are used. Mr. Campbell inquired when the work would be completed. Mr. Cummins reported next spring.

Tom Cummins reported the **Charles Ludlow #N/A** is in Coal Creek Township with 1,632 acres and recommends an assessment of \$4.11 per acre with a \$5.00 minimum. Landowner present was Tim Wilson. The issues with the **Charles Ludlow #N/A** are trouble with washouts, beaver and tree jams. **Kenneth Pearson moved, seconded by Terry Hockersmith, to raise the assessment rate of the Charles Ludlow #N/A from zero to \$4.11 an acre with a \$5.00 minimum. Motion carried, 4-0.**

Tom Cummins reported the **George Rusk #N/A** is in Madison Township with 1,668.79 acres. The **Isaac Shotts #574** drains into it. The **George Rusk #N/A** is currently off of assessment. Landowners present were Curt Hudson and Rick Ward. **Phil Rice moved, seconded by Kenneth Pearson, to raise the assessment rate of the George Rusk #N/A from zero to \$3.37.** Curt Hudson inquired why local farmers cannot help the Surveyor in finding the tiles. Mr. Cummins reported it is because of liability. Marion Brown inquired about landowners paying for work without using the Surveyor. Mr. Rhoads suggested contacting the Surveyor and Drainage Board if there is a problem. **Motion carried, 4-0.**

Tom Cummins reported the **Shumaker-White #N/A** is in Madison Township north of Linden. There are 1,744.74 acres and recommends an assessment of \$2.15 with a \$5.00 minimum. It is currently off of assessment. It serves as the outlet for the **James Hose #572, George Nichols #546 and the Miller White #577** drains. Curt Hudson inquired why a reconstruction is not being done. Mr. Cummins reported a drain has to be on assessment first and then landowners can petition for a reconstruction if needed. **Terry Hockersmith moved, seconded by Phil Rice, to raise the assessment rate of the Shumaker-White #N/A from zero to \$2.15 an acre with a \$5.00 minimum. Motion carried, 4-0.**

#### **Petition to attach**

Tom Cummins reported receiving petitions to attach to the **George Jewell #N/A** and the **Needham Booher #640** from Rodney Booher. Mr. Booher is currently working on CRP waterways on his properties and Mr. Cummins recommends allowing the attachments. **Terry Hockersmith moved, seconded by Kenneth Pearson, to approve the petition to attach to the George Jewell #N/A from Rodney Booher. Motion carried, 4-0.** **Phil Rice moved, seconded by Kenneth Pearson, to approve the petition to attach to the Needham Booher #640 from Rodney Booher. Motion carried, 4-0.**

Tom Cummins requested the Board to table the **Swearingen-Runyon #557** petition to attach from Don Mills and the **John Galey #518** petition to attach from Randy Borden till the January meeting. Mr. Cummins has not received the maps from contractors as to where the attachments would be. **Terry Hockersmith moved, seconded by Phil Rice, to table the petitions to attach to for the Swearingen-Runyon #557 and the John Galey #518 till the January 9, 2012 meeting. Motion carried, 4-0.**

## Old Business

Tom Cummins reported Cracker Barrel has submitted their updated plans for review and should have everything in order for the meeting December 6, 2012.

Tom Cummins reported the **James Hose #572** project bid plans are available for pickup at the Surveyor's Office. Mr. Cummins will be going to the bank for the paperwork for the reconstruction loan of the **James Hose #572** and the Auditor's office will determine how it will be paid to the Town of Linden.

Mr. Lange reported on the Bill Corey project. They have submitted plans to INDOT to use the detention area behind Zippy Lube to drain their storage facility and run 40 feet of 12" pipe to the ditch along State Road 47 as it drains to a blue line stream. **Phil Rice moved, seconded by Dave Rhoads, upon written receipt of approval by INDOT, to approve the drainage plan from Mr. Corey.** Mr. Lange inquired about the variance and Mr. Cummins stated it will have to be brought back to another meeting. **Motion carried, 3-1. Terry Hockersmith opposed.**

Tom Cummins requested the Board to table the reconstruction hearing for the Swearingen-Runyon #557 to the February meeting to gather more information. **Terry Hockersmith moved, seconded by Phil Rice, upon recommendation of the Surveyor to table the Swearingen-Runyon #557 reconstruction hearing to Monday February 6, 2012 at 9:30 a.m. at the Crawfordsville District Public Library.** **Motion carried, 4-0.**

## New Business

Tom Cummins reported on a 60,000 square foot expansion of the Kroger-Pace Dairy which is partly in the William Shelley #706 Drain. Their current drainage outlet runs to Sugar Creek along State Road 47. **Phil Rice moved, seconded by Kenneth Pearson, to grant approval using the current outlet as their drainage outlet. Motion carried, 3-0.** Terry Hockersmith abstained due to conflict of interest.

Dave Rhoads inquired about the time frame to replace Greg Woods' position as Deputy Surveyor. Tom Cummins reported the application process will be January with hiring in February. The position is funded by a cost share with Soil and Water. Before Greg Woods resigned, Mr. Cummins asked him to write his job description.

Jennifer Andel of the Auditor's office reported on the Guts meeting. Dave Rhoads reported feeling misled on the tax statements about drain names and divided assessments not being on the tax forms. Ten years ago they had the capability of putting it on the tax statements but now can't. Ms. Andel reported the date for tax roll additions regarding assessments is middle to late March.

Dave Rhoads said the **Foster Fletcher #573** Reconstruction hearing will be at the Crawfordsville District Library at 6:30 pm. December 6, 2011.

Curt Hudson inquired about the **Arthur Fraley #2 # 709** drain. Mr. Cummins reported after the ground freezes survey work will begin. Mr. Hudson also inquired about fencing an open ditch. Mr. Cummins there is nothing that says it should be fenced to keep animals out.

Curt Hudson inquired about the **John Gobin #2 # 520**. Mr. Cummins reported he has not received the fall settlements yet and cannot perform work until money is in the fund.

Phil Rice inquired of Tom Cummins if anyone had approached him about the new sewer district at Nucor and the possibility of 30,000 gallons of water going into the **William Epperson #622 drain**. Mr.

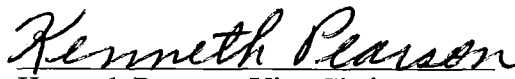
Cummins reported that he had no information. Mr. Cummins reported a drainage study was done in the 1990's of the area.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn at 11:54 a.m. Motion carried, 4-0.**

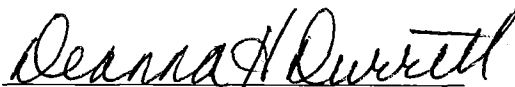
Vicki Emmert,  
Recording Secretary



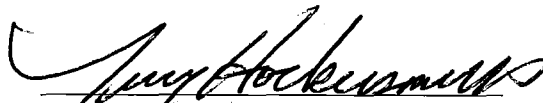
David Rhoads, Chairman



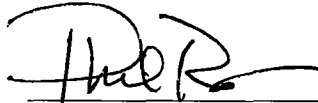
Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice, Member

MONTGOMERY COUNTY

DRAINAGE BOARD

Tuesday, December 6, 2011

MINUTES

The Montgomery County Drainage Board met on Tuesday, December 6, 2011 at 6:00 p.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed the introduction of the Drainage Board, Surveyor, and Joe Miller of Banning Engineering.

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

Also present were, Howard & Sally Hill, Debra K Beach, Keith Wheaton, Neal Hall, Jim Fenters, Brian Keim, Dave Dolph, Dough Schwartz representing Wendy's, Kim Dolph, John Wright, Jennifer Wooldridge, Jim Fulwider, Virgil Edwards Stace Hoiford, representing Candlewood, Kelly Meredith, David Murphy representing Murphy Trailer Sales, Gil Tobias of Akers & Associates, Keith Saylor, Wallace Estes, Michael Sosbe, Mitch & Brandy Allen, Jeff Clark, Helga Hickerson, Bob Shelton, John Allen Richard Charter, Dave Deckard, attendees representing 4-H, Bryon Monts, Larry McMullen, Josh Tribby, Melissa Norman, Jason Stewart, Ryan Potter, Amy Sloan, Kelly Bielecki, Kenny Booth, Richard Fugate, Julie Lovall, Rex Tribbitt, Elizabeth Justus, Sharri Legg Young, and Joy Dungan. Two signatures were not legible.

Tom Cummins, Surveyor, presented an overview of the **Foster Fletcher #573** built in 1905. In 2007, the use of the land in the watershed began to change due to development south of I-74, west of US 231 and east of the fairground property. In March 2008, Banning Engineering studied the area and offered three options to the Board for protecting the drain from surface water. In June 2008, the Board classified the drain as an urban drain. In November 2008, the board classified the watershed as an impact area and limited the release rate to 0.015cfs. In 2011, the Board voted to hold a landowner hearing on the reconstruction of the drain and adopted the schedule of assessments for the reconstruction proposed by Mr. Cummins. On November 3, 2011, notices were sent to landowners concerning tonight's meeting.

Mr. Cummins explained the calculations that appeared on the landowner notices. Per the Indiana Code, assessments are different for residential, agricultural and commercial land. The agricultural assessment was calculated assuming 15% usage remaining in the drain. He calculated 347.17 acres of agricultural land at a rate of \$94.27/acre for a total cost of \$32,729.06; 28.67 acres of residential land at a rate of \$668.91/acre for a total cost of \$19,177.74; and 112.34 acres of commercial land at a rate of \$2,444.77 for a total cost of \$274,647.26.

Mr. Cummins explained that landowners have five years to pay back the reconstruction loan. However, he recommended payment up-front, in order to avoid the statutory 10% interest on the unpaid balance. No payment will be due until the spring of 2013.

Mr. Cummins, using the GIS overhead projector, explained his plan for the reconstruction. Joe Miller, Banning Engineering said the reconstructed drain will permit a more functional 0.2cfs release rate.

President Rhoads invited comments from landowners and concerned citizens.

Ed Hill asked why the drain is not going further around the Gas America area since it often has standing water. Mr. Cummins reported that the drain will go to the corner of the Gas America property so that the owners can attach to it.

Attorney Elizabeth Justice, Joy Dugan, Sherry Legg, Rex Tribett, Kelly Bielecki, and Gil Tobias spoke for 4-H. They presented history of Montgomery County 4-H and history of the acquisition of land for the new site. They made the following objections to the assessment: 4-H does not have the money, or the ability to raise the money, to pay the assessment; the division of categories into residential, commercial and agricultural is unfair; classifying 4-H as commercial is unfair since they are currently farming the land; allowances should be made for 4-H since it is a charitable not-for-profit youth organization. Kelly Bielecki also reported on the offer by John Wright of Wright Implement, to pay part of the 4-H assessment.

Several residential landowners had questions: why are they paying storm water assessment to the city and being asked to pay this assessment; what is the City doing with the money they collect; what benefits do residential landowners get from the reconstruction. Gary Weliever, Crawfordsville storm water director, said the city is mapping the sewers in Crawfordsville. He said the federal mandate to his department is to insure that clean water goes into Sugar Creek. The City has no extra money to devote to the **Foster Fletcher** project. Suanne Milligan, Drainage Board attorney, reported that the City storm water fees and the **Foster Fletcher** reconstruction assessment are separate fees from two jurisdictions for two different purposes. She added that all not-for-profits, including churches, may be subject to assessments. Deanna Durrett said that residential owners benefit because the drain will provide an outlet for their water, although it will be the responsibility of the City or the landowners to attach to the drain.

Dave Deckard, speaking for the Crawfordsville Redevelopment Commission, said it may be possible to pay for some of the reconstruction with TIF (tax increment financing) money, as some of the Foster Fletcher watershed is in the TIF district.

Keith Saylor, agricultural landowner, asked if there is an alternative to taking the water through his land. Mr. Cummins reported that there is no other feasible way.

Board president Rhoads asked the Board for comments.

Phil Rice spoke about children in 4-H. Mr. Rice had not made up his mind about the reconstruction before the meeting. The benefits far out way the negatives of the reconstruction project. The current fairgrounds has outgrown its location. If nothing is done all 4-H will be able to have is a hay field. Any other effort to meet the current runoff you will have almost two acres in a detention area, which is dangerous for kids to be around. It needs to be reconstructed. Mr. Rice appreciates everyone's comments, it's a tough decision.

Terry Hockersmith had no comment.

Deanna Durrett said in order to drain anything a release rate must be met, even with the reconstruction of the drain. Mr. Cummins put in a lot of thought and interacted with the Board on the decision of how to assess the properties. Mr. Saylor would not have to pay more than maintenance assessment if the area were not growing.

Kenneth Pearson suggested the Montgomery County 4-H sell their land and go someplace else. "It would solve all your problems. If we don't reconstruct, you cannot build; and if we reconstruct, you will complain. I vote to reconstruct."

Someone in the audience suggested that all the county taxpayers pay for the reconstruction. Terry Hockersmith reported that last year \$78,830.00 was given to the 4-H from the general fund from Montgomery County and so all county taxpayers contribute every year.

Dave Rhoads reported a few years ago the assessment was raised on the **William Shelley #706** after a hearing and explanation of the process. There has been a lot of success with this project.

**Phil Rice moved, seconded by Kenneth Pearson, that the Drainage Board find that Foster Fletcher Drain #573 should be reconstructed; That the Foster Fletcher drain contains 28.67 acres of residential area; 112.34 acres of commercial area; and 347.14 acres of agricultural area; that the engineering study of Banning Engineering indicates that the total volume of water draining into the Foster Fletcher Drain requires reconstruction of the drain; that the land use in the Foster Fletcher watershed is partly agricultural, partly residential, and partly commercial; that the value of all of the land in the Foster Fletcher watershed will be increased following a reconstruction of the drain; that the various tracts of land are primarily adjacent and upland and upstream of the Foster Fletcher drain; that the reconstruction will eliminate or reduce flooding in the area; that the soil type drains poorly; that the benefits of reconstruction outweigh the detriments; and that the Drainage Board approve the reconstruction of the Foster Fletcher Drain #573 and assessments as presented by the Surveyor for a cost of \$326,5550.00.**

Terry Hockersmith said he would have liked to wait to find out if TIF money is available for this project but realizes if nothing is done, no development will happen.

**Motion carried, 5-0.**

#### **Cracker Barrel Review**

Tom Cummins reported the Cracker Barrel plans were sent to the engineer and they were addressed. Joe Miller has also reviewed the comments and everything looks to be in order to meet the new release based on the 0.2cfs rates.

**Phil Rice moved, seconded by Kenneth Pearson, to grant conditional approval of the Cracker Barrel drainage plan contingent on no request for judicial review being filed in the 20 day waiting period following the reconstruction order of the Foster Fletcher #573 drain. Motion carried, 5-0.**

**Kenneth Pearson moved, seconded by Deanna Durrett, to adjourn the meeting at 8:46 pm. Motion carried, 5-0.**

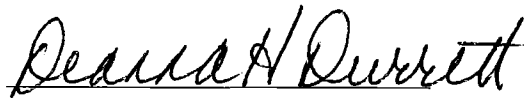
Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, January 9, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, January 9, 2012 at 9:45 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; and Phil Rice, member. Terry Hockersmith, member (absent until 10:00 a.m.). Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, Attorney.

Also present were, Don Mills, Tim Mc Grady, Daniel Mc Grady, Grant Mc Grady, Gary Moore, Kenneth Moore, Don Mills, Jacob Arthur, Matt Goings, Morris Mills; Leslie H. Ebaugh; Everett L. Bamish, Don Lange, and Mike Patton. One signature was not legible.

Deanna Durrett reported the Library may be booked for meetings for six months at a time. **Phil Rice moved, seconded by Kenneth Pearson, to set the Drainage Board meetings for the first Monday of the month at 9:30 a.m., with two meetings in August. August 6, & 27, 2012; and no September meeting. Motion carried, 4-0.**

Tom Cummins reported he has received five bids for the reconstruction of the **Charles Cowan # 510.**

Yard Berry Landscape and Excavating Company \$105,200.00  
Matt Goings Excavating \$49,238.00  
Arthur's Excavating \$31,633.00  
Foster Farm Drainage \$42,050.68  
Maxwell Farm Drainage \$33,145.00

Mr. Cummins reported all bids were responsive to the bid packets sent out. Mr. Cummins recommended the Board accept the bid of Arthur's Excavating. **Deanna Durrett moved, seconded by Phil Rice, to accept the bid of \$31,633.00 from Arthur's Excavating for the reconstruction of the Charles Cowan # 510. Motion carried, 4-0.**

Surveying will be done by the contractor who will work with the landowners as to where the tiles should be. Work should be completed in June or July 2012.

**Rankin Walkup #579**

Tom Cummins reported that the State is responsible for the cost crossing a state highway. The State will only pay for the work after it is complete. The estimate for the Rankin Walkup #579 is \$96,600.00: replace 1,700 feet of 24# tile, destroy 1,500 feet of tile, a Jack & Bore under US 231 and fill in old tile. Mr. Mills, landowner, reported he is completely in support of the project. Mr. Cummins reported the tiles are presently under sized. Mr. Cummins will check with the State Highway on their specifications concerning whether a road cut or a bore is best. The reconstruction will be designed by an engineer. Terry Hockersmith, board member, arrived at the meeting at 10:00 am.



**Deanna Durrett moved, seconded by Phil Rice, to reconstruct the Rankin Walkup #579 at a cost of \$96,600.**

Mr. Mills inquired if the estimate included the cost of the work under the highway. Mr. Cummins responded that it did. . **Motion carried, 4-0.** Terry Hockersmith abstained.

#### **Stanford Elmore # 555 petitioner's hearing**

Tom Cummins reported the Francis McGrady family has petitioned to reconstruct the **Stanford Elmore #555**. They own approximately 30 % of the watershed. There are 659 acres in the watershed. The tributaries to the North and the South have issues. Based on discussions with landowners, Surveyor Cummins proposes to replace 400 feet of tile from 16" to 18", replace 1,300 feet of tile and 900 feet with 24" tile. Mark Barkley, a tenant farmer of the North tributary, stated there is a section that is exposed. Daniel McGrady reported digging up a section and it was full of dirt. Mr. Cummins will put together figures for the whole drain reconstruction with different options. The landowners can then decide which option will meet their needs. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a reconstruction hearing for the Stanford Elmore #555 on Monday, March 5, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

#### **Petitions**

Randy Borden submitted a petition to attach to the **John Galey #518**. Mr. Cummins recommended approving the petition. **Kenneth Pearson moved, seconded by Phil Rice, to approve the petition to attach to the John Galey #518. Motion carried, 5-0.**

Don Mills submitted a petition to attach to the **Swearingen-Runyon #557**. Mr. Cummins recommends approving the petition. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve the petition to attach to the Swearingen-Runyon #557. Motion carried, 5-0.**

Jonathan Hester submitted a petition to attach to the **James Servies #703**. Mr. Cummins recommends approving the petition. **Phil Rice moved, seconded by Deanna Durrett, to approve the petition to attach to the James Servies #703. Motion carried, 5-0.**

The Montgomery County Regional Sewer District submitted a petition to attach to the **William Epperson #622**. On occasion when Nucor Steel cannot not take their water, they would like to send water to the **William Epperson #622**. Phil Rice reported it is a green structure and is designed above and beyond what the state standards are. The release could be approximately 30,000 gallons of water. The Montgomery County Regional Sewer District does not know how often they will need to send water to the **William Epperson**. The water will be filtered before going to the open ditch. A forced main will pump water to the Nucor Steel pond. Terry Hockersmith reported the plant can handle up to 100,000 gallons a day. **Phil Rice moved, seconded by Deanna Durrett, to continue the William Epperson #622 attachment petition until the February 6, 2012 meeting. Motion carried, 5-0.** It was stated the **William Epperson #622** has not changed a lot since the 1990's study. Suanne Milligan suggested the Board review the drainage code concerning urban drains. The variance which was approved at the December meeting was presented to the Board with the correct signatures.

#### **Petition for variance**

Tom Cummins reported he has received a petition for a variance from SSJ, Inc. by Don Lange for the **William Shelley #706**. Mr. Cummins recommended allowing the variance as adequate easement

remains to allow access. **Deanna Durrett moved, seconded by Kenneth Pearson, to allow the variance. Motion carried, 3-2.**

### **Old Business**

Tom Cummins reported no request for judicial review had been filed within the 20 day required period regarding the **Foster Fletcher #573** reconstruction. Cracker Barrel was given approval to build. It is now time to schedule a common wage hearing. **Dave Rhoads moved, seconded by Kenneth Pearson, to recommend Tom Cummins and John Wright to the commissioners for the January 23, 2012 Common Wage Hearing. Motion carried, 5-0.** Mr. Cummins will contact Keith Saylor and Larry Melvin for a recommendation to the commissioners for the other member for the Hearing. Banning Engineering is working on the design.

### **Swearingen Runyon #557**

Mr. Cummins has met with several landowners. Landowners present were Mills, McGrady's, Moore's and Barkley. There are two tributaries. One option is for landowners to petition to convert a private drain to a new regulated drain. Mr. Cummins reported that the;

Estimated cost to reconstruct the South section (345 A.) is \$83,000.

Estimated cost to reconstruct the North section is (195A.) \$61,000.

Mr. Sowers and Mr. Warrick were not present.

### **New Business**

#### **James Harris #N/A**

Tom Cummins reported the **James Harris #N/A** runs through New Ross and a small portion is in Boone County. Boone County will not be a part of the assessed area. Right now there is no assessment in either county. Surveyor Cummins recommends putting the **James Harris #N/A** back on assessment at \$5.12 per acre with a \$5.00 minimum. **Deanna Durrett moved, seconded by Dave Rhoads, to hold a maintenance assessment hearing for the James Harris #N/A on Monday February 6, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried 5-0.**

### **Other Business**

Tom Cummins reported the preparation for the Bore on the **Linn Himes #533** will begin this week at Whitesville. The Flagman will be from CSX and the rest is subcontracted. He now has a personal contact when work of this nature needs to be done in the future.

Phil Rice reported there are seven railroad tracks to be bored at the Nucor Sewer project.

Phil Rice inquired about the time frame to hire someone to replace Greg Woods. Mr. Cummins reported he is to meet with Soil and Water this month. He anticipates hiring in March. Mr. Cummins noted the budget line item is lower than expected from Soil and Water.

**Public Comments**

Phil Rice recommended that landowners talk to the County Council members requesting them to restore funds to the Surveyors and Drainage Board budgets.

There were no claims.

**Phil Rice moved, seconded by Kenneth Pearson, to adjourn the meeting at 11:15 a.m.  
Motion carried 5-0.**

Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, February 6, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, February 6, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Suanne Milligan, Attorney; and Jennifer Anadel of the Auditor's office.

Also present were, Don Hester, Jack Fifer, Max Kercheval, Ernest Warren, Joyce Ann Runyan, Justin Longstreth, Larry C Shultz, Keith Sayler, Penny Gardner representing W. Lorene Bishop, Francis McGrady, Sherry Whetston, Clifford & Billie Ann Thomas, Larry & Peg Bullerdick, Marge (Elizabeth) Alderson, and Dave Black.

**Phil Rice moved, seconded by Kenneth Pearson, to approve the January 9, 2012 minutes. Motion carried, 4-0. Terry Hockersmith abstained.**

**George McClain #541 Reconstruction Hearing**

Tom Cummins reported receiving a petition from Don Hester to reconstruct the **George McClain #541**. The **George McClain #541** is in Scott Twp. with a total of 357.75 acres in the watershed. Mr. Cummins proposed the following work:

1,875 ft	15" smooth-corr. tile @	\$13.50/ft	= \$25,312.50
1,275 ft	12" smooth-corr. tile @	\$11.50/ft	= \$14,662.50
3,150 ft	Destroy existing tile @	\$1.00/ft	= \$ 3,150.00
1	Gravel road crossing @	\$2,500. /ea.	= \$ 2,500.00
1	6" breather pipe @	\$1,000. /ea.	= \$ 1,000.00
1	New outlet & animal guard @	\$1,000. /ea	= \$ 1,000.00
		Total	= \$47,625.00

Landowners present were Don Hester, Ernie Alderson, Marge (Elizabeth) Alderson, Larry & Peg Bullerdick, Ernest Warren, and Clifford & Billie Ann Thomas. Deanna Durrett and Dave Rhoads explained the reconstruction loan process. Discussion between landowners, Surveyor and Board addressed concerns of work time frame, road closure, and bids. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve the reconstruction the George McClain #541 at \$47,625.00. Motion carried, 5-0.**

**Richard Thomas #625 Reconstruction Hearing**

Tom Cummins reported the **Richard Thomas #625** drain is in Coal Creek Twp. south of New Richmond with 583.11 acres. Mr. Cummins proposed the following work;

3,750 ft	24" smooth-corr.tile @	\$23.00/ft	= \$86,250.00
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1,600 ft	18" smooth-corr.tile	@	\$17.00/ft	=	\$27,200.00
5,500 ft	Destroy existing tile	@	\$1.00/ft	=	\$5,500.00
1	Asphalt road crossing	@	\$5,000/ea.	=	\$5,000.00
			<b>Total</b>		<b>=123,950.00</b>

Landowners present were Ed Runyon (Manna Mill, LP), Joyce Ann Runyon, Jack Fifer, Keith Saylor, Larry C. Shultz, and Penny Gardner representing W. Lorene Bishop. Deanna Durrett explained the reconstruction loan process. Discussion between landowners, Surveyor and Board addressed concerns of work time frame, the outlet and how the drains become regulated. Ed Runyon stated he has a bid out for a grass water way. **Phil Rice moved, seconded by Terry Hockersmith, to approve the reconstruction of the Richard Thomas #625 at a cost of \$123,950.00 and to open bids at the March 5, 2012 meeting. Motion carried, 5-0.**

**James Harris #N/A Rate Assessment Hearing**

Tom Cummins reported the **James Harris #N/A** is located in the New Ross area with a watershed of 960.17 acres. The request came from local farmers to put it back on assessment. The proposed rate is \$5.12/acre with a \$5.00 minimum for a total assessment of \$5,481.29 each year. Landowners present were Patricia Johnson, Max Kercheval, and Sherry Whetstone. Discussion between landowners, Surveyor and the Board addressed concerns of the culvert size, easements, clearing of the ditch and the funding. Ms. Whetstone reported they were to tile their field this spring. Mr. Cummins reported Ms. Whetstone would need to file for a petition to attach to the **James Harris #N/A**. **Deanna Durrett moved, seconded by Kenneth Pearson, to raise the assessment for the James Harris #N/A from zero to \$5.12 an acre with a \$5.00 minimum for a total assessment of \$5481.29 each year. Motion carried, 5-0.**

**Harrison Doyle #617 Petition to Advance the date**

Tom Cummins reported he has received a petition to advance the date for a reconstruction hearing from Kyle Blayds to reconstruct the **Harrison Doyle #617**. Mr. Cummins presented the Board with a drain classification report for the Harrison Doyle #617 that states, "The Montgomery County Surveyor classifies the **Harrison Doyle** drain as a drain in need of Reconstruction for 2012. Reconstruction should include replacing the subsurface tile along CR 700 S., as well as bottom-dipping of the open ditch portion west of SR 47, to eventual outlet. " **Deanna Durrett moved, seconded by Kenneth Pearson, to hold a petitioner hearing for the reconstruction of the Harrison Doyle #617 on March 5, 2012 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 5-0.**

Tom Cummins reported he would like to table the **Swearingen-Runyon #557** petition from Mark Barclay to the next meeting.

Tom Cummins reported he has received a storm water plan from North Montgomery School Corp to build a maintenance garage. The plan was submitted to DLZ for their comments. Mr. Cummins recommends approving it as all water will stay on their property. **Deanna Durrett moved, seconded by Terry Hockersmith, to approve the drainage plan from North Montgomery School Corp to build a maintenance garage. Motion carried, 5-0.**

Tom Cummins reported Dave Black of 315 South Grace, Crawfordsville, IN which is in the **William Shelley #706** watershed, would like to build a 24' x 24' x 10' pole barn. Mr. Black was present. The barn would result in a 7% increase in runoff which is less than the 10% that is allows. Mr. Cummins recommends approving the plans. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve**

**Dave Black's plan to build as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-1. Mr. Hockersmith cast the dissenting vote.**

### **Old Business**

The Board received a petition to attach to the **William Epperson #622** from Justin Longstreth of Moore & Bruggink, Inc. engineer who designed the building for the new sewer waste system in the Nucor corridor. Mr. Longstreth explained the gravity sewer system locations, the holding pond and the water quality requirements. Nucor would like for the water to be tested daily. **Phil Rice moved, seconded by Kenneth Pearson, to approve the petition to attach to the William Epperson #622 for the new sanctuary waste system. Motion carried, 4-0. Terry Hockersmith abstained, due to conflict of interest since he served on the sewer board.** Deanna Durrett reported Tom Cummins now does storm water reviews instead of Marc Bonwell.

Tom Cummins reported the **Linn-Himes #533** railroad bore is now complete. The bore was completed in eighteen hours. Mr. Cummins presented a short video of the boring in progress.

### **New Business**

Tom Cummins presented the Board with the reports that will be filed with the Auditor in the near future.

2012 Drain OFF List

Assessment Rate Increases for 2012

Assessment rates from Tippecanoe County Drainage Board

Fund Transfers- Maintenance to Improvement

Fund Transfers- Improvement to Maintenance

Fund Transfer between Maint. and Fund without Drains (0906-000-0400)

Account Transfers- Reconstruction to **Fund without Drains (#0906-000-0400)**

Deanna Durrett presented the Board a copy of the 2011 Financial Report, current Ditch Listing Report, 2011, Drain Maintenance and Improvement Balance Sheet, and 2011 five year reconstruction loan report.

Jennifer Andel of the Auditor's office reported that she has contacted G-UTS concerning the accounting for the reconstruction loans and everything should be in place this month.

Phil Rice reported that Becky Neal will be contacting the Auditor's office over the **John McCorkle #608** portion of the reconstruction loan that she has paid.

Phil Rice inquired for Dick Harshbarger about the James Sanders # 550 Drain. Tom Cummins reported nothing has been done because of the weather and the Board will then make a decision.

Dave Rhoads reported there will be a **Marion Conner Joint Drain** Board meeting with Boone County on February 22, 2012 at 9:30 a.m. at the 110 W. South Boulevard, Crawfordsville office.

Tom Cummins inquired since the Board is meeting on February 22, 2012 could the Board also hold a special meeting to address the Herr Voss storm water plans. Mr. Cummins did not receive the comments back from Deckard Engineering until late Friday and could not put them on the agenda for today's meeting. The Drainage Board agreed to meet at 9:00 a.m. on February 22, 2012 to address the Herr Voss storm water plans.

The next scheduled Drainage Board meeting will be March 5, 2012 at the Crawfordsville District Public Library.

Tom Cummins reported to add a private drain onto the **Swearingen-Runyon #557** he will need all four landowners to sign the petition.

It was reported Mr. Bunnell has not received a landowner's list as of yet, for the **Clark Alford Drain #N/A** (unknown drain).

There were no claims.

**Phil Rice moved, seconded by Kenneth Pearson, to adjourn at 11:56 a.m. Motion carried, 5-0.**

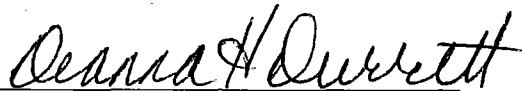
Vicki Emmert,  
Recording Secretary



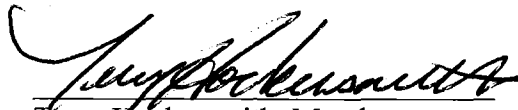
David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, March 5, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, March 5, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Suanne Milligan, Attorney; and Jennifer Andel of the Auditor's office.

Also present were, Don Hester, Jack Fifer, Jim Fruits, Francis McGrady, Grant McGrady, Daniel McGrady, Mike Spragg, John Wilbur, Keith Saylor, Dean and Edith Rush, Janet Johnson, Kyle Blaydes, Brenda Foster, Mark Kessler, Don Mills, Jacob Arthur and two non legible signatures.

**Phil Rice moved, seconded by Kenneth Pearson, to approve the November 7, 2011, December 5, 2011, December 6, 2011 and the February 6, 2012 minutes. Motion carried, 5-0.**

**Bid Openings**

There were two bids for the **George McClain #541** reconstruction.

Arthur's Excavation \$28,280.75  
Maxwell Farm Drainage \$26,187.00

Tom Cummins reported both bids are responsive to the proposed bid packets and recommends Maxwell Farm Drainage at \$26,187.00. Don Hester landowner reported he had discussed with other landowners on the watershed, and that they would prefer Arthur Excavation to perform the reconstruction as Mr. Arthur will be doing other work for landowners on the watershed and the landowners would like for the project to be completed this spring. Mr. Hester owns 30% of the reconstruction. Mr. Hester reported he spoke with Terry and Scott Priebe about work being done on their property, and also says his cousin will have work done. The Board discussed whether an exception should be made to use the landowners recommended contractor, rather than the lowest bid contractor as both are responsive to the bid. **Terry Hockersmith moved, seconded by Dave Rhoads, to award the bid to Arthur Excavation for \$28,280.75 for the reconstruction of the George McClain #541 on the request of Don Hester and the other landowners. Motion carried, 5-0.**

There were three bids for the **Richard Thomas #625** reconstruction.

Arthur's Excavation                 \$97,891.00  
Maxwell Farm Drainage             \$87,291.00  
Birge Farm Drainage               \$104,486.00



Tom Cummins reported all bids were responsive to the proposed bid packets and recommends Maxwell Farm Drainage at \$87,291.00. Landowners present were Jack Fifer, and Keith Saylor. Discussion between landowners, Surveyor and Board addressed concerns of when the reconstruction would be completed, and a water line pipe that would be crossed. Brenda Foster of Foster Farm Drainage has concerns about taking Don Hester's word that Mr. Hester had really discussed with the other landowners of the **George McClain #541** and the Board did not require written signatures that the landowners would prefer Arthur Excavation to receive the bid when it was higher than Maxwell Farm Drainage. Dave Rhoads Board member responded that the Board carefully weighs each case and this was an exception to the rule today. **Kenneth Person moved, seconded by Phil Rice, to award the bid to Maxwell Farm Drainage at a cost of \$87,291.00 for the reconstruction of the Richard Thomas #625. Motion carried, 5-0.** The time frame in the bid packet is for the reconstruction to be completed the spring or summer of 2012.

**Reconstruction Hearing**

Tom Cummins reported the **Stanford Elmore #555** is in Ripley Twp. He presented the following recommendations.

650 ft	30" smooth-corr tile	@	\$32.00/ft	=\$20,800.00
1,850 ft	24" smooth-corr tile	@	\$21.00/ft	=\$38,850.00
3,300 ft	18" smooth-corr tile	@	\$15.00/ft	=\$49,500.00
1,850 ft	15" smooth-corr tile	@	\$11.00/ft	=\$20,350.00
1,250 ft	12" smooth-corr tile	@	\$ 9.00/ft	=\$11,250.00
650 ft	10" smooth-corr tile	@	\$ 5.00/ft	=\$ 6,500.00
2	Gravel road crossing	@	\$2,500/ec	=\$ 5,000.00
1	Paved road crossing	@	\$5,000.	=\$ 5,000.00
9,447 ft	Destruction of existing tile	@	\$1.00/ft	=\$9,447.00
				Total= \$166,697.00

Landowners present were Francis McGrady, Daniel McGrady, Grant McGrady, Mike Spragg, John Wilbur, Dean & Edith Rush, Janet Johnson and Jim Fruits representing his brother Russell. Discussion between landowners, Surveyor and Board addressed concerns of the sizes of the tiles, what tiles need to be replaced and the time frame of the reconstruction. **Deanna Durrett moved, seconded by Phil Rice, starting at the outlet of the Stanford Elmore #555 to reconstruct, with the recommended changes by the landowners, include deleting half of the cost of the 12" tile and the entire 10" tile for a total reconstruction cost of \$149,822.00. Motion carried, 5-0.** Bid opening will be at the April 2, 2012 meeting.

**Petitioner Hearing:**

Landowner Kyle Blayds was present for the **Harrison Doyle #617** petitioner hearing. Tom Cummins reported there is 4,000 ft. of open ditch and along 700 South, the tile is in the road ditch and there are numerous tile holes. In 2011 a portion of the open ditch was dipped. Mr. Cummins recommends the following.

2,050 ft	15"smooth-corr.tile	@	\$13.50/ft	=\$27,675.00
1,000 ft	12"smooth-corr tile	@	\$11.50/ft	=\$11,500.00
3,000 ft	Destroy existing tile	@	\$ 1.00/ft	=\$ 3,000.00
1	Gravel road crossing	@	\$ 2,000/ea.	=\$ 2,500.00
1	New outlet & animal guard	@	\$ 1,000/ea.	=\$ 1,000.00
2,500 ft	Open ditch dipping	@	\$ 4.00/ft	= <u>\$10,000.00</u>
	<b>903 Acres</b>		<b>Total</b>	<b>= \$55,675.00</b>

**Dave Rhoads moved seconded by Deanna Durrett, to hold a reconstruction hearing for the Harrison Doyle #617 on May 7, 2012 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 5-0.**

**Petition to attach:**

Tom Cummins reported he has received a petition to attach to the **James Harris #715** from Sherry Whetstone. Mr. Cummins presented the plans to the Board. Mr. Cummins recommends approving the petition to attach. **Terry Hockersmith moved, seconded by Deanna Durrett, to approve the petition to attach to the James Harris #715 from Sherry Whetstone. Motion carried, 5-0.**

**Old Business**

Tom Cummins reported the bore is done under the railroad for the **Linn-Himes #533**. He is now working on filling in the old section under the railroad which was found to be completely collapsed. The contractor will finish the tile work when the old section is filled.

Tom Cummins reported on the **John Galey #518**. CSX Railroad has a new person to deal with. She does not fully understand from an insurance standpoint whose name should be on the permit and insurance, the County or the contractor who will perform the work. Contact with CSX will continue.

Tom Cummins reported the funds for the **James Hose #572** have been released and the contract will be signed on Thursday. Weather permitting work will start next week.

Tom Cummins reported that landowners Warrick, Sowers, Moore, and Mills would need to sign a petition if they want the County to take jurisdiction of the tiles on their land to the north of the **Swearingen-Runyon # 557**. Don Mills was present. A reconstruction could still be done to the south. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a reconstruction hearing for the Swearingen-Runyon #557 on May 7, 2012 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 5-0.**

Phil Rice inquired of the progress of the **Foster Fletcher # 573**. Tom Cummins reported he has received the reconstruction design and estimate documents. Mr. Cummins would like to change the date of the special meeting as he has not had the time to go over the documents. **Phil Rice moved, seconded by Kenneth Pearson, to cancel the March 19, 2012 special meeting and**

**move the bid opening to the regular meeting on April 2, 2012 for the Foster Fletcher #573. Motion carried, 5-0.**

Tom Cummins reported on the progress of the mapping of **William T Shelley #706**. The mapping of the Eastern leg through Traction Road is almost complete. He found the tile has been capped at Highway 136 at Ceres Solutions. The Western leg is now being mapped, Darlington Avenue at Green Acres and up to Rosewood. When Rosewood was built the City put a six foot storm sewer in and cut off the drain. He does not know where it drains to the south. There are issues that need to be fixed in the western leg. Mr. Cummins wants the Board to determine next steps since the drain is cut off. A special meeting will be set by Tom Cummins with the Street Commissioner, the Mayor, Stormwater Board, the Waste Water and the Drainage Board to come up with a plan to fix the drainage possibly for the afternoon of April 2, 2012. An e-mail will be sent to the Board.

**New Business**

Deanna Durrett reported an agricultural exhibit is on display at the Carnegie Museum and there is nothing on display of the drainage history of the County. **Deanna Durrett moved, seconded by Phil Rice, to make a small exhibit from the Drainage Board for use at the Carnegie Museum. Motion carried, 5-0.**

**Other Business**

Jennifer Anadel of the Auditor's office discussed the reconstruction plan with G-UTS and it still has some quirks with the program. G-UTs would like to set the plan around interest not just payments. The program should be updated next week.

**No Public Comment**


Dave Rhoads inquired about applications for the Deputy Surveyor position. Mr. Cummins reported the deadline to apply was Friday. The next step is to meet with Soil and Water and go over the applications.

**No Claims**

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:14 a.m. Motion carried, 5-0.**

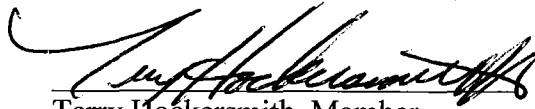
Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
\_\_\_\_\_  
Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice, Member

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MONTGOMERY COUNTY DRAINAGE BOARD

110 WEST SOUTH BOULEVARD  
CRAWFORDSVILLE IN 47933  
765-361-3234 office 765-361-3238 fax  
[drainageboard@montgomeryco.net](mailto:drainageboard@montgomeryco.net)

David Rhoads, chair  
Kenneth Pearson, vice chair  
Deanna Durrett, secretary  
Terry Hockersmith, member  
Phil Rice, member  
Tom Cummins, surveyor

Special Meeting  
James Hose Drain  
March 21, 2012 3:00 pm 110 West South Boulevard.

Chairman Rhoads called the meeting to order at 3:00 pm.

Attending were: Surveyor Cummins; Joe Miller of Banning Engineering; Board members, Rhoads, Durrett, Pearson, Hockersmith; attorney Milligan; Wade Bennett; Darrell Birge; and Jim Ayres of Wernle, Ristine & Ayers. Board member Rice was absent.

The meeting was requested by Surveyor Cummins to allow the Board to respond to a letter dated March 19, 2012, from Wernle, Ristine & Ayers, LPC, on behalf of Darrell and Sandra Birge. The letter requests that the authority or authorization granted by the Montgomery County Drainage Board be re-examined and withdrawn. See exhibits 1 and 2.

Mr. Rhoads invited Mr. Birge to speak.

Board members asked questions of Mr. Birge, Joe Miller, Banning Engineering, and Tom Cummins, Surveyor.

Mrs. Durrett stated that the Drainage Board has followed all legal procedures and the time for objection to the James Hose Drain project has passed. **She then made the following motion, seconded by Mr. Rhoads:**

**In order to assess what changes could be made in the manhole placement that might mitigate Mr. Birge's concerns, and what impact such changes would have in the integrity of the drain design, the Board wishes Joe Miller to return to the drain to make calculations. Today's meeting will be continued until 3:00 pm, Friday, March 23 to allow the Board to hear Mr. Miller's report. Motion carried, 4-0.**

Mr. Rhoads adjourned the meeting at 4:45 pm.

Deanna Durrett,  
Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

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Terry Hockersmith, Member

\_\_\_\_\_  
Phil Rice, Member



James Hose March 21, 2012  
Exhibit 1

**WERNLE, RISTINE & AYERS, L.P.C.**

309 DUBOIS AVENUE, P.O. BOX 874, CRAWFORDSVILLE, IN 47933 (765) 362-2640

March 19, 2012

Montgomery County Drainage Board  
Montgomery County Courthouse  
Crawfordsville, IN 47933

**Re: Linden, Indiana Storm Sewer Project**

Gentlemen:

We represent Darrell and Sandra Birge, who are the owners of land east of the Town of Linden on which Harvey Construction is conducting unauthorized excavating and construction activities.

The supposed right for their activities is based upon the claim that the drainage easement for the James Hose tile, but the construction is most obviously for storm water from the Town of Linden, not for field drainage in that the materials are sealed concrete pipe which will interfere with the ability to cultivate the area and be a nuisance and detriment and cause permanent damage to the property.

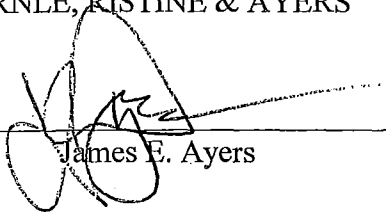
The owners request that any purported authority or authorization granted by the Montgomery County Drainage Board be re-examined and withdrawn.

Enclosed is a copy of a letter to the contractor in the Town of Linden for your information.

Very truly yours,

WERNLE, RISTINE & AYERS

By



James E. Ayers

JEA/sjo





James Huse March 21, 2012  
Exhibit 2

**WERNLE, RISTINE & AYERS, L.P.C.**

309 DUBOIS AVENUE, P.O. BOX 874, CRAWFORDSVILLE, IN 47933 (765) 362-2640

Town of Linden Indiana  
302 East Water Street  
Linden, Indiana 47955

March 19, 2012

Harvey Construction Company  
9125 E. 146<sup>th</sup> Street  
Noblesville, Indiana 46060

**NOTICE TO QUIT AND TO VACATE**

**Re: Linden Indiana Storm sewer Project**

Dear Sirs:

I represent Darrell and Sandra Birge who are the owners of land east of the town of Linden on which you are conducting unauthorized excavating and construction activities.

Please be advised that you are henceforth forbidden to enter and are hereby denied entry to the Birge farm property located adjacent to and east of Linden, Indiana for any purpose other than the REMOVAL of your equipment and materials, which must be accomplished at once.

The project under way is obviously NOT a farm drainage line. All segments are sealed, manholes are contemplated and on site, no perforated tile is present or contemplated.

There has been no acquisition of right-of-way for such a project, and only a farm drainage line is authorized within the ditch easement. Your conduct is ruinous of the ability to farm the disturbed areas and is done without any consent or legal process and constitutes a trespass and an illegal taking in violation of Indiana law and the 4<sup>th</sup> Amendment to the United States Constitution.

This denial of entry is made under the authority of Ind. Code 35-43-2-2 and will justify criminal prosecution in the event that it is violated.

I ask that you contact your respective legal advisors, and suggest that your risks and interests are not identical. Please have your legal advisors contact me before proceeding.

Very truly yours,

WERNLE, RISTINE & AYERS

By   
James E. Ayers



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Special James Hose # 572 Meeting  
Friday, March 23, 2012  
MINUTES**

The Montgomery County Drainage Board met on Friday, March 23, 2012 at 3:00 p.m. at 110 W. South Boulevard, Crawfordsville, in the conference room, for a special meeting regarding the James Hose Drain #572.

The meeting was called to order by Chairman Dave Rhoads.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith, member. Phil Rice member was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan, Attorney.

Also present were, Darrell and Sandra Birge, Jim Ayers attorney for the Birges, Joe Miller of Banning Engineering, and Wade Bennett of the Linden Town Board.


Joe Miller reported back to the Board that he checked his calculations. His original plan is still the best plan. Discussion between the landowners, Surveyor, Board, and Joe Miller addressed concerns: how the water would drain onto Mr. Birge's property; what problems to Linden if the town does not follow the Engineer's plan and whether reconstruction assessment rates can be changed after rates have been sent to the landowners. Mr. Miller's report is attached to these minutes as Exhibit A. Mr. Birge requested more top soil be set aside for the finish work. He also asked to be compensated for an easement right of way and for his attorney fees.

**Kenneth Pearson moved, seconded by Dave Rhoads, that the Board followed all legal procedures; the reconstruction is confined to the easement of the legal drain; the time for objection has long since passed and Mr. Birge did not make his objections within the legal time period.; the Board asked the engineer to investigate potential changes to satisfy Mr. Birge's concerns; the cost of changes and their negative impact on the drain exceed the burden the board is willing to impose on other landowners; and therefore the Board should proceed with reconstruction as planned. Motion carried 3-1.** Terry Hockersmith voted "No" in hopes of a compromise with Mr. Birge.

**Kenneth Pearson moved, seconded by Dave Rhoads to adjourn at 4:04 pm. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
\_\_\_\_\_  
Kenneth Pearson, Vice Chairman

  
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Deanna Durrett

Deanna Durrett, Secretary

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Terry Hockersmith, Member

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Phil Rice, Member



*"Your Project is Our Priority"*

March 23, 2012

Mr. David Rhoads, Chairman  
 Montgomery County Drainage Board  
 110 West South Boulevard  
 Crawfordsville, IN 47933

Dear Mr. Rhoads:

We are responding to your request to evaluate changes proposed to Structure 101 on the James Hose Drain Reconstruction. A critical duration series of half hour through 24 hour rainfall durations was used for the evaluations. The analysis was completed both with the manholes in place, and with them cut in place and capped with a steel plate. Storm frequencies ranging from 2-year (50% risk of exceedence in a given year) to 100-year (1% risk of exceedence in a given year) were evaluated. A hydraulic grade line evaluation was completed for structures 101 through 108 and summarized below.

A hydraulic grade line is equivalent to the water surface in an open channel setting or the elevation water would rise to in a pipe under surcharge. We ran the hydrologic and hydraulic model to predict changes in the hydraulic grade line.

**Hydraulic Grade Line Calculations**

Risk of Exceedence	Structure 101	Structure 108
50%	No difference	No difference
10%	+0.18'	+0.04'
2%	+0.76'	+0.15'
1%	+0.88'	+0.16'

I appreciate the opportunity to provide this information, and hope you find it useful.

Regards,

A handwritten signature in black ink, appearing to read "J. Miller", is written over the "Regards," text.

Joseph L. Miller, P.E.

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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, April 2, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, April 2, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice, members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Suanne Milligan, Attorney; and Jennifer Anandel of the Auditor's office.

Also present were, Clint Knoy, Mike Dwenger of Dwenger Excavating, John Wilbur, Wade Bennett, Francis McGrady, Brenda Foster of Foster Farm Drainage, Dave Price of Price Excavating, Heather Conner of Conner Excavating, Jacob Arthur of Arthur's Excavating, Larry Tmbey of Liuna and Mark Kessler.

**Terry Hockersmith moved, seconded by Kenneth Pearson, to approve the March 5, 2012 minutes. Motion carried, 5-0.**

**Bid Openings**

**Foster Fletcher #573 Bid Opening. The following bids were opened:**

Cains Homelike Farms	\$381,819.98
Conner Excavating	\$373,002.32
John Hall Construction	\$337,201.00
Dwenger Construction	\$439,013.17
Dave Price Excavating	\$296,913.00

**Stanford-Elmore #555 Bid Opening. The following bids were opened:**

Arthur's Excavating	\$115,055.50
Maxwell Farm Drainage	\$128,725.00

The meeting was then recessed until 10:00 a.m. for Tom Cummins to review the bids.

The meeting was called back to order and Mr. Cummins reported all bids for the **Foster Fletcher #573** were responsive to the bid packet, the engineering specs. All bid bonds were presented as required. Mr. Cummins recommended the lowest bid of Dave Price Excavating at a total cost of \$296,913.00. The completion date is August 1, 2012. Mr. Cummins reported Dave Price is local and does maintenance work for the City of Crawfordsville. **Phil Rice moved, seconded by Terry Hockersmith, to accept the bid of \$296,913.00 from Dave Price Excavating for the reconstruction of the Foster Fletcher #573 drain. Motion carried, 5-0.**

Mr. Cummins reported all bids for the **Stanford-Elmore #555** were responsive to the bid packet and the engineering specs. All bid bonds were presented as required. . Mr. Cummins recommended the low bid of Arthur's Excavating at a total cost of \$115,055.50. The completion date is November 1, 2012. Francis McGrady inquired who inspects the reconstruction work. Mr. Cummins replied that he is at the reconstruction site as much as possible when work is being done. **Phil Rice moved, seconded by Deanna Durrett, to accept the bid of \$115,055.50 for the reconstruction of the Stanford- Elmore #555 from Arthur's Excavating. Motion carried, 5-0.**

**Old Business**

Tom Cummins and Wade Bennett reported on the progress of the **James Hose #572** reconstruction. It was reported the topsoil would be put on top of tile work on Darrell Birge's property and spread when it settles. Terry



Hockersmith inquired about the manhole design. The manholes will be of the original design. Mr. Bennett reported the Town of Linden has met with Darrell Birge about purchasing his ground as it would be cheaper to buy his ground than change the design of the drain.

Dave Rhoads inquired if language should be included in the bid packets about easements. Tom Cummins reported all drains are classified as regulated drains as defined in Indiana code. Mr. Cummins reported Harvey Construction is doing a good job on the **James Hose #572** reconstruction at Linden. They are keeping the area clean while working. The project should be completed by the end of the year.

**New Business**

Tom Cummins reported that Curt Hudson has inquired if the **Miller-White #577** drain could be separated as the Brent White section does not need work and it is not fair for landowners to pay for work they do not need. Mr. Cummins will look into the legal aspect of holding a hearing to separate the drain if needed.

Tom Cummins has requested that petitioners and petitions not be heard for a couple of months to ease the work load. Mr. Cummins is overseeing several reconstructions at the present in the near future.

Tom Cummins reported there needs to be two Drainage Board members on the interview committee for the new Deputy Surveyor along with himself and a Soil & Water representative. Deanna Durrett offered to serve.

Phil Rice inquired about the **John Galey #518** project. Mr. Cummins reported it is at a standstill with CSX and the insurance contract. It may all have to be re-submitted to CSX because he is working with a new CSX employee.

Jennifer Andel of the Auditor's office reported G-uts have pulled the tax bills to print and the bills will out on schedule.

**No Claims**

**Phil Rice moved, seconded by Kenneth Pearson, to adjourn at 10:29 a.m. Motion carried, 5-0.**

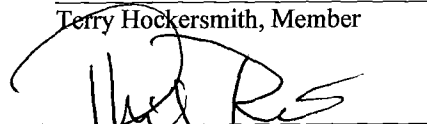
Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

Terry Hockersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, May 7, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, May 7, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer by Suanne Milligan.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; and Phil Rice, member. Member Terry Hockersmith was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Angie Miller Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Merle J. Reeves, Kyle Blades, Daniel McGrady, Grant McGrady, F.C. McGrady, Dennis Rice, Robert Rodgers, Brian Light representing Mary Harmon, Kenneth Moore, Don Mills Steve Traylor of Tipmont REMC, Jeff Myers, Larry Smith of Clark Truck, Randy Perry of Perry Equipment, Jacob Arthur, John Wilbur, Mark Kessler, Marc Bonwell and Bart Maxwell of Maxwell Farm Drainage.

Dave Rhoads introduced the new Deputy Surveyor Angela Garcia Miller who will also work for the Montgomery County Soil and Water.

**Deanna Durrett moved, seconded by Kenneth Pearson, to approve the minutes of the March 21 & 23, 2012 special James Hose meetings and the April 2, 2012 Drainage Board meetings. Motion carried 3-0. Phil Rice abstained.**

**Hearings**

**Swearingen-Runyon #557 Reconstruction Hearing**

Tom Cummins reported there is 344.69 acres in the **Swearingen-Runyon #557** drain and the total cost of the proposed reconstruction would be \$86,000.00. The project would entail;

1,700 ft	24" smooth-corr. tile	@	\$23.00/ft	= \$39,100.00
2,150 ft	18" smooth-corr. tile	@	\$17.00/ft	= \$36,550.00
3,750 ft	Destroy existing tile	@	\$ 1.00/ft	= \$ 3,750.00
1	Gravel road crossing	@	\$2,500/each	= \$ 2,500.00
1	Paved road crossing	@	\$5,000/each	= \$ 5,000.00
				<u>\$86,900.00</u>

Landowners present were Daniel McGrady, Grant McGrady, F.C. McGrady, Kenneth Moore, Don Mills, and John Wilbur. Discussion between landowners, Surveyor and Board addressed

concerns of extending the 12" tile at an increased cost of \$9,000.00-10,000.00, and eliminating the current pump station. The drain would drain naturally with an 18" tile. Mr. Cummins reported due to the increased cost the hearing will have to be re-noticed. **Deanna Durrett moved, seconded by Phil Rice, to continue the Swearingen-Runyon #557 reconstruction hearing to Monday, July 2, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

**Harrison Doyle #617 Reconstruction Hearing**

Tom Cummins reported on the **Harrison Doyle #617** drain, 903.69 acres, in Brown Township. The total cost of the reconstruction would be \$55,675.00. The project would entail:

2,050 ft	15" smooth-corr. tile @	\$13.50/ft	=	\$27,675.00
1,000 ft	12" smooth-corr.tile @	\$11.50/ft	=	\$11,500.00
3,000 ft	Destroy existing tile @	\$ 1.00/ft	=	\$ 3,000.00
1	Gravel road crossing @	\$ 2,500/each	=	\$ 2,500.00
1	New outlet & animal guard	\$1,000/each	=	\$ 1,000.00
2,500 ft	Open ditch dipping @	\$4.00/ft	=	<u>\$10,000.00</u>
	<b>Total</b>			<b>=\$55,675.00</b>

Landowners present were Klye Bladyes, Dennis Rice, Robert Rodgers, and Brian Light representing Mary Harmon. Discussion between the landowners, Surveyor and Board addressed concerns of land not draining into tiles. The separation of the drain would increase the cost to some landowners. The Board discussed the downside of separating the drain. The open ditch has been dipped three times in thirty years. Mr. Rodgers has paid for his own spraying over the years. Mr. Cummins reported the drain is now on a maintenance spray schedule and it is not necessary for Mr. Rodgers to spray. Mr. Cummins will check with other county Surveyors about dividing the cost of tiles and open ditches in a watershed into two drains. **Deanna Durrett moved, seconded by Kenneth Pearson, to continue the Harrison Doyle # 617 reconstruction hearing to July 2, 2012. Motion carried, 4-0.**

**Old Business**

Tom Cummins reported on delays due to moving of waterlines on the **James Hose #572** reconstruction.

Tom Cummins reported on his meeting with the Board of Works and the Crawfordsville Storm Water Utility Board concerning the **William Shelley #706**. Mr. Cummins will continue to have a camera crew map two days a week. As the project is mapped the tiles are cleaned.

Tom Cummins reported the **Foster Fletcher #573** contract documents are ready for Dave Price Excavating to sign and return with a performance bond. Mr. Cummins will sign and then they will be sent to Attorney, Suanne Milligan for review. Weather permitting the project should be done by August 1, 2012.

Tom Cummins reported the **George McClain #541** reconstruction is complete.

## New Business

### Stormwater Reviews

Tom Cummins reported Dave Demoret of 400 Fairlane Dr, Crawfordsville, IN which is in the **William Shelley #706** watershed, would like to build a 24' x 15' room addition. The addition would result in a 4% increase in runoff which is less than the 10% that is allowed. Mr. Cummins recommends approving the plans. **Deanna Durrett moved, seconded by Phil Rice, to approve Dave Demoret's stormwater drainage plan as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-0.**

Tom Cummins reported Lonnie Shelton of 101 N. Grace Ave. Crawfordsville, IN which is in the **William Shelley #706** watershed, would like to build a 12' x 14' storage shed. The storage shed would result in a 2% increase in runoff which is less than the 10% that is allowed. Mr. Cummins recommends approving the plans. **Phil Rice moved, seconded by Deanna Durrett, to approve Lonnie Shelton's stormwater drainage plan as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-0.**

Tom Cummins reported a stormwater plan and review is required by the county stormwater ordinance before building is allowed. Landowner Randy Perry of Perry Equipment was present to discuss his proposed building plan. Other land owners present from the area were Jeff Myers and Larry Smith. Perry Equipment is south of North Montgomery High School. Mr. Perry would like to build a 48' x 96' building and has already ordered and made partial payment for the building as he was unaware of the state and county permits needed to build. Mr. Perry, Mr. Myers and Mr. Smith all believe that drainage issues started when North Montgomery High School was built. Marc Bonwell reported when North Montgomery was built, a drainage plan was not required, but all additions and additional buildings at North Montgomery were required to have a drainage plan. All buildings built before 1990 did not need a drainage plan. The Board recommends that Mr. Perry a stormwater drainage plan with an engineering firm and then get back with Mr. Cummins.

Tom Cummins reported Tipmont REMC would like to build a substation on Mountain Road on 2 ½ acres with no buildings in the plan. The water will run to the open ditch and new culverts will be put in. Their plan meets and exceeds the stormwater ordinance. Steve Traylor reported it should be in place by Thanksgiving. **Phil Rice moved, seconded by Dave Rhoads, to approve the Tipmont REMC Mountain Road Substation. Motion carried, 3-0.** Kenneth Pearson had excused himself from the room.

Landowners from the **Swearingen-Runyon #557** reported back to the room. Francis McGrady reported the landowners would like for an engineer to look at the site as well as Tom Cummins as they would like to eliminate the pump station.

Tom Cummins reported that the tile and bore on the **Linn-Himes #533** in Whitesville is done.

Phil Rice said Monty Harris reported the Sewer Board has everything in place with CSX and Nucor to do the bores under the railroad. Tom Cummins will contact Mr. Harris to inquire who the Board is contacting at CSX.

Tom Cummins reported he will have the long range plan ready for the July meeting.

There were no public comments

**Phil Rice moved, seconded by Deanna Durrett, to cancel the June Drainage Board meeting. Motion carried, 3-0. Kenneth Pearson was not present.**

The next meeting will be Monday, July 2, 2012 at 9:30 a.m. at the Crawfordsville District Public Library.

**Phil Rice moved, seconded by Dave Rhoads, to adjourn the meeting at @11:12 a.m. Motion carried, 3-0.**

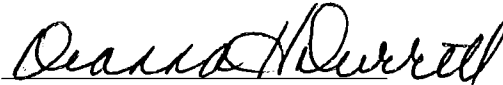
Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary

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Terry Hockersmith, Member

\_\_\_\_\_  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Friday June 15, 2012  
MINUTES**

The Montgomery County Drainage Board met for special meeting on Friday, June 15, 2012 at 1:00 p.m. at 110 W. South Boulevard, Crawfordsville in the conference room.

The meeting was called to order by Chairman Dave Rhoads.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice, members. Present were Tom Cummins, Surveyor; and Angela Garcia Miller Deputy Surveyor.

Also present were Michael Mervis of Mervis Industry and Rick Dewitt.

Tom Cummins presented plans for the Stormwater drainage for Winston-Smith recycling facility located at the south east corner of State Rd 32 and I-74. Mr. Cummins reported the plans were submitted to DLZ and plans adjusted per their comments with their approval on June 8, 2012. Discussion between the landowners, Surveyor and Board addressed concerns of where the detention basin was and the cleanliness of the water leaving the area. This facility will be a collection and distribution center with a transportation hub for its affiliate in Illinois.

**Terry Hockersmith moved, seconded by Kenneth Pearson, to approve the stormwater drainage plan for the Winston-Smith recycling center. Motion carried, 4-0. Deanna Durrett abstained due to conflict of interest.**

Dave Rhoads inquired of the Surveyor of updates to the **Foster Fletcher #573** reconstruction. Tom Cummins reported that ground has been broken and tile has been laid with the project going well with the weather conditions that we have now.

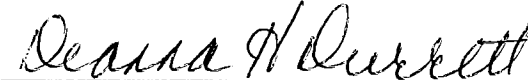
Mr. Rhoads inquired about the progress of the **James Hose # 572** reconstruction at Linden. Mr. Cummins reported it is going well and gas and water lines are being moved as needed.

**Phil Rice moved, seconded by Terry Hockersmith to adjourn the meeting at 1:35. Motion carried, 5-0.**

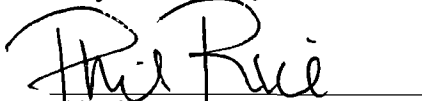
Deanna Durrett,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

\_\_\_\_\_  
Kenneth Pearson, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

  
\_\_\_\_\_  
Terry Hockersmith, Member

  
\_\_\_\_\_  
Phil Rice, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, July 2, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, July 2, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; and Terry Hockersmith, member. Member Phil Rice was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Angie Miller Deputy Surveyor; and Suanne Milligan, Attorney.

Also present were, Merle Reeves, Bart Maxwell, Earl Smith Sr., Sam Cotton, John Wilbur, Bob Rodgers, Grant McGrady, Dan McGrady, Francis McGrady, Don Mills, Kyle Blaydes, Jennifer Andel of the Auditor's office, Morris Mills, and Curt Hudson.

**Kenneth Pearson moved, seconded by Deanna Durrett, to approve the minutes for the May 7, 2012 meeting. Motion carried, 3-0. Terry Hockersmith abstained.**

**Kenneth Pearson moved, seconded by Deanna Durrett, to approve the minutes for the June 15, 2012 special meeting. Motion carried, 4-0.**

**Continuation of the Swearingen-Runyon #557 reconstruction hearing:**

Tom Cummins reported the new findings for the reconstruction. There had been requests from the land owners to extend the tiles and to delete the pump station. Amy Woodall, Surveyor, took elevation shots which showed that the pump station could be eliminated. The new proposed report will have to be re-noticed to landowners as the cost has changed.

1,800 ft of 24" tile    1,900 ft of 18" tile    1,200 ft of 12" tile and 840 ft of 12" tile  
Eliminate the pumping station pond.

Landowners present were John Wilbur, Grant McGrady, Dan McGrady, Francis McGrady, and Don Mills. Discussion between the landowners, Surveyor and Board addressed concerns of the cost being spread over the whole watershed versus of work that benefits some more than others in the watershed. Inquired what would be the extra cost to increase the size of the tile from 18" to 24". Mr. Cummins reported when the new hearing notice is sent out it will include the new estimates for the increased tile size. The final decision can be made at the hearing as all the projected costs will be included in the hearing notice. **Terry Hockersmith moved, seconded by Deanna Durrett, to hold a new reconstruction hearing for the Swearingen-Runyon #557 on**



**August 6, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

**Continuation of the Harrison Doyle # 617 reconstruction hearing:**

Tom Cummins reported the **Harrison Doyle #617** is in Brown Twp. and the watershed is 903 acres. Since the last meeting, Mr. Cummins has researched with other County Surveyors the aspects of splitting the watershed by having sub watersheds. It was recommended not to split the watershed. Landowners present were Merle Reeves, Bob Rodgers, Kyle Blades and Brian Light representing Mary Harmon. Discussion between the landowners, Surveyor and Board addressed concerns of the cost being spread over the whole watershed versus of work that benefits some more than others in the watershed. Bob Rodgers and Brian Light reported they are against having to pay for the reconstruction of the tiles that do not benefit them. Mr. Cummins explained if the tile portion is reconstructed then the open ditch will not fill up with silt and have to be dipped out. **Deanna Durrett moved, seconded by Kenny Pearson, to reconstruct the Harrison Doyle #617 drain for a total cost of \$55,675.00 and at the Surveyor's discretion to use a portion of the maintenance fund towards the reconstruction. Motion carried, 4-0.**

*Hockersmith*  
3-1

**Updates**

Tom Cummins reported the contractor hit water at ten feet near Wright Implements while working on the **Foster Fletcher #573** reconstruction. The contractor is almost to Industrial Blvd.

Mr. Cummins reported the **Richard Thomas #625** reconstruction is finished. Bart Maxwell the contractor who completed the reconstruction met with Jack Fifer who requested reimbursement for 2/3 of an acre of beans which were destroyed when the tiles were moved and a new easement was created. Dave Rhoads requested a plan on refunds be on the agenda of our next strategic planning meeting.

**Deanna Durrett moved, seconded by Terry Hockersmith not to refund Jack Fifer for the crop damage. Motion carried, 4-0.**

Tom Cummins reported the progress on the **James Hose #572** reconstruction that the utility issues are over. The contractor is now two blocks from the detention area at Water and Meridian Streets and they have found the old tiles. Curt Hudson would like the upstream tiles mapped. Mr. Cummins said that area can be mapped after harvest as it has to be dug up every 500 feet.

Mr. Cummins reported mapping has been done up to Louise Ave. on the **William T. Shelley #706** and south of John Beard School. The city storm sewers are not in good shape. Landowner Sam Cotton inquired as to how long the \$100.00 assessment would be in effective. Mr. Cummins reported this is the last year for the \$100.00 assessment and it will be lowered next year.

**Stormwater Review**

Rick Perry was not present from Perry Equipment: no update.

## **Long Range Plan**

The long range plan should be ready for the second meeting in August Mr. Cummins reported.

## **New Business**

### **Stormwater Review**

Stormwater approval: **William T. Shelley #706**

Tom Cummins has received a request to build at 208 Louise Ave. Crawfordsville, IN from Janice Cotton. The request is to build a 10x20 foot carport, remove the existing storage shed and replace with a larger one. The buildings would result in a 5% increase in runoff which is less than the 10% allowed. Mr. Cummins recommends approving the plans. **Deanna Durrett moved, seconded by Kenneth Pearson, to approve the Janice "Sam" Cotton's stormwater drainage plan as it meets the 1998 Shelley Drain Resolution runoff exemption.** Terry Hockersmith inquired as to where it drained to. Mr. Cummins used the GIS projection to show the drainage area. **Motion carried, 4-0.**

Deputy Surveyor Angela Garcia Miller presented her monthly report. Reported she has finished the 4<sup>th</sup> section of the NRCS agreement. The Soil & Water completed the 3<sup>rd</sup> section of the NRCS agreement and she is now compensating them by completing CRP signups. Ms. Miller is receiving various training.

## **Other Business**

Dave Rhoads inquired if drains were to be sprayed this year. Tom Cummins reported a local contractor will do the smaller areas and another contractor will do the larger areas. Curt Hudson reported where spraying was done last year for the **Lye Creek #535** drain nothing is dead. What was sprayed killed the corn and they ran over the crops. Mr. Cummins reported that contractor will not be back. Dave Rhoads reported there is a beaver dam on the **Timothy Lane #602**. Deanna Durrett requested a list of ditches to be sprayed.

The Drainage Board discussed whether there will be a Farm bureau Drainage 101 Class this year. Vicki Emmert will check for them.

Deanna Durrett reported she is making progress to determine the quality of pipes being used, virgin versus no-virgin pipe. She has been in contact the Plastic Pipe Institute.

Earl Smith requested information about the **Carolyn Kenyon #704** and **Joseph Ludlow #586**. Mr. Cummins reported to have a reconstruction for these you must come into the office and sign a petition.

Curt Hudson inquired about the **Miller-White #577** if there is a plan to separate the two drains that share an outlet. Rebecca Miller tile is barely covered and broken down in places and it needs to be reconstructed with its' own outlet. **Deanna Durrett moved, seconded by Terry**

**Hockersmith, to hold a hearing to establish an assessment rate for the Rebecca Miller on August 27, 2012 at 9:30 a.m. at the Crawfordsville District Library. Motion carried, 4-0.**

Don Mills inquired if Tom Cummins had been in contact with Mike Sowers about creating a new drain. Mr. Cummins reported he had phoned him and left a message but has not heard back from him.

Curt Hudson inquired about the **Isaac Shotts #574** camera work on the southeast side of Linden. Tom Cummins reported along with the camera work he is taking depth shots and creating a profile and is 80% done. Mr. Cummins will have the report ready at the August 6, 2012 meeting.

Curt Hudson inquired about the **John Gobin #2 #520**. Tom Cummins reported the camera work has been done and the hole will be closed after crops are harvested on the Wade Bennett property.

Dave Rhoads inquired about the **John Galey #518**. Mr. Cummins reported he is waiting on the final paperwork from the railroad.

Kenneth Pearson inquired about the **Rankin Walkup #579**. Mr. Cummins reported the paperwork has been submitted to the State about the road crossing and when received back from State, he will then solicit bids.

**No Claims**

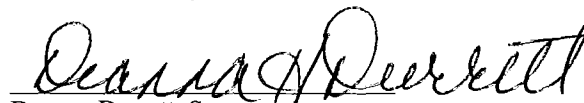
Next meeting will be August 6, 2012 at the Crawfordsville District Public Library at 9:30 a.m.

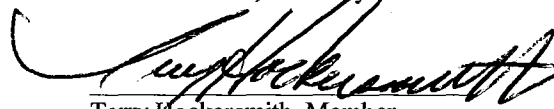
**Kenneth Pearson moved, seconded by Terry Hockersmith, to adjourn at 11:20 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

\_\_\_\_\_  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

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Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, August 6, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, August 6, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; and Terry Hockersmith, member. Kenneth Pearson, Vice Chairman and Member Phil Rice were absent. Present were Tom Cummins, Surveyor; and Suanne Milligan, Attorney.

Also present were, Bart Maxwell Jr., Merle j Reeves, Matt Goings, Daniel McGrady, F.G. McGrady, John Wilbur, Don Mills Kenneth Moore, Mike Patton, Mark Kessler, and Jacob Arthur.

**Deanna Durrett moved, seconded by Dave Rhoads, to approve the minutes for the July 2, 2012 meeting with correction showing that the vote on the Harrison Doyle Drain on July 2, 2012 was 3-1. Motion carried, 3-0.**

#### **Bid Opening**

**Harrison Doyle #617** bid opening. Mr. Cummins opened three bids: Authur Excavating \$24,097.50; Maxwell Farm Drainage; \$37,266.00; Goings Excavation \$41,775.50. Mr. Cummins will review the bids and have a recommendation at the August 27, 2012 meeting.

#### **Hearing**

**Swearingen Runyon #557** reconstruction hearing: This is the second hearing and cost estimate due to the increase in tile size requested by Landowner McGrady. Mr. McGrady is willing to pay the additional cost. By way of clarification, the second cost estimate was also higher due to increased excavation which was not related to the increase in tile size. **Deanna Durrett moved, seconded by Dave Rhoads, to reconstruct the Swearingen Runyon #557 at an estimated cost of \$139,659.00 with the understanding that Frances G. McGrady Revocable Living Trust will pay the additional cost to be calculated when construction is awarded. The bid opening will be at the August 28, 2012 meeting. Motion carried, 3-0.**

#### **Updates**

Updates: Mr. Cummins reported that the **Foster Fletcher #573** is finished although seeding will wait until weather permits. Mr. Rhoads reported that Cracker Barrel will pay \$40,000.00 of the 4-H share of the reconstruction. Ms. Milligan and the Redevelopment Commission's attorney are drafting an interlocal agreement concerning the RDC's offer to pay \$165,000 of the cost of the reconstruction. When the agreement is ready, she will notify the board should there be interest in signing the agreement at a special meeting before the 8/27/12 meeting.

The **James Hose #572** is almost finished with positive reports from the engineer and the Town Board.

Mr. Cummins finished mapping the **William Shelley #706** and is prepared to create a new water shed map. When that is accomplished, he will meet with the Crawfordsville Storm Water Board to determine their interest in taking over the portions that do not outlet into the Shelley. He will also calculate assessments for 2013.

Mr. Cummins will have a report about the **Isaac Shotts #574** at the 8/27/12 meeting.

**New Business:**

Both Mr. Cummins and Ms. Durrett are seeking information about virgin and recycled pipe.

Mike Patton asked that the reconstruction of the **Charles Cowan #510** be postponed until after harvest. Should the tile be installed before harvest, he would have to run over it. Contractor Arthur was agreeable to the postponement.

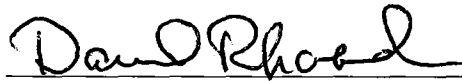
Mr. Cummins presented a list of 44 drains being sprayed this year.

The next meeting will be 8/27/12: Awarding of the bid for **Harrison Doyle #617**; bid opening for the **Swearingen Runyon #557**; discussion of **Isaac Shotts #574**, Long range plan, set a date in October for strategic planning.

The meeting was adjourned at 10:30 am.

Deanna Durrett,

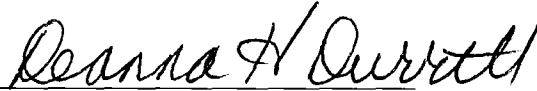
Secretary



David Rhoads, Chairman

---

Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hoekersmith, Member

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Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, August 27, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, August 27, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Kenneth Pearson, Vice Chairman and Phil Rice member. Terry Hockersmith, member was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Angie Miller Deputy Surveyor.

Also present were, Bart Maxwell Jr., Merle J. Reeves, Matt Goings, Grant McGrady, John Wilbur, Don Mills, Monty Storms, Randy Perry, Kyle Blades, Mary Winger, Curt Hudson, Dean Gaylor, and Jacob Arthur.

**Deanna Durrett moved, seconded by Dave Rhoads, to approve the minutes for the August 6, 2012 meeting. Motion carried, 4-0.**

**Bid Openings**

Tom Cummins reported the bids for the **Harrison Doyle #617** were opened at the August 6, 2012 meeting. All bids were responsive and after reviewing recommend's Arthur Excavating.

Arthur Excavating	\$24,097.50
Maxwell Farm Drainage	\$37,266.00
Goings Excavation	\$41,775.50

**Deanna Durrett moved, seconded by Kenneth Pearson, to award the bid of \$24,097.50 for the Harrison Doyle #617 reconstruction to Arthur Excavating. After discussion. Motion was defeated 2-2.**

**Dave Rhoads moved, seconded by Deanna Durrett, to award the bid of \$37,266.00 for the Harrison Doyle #617 reconstruction to Maxwell Farm Drainage. After discussion. Motion carried, 3-1.**

Tom Cummins opened bids for the **Swearingen-Runyon #557**

Maxwell Farm Drainage	\$124,287.75
Arthurs Excavating	\$103,754.10
Goings Excavation	\$121,229.75

Mr. Cummins recommends holding a special meeting on September 17, 2012 to allow time to review the bids. **Deanna Durrett moved, seconded by Kenneth Pearson, to award the bid on Sept 17, 2012 at 8:00 a.m. at 110 W. South Boulevard, Crawfordsville, IN. Motion carried, 4-0.**

## Petitions

Tom Cummins reported receiving a petition to advance the date from Earl Smith for the **Carolyn Kenyon #704** as it is in need of a reconstruction on the upstream portion. Mr. Smith owns 16-17% of the watershed. **Deanna Durrett moved, seconded by Phil Rice, to accept the petition to advance the date to hold a petitioners hearing for the Carolyn Kenyon #704 on October 1, 2012 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.**

Tom Cummins reported receiving a petition to advance the date from Russell Hutchison, Jeff Bane and Jim Fulwider for the **Joseph Ludlow #586**. It is in Coal Creek Twp. **Deanna Durrett moved, seconded by Phil Rice, to accept the petition to advance the date to hold a petitioners hearing for the Joseph Ludlow #586 on October 1, 2012 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.**

Tom Cummins reported receiving a petition to advance the date from David Taylor for the **John Gobin #2; Tributary 3 #520**. Mr. Taylor owns 22 % of the watershed. **Deanna Durrett moved, seconded by Dave Rhoads, to accept the petition to advance the date to hold a petitioners hearing for the John Gobin #2; Tributary 3 #520 on October 1, 2012 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.**

Tom Cummins reported receiving a petition to take jurisdiction of a private drain from Curt Hudson in Madison Twp. The petitioner desires the drain to become part of the **Isaac Shotts, #574**. The drain is a 12" plastic pipe. Mr. Cummins recommends allowing the private drain to be named **Isaac Shotts, Tributary #2, #574**. **Deanna Durrett moved, seconded by Dave Rhoads, to accept the recommendations of the Surveyor as it meets the specifications required and take jurisdiction of the private drain from Curt Hudson and allow it to become the Isaac Shotts Tributary #2 #574. Motion carried, 4-0.**

## Hearings

Tom Cummins recommended a continuation of the **Rebecca Miller #N/A** maintenance assessment hearing as the required paperwork is not available today. **Dave Rhoads moved, seconded by Phil Rice, to continue the maintenance assessment hearing for the Rebecca Miller #N/A to the special meeting on September 17, 2012 at 8:00 a.m. at 110 W. South Boulevard, Crawfordsville, IN. Motion carried, 4-0.**

## Petition

Tom Cummins reported receiving a petition to take jurisdiction of a mutual drain from Larry Warrick, Don Mills, Kenneth Moore, and Mike Sowers. It is in Ripley Township. The petitioners desire the drain to become the **Swearingen-Runyon#2**. Mr. Cummins recommends allowing the mutual drain to be named the **Swearingen Runyon #2 #716** as it will be a new regulated drain. **Phil Rice moved, seconded by Deanna Durrett, to approve the petition from landowners Larry Warrick, Don Mills, Kenneth Moore, and Mike Sowers to take jurisdiction of a mutual drain and create the new Swearingen-Runyon #2 #716 drain. Motion carried, 4-0.**

Tom Cummins reported receiving a petition to attach to the **John McCorkle #608** from Phil Rice. There is a breather in the State Highway Right of Way and Mr. Rice would like to move it into the field. Mr. Cummins recommends allowing the attachment. **Kenneth Pearson moved, seconded by Deanna Durrett, to allow the attachment to the John McCorkle #608 from Phil Rice. Motion carried, 3-0. Phil Rice abstained.**

**Stormwater approval:**

Tom Cummins reported the final drainage plan for the new building at Perry Equipment was submitted to DLZ and they gave their approval of the stormwater plans. **Phil Rice moved, seconded by Deanna Durrett, to approve the stormwater drainage plans from Perry Equipment at 115 W. 580 N. Crawfordsville, IN. Motion carried, 4-0.**

**William T. Shelley #706**

Tom Cummins has received a request to build at 2110 Indianapolis Rd, Crawfordsville, IN from Dickerson LLC. The request is to build a 54' x 68' foot pole building. The building will be built on the existing gravel area. The building would result in a 1% increase in runoff which is less than the 10% allowed. Mr. Cummins recommends approving the plans. **Kenneth Pearson moved, seconded by Deanna Durrett, to approve the Dickerson LLC stormwater drainage plan as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 4-0.**

Tom Cummins presented the Board with a copy of the 1998 **William T. Shelley #706** no build resolution. Mr. Cummins recommends since the mapping is complete and repairs are being completed that the resolution be taken to the commissioners to be rescinded. Phil Rice recommends that all existing drainage issues be completed before presenting to the commissioners. Mr. Cummins will inquire about what steps to take to rescind the resolution before the September 17, 2012 meeting.

**Old Business**

Tom Cummins presented the Board with the 2012 long range plan overview.

**New Business**

There was none.

Angela Garcia Miller, Deputy Surveyor, presented her monthly report to the Board.

**Public Comment**

Monty Storms of Prinsco would like to present a program on the ego flow 100 pipe design to the Board. Dave Rhoads stated the Board would like to talk to an uninvolved engineer about pipe design before Mr. Storms presents.



**Other Business**

The Drainage 101 Class sponsored by the Indiana Farm Bureau will be Wednesday, August 29, 2012. Dave Rhoads, Angela Miller, Phil Rice and Suanne Milligan will be attending.


Phil Rice inquired if camera work will still be done on the **John McCorkle # 608** as INDOT is re-aligning I-74. Mr. Cummins responded in the affirmative.

The next meeting will be September 17, 2012 at 8:00 a.m. at 110 W. South Boulevard.

**Dave Rhoads moved, seconded by Phil Rice, to adjourn the meeting at 11:05 a.m.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, September 17, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, September 17, 2012 at 9:30 a.m. at 110 W. South Boulevard, Crawfordsville, IN. in the conference room.

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

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

Also present were, Richard Klepfen, John Wilbur, Brenda Foster, Jacob Arthur, Brenda Light, Matt Goings, Rick Cain, Dean Rush, David McGrady, Curt Hudson, Francis McGrady, Don Mills, Jeff Tolin, Connie Tolin, Bev Rice, and Frank Phillips of "The Paper".

There were no minutes to approve.

**Hearing**

Tom Cummins reported the **Miller-White #577** should be separated into two drains and recommends a new drain be created called the **Rebecca Miller #718** and have an assessment rate of \$4.00 an acre with a \$5.00 minimum. There are 481.86 acres in the watershed. The old drain will revert back to the **Brent White #577** drain. Landowner Curt Hudson was present. Discussion between the landowner, Surveyor and Board addressed concerns of the separation of the drain that it would increase the cost to the **White** section that is not in need of a reconstruction if not separated. The new drain would be called **Rebecca Miller #718**. Each drain would have its' own outlet. **Deanna Durrett moved, seconded by Phil Rice, to create the Rebecca Miller #718 drain with an assessment of \$4.00 an acre with a \$5.00 minimum to start in 2013. Motion carried, 5-0.**

**Old Business**

Tom Cummins reported he has reviewed the bids for the **Swearingen-Runyon #557** and that Arthurs Excavating has withdrew their bid, which leaves Maxwell Farm Drainage bid of \$124,287.75 and Goings Excavating bid of \$121,229.75. At this time Maxwell Farm Drainage requested to withdraw their bid. **Phil Rice moved, seconded by Deanna Durrett, to acknowledge that Arthurs' Excavating and Maxwell Farm Drainage both have withdrawn their bids. Motion carried, 5-0.** Deanna Durrett inquired if Goings Excavating was a responsive bid. Mr. Cummins reported all bids were responsive. Tom Cummins recommends that Goings Excavation be awarded the bid. **Phil Rice moved, seconded by Kenneth Pearson, to award the Swearingen-Runyon #557 to Goings Excavation for a total of \$121,229.75. Motion carried, 5-0.**

**Other Business**

Tom Cummins reported the **Stanford Elmore #555** reconstruction project that the 24" and 30 " tiles were incorrectly installed without a polyester nit filter cover. The specifications stated it was to be installed with a polyester nit filter covering over the 24" and 30" tiles. The contactor is Arthur Excavating.

Landowners present were; Dean Rush, Dick Klepfen, Daniel and Francis McGrady, John Wilbur, and Don Mills representing Russell Fruits. Discussion between the landowners, Surveyor, Board, contractor, and public addressed concerns of whether the tiles would perform correctly without the filter covering over them, whether the smaller tiles that have not been installed would now work correctly and what should be done to correct the situation and who should pay for the work.

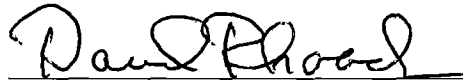
After lengthy discussion and several motions made and withdrawn by the makers, **David Rhoads moved, seconded by Phil Rice, that although the specifications on the bid for the Stanford Elmore #555 drain were not met by Arthur's Excavating, and after considering the landowners' requests, and in order not to disturb more topsoil and already-installed laterals, and to benefit the landowners, that the 30-inch, 24-inch, 18-inch and 15-inch tile already installed at the present time remain as installed; and that all remaining new tile yet to be installed in accordance with the specifications, be installed with polyester nit filters ("socks"), at Arthur Excavating's expense. Motion carried, 4-1. Terry Hockersmith opposed.**

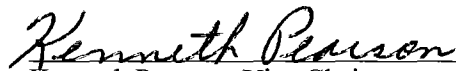
Connie Tolin of the **Harrison Doyle #617** read a statement requesting information as to why the Board decided not to use the lowest bid contractor for the **Harrison Doyle #617** reconstruction project. The Board responded that there was a quorum at the meeting. Landowners received notice of the reconstruction hearing and were invited to attend the meeting and follow the process of a reconstruction hearing and bid process. The Board did not select the lowest bid as they did not feel it was the most responsive and responsible bid for the job to be performed. Landowners present did not object.

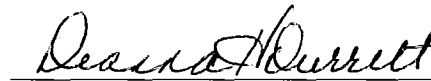
The next meeting will be October 1, 2012 at the Crawfordsville District Public Library at 9:30 am.

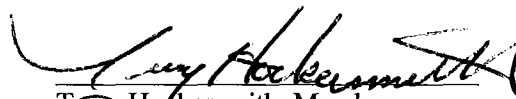
**Phil Rice moved, seconded by Kenneth Pearson, to adjourn the meeting at 10:40 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, October 1, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, October 1, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer by Phil Rice.

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

Also present were, Matt Goings, Bart Maxwell, Rob Wood, Mark Schildmeier, John Wilbur, Brian Liotti, Brenda Foster, Mark Kessler, Russell Hutchison, Doug Mills, Earl Smith, and Frank Phillips of "The Paper".

**Deanna Durrett moved, seconded by Phil Rice, to approve the August 27, 2012 Drainage Board minutes. Motion carried, 4-0. Terry Hockersmith abstained.**

**Deanna Durrett moved, seconded by Phil Rice, to approve the September 17, 2012 Drainage Board minutes. Motion carried, 5-0.**

### **Reconstruction Bid Opening**

Tom Cummins reported he has received four bids for the **Rankin Walkup #579** reconstruction.

Goings Excavating	\$92,078.00
Snyder Construction	\$92,900.00
Midwest Mole, Inc.	\$126,020.00
Culy Construction	\$94,740.00

A ten minutes recess was taken for Mr. Cummins to review the bids.

Mr. Cummins reported all bids were responsive and recommended that the reconstruction project for the **Rankin Walkup #579** be awarded to Goings Excavating for \$ 92,078.00. **Terry Hockersmith moved, seconded by Deanna Durrett, to award the Ranking Walkup #579 reconstruction project to Goings Excavating. Motion carried, 5-0.** The time frame to be completed is by December 1, 2012.

### **Petitioner Hearings**

Landowner Earl Smith was present for the **Carolyn Kenyon # 704** petitioner hearing. It is in Coal Creek Township. A section of the drain was reconstructed in 2009 to the outlet. The upstream area now has drainage problems. Mr. Smith reported even with the drought this year he has had a seven acre ponding issue twice. Following discussion, **Phil Rice moved, seconded by**

**Kenneth Pearson, to hold a reconstruction hearing for the Carolyn Kenyon #704 drain on December 3, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Landowner Russell Hutchison was present for the **Joseph Ludlow #586** petitioner hearing. It is in Coal Creek Township. In 1988 the main outlet was reconstructed. Following discussion, **Deanna Durrett moved, seconded by Dave Rhoads, to continue the Joseph Ludlow #586 petitioner hearing to November 5, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

There were no landowners present for the **John Gobin #2 #520 Tributary 3** petitioner hearing. Tom Cummins reported that this section of the **John Gobin #2 #520 Tributary 3** that the camera work is complete. David Taylor the petitioner owns 16.5 % of the watershed. Following discussion, **Deanna Durrett moved, seconded by Phil Rice, to hold a reconstruction hearing for the John Gobin #2 #520 on Monday, November 5, 2012 at 9:30 a.m. at the Crawfordsville District Public Library.**

### **Stormwater Reviews**

Tom Cummins reported he has received a revised request to build at 400 Fairlane Dr., Crawfordsville from Dave Demoret in the **William T. Shelley #706** watershed. In May a request to build a 24' x 15' addition was approved that would increase the runoff to 4%. The revision would be to build a 9' x 8' concrete porch. This would be a 1% increase in runoff. Mr. Cummins recommends approving the plans. **Deanna Durrett moved, seconded by Phil Rice, to grant the revised request to build a 9' x 8' concrete porch as it is within the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 5-0.**

Tom Cummins has received a request to build at 603 Louise Avenue in Crawfordsville from Leatha Coffing. The request is to build a 10 x 12 storage building. The building would result in a 1% increase in runoff which is less than the 10% allowed. Mr. Cummins recommends approving the plans. **Phil Rice moved, seconded by Kenneth Pearson, to approve Leatha Coffing's stormwater drainage plan as it meets the 1998 Shelley Drain Resolution runoff exemption. Motion carried, 5-0.** Terry Hockersmith inquired if the City of Crawfordsville will tie into the **William T. Shelley #706 drain**. Mr. Cummins reported he is creating a map for the area to be used in that decision.

### **Old Business**

#### **William T. Shelley #706**

Deanna Durrett read the following statement:

Whereas:

1. Over the past several decades, land in the Shelley Drain Watershed frequently flooded and remained flooded for weeks at a time. Three studies, two by the Army Corp of Engineers, concluded that to solve the problem the drain should be reconstructed. They estimated a cost of several millions of dollars. As a result of the extreme cost, the Drainage Board took no action.

2. In 1998, as flooding increased, the Montgomery County Drainage board, composed of three county commissioners, adopted a resolution limiting any construction in the Shelley Drain watershed to no more than 10% increased runoff. This resolution, which has guided the Drainage Board since that time, precludes significant development in the Shelley Drain watershed.
3. In 2009, Surveyor Cummins suggested that for much less money than the millions of dollars estimated to reconstruct the drain, he could map and repair it. In as much as assessment had not been collected for many decades, no funds were available for the mapping or repair. Subsequently, the Drainage Board held the required public meeting and raised the assessment on each parcel to \$100 per year to begin in 2010 and to be lowered after no more than three years.
4. In 2012 Mr. Cummins completed his mapping. He discovered that the western section of the drain had been severed during the city's construction of a storm sewer and was no longer functioning as the Shelley Drain. His repair of blockages in the drain during the camera survey has improved the drain's functioning. In addition, the Shelley Drain maintenance account now has adequate funds to begin more extensive repair.

Therefore:

**I move to rescind the 1998 Shelley Drain resolution, seconded by Dave Rhoads.**

**Motion carried, 5-0.** Phil Rice inquired about the outlet at the Raybestos. Tom Cummins reported a new watershed will be created for the **William T. Shelley #706.**

Tom Cummins reported that an updated schedule of assessments for the **Brent White #577** has been completed. Mr. Cummins recommends the assessment stay at \$2.26 with a \$5.00 minimum with a yearly total of \$661.70. The schedule of assessment will be sent to the Auditor's office.

Suanne Milligan read the proposed resolution between the Drainage Board and the Crawfordsville Redevelopment Committee that would release monies of \$163,000.00 to fund the **Foster Fletcher #573** reconstruction project. **Terry Hockersmith moved, seconded by Phil Rice, to accept the resolution between the Drainage Board and the Crawfordsville Redevelopment Committee. Motion carried, 5-0.** A copy of the Resolution and Interlocal Agreement is attached. After the Crawfordsville Redevelopment Commission passes a similar resolution. Tom Cummins will receive a copy of the resolutions and agreement and make a claim to turn into the City for payment of the funds.

### **Deputy Surveyor Report**

Angela Garcia Miller gave her monthly report stating that she has finished the 2012 contribution agreement and has started on the 2013 agreement.

### **Other Business**

There was none.

**Public Comment**

Frank Phillips of "The Paper" requested a copy of the resolution with the City for the **Foster Fletcher #573** resolution.

Phil Rice inquired if camera work would be done on the **John McCorkle # 608** while Tom Cummins is in the area. There are two tile holes on the north side and one in the field. Mr. Cummins will provide camera work on this drain.

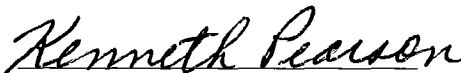
Deanna Durrett reported she has written an article about the section corner project in Montgomery County for the Surveyor and Board to review before it is to be sent onto the public.

There will be a strategic planning meeting on Monday, November 19, 2012 at 9:00 a.m. at 110 W South Boulevard, Crawfordsville in the conference room.


**Phil Rice moved, seconded by Terry Hockersmith to adjourn @ 10:40 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

  
Kenneth Pearson, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Phil Rice, Member

## Intergovernmental Cooperation Agreement

This agreement is between the Montgomery County Drainage Board of Montgomery County, Indiana ("Board"), and the Redevelopment Commission of the City of Crawfordsville, Indiana ("Commission").

### Background

- The officials of the Montgomery County Drainage Board and the Crawfordsville Redevelopment Commission have decided to utilize Indiana's Interlocal Cooperation statute to improve a county drain that mutually benefits Montgomery County's residents as well as the Crawfordsville Commerce Park Economic Development Area ("EDA").
- The Board has undertaken specific improvements to the Foster-Fletcher Drain in Montgomery County, State of Indiana.
- The Commission has funds available in its Crawfordsville Square Tax Increment Finance Allocation Fund to assist the Board with this project.
- The Board and the Commission have reached an agreement regarding the drain's improvements, funding, and other matters.
- The parties have determined that their cooperation in this matter is appropriate, desirable, practicable, and beneficial for the parties and their citizens, and Indiana Code §36-1-7-1 et seq. provides for such agreements in such circumstances.

The parties therefore agree as follows:

1. **Agreement Term.** This Agreement shall be effective upon its approval by proper resolution of the Board and Commission, and upon the execution of the Agreement. This Agreement shall remain in effect through the conclusion of the Foster-Fletcher Drain Improvement Project (the "Project").
2. **Financing, Staffing, and Budgeting.** The Commission shall reimburse the Board up to the sum of \$163,000 for the Project's cost. The Board shall devise a Project budget with the contractor the Board selects under I.C. § 36-1-12. The Board shall serve as the project owner in all dealings with the project contractor. As the contractor completes phases of the project, the Board shall pay for the construction costs, and then submit claims to the Commission along with payment proof seeking reimbursement.
3. **Administration.** A joint board consisting of one Board member, one Commission member, and the County Surveyor shall administer this agreement. Further, the Montgomery County Auditor shall assist the joint board and keep an official record of its proceedings, along with maintaining records of the projects costs, payments, and reimbursement claims.
4. **Facilities Use, Ownership, and Maintenance.** The Board shall be responsible for all maintenance, upkeep, and repairs to the Foster-Fletcher Drain and related improvements.
5. **Indemnification.** The Board agrees to indemnify and defend the Commission, its officers, agents, employees, contractors, and volunteers from any and all claim or threat of claim, loss, liability, judgment, or lien arising out of the Board's own negligence and that of its officers, agents, employees, contractors, or volunteers in connection with the Project.
6. **Amendment or Termination.** The parties may alter or amend the terms and conditions of this agreement, or agree to terminate this agreement by mutual written agreement, any alteration,



amendment, or termination of this agreement requires the written approval of the Board, the County's executive body, the Commission, and the City of Crawfordsville's executive.

7. **Authority.** The undersigned officials represent that this agreement has been approved by properly adopted resolutions by the Board and Commission. They further represent that they have been authorized to bind the Board and Commission to the terms and conditions of this Agreement.

8. **Miscellaneous.**

8.1 This Agreement shall be construed under the laws of the State of Indiana. This Agreement contains the parties' entire agreement, and no verbal agreements shall be binding.

8.2 In the event any provision of this agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other agreement provision.

8.3 This agreement is entered into under I.C. 36-1-7, *et seq.*, as the same may be amended or supplemented from time to time. This agreement, and any amendments or supplements to it, shall be recorded in the office of the Montgomery County Recorder after approve by the Board and the Commission and shall be filed with the State Board of Accounts for audit purposes, all as required under I.C. 36-1-7, and shall not be deemed enforceable and binding until recorded with the County Recorder.

8.4 This agreement may be executed in counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement on the respective dates accompanying their signatures below, in Montgomery County, Indiana.

Montgomery County Drainage Board,

Date: Oct 1, 2012 By: David A Rhoad

Attest: Deanna A Dockett

Crawfordsville Redevelopment Commission,

Date 26 Sept 2012 By: Stephen Gollhofer  
Stephen Gollhofer, President

Attest: David A Rhoad

Resolution No. 01 - 2012

**A Resolution Approving an Intergovernmental Cooperation Agreement between  
Montgomery County Drainage Board and the Crawfordsville Redevelopment Commission  
Regarding the Foster-Fletcher Drain Project**

WHEREAS, for the reasons stated in the Intergovernmental Cooperation Agreement, the Montgomery County Drainage Board believes that it is in the best interests of Montgomery County's citizens to enter the intergovernmental agreement regarding use, funding, and other matters surrounding the maintenance of and repairs to the Foster-Fletcher Drain located in Montgomery County, Indiana;

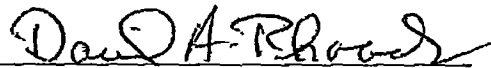
AND WHEREAS, it is, therefore, in the best interests of Montgomery County's citizens that the Board and the Crawfordsville Redevelopment Commission enter into the attached intergovernmental agreement.

IT IS, THEREFORE, RESOLVED that the attached intergovernmental agreement is hereby approved by majority vote of the Montgomery County Drainage Board and the President of the Board is authorized to execute the agreement and bind the Board to the terms and conditions of the agreement.

IT IS FURTHER RESOLVED that the Board's president shall forward to the Commission's president a copy of this resolution and the intergovernmental agreement for consideration by the Crawfordsville Redevelopment Commission.

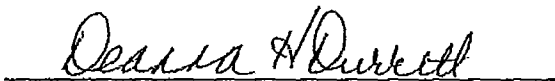
IT IS FURTHER RESOLVED that the intergovernmental agreement shall become effective as soon as the Crawfordsville Redevelopment Commission adopts a reciprocal resolution approving the agreement and the respective authorized representatives sign the agreement on behalf of each party.

Adopted and passed by majority vote of the Montgomery County Drainage Board,  
Montgomery County, Indiana this 1 day of October 2012.



President, Montgomery County Drainage Board

ATTEST:





**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, November 5, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, November 5, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

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

Also present were CK Wilkins, Carl E Gwin, John Spitznagel, Phil Spitznagel, Russell Hutchison, Laron Knight, Andy Springer, Jeff Myers, Mary Rose Duncan, Wade Bennett, Mark Kessler, and Rick Holtz of "The Paper".

**Deanna Durrett moved, seconded by Kenneth Pearson, to approve the October 1, 2012 Drainage Board minutes. Motion carried, 5-0.**

**John Gobin 2 # 520 Hearing**

Tom Cummins reported that all the landowners for the **John Gobin 2 Tributary 3 #520** were notified of the hearing. A new landowners list was presented with the projected cost of **Tributary 3** to only those who would be affected. Landowners present were: CK Wilkins, Carl E. Gwin, John Spitznagel, Phil Spitznagel, Laron Knight and Andy Springer representing Farmland Reserve Incorporated, Jeff Myers, Mary Rose Duncan and Wade Bennett. Discussion between the landowners, Surveyor and the Board addressed the proposed costs and the projected cost of the reconstruction. INDOT will pay 100 % of the cost of the bore under the highway and CSX will pay 50% of the cost of the bore under the railroad. The total watershed is 1532.45 acres, **Tributary 3** is 146.43 acres. The proposal is for 146.43 acres at \$880.02 an acre for a total of \$128,861.75 and the projected cost is \$491.70 an acre to landowners after payment by the State and CSX for a total of \$71,999.19.

1,390 ft.	15" HDPE pipe	@ \$10.50/ft	= \$14,595.00
1,050 ft.	12" HDPE pipe	@ \$9.00/ft	= \$9,450.00
900 ft	10" HDPE pipe	@ \$6.00/ft	= \$5,400.00
2,600 ft.	Tile destruction	@ \$1.00/ft	= \$2,600.00
120 ft	Jack & bore	@ \$450.00/ft	= \$54,000.00
120 ft.	30" steel casing pipe	@ \$150.00/ft	= \$18,000.00

120 ft.	15" PVC carrier pipe	@ \$20.00/ft	= \$2,400.00
120 ft.	Restrained casing spacers	@ \$11.81/ft	= \$1,416.75
120 ft.	Flowable fill existing	@ \$50.00/ft	= \$6,000.00
CSX and INDOT Fees		@ \$5,000.00/ea.	= \$5,000.00
<u>Engineering Fees</u>		<u>@ \$10,000.00/ea.</u>	<u>= \$10,000.00</u>
<b>Total</b>			<b>= \$128,861.75</b>

**Deanna Durrett moved, seconded by Phil Rice, to approve the John Gobin 2 Tributary 3 #520 reconstruction at \$128,861.75 for \$880.02 an acre with a projected cost of \$71,999.19 for \$491.70 an acre assessed to landowners after payment by the State and CSX, with Phil Rice requesting all billing notices to landowners be accurate from the Auditor's office. Motion carried, 5-0.**

Bid opening was announced for the **John Gobin 2 Tributary 3 #520** to be April 1, 2013.

**Petitions**

Tom Cummins reported he has received petitions to advance the date for petitioner hearings for the **Rebecca Miller # 718** from Cindy Hudson and Steve Hudson; the **Jesse Evans #514**, from Adrian McClain; and the **Isaac Shotts #574**, from Cindy Hudson. **Kenneth Pearson moved, seconded by Terry Hockersmith, to advance the date to hold petitioner hearings for the Rebecca Miller #718, Jesse Evans #514 and the Isaac Shotts #574 to December 3, 2012 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 5-0.**

**Old Business**

Tom Cummins reported that after more research for the **Joseph Ludlow #586**, he has determined that it is all old clay tiles and there is no indication that it was ever completely reconstructed. Mr. Cummins could do camera work to verify his findings from his research, but sees no reason to spend the extra money. There have been waterways redone in the past but not the drain. Over the years many tile holes have been repaired. It was built in 1909. The middle portion was reconstructed by Darrell Birge in 1983. Landowner Russell Hutchison was present. **Deanna Durrett moved, seconded by Phil Rice, to hold a reconstruction hearing for the Joseph Ludlow #586 on Monday, January 7, 2013 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Mr. Cummins reported the reconstructions for the **Rankin Walkup # 579**, the **Charles Cowan #510**, and the **Stanford Elmore #641** are now complete. The **Swearingen Runyon #557** work has begun and the **John Galey #518** and have held the first meeting with the URS.

There was no new business.

**Deputy Surveyor Report: Angie Miller**

Angie Miller reported that GIS layers have been created at the Surveyor's office depicting areas she will be working in for the SWCD. This will streamline work so she will be able to check CRP and legal drains at the same time.

**Other Business**

Phil Rice reported a breather has been placed in his field at no cost to **John McCorkle #608**.

Terry Hockersmith inquired if a claim has been made for the **Foster Fletcher #573** and if the money will be applied directly toward the balance. Mr. Cummins reported he is ready to meet with the Crawfordsville Redevelopment Commission and that \$163,000.00 from CRC will be applied to the loan.

There were no claims or public comment.

The next meeting will be the strategic planning meeting on November 19, 2012 at 9:00 a.m. at 110 W South Boulevard, Crawfordsville.

**Phil Rice moved, seconded by Terry Hockersmith, to continue to hold the Board meetings on the first Monday of each month in 2013, except for May & September 2013. Motion carried, 5-0.**

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 10:36 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman



Kenneth Pearson, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Strategic Planning Meeting  
November 19, 2012  
MINUTES**

The Montgomery County Drainage Board met for a strategic planning meeting on Monday November 19, 2012 at 9:00 a.m. at 110 W. South Boulevard, Crawfordsville in the conference room.

The meeting was called to order by Chairman Dave Rhoads.

Board members in attendance were Dave Rhoads, Chairman; Kenneth Pearson; Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Phil Rice, members. Present were Tom Cummins, Surveyor; Deputy Surveyor Angela Miller, Attorney Suanne Milligan and Vicki Emmert, Recording Secretary.


Information was presented concerning the use of virgin pipe versus the use of recycled pipe for reconstruction projects were discussed. **Terry Hockersmith moved, seconded by Phil Rice, that all bids received from contractors will specify only 100 % virgin polyethylene pipe. All reconstruction bid packets include: drainage code and bid bond requirements, completion date, description and requirements of the project, rate sheet, insurance requirements, aerial map view, stone bedding requirements and an itemized bid sheet and a sign off sheet that all terms have been read and understood. Motion carried, 5-0.**

**Phil Rice moved, seconded by Terry Hockersmith, from this day forward on all reconstruction projects grade verification camera work will be done at the completion of the project before any check is cut to the contractor. Motion carried, 5-0.**

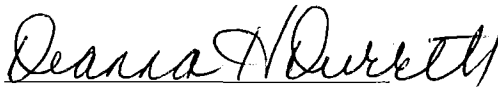
Dave Rhoads directed Tom Cummins to gather financial numbers from area camera crews on projected cost of the use of their equipment for length of cables used and their hourly rates for the next meeting on December 3, 2012.

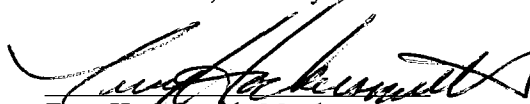
Suanne Milligan recommended the Board develop their own policy and definition of what responsible means in the bidding process.


The meeting was adjourned at 10:40 a.m. Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

\_\_\_\_\_  
Kenneth Pearson, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

  
\_\_\_\_\_  
Terry Hockersmith, Member

  
\_\_\_\_\_  
Phil Rice, Member





**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, December 3, 2012  
MINUTES**

The Montgomery County Drainage Board met on Monday, December 3, 2012 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

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

Also present were Kimberly Knee, Michael Knee, William Frazee, Cynthia Frazee, Ed Runyan, David Coffing, Don Mills, Earl Smith, Adrian McClain, Steve Hudson, Ron & Ramona Masten, Ken Campfield, Curt McClain, Richard E. Myers, Larry W. Myers, Joe Miller of Banning Engineering, Bart Maxwell, Curt Hudson, and Barry Lewis of the "Journal Review".

**Phil Rice moved, seconded by Kenneth Pearson, to approve the November 5, 2012 Drainage Board minutes. Motion carried, 5-0.**

**Hearing**

Tom Cummins presented the report for the proposed Carolyn Kenyon #704 reconstruction. The drain is in Coal Creek Twp. and has 326.56 acres in the watershed with a proposed reconstruction assessment of \$208.38 per acre.

2,550 ft	18" smooth-corr.tile	@	\$16.00/ft	= \$40,800.00
800 ft	15" smooth-corr.tile	@	\$12.00/ft	= \$ 9,600.00
1,300 ft	12" smooth-corr.tile	@	\$10.00/ft	= \$13,000.00
4,650 ft	Destruction of existing tile	@	\$4.00/ft	= \$10,000.00
			Total	= \$68,050.00

Landowners present were: Kimberly Knee, Michael Knee, William Frazee, Cynthia Frazee, David Coffing, Earl Smith, Ron & Ramona Masten, and Ken Campfield. Discussion between the landowners, Surveyor and the Board addressed the area to be reconstructed, the cost of the project, the past reconstruction of a section of the **Carolyn Kenyon #704**, and how the watershed boundary was designed. Ron & Ramona Masten, Kimberly Knee, Michael Knee, William & Cynthia Frazee were opposed to the reconstruction as they cannot afford another reconstruction at this time. Terry Hockersmith Board member stated that 52% of the landowners were opposed. Other landowners stated they had participated in a previous reconstruction with the understanding the presently proposed reconstruction would follow. **Deanna Durrett moved, seconded by Dave Rhoads to approve the reconstruction of the Carolyn Kenyon #704 for a cost of \$68,050.00. Motion carried, 4-1. Terry Hockersmith opposed.** It was noted after

several of the landowners left that Mr. Hockersmith was incorrect regarding the amount of landowners who opposed, which was really 38.6 %.

### **Old Business**

Tom Cummins reported that a check will be prepared for the contractor for the **Rankin Walkup #579**.

#### **Advance the date for a reconstruction:**

Adrian McClain & Curt McClain were present for discussion of the **Jesse Evans #514** proposed reconstruction. Recommendations were to replace tiles north to the outlet and to increase size of tiles. It was stated that seventy five percent of the maintenance fund could be used towards the reconstruction. **Deanna Durrett moved, seconded by Phil Rice, to hold a reconstruction hearing for the Jesse Evans #514 on Monday, February 4, 2013 at the Crawfordsville District Public Library at 9:30 am. Motion carried, 5-0.**

Curt Hudson & Steve Hudson were present for discussion of the **Rebecca Miller #718** proposed reconstruction. There are 481 acres in the watershed. It was stated that there are several tile holes, and the concrete has deteriorated at the outlet. **Deanna Durrett moved, seconded by Phil Rice, to hold a reconstruction hearing for the Rebecca Miller #718 on January 7, 2013 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Curt Hudson was present for discussion for the **Isaac Shotts #574** proposed reconstruction in Madison Twp. There are 635.18 acres in the watershed with an assessment of \$1.25 an acre. Landowners have fixed tile holes at their expense in the past. Camera work has disclosed that the **Isaac Shotts #574** is flat in some areas with bellies and hubs in other areas of the drain. **Dave Rhoads moved, seconded by Phil Rice, to hold a reconstruction hearing for the Isaac Shotts #574 drain on February 4, 2012 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

### **New Business**

Larry Myers and Richard Myers inquired of the status of work for the **Smith-Elmore #641**. They presented the Board photographs of the condition of the **Smith-Elmore #641**. Mr. Myers reported that Fountain County has cleared their area of the ditch. Mr. Cummins reported he has a contractor who has an excavator mulcher who can clear the open ditch.

Dave Rhoads reported at the November 19, 2012 strategic planning meeting the Board gave Tom Cummins the authority to check all drains after a reconstruction is complete with a camera. Mr. Cummins reported the software is very expensive for camera work and is checking with four companies for contract bids for the coming year.

Deanna Durrett reported that Dave Rhoads term is up and recommends that he be reappointed. **Deanna Durrett moved, seconded by Phil Rice, to re-appoint Dave Rhoads to the Drainage**

**Board for another term. Motion carried, 3-0. Two abstained Dave Rhoads and Terry Hockersmith.**

The 2013 meetings will be held the first Monday of the month with the exception of May & September.

Deanna Durrett directed Vicki Emmert to update the loan reconstruction spread sheet.

Deputy Surveyor Angie Miller presented her monthly report. Ms Miller reported the CRP review is about done and she has been to training meetings on wetlands.

**Other Business**

Phil Rice inquired about the **Swearingen-Runyon # 557** project. Mr. Cummins reported contractor Matt Goings is working on a project in Illinois and is waiting on dry weather and a freeze to continue work on the **Swearingen-Runyon #557**. Mr. Goings has run into some ground issues and understands the additional cost. The drain is in Ripley Twp and the soil is different below ground there and is hard to plan for.

Don Mills inquired if an assessment rate has been set yet for the new **Swearingen-Runyon # 2**. Mr. Cummins reported a maintenance assessment hearing will need to be set.

Bart Maxwell stated that projects like the **Swearingen-Runyon #557** that Mr. Goings is working on should be re-thought about with the soupiness of the ground. Joe Miller of Banning Engineering agreed.

**Deanna Durrett moved, seconded by Kenneth Pearson, to hold maintenance rate assessment hearing on February 4, 2013 for the Swearingen-Runyon #2 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Terry Hockersmith inquired about the payment for the **Foster Fletcher # 573**. Mr. Cummins is checking on the correct forms to use.

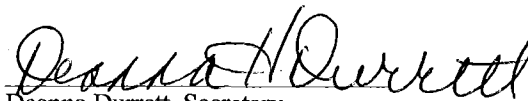
Phil Rice moved, seconded by Kenneth Pearson, to adjourn at 11:03 a.m. Motion carried, 5-0.

Vicki Emmert,  
Recording Secretary

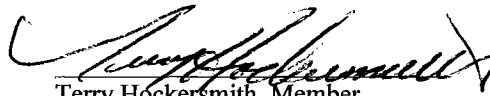


David Rhoads, Chairman

Kenneth Pearson, Vice Chairman

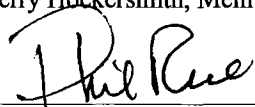


Deanna Durrett, Secretary



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Terry Hockersmith, Member



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Phil Rice, Member

Minutes

Montgomery County Drainage Board

January 7, 2013 9:30 am Crawfordsville District Public Library

Members present: Dave Rhoads, Terry Hockersmith, Deanna Durrett, and Phil Rice. Also attending: Attorney Milligan; Surveyor Tom Cummins; Bart Maxwell, contractor; Todd Redlin, Fratco; Brandy Allen, City Planning and Gary Weliever, City MS4 director. Absent: Deputy Surveyor Miller.

Also attending were Jim Fulwider, Russ Hutchinson, Don Leonard, Earl Gunter, Kevin McCord, Mike Merritt, Jeff Bane, Kevin Carlsen, Jason Carlsen, Brent Carlsen, Steve Hudson, Curt Hudson, Brent Bible, Scott Odle, Andy Springer, John Hedrick, Nicole Copeland, Laron Knight, Shari McCord, John Yarian, Don Howard, Cindy Frayee, William Frayee Jr., L. Butler, Shirley Fulwider, John Hedrick II, Christopher Merritt, Laura Meritt, Jean Meritt, Dean Gaylor, Larry Carlson, M. Sue Carlson Bailey, Gary Weliever, Brandy Allen, Keith Sayler, Earl Smith, David Shadle, Todd Redlih, Bart Maxwell, Zua German

Chairman Rhoads called the meeting to order at 9:30 am. Following the Pledge and a prayer by Alan Goff, Mr. Rhoads asked for a moment of silence in honor of recently deceased member Kenneth Pearson.

**Reorganization: Durrett moved and Rice seconded the nomination of Dave Rhoads for chair. Approved 3-0 with 1 abstention. Hockersmith moved and Durrett seconded the nomination of Phil Rice for vice chair. Approved 3-0 with 1 abstention. Rhoads moved and Rice seconded the nomination of Durrett as secretary. Approved 3-0, with 1 abstention.**

**Minutes:** No minutes will be approved today due to Secretary Vicki Emmert's illness.

**Hearings:**

**Joseph Ludlow #586** reconstruction hearing;

After a petition for reconstruction was presented by landowner Russ Hutchinson, Cummins designed a reconstruction in accordance with Drainage Board practice of offering the most comprehensive plan and allowing landowners to suggest a scale-back. Cummins presented his plan and estimate of \$343,705 or \$291.75 per acre. Discussion concerned costs and scale-back with options for doing half of the main drain and/or eliminating the tributaries. Durrett asked Cummins to describe the disadvantages of splitting the work into two phases. He responded that in addition to not giving all landowners benefit, the costs will likely be higher if and when the second phase occurs due to tile cost increases. Cummins also said it is never good practice to begin reconstruction in the middle of a drain since one of the goals is to install the new tile as deep as possible. In response to a question about who was the contractor who did the reconstruction in the 1980s that is now causing problems, Cummins responded, "Daryl Birge." Hockersmith asked if over 51% of landowners are in favor of the reconstruction. Rice reminded landowners who have talked to him about this drain, that this is the time to make their wishes known. Rice then polled all landowners in attendance beginning with those with the highest number of affected

acres. Rhoads wants the minutes to show that if the reconstruction is in two phases, in four-years the Board will assess the need for completion so that everyone is benefitted. Landowners asked if construction would damage crops. Contractor Bart Maxwell suggested reconstruction during the summer dry conditions. He said a quality installation is difficult when the ground is wet. In response to Durrett's question about whether the lower-end reconstruction will help Mr. Hutchinson on the upper end, Maxwell said it might help. He also said he will change the direction of a tile he installed several years ago since he now feels the redirection might bring some relief to the upper end of the drain.

Rhoads moved and Durrett seconded to reconstruct the entire main without tributaries. The motion died due to a 2-2 vote. **Rice moved and Hockersmith seconded to reconstruct the downstream portion of the main, from the outlet to County Road 700 West of the Joseph Ludlow #586 at approximately \$200,000 or \$170.00 per acre. The Drainage Board will assess the condition of the drain in four years and will move toward completion if appropriate. Approved 4-0.** The bid opening date will be at the Board's regular meeting on March 4, 2013. .

**Rebecca Miller #718** reconstruction hearing;

Mr. Cummins presented his plan and estimate of \$139,186 at \$288.85 per acre. The Drainage Board recently separated the **Rebecca Miller** from the **Miller White #577 (Brent White)**. Mr. Cummins believes it may be wise to give the **Rebecca Miller** its own outlet. General agreement was to replace the 24" tile and do some maintenance at the railroad. Money is in the fund to pay for the maintenance. Cummins recommended reconstructing the downstream end or reconstructing the whole drain. **Rhoads moved and Durrett seconded to reconstruct the lower section of the Rebecca Miller #718 at about \$35,000 or \$72.64 per acre and evaluate the effectiveness after reconstruction. Passed 4-0.** Bids will be opened on March 4, 2013.

**Old business**

Bids will be opened for the **Carolyn Kenyon #704** reconstruction on 2/4/13.

**Foster Fletcher #573:**

Landowner Keith Saylor and several others spoke of issues with the **Foster Fletcher #573 Drain**. Concerns included the tile being too low, laterals that were not reconnected to the new tile, and an open hole that is taking in soil. Mr. Cummins and Engineer Joe Miller will investigate a solution. Rhoads encouraged landowners to communicate with the Surveyor.

Mr. Cummins reported on a meeting with the Linden Town Board to thank them for their efforts toward the successful completion of the **James Hose #572 Drain**. As soon as the ground freezes, Mr. Cummins will have a lateral reconnected. Mr. Cummins reported that landowner Daryl Birge attended the County Council meeting to complain that the reconstruction created flooding up to his house. Mr. Cummins will work with Engineer Miller to assess Mr. Birge's concerns.

**Public Comment:**

Bart Maxwell and Todd Redlin of Fratco offered to supply and install tile to replace, at no charge, the tile improperly installed by Daryl Birge several years ago on the **James Sanders # 550 Drain**. Camera work detected several bellies in the construction. Birge originally said he would repair it then said he would not. Maxwell and Fratco will fix the problem because it has adversely affected their customers. The **James Sanders #550** is the reason the Board will have camera work done on all reconstructions in the future. It will cost more but will protect landowners. The contribution by Maxwell and Fratco is valued at \$40,000. Mr. Redlin also thanked the Montgomery County Drainage Board for their stewardship of the county's drains. He has been involved in many Drainage Boards. He said most counties would vacate drains without a second thought. Landowners should commend Cummins and the Drainage Board for doing the right thing. Montgomery County should be a national case study. **Dave Rhoads moved and Deanna Durrett seconded to gratefully accept their offer and thanked both for resolving a serious problem. Passed, 4-0.**

Mr. Cummins responded to questions from Curt Hudson about the status of several drains. A reconstruction hearing will be held for the **Isaac Shotts #574** on 2/4/13; permits for the **John Gobin #2 #520** south of Heinold and south of the church are being obtained; the clean out of the **Arthur Fraley #596** is awaiting a freeze.

In her absence, Deputy Surveyor Miller's report was distributed by Mr. Cummins.

Next meeting is February 4, 2013. Mr. Rhoads suggested a special meeting to discuss the **Swearingen Runyon #557 Drain**. Cummins has asked Matt Goings to wait until the ground is dry enough to assure a quality installation even though the completion date has passed. He will notify Drainage Board members of a date for a special meeting.


Meeting adjourned at 12:25 pm.

Deanna Durrett,

Secretary



David Rhoads, Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Phil Rice

Phil Rice, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Friday, February 15, 2013  
Swearingen Runyon #557  
Special Meeting  
MINUTES**

The Montgomery County Drainage Board met on Friday, February 15, 2013 at 8:30 a.m. at 110 W. South Boulevard, Crawfordsville in the conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Phil Rice, Vice Chairman; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Angie Miller Deputy Surveyor; and Suanne Milligan attorney.

Also present were Grant McGrady, Tim McGrady, Daniel McGrady, Kenneth More, Don Mills, Jacob Arthur, and Matt Goings.

Tom Cummins presented an update on the work completed on the **Swearingen Runyon #557** and the work still to be completed.

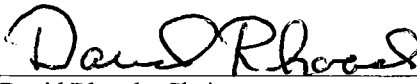
Mr. Cummins reported the contractor Matt Goings has run into tiling issues as the soil survey is not correct for the area. As the tiling machine is running it is in the process of burying itself, because Mr. Goings cannot get stone in the hole quick enough, and the water keeps rushing in as there is no bottom. Mr. Cummins is requesting a change order for the project and bring in an excavator to perform the work.


**Deanna Durrett moved, seconded by Phil Rice to accept the change order of \$31,731.00 to complete the Swearingen Runyon #557.** Mr. Goings estimated it would take 10 days to run the tile and it should be completed by the first of April. Ed Stephens inquired if the elevation was being maintained and Mr. Goings stated yes. Mr. Goings reported he is not making any profit on this project. Mr. Goings estimates the project will take ten days and should be complete by the first of April. If the project is completed early the landowners benefit of more crop production but less if the work is performed in the summer. No landowners voice objections. **Motion carried, 5-0.**

Dave Rhoads reported that John Anderson of Anderson Tree Company has been working on the **Linn-Himes #533** with the new tree grinder and will be moving the machine to the **Timothy Lane #602** to perform work there. Mr. Cummins reported he would have video of the machine working at the next Drainage Board meeting.

**Ed Stephens moved, seconded by Terry Hockersmith to adjourn at 9:37 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

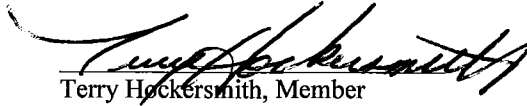
  
David Rhoads, Chairman



Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday, February 4, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, February 4, 2013 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, which was followed by the Pledge of Allegiance and a prayer by Suanne Milligan.

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Phil Rice, Vice Chairman; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Angie Miller Deputy Surveyor; and Suanne Milligan attorney.

Also present were Mark Barclay, John Yerian, Kyle Rule, Kevin Carlson, Earl Smith, M. Sue Bailey, Norman and Geneva Long, Don Mills, Adrian McClain, Kenneth Moore, Curtis McClain, Bart Maxwell, Carrell Terry, John Hedrick, Chris Hudson, Mary Frances Sherfey, Scott Odle, and Mike Patton.

**Deanna Durrett moved, seconded by Phil Rice, to approve the November 19, 2012 and December 3, 2012 Drainage Board minutes. Motion carried, 4-0.**

**Isaac Shotts #574 Reconstruction Hearing**

Tom Cummins reported the **Isaac Shotts #574** watershed is 635.08 acres in Madison Township and a petitioners hearing was held on the petition of landowner Cindy Hudson. Notice was given of the present hearing. The proposed reconstruction is:

3,000 ft.	24" smooth corr. HDPE pipe	@	\$22/ft	= \$66,000.00
2,875 ft.	18" smooth corr. HDPE pipe	@	\$16/ft	= \$46,000.00
900 ft.	15" smooth corr. HDPE pipe	@	\$12/ft	= \$10,800.00
975 ft.	12" smooth corr. HDPE pipe	@	\$10/ft	= \$ 9,750.00
8,000 ft	Existing tile destruction	@	\$ 1/ft	=\$ 8,000.00
1	Gravel road crossing	@	\$1,000/ea.	= \$ 1,000.00
<b>Total</b>				<b>=\$141,550.00</b>

Landowners present were: Kevin, Carlson, Scott Odle, M. Sue Bailey, Carrell Terry, Chris Hudson, Mary Frances Sherfey, Zua German, Curt Hudson, Scott Odle, John Yerian and Kyle Rule FNC representing the Dunkle Estate. Discussion between the landowners, Surveyor and the Board addressed the following: the landowners' locations in the watershed; whether to do a complete reconstruction or partial; and tile repair and camera work that has been done on the drain. Board members inquired about the time frame of work to be performed, if there were any written or oral objections to the reconstruction, when the last assessment rate hearing was, for the **Isaac Shotts #574**. Cummins reported there were no written or oral objections and the reconstruction would be best in July or August. The current assessment is \$1.25 per acre. **Phil Rice moved, seconded by Ed Stephens, to reconstruct the Isaac Shotts #574 at a cost of \$141,550.00. Motion carried, 5-0.** Scott Odle inquired if there were enough bidders to make it a competitive project. Mr. Cummins replied that there have been enough competitive bidders in the past. Sue Bailey will contact Mr. Cummins to obtain maps of her farm, showing drains on them. The bids will be opened on April 1, 2013 at the Drainage Board meeting.

**Jesse Evans #514 Reconstruction Hearing**

Tom Cummins reported the **Jesse Evans #514** watershed is 481.74 acres in the northeast corner of Walnut Township and petitioner’s hearing was held on the petition of landowner Adrian McClain. Notice was given of the present hearing. The proposed reconstruction is:

2,530 ft.	18” smooth corr. HDPE pipe	@	\$16/ft	=	\$40,480.00
2,175 ft.	15” smooth corr. HDPE pipe	@	\$12/ft	=	\$26,100.00
4,700 ft.	Existing tile destruction	@	\$ 1/ft	=	\$ 4,700.00
1	Paved road crossing	@	\$2,500/ea.	=	\$ 2,500.00
1	Outlet construction	@	\$500/ea.	=	\$ 500.00
				<b>Total</b>	<b>= \$74,280.00</b>

Landowners present were: Norman and Geneva Long, Adrian McClain, and Curtis McClain. Discussion between the landowners, Surveyor and the Board addressed that the \$74,280.00 was for a total reconstruction, even though Mr. McClain had petitioned for just a portion to be reconstructed. Cummins explained that the proposed reconstruction can be less than shown in the notice. However, if the landowners desire a full reconstruction when a lesser reconstruction was shown in the notice, then a new notice would be required at additional expense and delay. The reason the assessment previously was raised was due to the drain being in debt. The drain has been sprayed twice now for weeds. The best time for the reconstruction will be in the summer. After discussion, **Ed Stevens moved, seconded by Terry Hockersmith, to reconstruct the complete drain of the Jesse Evans #514 for a cost of \$74,280.00 with the time frame of the reconstruction to be at the discretion of the major landowner. Motion carried, 5-0.** Bid opening will be at the April 1, 2013 Drainage Board meeting.

**Swearingen Runyon 2 #719 Rate Assessment Hearing**

Tom Cummins reported that the **Swearingen Runyon 2 #719** is the new drain that the Board took jurisdiction of recently. Notice was given of the present hearing. The proposed maintenance assessment is \$4.96 an acre with a \$5.00 minimum for a yearly proposed assessment of \$958.22. The existing maintenance funds available in the **Swearingen Runyon 1 #557**, maintenance fund will be divided based on percentage of watershed acres according to landowners in the new **Swearingen Runyon 2 #719**. **Deanna Durrett moved, seconded by Phil Rice, to raise the rate from zero to \$4.96 an acre with a \$5.00 minimum for the Swearingen Runyon 2 #719. Motion carried, 5-0.**

**Petitions**

Tom Cummins reported he has received a petition from Keith Willet to attach to the **Rankin Walkup #579** in Scott Township and recommends the approval. **Phil Rice moved, seconded by Terry Hockersmith, to allow the attachment to the Rankin Walkup #579 upon the recommendation of the Surveyor. Motion carried, 5-0.**

**Old Business**

Bids will be opened for the **Carolyn Kenyon #704** , **Rebecca Miller #718** and the **Joseph Ludlow #586** at the March 4, 2013 Drainage Board meeting.

Tom Cummins reported he has met with an engineer for the **Foster Fletcher #573** and will tie in a lateral south of the manhole on Ghandi Drive. John Hedrick reported that children in the sub-division near Keith Saylor’s property walk along the open ditch and the outlet does not have an animal guard cover on it to protect it from animals and for the safety of the children. Mr. Cummins will have a guard cover put on.

There was also discussion about a possible open six-inch tile and along 100 west as it has not been filled in with flowable fill yet.

### **James Hose update**

Tom Cummins reported he had been given permission by landowner Daryl Birge, to investigate and make any needed repairs on the James Hose Drain.

### **Deputy Surveyor Report**

Angie Miller reported there will be a CRP Breakfast for contractors and program on February 13, 2013. Ms. Miller has been working on the contribution agreement, and attended a workshop on CRP practice.

### **Other Business**

Dave Rhoads inquired if Verizon receives approval from the County Commissioners before performing work in the area. Terry Hockersmith reported Verizon receives approval from the County Commissioners. Mike Keffer reported to Rhoads that there is a hole in the ditch near where he lives. Rhoads advised him to contact his district commissioner Jim Fulwider as it is a private tile.

Anderson Tree Company will perform work on the **Linn-Himes #533** with the new tree grinder. They are working on the hourly rate for the machine.

Tom Cummins reported he received an e-mail from Brenda Garrison of Tippecanoe County requesting a waiver for the **Leader Newton #642** joint drain. The drain is north of New Richmond and there is estimated 30 to 40 acres in Montgomery County. **Deanna Durrett moved, seconded by Phil Rice, to waive the formation of a joint drainage board for the Leader Newton #642 with Tippecanoe County. Motion carried, 5-0.**

Dave Rhoads inquired on the status of the **Albert Hysong #618** joint drain with Hendricks County. Mr. Cummins reported he has sent an e-mail to Mr. Cunningham, the engineer for the project. Hendricks County had sent him the landowner's list and watershed information. Mr. Cummins will contact the engineer for an update.

Phil Rice inquired about the work to be performed on the Swearingen Runyon 1 #557 drain in Ripley Twp. Mr. Cummins will talk to the McGrady and other landowners and schedule a meeting.

Phil Rice inquired about the **John McCorkle #608**. Mr. Rice reported there are tile holes along the ditch and he has kept Tipmont REMC out of that area. Mr. Cummins will put in a breather if they can't get a camera in this week.

### **Public Comment**

Curt Hudson inquired about the status of the **John Gobin #2 #520**. Tom Cummins reported they are waiting on a freeze and the engineers are waiting on permits.

Curt Hudson inquired about the status of the Arthur Fraley 2 #709. Mr. Cummins reported they are waiting on a freeze.

Dave Rhoads inquired about the **John Galey #518**. Mr. Cummins reported they are waiting on a freeze to perform the bore with railroad.

Curt Hudson inquired if there is a time line for the **John Gobin #2 #520** as the ditch is open. Mr. Cummins reported once the engineers get a shot of the tile hole it will be taken care of.

Mary Frances Sherfey inquired when she would be billed for the **James Hose #572** reconstruction. Mr. Cummins reported Ms. Sherfey will receive a separate bill from her taxes and the first payment will be in the spring of 2014, although it can be paid before that time.

The next meeting will be March 4, 2013 at the Crawfordsville District Public Library.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:00 a.m.**

Vicki Emmert,  
Recording Secretary



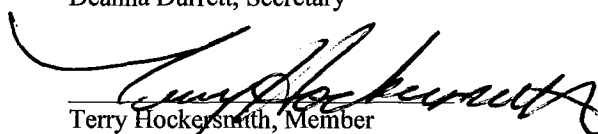
David Rhoads, Chairman



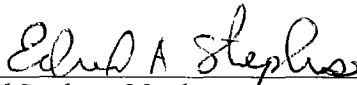
Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member

Ditch Listing Report  
Balanced after Transfers of 2013  
3/1/13

Drain #	Drain Name	\$ per Acre	Min.	Aff.Acres	Yearly	Drain #1 of 3	Drain #2 of 3	Drain #3 of 3	ON	OFF
400	Funds Without Drains	N/A	N/A	N/A	N/A	N/A	\$27,849.61		ON	OFF
500	Moses Allen	1.86000	\$5.00	291.29	\$555.02	\$1,855.15	\$0.00		X	
501	Peter Barley A	2.63000	\$5.00	260.30	\$688.93	\$3,251.67	\$0.00			X
502	Wiley Bastion	0.69000	\$5.00	865.61	\$627.04	\$55.20	\$2,546.69			X
503	Brown, Fred/Bessie	3.00000	\$5.00	757.01	\$2,296.22	\$10,114.23	\$0.00			X
504	Will Brown	6.74000	\$5.00	96.15	\$654.82	\$0.00	(\$916.60)		X	
505	Wm. Buchanan	8.96000	\$5.00	509.16	\$4,575.46	\$17,372.28	\$0.00		X	
506	Chrin. Schenck	4.00000	\$5.00	610.92	\$2,449.28	\$5,071.16	\$0.00		X	
507	Nancy Clark	1.04000	\$5.00	215.27	\$245.70	\$1,077.61	\$0.00			X
508	Howard Cline	1.04000	\$5.00	265.62	\$307.69	\$0.00	(\$1,212.81)		X	
509	Clifton J Coon	2.06000	\$5.00	562.80	\$1,179.77	\$2,305.80	\$3,000.00			X
510	Charles S Cowen	3.31250	\$5.00	429.22	\$1,421.79	\$4,256.12	\$0.00		X	
511	Benjamin Crabbs	2.36000	\$5.00	590.09	\$1,440.41	\$0.00	\$22,087.25			X
512	Urshull Cross	1.31050	\$5.00	1152.32	\$1,567.89	\$6,703.55	\$0.00			X
513	Carper Crowder	3.50000	\$5.00	1133.89	\$4,003.28	\$15,825.69	\$0.00		X	
514	Jesse Evans	4.96000	\$5.00	479.79	\$2,385.74	\$5,219.11	\$0.00		X	
515	Richard Faust	1.48000	\$5.00	468.82	\$727.99	\$70.55	\$0.00		X	
516	Reb. Flaningam	4.00000	\$5.00	316.51	\$1,280.08	\$5,611.52	\$0.00			X
517	James Fleming	3.00000	\$5.00	1356.34	\$4,109.33	\$0.00	(\$1,040.98)		X	
518	John V Galey	3.95000	\$5.00	1560.61	\$6,174.68	\$4,363.48	(\$16,708.75)		X	
519	James Gilliland	4.50000	\$5.00	528.70	\$2,407.73	\$5,436.96	\$0.00		X	
520	John Gobin #2	3.50000	\$5.00	1652.50	\$5,989.81	\$0.00	(\$4,566.70)		X	
521	James B Grimes	0.38000	\$5.00	232.52	\$92.77	\$1,403.01	\$0.00			X
522	William Hawker	1.66000	\$5.00	264.35	\$462.91	\$1,149.15	\$2,545.40			X
523	Levi Hawkins	2.33000	\$5.00	849.83	\$1,989.93	\$4,090.44	\$6,955.13			X
524	George Hinkle	4.31000	\$5.00	410.42	\$1,773.35	\$7,546.02	\$0.00			X
525	Kenneth Hudson	4.98000	\$5.00	109.79	\$578.17	\$694.14	\$3,000.00			X
526	Samuel Humphrey	4.75000	\$5.00	291.35	\$1,397.78	\$102.28	\$5,483.43			X
527	George Hutchinson	2.05000	\$5.00	1366.87	\$2,803.47	\$4,736.14	\$5,575.70		X	
528	George Hutton	4.00000	\$5.00	484.36	\$1,969.32	\$7,530.22	\$0.00		X	
529	George Kendall	4.36000	\$5.00	602.34	\$2,631.67	\$0.00	\$11,182.19			X
530	Sarah Kincaid	4.73000	\$5.00	632.78	\$3,000.87	\$13,867.95	\$0.00			X
531	John Lane	2.18750	\$5.00	354.74	\$769.36	\$734.08	\$2,232.41		X	
532	Charles Leas	0.75000	\$5.00	275.00	\$213.56	\$1,070.47	\$0.00			X
533	Linn-Himes	5.61000	\$5.00	1338.11	\$7,581.69	\$7,558.16	\$0.00		X	
534	Guy Little	6.00000	\$5.00	481.10	\$2,894.40	\$3,888.83	\$0.00		X	
535	Lye Creek	1.26250	\$5.00	10145.87	\$13,041.24	\$40,090.59	\$0.00		X	
536	Lough Miller	2.06000	\$5.00	462.87	\$971.27	\$3,598.32	\$0.00		X	
537	Chas Ludlow #2	3.70000	\$5.00	346.34	\$1,292.72	\$4,772.02	\$0.00		X	
538	Glennard Miller	1.06000	\$5.00	287.93	\$342.02	\$1,974.90	\$0.00			X
539	Minn-Miser-Corn	4.00000	\$5.00	1335.35	\$5,372.20	\$3,398.53	\$0.00		X	
540	Martin Mcbee	1.75000	\$5.00	381.11	\$682.81	\$0.00	(\$1,894.21)		X	
541	George McClain	6.78000	\$5.00	357.75	\$2,438.70	\$1,021.75	\$0.00		X	
542	L.B. McClamroch	5.06250	\$5.00	221.89	\$1,123.66	\$5,846.89	\$0.00			X
543	W.B. McClamroch	3.00000	\$5.00	553.16	\$1,759.40	\$3,147.51	\$0.00		X	
544	E.P. McClaskey	2.88000	\$5.00	585.74	\$1,714.69	\$11,746.74	\$0.00			X
545	C.O. McFarland	4.77500	\$5.00	294.48	\$1,407.70	\$6,804.07	\$0.00			X
546	George Nichols	5.27550	\$5.00	133.65	\$804.65	\$1,868.51	\$0.00		X	
547	Albert Nobes	4.00000	\$5.00	249.25	\$998.80	\$156.61	\$0.00		X	
548	Edward Patton	7.33000	\$5.00	372.48	\$2,743.18	\$5,553.43	\$9,404.33			X
549	Allie Peterson	10.76000	\$5.00	1335.38	\$14,374.00	\$0.00	(\$6,371.83)		X	
550	James Sanders	25.70000	\$5.00	306.95	\$7,888.62	\$661.11	\$0.00		X	
552	Chas Schoen #1	3.90520	\$5.00	171.47	\$673.65	\$3,190.68	\$0.00		X	
553	Jesse Snoddy	7.72500	\$5.00	297.47	\$2,315.23	\$0.00	(\$6,313.44)		X	
554	Alvin Sparks	1.35000	\$5.00	304.29	\$437.04	\$2,190.31	\$0.00			X
555	Stanford-Elmore	4.00000	\$5.00	659.33	\$2,646.52	\$10,348.04	\$0.00		X	
556	Anthony Stingley	4.34000	\$5.00	179.01	\$781.78	\$2,151.42	\$0.00		X	
557	Swear-Runyon	4.00000	\$5.00	494.82	\$1,985.72	\$6,047.29	\$2,088.60			X
558	Theo. Templeton	2.49990	\$5.00	121.23	\$732.54	\$4,806.29	\$0.00			X
559	B.&A. Vancleave	6.00000	\$10.00	282.82	\$2,455.68	\$0.00	(\$12,246.58)		X	
560	Richard Virts	3.03000	\$5.00	366.48	\$1,117.59	\$0.00	(\$5,110.27)		X	
562	John Ward	3.00000	\$5.00	748.49	\$2,364.34	\$6,509.94	\$0.00		X	
563	George Washburn	2.16260	\$5.00	444.39	\$977.72	\$346.78	\$4,000.00			X
564	Raymond Welliever	4.00000	\$5.00	394.46	\$1,592.08	\$7,259.97	\$0.00			X
565	John Wilkinson	2.50000	\$5.00	553.35	\$1,413.43	\$5,604.87	\$0.00		X	





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567	Martin Young	1.00000	\$5.00	193.58	\$198.56	\$931.00	\$0.00		X
572	James Hose	6.00000	\$15.00	306.61	\$5,204.10	\$0.00	(\$12,256.14)	X	
573	Foster Fletcher	2.60000	\$6.00	510.69	\$1,633.23	\$4,384.25	\$0.00	X	
574	Isaac Shotts	1.25000	\$5.00	635.18	\$869.43	\$0.00	(\$6,504.67)	X	
576	Joel Tobin	1.44000	\$5.00	2991.62	\$4,633.11	\$16,201.36	\$0.03	X	
577	Miller & White	2.25900	\$5.00	769.41	\$1,756.90	\$1,754.62	\$6,836.51	X	
578	Allen Lewis	3.00000	\$5.00	2266.80	\$7,193.13	\$0.00	(\$1,177.61)	X	
579	Rankin Walkup	1.77000	\$5.00	791.00	\$1,414.59	\$6,162.41	\$0.00		X
580	Wm. T. Linn	1.78000	\$5.00	682.70	\$1,246.37	\$0.00	(\$1,198.11)	X	
581	Joe Hall	3.75000	\$5.00	5980.05	\$22,510.33	\$43,467.41	\$0.00	X	
582	Clarence Widener	2.65000	\$5.00	404.06	\$1,083.47	\$2,830.78	\$0.00	X	
584	Phillip Dewey	1.85000	\$5.00	777.70	\$1,749.20	\$0.00	\$6,811.45	X	
585	Fred Maxwell	3.73000	\$5.00	575.65	\$2,211.32	\$2,811.28	\$0.00	X	
586	Joseph Ludlow	1.79000	\$5.00	1177.08	\$2,206.58	\$1,243.95	\$0.00	X	
587	Chas Schoen #2	1.88000	\$5.00	651.57	\$1,236.98	\$4,029.82	\$0.00	X	
588	James W Wilson	2.05000	\$5.00	519.37	\$1,094.54	\$220.57	\$0.00	X	
589	Thomas Wilkins	11.28000	\$5.00	721.38	\$8,139.57	\$0.00	(\$16.51)	X	
590	Thom.&Alfred Taylor	5.62000	\$5.00	1044.54	\$5,895.37	\$16,845.15	\$0.00	X	
591	Odis Stafford	3.50000	\$5.00	344.21	\$1,211.27	\$3,484.35	\$0.00	X	
592	Roy S Harper	4.94000	\$5.00	236.75	\$1,195.84	\$6,821.94	\$0.00		X
594	Charles Newkirk	4.00000	\$5.00	564.43	\$2,257.72	\$0.00	(\$3,022.58)	X	
595	Boswell Clough	2.12500	\$10.00	667.67	\$2,240.07	\$4,697.66	\$6,000.00		X
596	Arthur Fraley	1.38000	\$5.00	146.28	\$211.35	\$0.00	\$6,839.63		X
597	Ben. F Remley	6.00000	\$5.00	646.22	\$3,878.90	\$212.09	\$0.00	X	
598	Moore Heights	21.87500	\$5.00	27.17	\$615.53	\$2,051.99	\$0.00	X	
599	John D Coyner	2.37500	\$5.00	523.38	\$1,243.03	\$2,739.40	\$0.00	X	
600	Wm. M Davis	2.36000	\$5.00	384.99	\$915.93	\$1,948.14	\$0.00	X	
602	Timothy Lane	1.56250	\$5.00	3404.05	\$5,427.64	\$19,359.62	\$0.00	X	
603	Moses Maxwell	1.83500	\$5.00	1404.61	\$2,614.86	\$2,637.74	\$0.00	X	
604	John M Walkup	1.97500	\$5.00	442.98	\$897.96	\$0.00	\$1,954.14	X	
605	Charles E Warren	2.50000	\$5.00	87.16	\$296.98	\$1,441.00	\$0.00		X
606	Joseph H Gray	1.56250	\$5.00	1106.90	\$1,764.75	\$6,489.52	\$0.00	X	
607	John Martz	4.37000	\$5.00	551.69	\$2,421.45	\$0.00	(\$325.56)	X	
608	John McCorkle	1.25000	\$5.00	465.82	\$989.36	\$1,530.47	\$3,466.73	X	
610	William Z McBee	5.00000	\$5.00	438.32	\$2,198.50	\$0.00	(\$1,979.51)	X	
613	Nancy Hollingsworth	3.17000	\$5.00	184.26	\$594.06	\$2,638.27	\$0.00		X
614	Edward Dykes	2.85000	\$5.00	197.98	\$571.54	\$1,596.73	\$0.00	X	
615	Margaret Remley	3.48000	\$5.00	1441.64	\$5,052.68	\$12,000.79	\$9,854.08		X
616	Jennings Miller	3.00000	\$5.00	1344.33	\$4,064.40	\$7,456.31	\$0.00	X	
617	Harrison Doyle	3.13000	\$5.00	903.69	\$2,845.37	\$1,539.93	\$1,580.59	X	
619	Thomas Clark	2.50000	\$5.00	164.11	\$414.78	\$2,419.37	\$0.00		X
620	Smith John W.	1.16000	\$5.00	137.77	\$163.96	\$783.73	\$0.00		X
621	John H Cochran	10.00000	\$5.00	269.38	\$2,700.80	\$1,647.27	\$0.00	X	
622	William Epperson	1.69000	\$5.00	736.28	\$1,282.43	\$697.52	\$0.00	X	
623	Richard Graham	4.70000	\$5.00	225.58	\$1,063.77	\$4,519.83	\$0.00	X	
624	Robert A Rutan	1.25000	\$5.00	352.25	\$475.35	\$2,613.86	\$0.00		X
625	Richard Thomas	2.13750	\$5.00	583.11	\$1,262.34	\$1,262.32	\$4,093.57		X
626	Isaac N. Linn	2.75000	\$5.00	192.73	\$538.82	\$3,808.87	\$0.00		X
627	Francis M Hoss	1.25000	\$5.00	140.19	\$210.46	\$0.00	(\$24.76)	X	
628	John H Pogue	30.47000	\$5.00	452.16	\$13,791.22	\$11,291.36	\$0.00	X	
629	Francis W Powers	4.49000	\$5.00	502.11	\$2,258.85	\$8,576.22	\$0.00	X	
630	Oscar Flaningam	0.87500	\$5.00	222.48	\$209.43	\$891.25	\$0.00		X
631	Clarence Murphy	11.43000	\$5.00	22.49	\$363.76	\$1,117.72	\$0.00	X	
632	Thomas Armstrong	1.25000	\$5.00	135.07	\$176.61	\$783.33	\$0.00		X
633	George Downing	0.62500	\$5.00	323.48	\$264.09	\$1,192.22	\$0.00		X
634	Albert Flaningam	2.70000	\$5.00	234.83	\$638.72	\$507.27	\$2,671.79		X
635	Wm. Kirkpatrick	1.56250	\$5.00	100.40	\$161.52	\$310.17	\$0.00	X	
637	Robert Niven	20.00000	\$5.00	265.76	\$5,315.20	\$1,145.33	\$0.00	X	
638	David Thewlies	1.46000	\$5.00	357.57	\$571.87	\$273.15	\$2,064.08		X
640	Needham Booher	1.23000	\$5.00	3979.19	\$4,976.69	\$0.00	\$17,961.12	X	
641	Smith & Elmore	9.55000	\$5.00	1028.64	\$9,837.02	\$37,999.12	\$0.00	X	
700	Joseph Conway	4.12000	\$5.00	3016.79	\$12,499.12	\$158.74	\$0.00	X	
702	Emmerson James	2.50000	\$5.00	804.17	\$2,065.00	\$7,729.34	\$0.00	X	
703	James Servies	5.00000	\$5.00	1036.67	\$5,205.20	\$7,097.55	\$0.00	X	
704	Carolyn Kenyon	5.00000	\$5.00	337.65	\$1,688.55	\$3,638.26	\$0.00	X	
705	Edger Henry	N/A	N/A	N/A	N/A	\$0.00	N/A		
706	William Shelley	10.00000	\$100.00	594.48	\$99,133.20	\$200,982.53	\$0.00	X	
707	Joseph A Schmoltzer	N/A	N/A	N/A	N/A	\$0.00	N/A		



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708	Otis O. Thompson	3.00000	\$5.00	840.37	\$2,559.44	\$0.00	(\$5,319.37)	X	
709	Arthur Fraley # 2	5.00000	\$5.00	1888.7	\$9,465.30	\$9,763.42	\$0.00	X	
710	Martin Liter	20.00000	\$5.00	894.67	\$17,906.40	\$19,408.73	\$0.00	X	
711	Detchon Adams	1.58000	\$5.00	9,851.98	\$15,841.58	\$12,646.36	\$0.00	X	
712	George Rusk	3.37000	\$5.00	1,668.79	\$5,669.54	\$0.00	(\$1,030.57)	X	
713	Shumaker-White	2.15000	\$5.00	1,744.74	\$5,208.36	\$5,086.01	\$0.00	X	
714	Charles Ludlow #1	4.11000	\$5.00	1,632.38	\$7,269.36	\$4,549.82	\$0.00	X	
715	James Harris	5.82000	\$5.00	960.17	\$5,481.29	\$5,145.95	\$0.00	X	
718	Rebecca Miller	4.00000	\$5.00	481.86	\$1,935.76	\$0.00	(\$35.82)	X	
719	Swearingen Runyon 2	4.96000	\$5.00	193.19	\$958.22	\$0.00	(\$8.50)	X	

**JOINT DRAINS**

\*drains in bold type administered by Mont. County

Tippecanoe County									
566	Frank Kirkpatrick	1.25000	\$6.25	154.71	\$198.38	\$514.90	\$0.00	X	
569	Elijah Fugate	5.80000	\$6.25	23.28	\$135.02	\$757.24	\$0.00	X	
570	Rebecca Grimes	3.75000	\$6.25	8.67	\$32.35	\$93.40	\$0.00	X	
575	Martin P. Gray	1.00000	\$5.00	688.13	\$703.00	\$657.24	\$0.00	X	
601	Jenkins	1.00000	\$5.00	39.53	\$48.79	\$30.00	\$0.00		X
611	Shawnee Creek	1.25000	\$6.25	195.97	\$254.86	\$486.23	\$0.00		X
612	Kirkpatrick One	1.56000	\$6.25	891.38	\$1,476.26	\$5,044.95	\$2,760.31	X	
<b>639</b>	<b>Marsh Samuel</b>	<b>0.56000</b>	<b>\$5.00</b>	<b>1366.98</b>	<b>\$827.19</b>	<b>\$0.00</b>	<b>(\$1,978.58)</b>	<b>X</b>	
642	Leader/Newton	6.25000	\$6.25	48.47	\$309.06	\$746.17	\$0.00	X	

Boone County									
561	A.F. Ward	3.00000	\$5.00	816.72	\$2,465.93	\$499.41	\$0.00	X	
571	Ziegler	1.36000	\$5.00	60.70	\$84.80	\$359.12	\$0.00		X
716	Marion Conner	5.22	\$5.00	1288.35	\$7,042.11	\$3,666.10	\$0.00	X	

Hendricks County									
568	Oscar Stevenson	0.50000	\$5.00	29.69	\$59.38	\$275.60	\$0.00		X
618	Albert Hysong	1.00000	\$5.00	861.54	\$911.97	\$969.96	\$0.00	X	

	Yearly	Maintenance	Improvement	ON	OFF
Balance=	\$517,595.97	\$833,733.03	\$89,584.31	105	49

<b>Total Debt = (\$91,260.46)</b>
<b>Fund Surplus = \$180,844.77</b>
<b>Funds w/o Drains = \$27,849.61</b>
<b>Positive Balances = \$152,995.16</b>
<b>Indebtedness = \$91,260.46</b>



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Drain #	Drain Name					Bank Payment	Balance
530R	Sarah Kincaid	RECON.	N/A	N/A	N/A	N/A	\$0.00
702R	Emerson, James	RECON.	N/A	N/A	N/A	N/A	\$1,966.48
550R	James Sanders	RECON.	N/A	N/A	N/A	\$3,351.61	\$1,831.96
562R	John Ward	RECON.	N/A	N/A	N/A	\$1,584.61	\$159.23
559R	B & A Vancleave	RECON.	N/A	N/A	N/A	\$3,206.67	\$5,065.13
538 R	Glennard Miller	RECON.	N/A	N/A	N/A	\$3,435.99	\$14,713.36
608 R	John McCorkle	RECON.	N/A	N/A	N/A	\$3,068.55	\$11,041.85
591 R	Odis Stafford	RECON.	N/A	N/A	N/A	\$6,531.78	\$8,418.75
554 R	Alvin Sparks	RECON.	N/A	N/A	N/A	\$7,398.07	(\$507.39)
520 R	John Gobin	RECON.	N/A	N/A	N/A	\$16,290.64	\$19,988.28
704R	Carolyn Kenyon	RECON.	N/A	N/A	N/A	\$4,196.26	\$11,642.57
589-01	Thomas Wilkins	RECON.	N/A	N/A	N/A	\$16,710.52	\$26,173.05
500-01	Moses Allen	RECON.	N/A	N/A	N/A	\$2,950.00	\$8,500.09
564-01	Raymond Weliever	RECON.	N/A	N/A	N/A	\$3,364.00	\$12,625.08
549-01	Allie Peterson	RECON.	N/A	N/A	N/A	\$16,220.00	\$81,560.56
578-01	Allen Lewis	RECON.	N/A	N/A	N/A	\$7,259.00	\$50,962.09
641-01	Smith-Elmore	RECON.	N/A	N/A	N/A	\$11,613.00	\$63,463.37
580-01	William T. Linn	RECON.	N/A	N/A	N/A	\$17,689.00	\$89,315.91
703-01	James Servies	RECON.	N/A	N/A	N/A	\$4,905.00	\$32,718.12
572-01	James Hose	RECON.	N/A	N/A	N/A	\$12,255.31	\$13,822.68
533-01	Linn-Himes	RECON.	N/A	N/A	N/A	\$11,892.00	\$48,773.47
625-01	Richard Thomas	RECON.	N/A	N/A	N/A	\$12,291.00	\$9,220.84
0541-01	George McClain	RECON.	N/A	N/A	N/A	\$3,208.00	\$453.64
573-01	Foster Fletcher	RECON.	N/A	N/A	N/A	\$35,828.14	\$3,078.49
579-01	Rankin Walkup	RECON.	N/A	N/A	N/A	\$5,708.62	\$0.00
510-01	Charles Cowan	RECON.	N/A	N/A	N/A	N/A	\$38.85
555-01	Stanford Elmore	RECON.	N/A	N/A	N/A	N/A	\$54.64
617-01	Harrison Doyle	RECON.	N/A	N/A	N/A	N/A	\$47.99
<b>Reconstruction Balance =</b>							<b>\$515,129.09</b>

	Maintenance	Improvement
<b>Ditch Listing Balance =</b>	<b>\$833,733.03</b>	<b>\$604,713.40</b>
<b>Adjustment Line =</b>		<b>N/A</b>
<b>Surveyors Office Balance =</b>		
<b>Auditors Office Balance =</b>		
<b>Treasurers Office Balance =</b>		



TO: Drainage Board Members  
FROM: Deanna  
RE: Annual Financial Report  
DATE: February 27, 2013  
ATTACH: End of year balances for Drain Maintenance and Improvement 2005-2011.  
Memo to Curt Grasso, G-UTS, dated 2-27-13  
Ditch Listing Report, 3/4/13

I will number the statement below for ease of reference at our discussion.

The auditor's office is unable to give us balances for the drain maintenance and drain improvement funds for 2012, apparently because of problems with the county's accounting firm's software. They cannot produce a Ditch Listing Report either. You will see a memo I sent to Curt Grasso, G-UTS. This is troubling because it means there is no check on the Drainage Board accounting.

The Ditch Listing Report will provide a reference as we talk about the On/Off list. A drain goes off assessment when its account balance is equal to or greater than the yearly assessment times four.

When Surveyor Cummins does his annual classification report in June, he will make suggestions about potential rate increases.

The surveyor has already transferred money:

- from maintenance to improvement to repay funds borrowed for maintenance when the maintenance fund was inadequate.
- from reconstruction to improvement to repay expenses incurred before funds were available in the reconstruction accounts.

The improvement balances for each drain should always be -0-. On occasion, a balance will be negative when the maintenance fund is inadequate to pay a repair bill. It is to be repaid at the next settlement until it is completely repaid. Any positive or black balances represent indebtedness.

Since 2005, the Board has gradually transferred positive (black) funds from the drain improvement account to the drain maintenance account to reduce the debt incurred by the previous surveyor. The Board will likely not be able to transfer additional balances in improvement for individual drain accounts because the balance is inadequate to support the transfer. The only way to generate funds is through the 10% interest on reconstructions. It will be many years, if at all, before there are enough funds to support additional transfers.





Drainage Board account balances				
	Maintenance	Improvement		
End of year	931	906	Total	Reconstructions
2005	244,364.06	5,955.20	250,319.26	
2006	206,343.56	136,869.71	343,213.27	
2007	393,092.14	119,312.87	512,405.01	
2008	447,574.35	115,406.14	562,980.49	
2009	371,431.05	179,170.66	550,601.71	
2010	650,778.95	248,928.57	899,707.52	
2011	745,834.16	377,193.69	1,123,027.85	
2012				
2/11/2013	908,078.33	531,176.01	1,439,254.34	554,478.76
3/4/2013				

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## Monthly Report- February 2013

### Contribution Agreement

- Continued field visits of CRP re-enrollments
- Created Excel spreadsheet of progress on both agreements
- Sent three Tech Team referrals to Lebanon Office
- Continued creating Conservation Plan Maps in Toolkit
- Continued filling out Job Sheets for re-enrollments

### Meetings

- Attended Drainage Board meeting on Feb. 4<sup>th</sup>
- Attended Soil Health Workshop on Feb. 5<sup>th</sup>
- Met with David Stanley and FSA staff to review 2013 re-enrollment folders on Feb. 11th
- Attended FSA's Waterway Contractor's Breakfast on Feb. 13<sup>th</sup>
- Attended special Drainage Board meeting on Feb. 15<sup>th</sup>
- Attended Soil Health Workshop on Feb. 20<sup>th</sup>
- Attended SWCD Board meeting on Feb. 21<sup>st</sup>
- Met with Bob Weaver of IASWCD to create website on Feb. 28<sup>th</sup>

### Misc

- Assisted NRCS with wetland determinations
- Fieldwork with Chris Torp working on tree-planting EQIP contracts

Prepared by Angela Garcia Miller

March 1, 2013



# Montgomery County Surveyors Office

110 W. South Boulevard

Crawfordsville, IN 47933

Phone: (765) 361-3234

E-mail: [tom.cummins@montgomeryco.net](mailto:tom.cummins@montgomeryco.net)

March 1st, 2013

*RE: Assessment Rate Decreases for 2013*

<u>Drain #</u>	<u>Drain Name</u>	<u>2012 Rate</u>	<u>2013 Rate</u>
#505	William Buchanan	\$8.96/acre; \$5.00 min.	\$2.98/acre; \$5.00 min.
#550	James Sanders	\$25.70/acre; \$5.00 min.	\$4.18/acre; \$5.00 min.
#589	Thomas Wilkins	\$11.28/acre; \$5.00 min.	\$4.42/acre; \$5.00 min.
#597	Benjamin Remley	\$6.00/acre; \$5.00 min.	\$3.06/acre; \$5.00 min.
#621	John Cochran	\$10.00/acre; \$5.00 min.	\$3.00/acre; \$5.00 min.
#628	John Pogue	\$30.47/acre; \$5.00 min.	\$3.69/acre; \$5.00 min.
#637	Robert Niven	\$20.00/acre; \$5.00 min.	\$3.12/acre; \$5.00 min.
#706	William Shelley	\$10.00/acre; \$100.00 min.	\$3.00/acre; \$5.00 min.
#710	Martin Liter	\$20.00/acre; \$5.00 min.	\$6.00/acre; \$5.00 min.

Respectfully Submitted,



Tom Cummins  
Montgomery County Surveyor

3/1/13

Date



**Montgomery County Surveyors Office**

**110 W. South Boulevard**

**Crawfordsville, IN 47933**

**Phone: (765) 361-3234**

**E-mail: tom.cummins@montgomeryco.net**

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March 1st, 2013

*RE: Assessment Rate Increases for 2013*

<u>Drain # and Name</u>	<u>New Assessment Rate</u>
#716 Marion Conner	\$5.22/acre; \$5.00 min.
#718 Rebecca Miller	\$4.00/acre; \$5.00 min.
#719 Swearingen Runyon 2	\$4.96/acre; \$5.00 min.

Respectfully Submitted,



Tom Cummins  
Montgomery County Surveyor

3/1/13  
Date





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E-mail: tom.cummins@montgomeryco.net

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March 1st, 2013

**RE: 2013 Regulated Drain OFF List (highlighted drains were ON assessment in 2012)**

501 - Peter Barley A	563 - George Washburn
502 - Wiley Bastion	564 - Raymond Weliever
503 - Fred & Bessie Brown	567 - Martin Young
507 - Nancy Clark	568 - Oscar Stevenson
509 - Clifton J Coon	571 - Ziegler
511 - Benjamin Crabbs	579 - Rankin Walkup
512 - Urshull Cross	592 - Roy S Harper
516 - Rebecca Flaningam	595 - Boswell Clough
521 - James B Grimes	596 - Arthur Fraley
522 - William Hawker	601 - Jenkins Drain
523 - Levi Hawkins	605 - Charles E Warren
524 - George Hinkle	611 - Shawnee Creek
525 - Kenneth Hudson	613 - Nancy Hollingsworth
526 - Samuel Humphrey	615 - Margaret Remley
529 - George Kendall	619 - Thomas Clark
530 - Sarah Kincaid	620 - John Smith
532 - Charles Leas	624 - Robert A Rutan
538 - Glennard Miller	625 - Richard Thomas
542 - L.B. McClamroch	626 - Isaac N. Linn
544 - E.P. McClaskey	630 - Oscar Flaningam
545 - Charles McFarland	632 - Thomas Armstrong
548 - Edward Patton	633 - George Downing
554 - Alvin Sparks	634 - Albert Flaningam
557 - Swearingen Runyon 1	638 - David Thewlies
558 - Theodore Templeton	

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**RE: Drains that were OFF in 2012, but ON in 2013**

504 - Will Brown	614 - Edward Dykes
514 - Jesse Evans	631 - Clarence Murphy
531 - John Lane	635 - Wm. Kirkpatrick
584 - Phillip Dewey	640 - Needham Booher
604 - John M Walkup	575 - Martin P. Gray
608 - John McCorkle	

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March 1st, 2013

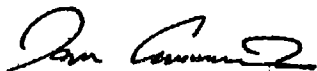
**RE: Line Item Transfers - Reconstruction to Improvement**

<u>Fund #</u>	<u>Fund Name</u>	<u>Transfer Amt.</u>	<u>To</u>
0906-000-573-01	Foster Fletcher Recon.	\$27,500.18	0906-000-573-00
0906-000-579-01	Rankin Walkup Recon.	\$2,028.68	0906-000-579-00
<hr/>			
<b>Total = \$29,528.86</b>			

**RE: Fund Transfers - Reconstruction to Maintenance**

<u>Fund #</u>	<u>Fund Name</u>	<u>Transfer Amt.</u>	<u>To</u>
0906-000-573-01	Foster Fletcher Recon.	\$4,267.32	0931-000-573-00
0906-000-579-01	Rankin Walkup Recon.	\$5,518.49	0931-000-579-00
<hr/>			
<b>Total = \$9,785.81</b>			

Respectfully Submitted,



Tom Cummins  
Montgomery County Surveyor

3/1/13  
Date

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# Montgomery County Surveyors Office

110 W. South Boulevard

Crawfordsville, IN 47933

Phone: (765) 361-3234

E-mail: [tom.cummins@montgomeryco.net](mailto:tom.cummins@montgomeryco.net)

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March 1st, 2013

**RE: Fund Transfers - Maintenance to Improvement**

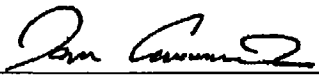
<u>Drain #</u>	<u>Drain Name</u>	<u>Amount of Transfer</u>
#508	Howard Cline	\$307.68
#515	Richard Faust	\$209.76
#517	James Fleming	\$1,794.78
#518	John Galey	\$1,446.58
#520	John Gobin 2	\$5,615.71
#540	Martin McBee	\$692.00
#547	Albert Nobes	\$842.19
#549	Allie Peterson	\$5,655.68
#550	James Sanders	\$7,759.71
#553	Jesse Snoddy	\$2,304.12
#559	Basil & Anna Vancleave	\$2,557.37
#560	Richard Virts	\$1,117.60
#561	A.F. Ward	\$1,101.38
#572	James Hose	\$824.91
#573	Foster Fletcher	\$416.25
#574	Isaac Shotts	\$840.12
#578	Allen Lewis	\$3,677.21
#580	William Linn	\$1,163.11
#586	Joseph Ludlow	\$1,091.00
#588	James Wilson	\$120.25
#589	Thomas Wilkins	\$8,126.57
#594	Charles Newkirk	\$2,261.86
#597	Benjamin Remley	\$5,293.77



#607	John Martz	\$1,015.79
#610	William McBee	\$2,198.56
#621	John Cochran	\$1,053.53
#627	Francis Hoss	\$50.44
#628	John Pogue	\$2,733.11
#637	Robert Niven	\$4,169.87
#639	Samuel Marsh	\$921.17
#700	Joseph Conway	\$12,132.24
#708	Otis Thompson	\$1,298.95
#711	Detchon-Adams	\$23.24
#712	George Rusk	\$2,300.49
#713	Shumaker-White	\$9.63
#714	Charles Ludlow 1	\$14.05
#715	James Harris	\$12.35
#716	Marion Conner	\$37.21

*Total = \$83,190.24*

Respectfully Submitted,

  
 \_\_\_\_\_  
 Tom Cummins  
 Montgomery County Surveyor

3/1/13  
 \_\_\_\_\_  
 Date



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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Monday March 4, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, March 4, 2013 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Phil Rice, Vice Chairman; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; Angie Miller Deputy Surveyor; and Suanne Milligan attorney.

Also present were Bart Maxwell, Earl Smith, Russell Hutchison, Matt Goings, Brenda Foster, Gail Allread, Dean Gaylor, Curt Hudson, Bob Cox, and Jeff Bane.

**Phil Rice moved, seconded by Terry Hockersmith, to approve the January 7, 2013 minutes. Motion carried, 4-0. Ed Stephens abstained.**

**Phil Rice moved, seconded by Ed Stephens, to approve the February 4, 2013 and February 15, 2013 minutes. Motion carried, 5-0.**

Tom Cummins opened bids for the following drains:

**Carolyn Kenyon #704**

Goings Excavating	\$71,775.00
Maxwell Farm Drainage	\$58,800.00
Wachstetter Excavating	\$78,783.00
Conner Excavating	\$75,922.00
Surveyor's Original Estimate	\$68,050.00

**Rebecca Miller #718**

Goings Excavating	\$34,830.00
Maxwell Farm Drainage	\$32,900.00
Wachstetter Excavating	\$40,898.00
Conner Excavating	\$38,756.00
Surveyor's Original Estimate	\$35,000.00

**Joseph Ludlow #586**

Maxwell Farm Drainage	\$168,900.00
Wachstetter Excavating	\$210,940.00
Conner Excavating	\$201,320.00

Surveyor's Original Estimate

\$200,000.00

A brief recess was taken for the Surveyor to review at all the bids.

Tom Cummins reported all bids were responsive to the bid packets and all had the 5% bid bonds. The time frame for completion of all reconstructions is September 1, 2013. There were no negative comments from landowners.

Mr. Cummins recommended that Maxwell Farm Drainage be awarded the bid of \$58,800.00 for the **Carolyn Kenyon # 704** reconstruction. **Phil Rice moved, seconded by Ed Stephens, to award the bid to Maxwell Farm Drainage for the Carolyn Kenyon #704 reconstruction for \$58,800.00. Motion carried, 5-0.**

Mr. Cummins recommended that Maxwell Farm Drainage be awarded the bid of \$32,900.00 for the **Rebecca Miller #718** reconstruction. **Terry Hockersmith moved, seconded by Deanna Durrett, to award the bid to Maxwell Farm Drainage for the Rebecca Miller #718 reconstruction for \$32,900.00. Motion carried, 5-0.**

Mr. Cummins recommend that Maxwell Farm Drainage be awarded the bid of \$168,900.00 for the **Joseph Ludlow #586** reconstruction. **Deanna Durrett moved, seconded by Phil Rice, to award the bid to Maxwell Farm Drainage for the Joseph Ludlow #586 reconstruction for \$168,900.00 and in four years the Drainage Board will assess the condition of the drain and will move toward reconstruction of the remainder of the drain if appropriate. Motion carried, 5-0.**

#### **Petitions**

Tom Cummins reported receiving a petition to advance the date to hold a petitioners' hearing from Margaret Smith and Roseanne Willet for the **John Lane #531** in Scott Twp. **Deanna Durrett moved, seconded by Phil Rice, to advance the date to hold a petitioners' hearing for the John Lane #531 at the next Drainage Board meeting on April 1, 2013 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins reported receiving a petition to advance the date to hold a petitioners' hearing from Don Mills for the **Swearingen Runyon 2 #719** in Ripley Twp. **Terry Hockersmith moved, seconded by Ed Stephens, to advance the date to hold a petitioners hearing for the Swearingen Runyon 2 #719 at the next Drainage Board meeting on April 1, 2013 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

#### **Old Business**

Tom Cummins presented the Board with the new financial report along with a new Ditch Listing Report; 2013 list of drains that will be off assessment along with the drains that will be on assessment; list of drain fund transfers from maintenance to improvement; new assessment rate increases for 2013; assessment rate decrease for 2013; line item transfers- reconstruction to improvement and fund transfers- reconstruction to maintenance.

Deanna Durrett presented the Board with a memo concerning the Auditor's Office checks and balances with the new GUTS program that they are unable to produce ditch listing reports for the Surveyors Office. Phil Rice as a tax payer directed concerns to Terry Hockersmith, Board representative from the County Commissioners about the contract with GUTS. Mr. Hockersmith reported there are other issues with the

program as it cannot balance between the Auditor and Treasure either. At this time the Commissioners are holding invoices until they are satisfied with the services provided.

**Deanna Durrett moved, seconded by Ed Stephens, to accept the reports that Mr. Cummins presented to the Board; the new financial report along with a new Ditch Listing Report; 2013 list of drains that will be off assessment along with the drains that will be on assessment; list of drain fund transfers from maintenance to improvement; new assessment rate increases for 2013; assessment rate decrease for 2013; line item transfers- reconstruction to improvement and fund transfers- reconstruction to maintenance. Motion carried, 5-0.**

#### **New Business**

Tom Cummins presented an invoice from Matt Goings requesting payment for materials, stone and tile used for the **Swearingen Runyon #557** reconstruction project for \$76,775.53. Mr. Goings is waiting for good weather to complete the project. **Deanna Durrett moved, seconded by Terry Hockersmith, to advance the funds of \$76,775.53 and reported that all the materials on the invoice are on the drain site to Matt Goings Excavating for materials, stone and tile used on the Swearingen Runyon #557 reconstruction. Motion carried, 5-0.**

#### **Deputy Surveyor**

Angie Miller presented her monthly report to the Board. Ms. Miller is creating a Soil and Water Website and would like to put a link to the Surveyor's Office. Ms. Miller requested permission to use the "Fast Facts the Drains of Montgomery County" on the site. Deanna Durrett will update the flyer before Ms. Miller uses it on the website.

Deanna Durrett reported there will be a presentation on section corners at the Crawfordsville District Public Library from surveyor Jim Swift on March 12, 2012 at 7:00 p.m.

#### **Public Comment**

Curt Hudson inquired about updates to the **Isaac Shotts #574**. Tom Cummins reported bids will be opened on April 1, 2013.

Curt Hudson inquired about the **John Gobin #2 #520**. Mr. Cummins reported that Banning Engineering is preparing the permit applications for CSX and INDOT.

Curt Hudson inquired about the **Arthur Farley # 2 # 709** open ditch work to be performed. Mr. Cummins is waiting on good weather.

Dave Rhoads presented the Board photos of the work that Anderson Tree Company is performing on open ditches.


Dave Rhoads inquired about the **Foster Fletcher # 573**. Tom Cummins reported they are still in the process working on it and waiting on good weather conditions.

Phil Rice inquired if Mr. Cummins has received any information from the camera companies yet. Mr. Cummins reported he is still waiting on a per hour rate from companies as they didn't quite understand his request.

Curt Hudson inquired about the **Shumaker-White #713**. Mr. Cummins reported it is back on assessment.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 10:59 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary



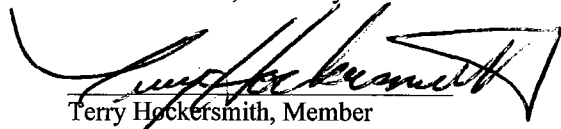
David Rhoads, Chairman

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Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member

# Monthly Report- March 2013

## Contribution Agreement

- Continued field visits of CRP re-enrollments
- Continued creating Conservation Plan Maps in Toolkit
- Continued completing Job Sheets for re-enrollments
- Began working on second quarterly report for NRCS
- Began work on Knox County SWCD Contribution Agreement

## Meetings/Trainings

- Attended Drainage Board meeting on March 4<sup>th</sup>
- Met with local landowner to discuss installing a rain garden on March 12th
- Attended Advanced Soil Health Workshop on March 21<sup>st</sup>
- Attended NRCS Northwest Area Meeting on March 26<sup>th</sup>
- Met with Rhonda Walker to plan out Ag Days at Fairgrounds on March 28th

## Mini-Mont

- Created display board for event
- Researched educational activities for event
- Worked at booth at event, "Make Your Own Ice Cream"

## Misc.

- Continued work on website (content and design)
- Assisted NRCS with CSP payments
- Researched rain gardens to assist local landowner
- Assisted FSA with collecting office coordinates
- Assisted NRCS with organization of 6-part folder paperwork
- Contacted potential presenters for Ag Days and Invasive Species Workshop

Prepared by Angela Garcia Miller

March 28, 2013

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Maxwell Farm Drainage, Inc.  
 4817 E. 570 N.  
 Crawfordsville, IN 47933

# Invoice

Date	Invoice #
3/8/2013	3085

<b>Bill To</b>
Emmert Farms 8344 E. 900 N. Darlington, IN 47933

<b>Terms</b>
30 Days

Description	Quantity	Rate	Amount
20" Smooth-Corr (per foot)	8	18.00	144.00
6" Tap Tee	1	7.00	7.00

*E/F 3/19/13  
 # 2965*

"MAXWELL" a good name in farm drainage for over 100 years and four generations.	<b>Total</b>	\$151.00
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257



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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Tuesday, April 9, 2013  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, April 9, 2013 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Ed Stephens and Terry Hockersmith members. Phil Rice; vice chair was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan attorney. Deputy Surveyor Angie Miller was absent

Also present were Bart Maxwell, Matt Goings, Brenda Foster, Curt Hudson, Adrian McClain, Curt McClain, Gayl Lough, John Hudson, Bob Cox of the "Journal Review" Kenneth Moore, Jennifer Aniel of the Auditor's office. Joe Woodrow. and Keith Willett.

**Deanna Durrett moved, seconded by Ed Stephens, to approve the March 4, 2013 minutes. Motion carried, 4-0.**

Tom Cummins opened bids for the following drains:

**Isaac Shotts #547**

Maxwell Farm Drainage	\$130,975.00
Goings Excavating	\$133,650.00
Wachstetter Excavating	\$140,593.75
Surveyor's Original Estimate	\$141,550.00

**Jesse Evans #514**

Maxwell Farm Drainage	\$61,300.00
Goings Excavating	\$68,636.00
Wachstetter Excavating	\$67,575.00
Surveyor's Original Estimate	\$74,280.00

A brief recess was taken for the Surveyor to review all the bids.

Tom Cummins reported all bids were responsive to the bid packets and all had the 5% bid bonds. The time frame for completion of all reconstructions is September 1, 2013. There were no negative comments from landowners.

Mr. Cummins recommended that Maxwell Farm Drainage be awarded the bid of \$130,975.00 for the **Isaac Shotts #574** reconstruction. Ed Stephens moved, seconded by Deanna Durrett, to award the bid to Maxwell Farm Drainage for the Isaac Shotts #574 reconstruction for \$130,975.00. Motion carried, 4-0.

Mr. Cummins recommended that Maxwell Farm Drainage be awarded the bid of \$61,300.00 for the **Jesse Evans #514** reconstruction. Terry Hockersmith moved, seconded by Ed Stephens, to award the bid to Maxwell Farm Drainage for the Jesse Evans #514 reconstruction for \$61,300. Motion carried 4-0.

**Advance the date for a reconstruction:**

John Willett was present for the **John Lane #531** petitioner hearing in. Mr. Cummins reported this Scott Township drain has tree growth at the outlet, tile holes are due to blockage at the outlet, and the tiles are in poor shape. The tile under St. Rd 234 should be jetted out. Mr. Willett reported that some tile holes have been repaired and some trees have been removed. Sometimes when it rains it comes close to flooding over St. Rd. 234. There are 350 acres in the watershed with twelve parcels. Tom Cummins reported that he could prepare options for the landowners for a reconstruction. Ed Stephens moved, seconded by Terry Hockersmith, to hold a reconstruction hearing for the John Lane #531 on Monday, June 3, 2013 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.

Tom Cummins reported regarding the new **Swearingen Runyon 2 #719** in Ripley Twp. and that petitioner Mr. Don Mills is out of town. The section that is in need of a reconstruction is from the outlet on Mr. Mills's property to the Sowers property. Landowner Kenny Moore was present. Deanna Durrett moved, seconded by Ed Stephens, to hold a reconstruction hearing for the Swearingen Runyon 2 #719 on Monday, June 3, 2013 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.

Dave Rhoads reported Kenny Moore inquired what the 10% contingency figure is based on for the **Swearingen Runyon #557** change order. Mr. Cummins reported it is 10% above the original estimate. The McGrady's are paying for part of the project themselves. Mr. Rhoads suggested if Mr. Moore had any more questions to make an appointment with Mr. Cummins at his office to go through the whole process with him. Mr. Cummins will contact Mr. Goings about the laterals that Mr. Moore reported are not connected yet.

**Petitions**

Tom Cummins reported he has received a petition from 67% of the landowners for the **William Buchanan #505** drain when they met at an information meeting recently. It is just south of Darlington in Franklin Twp. In 2007 the assessment was raised to \$8.96 an acre. Mr. Cummins has lowered the assessment to \$2.98 an acre due to the scope of work needed by law, would have to be done as a reconstruction. Mr. Joe Woodrow was present. Mr. Cummins reported he had spoken with Chad Woodrow who has concerns of losing their woods to a reconstruction. It has been suggested if the elevation is correct to take the tile through the pasture northeast of the existing wooded area. Mr. Cummins recommends tile as it is less maintenance. According to the map the tile is 18". Mr. Cummins recommends a petitioners hearing to advance the date for the June 3, 2013 meeting to discuss options. Ed Stephens moved, seconded by Terry Hockersmith, to hold a petitioners hearing to advance the date for a reconstruction for the William Buchanan #505 on Monday, June 3, 2013 at 9:30 a.m. Motion

carried 4-0. Terry Hockersmith recommended the reconstruction be the lowest impact for the landowner's property if possible.

#### **Old Business**

Tom Cummins reported there was an 8" lateral that was not working correctly on the **James Hose #/572** and he used a local contractor to tie the lateral in properly.

Tom Cummins reported the lateral on the **Foster Fletcher #573** is tied in south of the manhole and he will check back in a couple of weeks to see if it is working correctly. Mr. Cummins will be meeting with Glen Price to address the other problem issues, such as the animal guard, etc.

Tom Cummins reported on the joint drain with Hendricks County, the **Albert Hysong #618**. He has met with Vestor & Assoc. and they are halfway done with the plans. Vestor and Assoc. will come to the June 3, 2013 meeting to present a plan. Mr. Cummins reported Hendricks County has not been in on the planning of this project as they are having office personnel issues. The situation is a combination of drainage problems with surface and sub-surface water issues, along with the county culverts not being installed properly. The Board will have to work with the County to resolve this. A couple of local farmers have tiled and cut a side ditch incorrectly that presents a problem to the drain too. After the presentation with Vestor & Assoc., Mr. Cummins plans to meet with Hendricks County again.

Tom Cummins reported that bore is completed for the **John Galey #518** and the contractor is now ready to install the 30' tile next to the Crawfordsville Golf Course.

#### **New Business**

Tom Cummins reported he has received a claim from Mike Emmert for work done on the **Samuel Marsh #639** for the cost of materials, in the amount of \$151.00. It is a joint drain with Tippecanoe Co. Deanna Durrett reported the drain is in debt. **Deanna Durrett moved, seconded by Ed Stephens, to deny payment as permission was not obtained, the Samuel Marsh #639 is in debt and it is a joint drain with Tippecanoe Co. Motion failed, 1 for, 3 against. Ed Stephens moved, seconded by Terry Hockersmith, to reimburse Mike Emmert for work completed on the Samuel Marsh #639.** Curt Hudson reported in the past he has opened up legal drains on his property because of blockage and has spent over \$2,000.00 and never asked to be reimbursed. **Motion failed, 0-4 against.** Therefore, the claim will not be paid.

**Terry Hockersmith moved, seconded by Dave Rhoads, to direct Mr. Cummins to research what the Drainage Board policy states regarding payment of landowners for repairs. Motion carried, 4-0.**

#### **Deputy Surveyor:**

Deputy Surveyor Angie Miller's report was distributed to Board members, for review.

#### **Other Business:**

Landowner Walt Nelson presented a copy of his property tax statement from the Beacon program. He stated he should not have to pay for the reconstruction of the **Linn-Himes #533** and should only pay into the **Timothy Lane #602**. Mr. Nelson states he is not in the **Linn-Himes #533** and never received notice of the hearing. Mr. Cummins reported in recent years the watersheds were re-configured with updated contours and elevations and all landowners were notified. In addition notice was given by publications. Mr. Nelson reported he will fight the reconstruction payment.

Jennifer Andel of the Auditor's Office reported the Auditor's Office disagrees with the vendor who prepares the tax statements that are sent out to landowners. The vendor states they are not required to put drain names on the tax statements. Ms Andel reports that the State Board of Accounts says it is required by law.

Jennifer Andel also reported that the Auditor's office and the Surveyor's Office are nearly balanced and the \$0.09 discrepancy will be corrected with the vendor.

Ms. Andel presented to the Board actual statements of the reconstruction tax statements for the **Foster Fletcher #573** and **James Hose #572** stating the reports are very confusing to the property owners regarding the breakdown of the initial payment and the installment plan with interest. This has been reported to the State Board of Accounts. The vendor reports this is the way they do it for other counties. Terry Hockersmith reports the County is not paying the vendor any payments until all this is resolved.

The next meeting will be June 3, 2013.

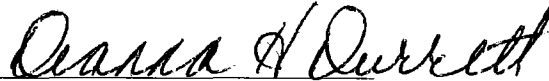
**Ed Stephens moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:30 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

\_\_\_\_\_  
David Rhoads, Chairman



\_\_\_\_\_  
Phil Rice, Vice Chairman



\_\_\_\_\_  
Deanna Durrett, Secretary



\_\_\_\_\_  
Terry Hockersmith, Member



\_\_\_\_\_  
Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Tuesday, May 14, 2013  
John Galey #518  
Special Meeting  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, May 14, 2013 at 8:00 a.m. at 110 W. South Boulevard, Crawfordsville in the conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Phil Rice, Vice Chairman; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; and Vicki Emmert, Recording Secretary. Suanne Milligan attorney was absent.

Also present was Dave Snyder of Snyder Construction.

Tom Cummins presented an update on the work completed on the **John Galey #518** and the work still to be completed. Mr. Cummins reported the bid from Snyder Construction was approved in 2011 and the permit with CSX was approved in 2012. The bore under the railroad was completed in April 2013. The tiling is expected to be completed by June or July depending on the weather by Maxwell Farm Drainage. Snyder Construction was paid out of **Funds without drains #400** for materials used for the reconstruction in December 2012 in the amount of \$24,888.00. Dave Snyder presented an invoice for \$39,532.00 for labor and remaining material costs. Mr. Snyder is a small company and when he submitted the bid in 2011 he expected to complete the project sooner than it was. The permits took longer than anticipated and prices have gone up for materials that were bid and he has had to make adjustments for the costs.

Mr. Cummins reported that **Funds without drains #400** is depleted as two contractors have been paid out of it because reconstruction loans cannot be secured until the project is completed. CSX Railroad and INDOT both owe money for boring projects. He has been in contact with both CSX and INDOT, but it is a long process. Dave Rhoads directed Terry Hockersmith to contact Alan Plunkett who is head of the district with INDOT and see what is the holdup and if payment can be made soon. Deanna Durrett noted the key to paying Mr. Snyder for materials is if INDOT reimbursement is collected from the **Rankin Walkup #579** reconstruction project.

Ms Durrett would like to know if in future bids where a bore is done with INDOT or CSX if the project can be done in two phases. It was stated to check with Ms Milligan on the capital clarification on reconstructions.

Terry Hockersmith requested information from Mr. Cummins concerning the time line of the **Rankin Walkup #579** project. Mr. Cummins will e-mail him information.

Dave Snyder left at 9:00 a.m.

Phil Rice reported there is no work being done on the **Swearingen Runyon ##557** and the original completion date was December 1, 2012. Some of the landowners have requested information about the process of making it a private tile. This reconstruction project was delayed until the fall of 2012 at the

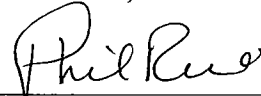
request of the landowners. Mr. Rice reported that Matt Goings has not hooked up the laterals on Kenny Moore's property yet. That the existing pump station on the McGrady property is not currently working to drain the ponded areas. It was discussed that a better policy should be made on time lines for projects.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn at 9:10 a.m. Motions carried, 5-0.**

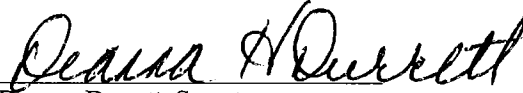
Dave Rhoads will not be at the June meeting.

Vicki Emmert,  
Recording Secretary

\_\_\_\_\_  
David Rhoads, Chairman



\_\_\_\_\_  
Phil Rice, Vice Chairman



\_\_\_\_\_  
Deanna Durrett, Secretary



\_\_\_\_\_  
Terry Hockersmith, Member



\_\_\_\_\_  
Ed Stephens, Member

Snyder Construction Co.  
 150 Heth Washington Road  
 Corydon, IN 47112  
 Office - 812-732-4831



# Invoice

DATE	INVOICE #
4/6/2013	2009358

BILL TO	SHIP TO
Montgomery County Surveyor 110 W. South Buulevard Crawfordsville, IN 47933  John Galey Drain Project	

DUE DATE	P.O. NUMBER
5/6/2013	

DESCRIPTION	QTY	RATE	AMOUNT
Jack & Bore Existing Railroad	90	425.00	38,250.00
42" OD Steel Casing Pipe .625 Wall	90	200.00	18,000.00
30" ID SDR-35 PVC Casing Pipe	98	65.00	6,370.00
Restrained Casing Spacers	90	20.00	1,800.00
Less Previous Payment Invoice 2009351 received 12-26-2012	1	-24,888.00	-24,888.00

Thank you for your business!	
<b>Total</b>	<b>39,532.00</b>





Funds w/o Drains #400

Snyder Construction Co.  
 150 Heth Washington Road  
 Corydon, IN 47112  
 Office - 812-732-4831



# Invoice

DATE	INVOICE #
11/1/2012	2009351

BILL TO	SHIP TO
Montgomery County Surveyor 110 W. South Buulevard Crawfordsville, IN 47933  John Galey Drain Project # 518	

DUE DATE	P.O. NUMBER
11/15/2012	

DESCRIPTION	QTY	RATE	AMOUNT
42" Steel Casing Pipe for Jack and Bore .625 Wall	90	200.00	18,000.00
30" SDR-35 PVC Carrier Pipe	98	60.00	5,880.00
Casing Spacers	14	72.00	1,008.00

Thank you for your business!

**Total** 24,888.00

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MICHELLE R CASH 3P  
MONTGOMERY COUNTY

FEES: 0.00  
SAL Date 08/10/2007 Time 12:16:19

ORDINANCE 2006-06 I 200704801

Page 1 of 3

**AN ORDINANCE OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS  
ESTABLISHING POLICIES REGARDING LANDOWNERS PERFORMING WORK  
ON DRAINS AND DITCHES**

WHEREAS, the Montgomery County Drainage Board has studied the possibility of landowners performing work on drains and ditches on their property;

AND WHEREAS, the Drainage Board believes that landowners should be afforded the same rights as private contractors to perform work on behalf of the County as long as the landowners meet the same requirements as the private contractors regarding insurance, qualifications and other preconditions;

AND WHEREAS, the Board of Commissioners believes that the policy of allowing landowners to perform work will allow the drainage system to be repaired in a more timely manner, thereby improving the overall drainage in the County.

AND WHEREAS, it is in the best interests of the citizens of Montgomery County to amend Section 33.01 of Chapter 33 of the Montgomery County Code in order to provide for the process by which landowners may perform this work.

IT IS THEREFORE, ORDAINED that Chapter 33 of Title II of the Montgomery County Code is hereby amended to add the following new section:

“Section 33.01(K) Landowners Performing Work.

(1) It shall be the policy of Montgomery County that landowners shall be eligible to perform drainage work on their properties as long as such landowners meet the requirements for such work as established by the Drainage



Board.

(2) The Drainage Board shall by June 30 of each year establish minimum requirements for performing work on behalf of the County. These minimum requirements shall include requirements concerning experience, liability insurance, workers compensation insurance, equipment, and other factors.

(3) The Drainage Board shall by July 15 of each year provide public notice of the requirements and shall accept qualifications until October 1 for work to be performed the following year.

IT IS FURTHER ORDAINED that the effective date of this ordinance shall be \_\_\_\_\_

March 14 2006.

Adopted this 14 day of March, 2006.

BOARD OF COMMISSIONERS OF  
MONTGOMERY COUNTY

Phil Bane  
Phil Bane, President

Edward Stephens  
Edward Stephens, Vice President



Handout for D.B. meeting  
June 3, 2013

**Montgomery County Surveyors Office**

**110 W. South Boulevard**

**Crawfordsville, IN 47933**

**Phone: (765) 361-3234**

**E-mail: tom.cummins@montgomeryco.net**

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May 23rd, 2013

Mr. Matt Goings  
Goings' Excavating  
529 W. 200 S.  
Veedersburg, IN 47987

RE: Swearingen Runyon Reconstruction

Mr. Goings

This letter is in regards to the Swearingen Runyon reconstruction project in Montgomery County, not completed. Landowners and Drainage Board members have shown concern over the lack of progress on the project, over the last few months. Considering the concessions made during this project, i.e. the change order, and the payment for materials, the concern is valid. While weather delays are understandable, you have failed to take advantage of the periods of good weather.

I am requesting your presence at the Montgomery County Drainage Board's regularly scheduled meeting on Monday, June 3rd, 2013. This project will be on the agenda, and will give all affected a chance to ask questions, give updates on progress, etc.

If you have any questions, or if you are unable to attend the meeting, please let me know as soon as possible.

Respectfully Submitted,



---

Tom Cummins  
Montgomery County Surveyor

5/28/13  
Date





Hand out for DB meeting  
June 3, 2013

## Montgomery County Surveyors Office

110 W. South Boulevard  
Crawfordsville, IN 47933

Phone: (765) 361-3234

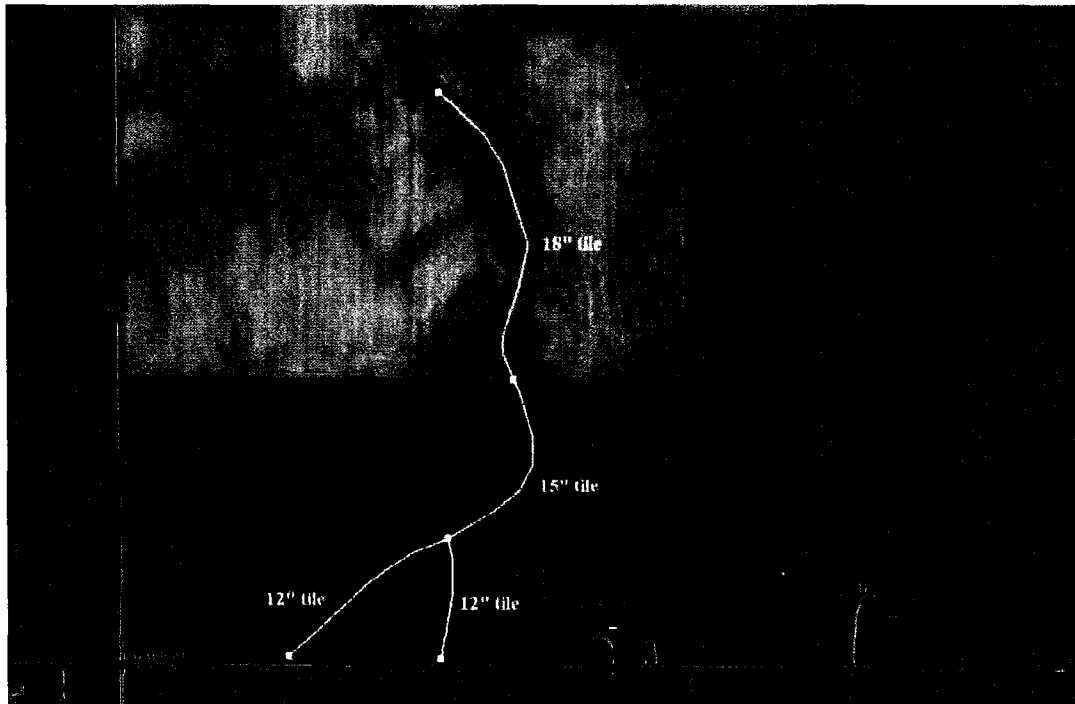
E-mail: tom.cummins@montgomeryco.net

5/1/13

**RE: JOHN LANE #531 -- Reconstruction Report**

**\*PROPOSED**

1,500 ft.	18" smooth corr. HDPE pipe	@ \$17/ft.	= \$25,500.00
950 ft.	15" smooth corr. HDPE pipe	@ \$13/ft.	= \$12,350.00
1,505 ft.	12" smooth corr. HDPE pipe	@ \$11/ft.	= \$16,555.00
3,955 ft.	Existing tile destruction	@ \$1/ft.	= \$3,955.00
			<b>Total = \$58,360.00</b>



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Handout for D-B Meeting  
June 3, 2013

John Lane #531

Name	Address	City	State	Zip Code	Aff.Acres	% of WS	PROPOSED	Tax Account
BLAYDES KEITH & SHARON	335 W 900 S	CRAWFORDSVILLE	IN	47933	2.65	0.75%	\$440.18	54-15-17-100-005.000-020
BLAYDES KEITH A & SHARON	335 W 900 S	CRAWFORDSVILLE	IN	47933	7.16	2.04%	\$1,189.33	54-15-17-100-004.000-020
BULLERDICK DALE & VELMA	6795 S 310 E	CRAWFORDSVILLE	IN	47933	23.99	6.83%	\$3,984.90	54-15-08-800-002.000-020
OOLEY STEPHEN C & DEBORAH L	949 E STATE ROAD 234	LADOGA	IN	47954	1.73	0.49%	\$287.36	54-15-17-100-001.000-020
POWELL VICKIE J	1884 W 200 S	CRAWFORDSVILLE	IN	47933	51.52	14.66%	\$8,557.83	54-15-09-600-006.000-020
SMITH MARGARET F LIFE ESTATE ETAL	1462 E STATE ROAD 234	LADOGA	IN	47954	22.74	6.47%	\$3,777.27	54-15-16-200-005.000-020
SMITH MARGARET F LIFE ESTATE ETAL	1462 E STATE ROAD 234	LADOGA	IN	47954	32.52	9.26%	\$5,401.80	54-15-16-200-005.001-020
SMITH MARGARET FRANCES LIFE ESTATE	1462 E STATE ROAD 234	LADOGA	IN	47954	30.82	8.77%	\$5,119.41	54-15-09-300-007.000-020
SMITH MARGARET FRANCES LIFE ESTATE	1462 E STATE ROAD 234	LADOGA	IN	47954	39.67	11.29%	\$6,589.46	54-15-09-300-007.001-020
UTTERBACK TAMI R	1884 W 200 S	CRAWFORDSVILLE	IN	47933	84.06	23.93%	\$13,962.95	54-15-09-600-006.001-020
WILLETT ROSE ANN ( LIFE ) & DONALD KEITH WILLETT	612 E STATE ROAD 234	LADOGA	IN	47954	9.25	2.63%	\$1,536.49	54-15-08-400-011.000-020
Y - BRANCH FARMS & SALES INCORPORATED	1397 E 700 S	LADOGA	IN	47954	45.23	12.87%	\$7,513.02	54-15-09-200-005.000-020

Total Watershed Acres =	351.34
Proposed Reconstruction Estimate =	\$58,360.00
Proposed Reconstruction Assessment per Acre =	\$166.11

276



## Montgomery County Surveyors Office

110 W. South Boulevard

Crawfordsville, IN 47933

Phone: (765) 361-3234

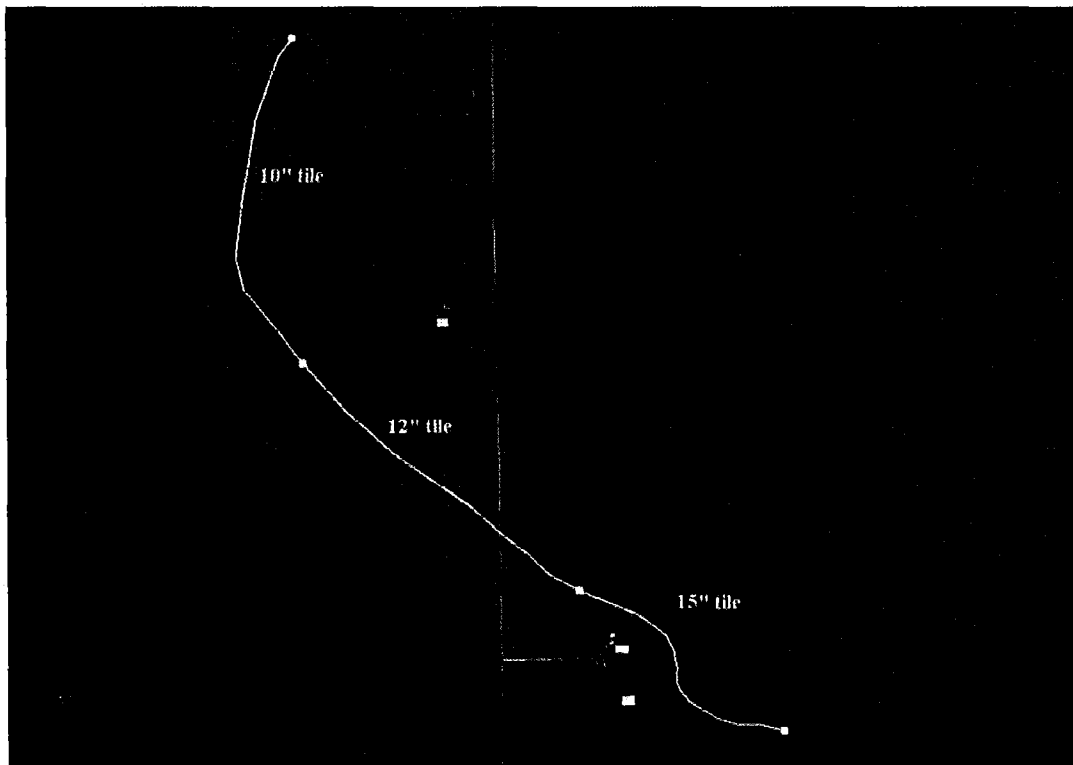
E-mail: tom.cummins@montgomeryco.net

5/3/13

**RE: SWEARINGEN RUNYON 2 #718 -- Reconstruction Report**

**\*PROPOSED**

1,250 ft.	15" smooth corr. HDPE pipe	@ \$13/ft.	= \$16,250.00
1,650 ft.	12" smooth corr. HDPE pipe	@ \$11/ft.	= \$18,150.00
1,650 ft.	10" smooth corr. HDPE pipe	@ \$9/ft.	= \$14,850.00
3,600 ft.	Existing tile destruction	@ \$1/ft.	= \$3,600.00
1	Paved road crossing	@ \$5,000/ea.	= \$5,000.00
			<b>Total = \$57,850.00</b>





Handout for D.B. Meeting  
June 3, 2013

Swearingen Runyon 2 #718

Name	Address	City	State	Zip Code	Aff. Acres	% of WS	PROPOSED	Tax Account
BARCLAY MARK A & DOROTHY L	3215 WEST US HWY 136	CRAWFORDSVILLE	IN	47933	45.19	23.39%	\$13,531.97	54-12-12-100-001.000-018
DENMAN JAMES I & FRANCES R	1629 S 700 W	WAYNETOWN	IN	47990-8192	3.08	1.59%	\$922.29	54-12-12-400-010.002-018
MCCLURE TRUST # 051606	405 MAPLE CT.	CRAWFORDSVILLE	IN	47933	9.29	4.81%	\$2,781.85	54-11-07-300-003.000-018
MILLS DON JR & BONNIE	4320 W FALL CREEK RD	CRAWFORDSVILLE	IN	47933	35.27	18.26%	\$10,561.47	54-11-07-300-005.000-018
MOORE KENNETH E & NANCY K	9267 W STATE ROAD 32	WAYNETOWN	IN	47990	6.57	3.40%	\$1,967.36	54-12-12-400-010.001-018
SOWERS MICHAEL D & MYRNA J	4339 E 500 N	CRAWFORDSVILLE	IN	47933	36.55	18.92%	\$10,944.76	54-12-12-100-002.000-018
SOWERS MICHAEL D & MYRNA J	4339 E 500 N	CRAWFORDSVILLE	IN	47933	21.33	11.04%	\$6,387.19	54-12-12-100-002.001-018
WARRICK LARRY D ETAL	1508 W STATE ROAD 32	CRAWFORDSVILLE	IN	47933	35.91	18.59%	\$10,753.11	54-12-12-400-010.000-018

Total Watershed Acres =	193.19
Proposed Reconstruction Estimate =	\$57,850.00
Proposed Reconstruction Assessment per Acre =	\$299.45

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## Monthly Report- April 2013

### Contribution Agreement

- Continued field visits of CRP re-enrollments
- Continued creating Conservation Plan Maps in Toolkit
- Continued completing Job Sheets for re-enrollments
- Submitted second quarterly report for NRCS agreement
- Continued work on Knox County SWCD Contribution Agreement

### Meetings

- Attended SWCD board meeting on April 4<sup>th</sup>
- Met at NRCS central office to set up LincPass card (computer ID) on April 9th
- Attended webinar on conversion to Windows 7 and ArcGIS 10 on April 15th

### Agriculture Days at 4-H Fairgrounds

- Set up and tear down for event
- Assist Connie in coordinating event
  - Keeping events on schedule, lunch, distribution and collection of student quizzes, cleaning facility, etc
- Presented program on Wildlife Habitat ( 10, 15-minute presentations)

### Invasive Species Workshop

- Created advertisement flyer for event
- Prepared and mailed flyers
- Have been in communication with event presenters

### Misc.

- Purchased projector and printer/scanner
- Completed online AgLearn courses: Conservation Planner 1 and Organic 101
- Assisted Jamie Shonkwiler with wetland determination
- Continued updates/maintenance of website

Prepared by Angela Garcia Miller

May 1, 2013



## Monthly Report- May 2013

### Contribution Agreement

- Completed field visits of CRP re-enrollments
- Continued completing Job Sheets for re-enrollments for both agreements
- Continued field work on Knox County SWCD Contribution Agreement
- Organized photos, gps waypoints, and job sheets by tract
- Prepared maps for Annual Status Review field visits
- Conducted field visits for Operation and Maintenance compliance for 2012 re-enrollment CRP practices
- Conducted field visits for Annual Status Reviews of 2012 CRP construction
- Continued preparing Tasks Completed report for both agreements

### Meetings/Trainings

- Attended SWCD Board Meeting on May 2<sup>nd</sup>
- Met with Rob Durrett to plan Invasive Species Workshop on May 2<sup>nd</sup>
- Assisted with Invasive Species Workshop on May 7<sup>th</sup>
- Met with Brian MacGowan of Purdue Extension to discuss Natural Resources Enterprises workshop on May 7th
- Met at NRCS central office to get computer access LincPass card on May 23rd
- Met with Becky Ross of NRCS to discuss contribution agreement update on May 28th
- Attended NRCS Area Meeting/Training on conducting field visits and assessing resource concerns in the field on May 29th
- Attended CRP Webinar on May 30<sup>th</sup>
- Met with Andrew Brown of NRCS to discuss findings of Fountain/Vermillion County field visits on May 31<sup>st</sup>

Prepared by Angela Garcia Miller

May 31, 2013



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
June 3, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, June 3, 2013 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Vice Chairman Phil Rice, which was followed by the Pledge of Allegiance and a prayer by Terry Hockersmith.

Board members in attendance were Phil Rice, Vice Chairman; Deanna Durrett, Secretary; Ed Stephens and Terry Hockersmith members. Dave Rhoads chairman was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan attorney and Deputy Surveyor; Angie Miller.

Also present were Vickie Powell, Brenda Foster, Pat Cunningham, Chad Woodrow, Don Mills, Tami Utterback, Larry Cain, Dick McClaskey, Mark Barclay, Bob Cox of the "Journal Review" Robert McDonald, Michael Sowers, Jeff Lough, Bob Hole, Kyle Blaydes, Curt Hudson and Jack Edward.

**Ed Stephens moved, seconded by Terry Hockersmith, to approve the April 9, 2013 minutes. Motion carried, 4-0.**

**Ed Stephens moved, seconded by Terry Hockersmith, to approve the May 14, 2013 minutes. Motion carried, 4-0.**

**John Lane #531 Reconstruction Hearing**

Tom Cummins reported the **John Lane #531**, the watershed is 351.34 acres in Scott Township and a petitioner's hearing was held on the petition of the landowners. Notice was given of the present hearing. The proposed reconstruction is:

1,500 ft	18" smooth corr. HDPE pipe	@	\$17/ft	= \$25,500.00
950ft	15" smooth corr, HDPE pipe	@	\$13/ft	= \$12,350.00
1,505 ft	12" smooth corr, HDPE pipe	@	\$11/ft	= \$16,555.00
3,955 ft	Existing tile destruction	@	\$1/ft.	= \$ 3,955.00
			<b>Total</b>	<b>= \$58,360.00</b>

Landowners present were: Vickie Powell, Tami Utterback, and Kyle Blaydes. Discussion between the landowners, Surveyor and the Board addressed the following: Which way does it drain? Will you be boring under the highway in this reconstruction? Will laterals be allowed to connect to the drain? Tom Cummins explained the drain flow, and that a bore may need to be done only if after the reconstruction if the drainage under the road is blocked. This should be done as a separate project as it requires a permit from INDOT and that takes a while. The landowners will be able to connect laterals to the drain. Mr. Cummins also explained the easements and time line for completion and the procedure to pay for the project.

Ed Stephens inquired if there were any written letters for or against the project. Mr. Cummins replied no. Tami Utterback and Kyle Blaydes expressed that they were in favor of the project.

**Deanna Durrett moved, seconded by Ed Stephens, to reconstruct the John Lane #531 at a cost of \$58,360.00 with bid opening at the July 1, 2013 Drainage Board meeting at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

**Swearingen Runyon 2# 718 Reconstruction Hearing**

Tom Cummins reported the **Swearingen Runyon 2 #718** watershed is 193.19 acres in Ripley Township and a petitioner's hearing was held on the petition of the landowners. Notice was given of the present hearing. The proposed reconstruction is:

1,250 ft.	15" smooth corr. HDPE pipe	@	\$13/ft	=	\$16,250.00	
1,650 ft.	12" smooth corr. HDPE pipe	@	\$11/ft.	=	\$18,150.00	
1,650 ft.	10":smooth corr. HDPE pipe	@	\$ 9/ft.	=	\$14,850.00	
3,600 ft.	Existing tile destruction	@	\$ 1/ft	=	\$ 3,600.00	
1	Paved road crossing	@	\$5,000/ea.	=	\$ 5,000.00	
				Total	=	\$57,850.00

Landowners present were: Don Mills, Mark Barclay, and Michael Sowers. Discussion between the landowners, Surveyor and the Board addressed the following: Why is there a **Swearingen Runyon 2#718** now? Will the trees be taken out and is that part of the project estimate? Mr. Cummins explained that at the request of the landowners the tiles are now a part of the **Swearingen Runyon 2#718** and was approved at a prior hearing. Mr. Cummins reported the trees can be a part of the project if that is what the landowners request as there is enough in the estimate to pay for it. Michael Sowers reported he has put in \$30,000.00 worth of waterways and wants to make sure this project will be done right with all that he has already spent. **Deanna Durrett moved, seconded by Ed Stephens, to reconstruct the Swearingen Runyon 2 #718 at a cost of \$57,850.00 with bid opening at the July 1, 2013 Drainage Board meeting at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

**William Buchanan #505 Petitioner Hearing**

Tom Cummins reported the petition was signed by William Cain, Bob Hole, David Branstetter, Robert McDonald, Jeff Lough, Brad Conner, Dan Crowe and Richard McClaskey. Landowners present were: Chad Woodrow, Larry Cain, Dick McClaskey, Robert McDonald, and Bob Hole. Discussion between the landowners, Surveyor and the Board was held. Mr. Cummins used the GIS program to display the area and show where tile holes have been repaired over the years due to back pressure. The assessment had been raised due to the drain being in debt and now the tile holes need to be addressed. Because of the scope of work needing to be done, it should be done as a reconstruction rather than through maintenance. The assessment was lowered to \$2.98 this year. Seventy-five percent of the maintenance fund may be used towards the reconstruction. Mr. Woodrow requested to perform work on his property himself to fix the problem. Other landowners discussed of the culvert issues, tree roots and broken tiles that are the result of years of neglect. Meetings have been held in the past with nothing being done. Options regarding tree removal were discussed. **Deanna moved, seconded by Ed Stephens, to hold a reconstruction hearing for the William Buchanan #505 on Monday, August 5, 2013 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.**

**Petitions:**

Tom Cummins reported he has received a petition to advance the date to hold a petitioner's hearing from Shelton Farms for the **Albert Nobes #547** drain. It is in North Union Township, and there is an outlet issue, grade of tile issue and he recommends the Board hold a petitioner's hearing. **Deanna Durrett**

**moved, seconded by Phil Rice, to hold a petitioner's hearing to advance the date for the Albert Nobes #547 on July 1, 2013 at the Crawfordsville District Public Library at 9:30 a.m.**

### **Old Business**

Tom Cummins reported that he had met with Suanne Milligan concerning the **Swearingen Runyon #557** 2012 reconstruction delay. A letter was presented to the Board, which was sent to Mr. Matt Goings concerning the performance of work on the **Swearingen Runyon #557**. Mr. Goings spoke with Mr. Cummins last Thursday, and weather permitting will be done the end of this week on the project. The work on Mr. Moore's property is complete.

### **Albert Hysong #618 update**

Pat Cunningham and Doug Hall representing Vester & Associates presented a plan for the joint drain with Hendricks County. Issues are drain and surface water which all drain through Montgomery County. There are private tiles in Hendricks County and surface water at County Road 1000 East. There are twin 36" pipes that need repair and the Board will need to work with the County Highway Department when constructing tiles and ditch work. A request letter will be sent this week to Hendricks County requesting they waive their rights to be involved in the reconstruction project as all work will be done in Montgomery County. Terry Hockersmith will contact the County Highway concerning culvert ordinance.

Tom Cummins presented a copy of Ordinance 2006-06 that was filed on August 10, 2007. It is an ordinance signed by the commissioners establishing polices regarding landowners performing work on drains and ditches.

Deanna Durrett inquired if Walt Nelson had settled on the **Linn-Himes #533-01** reconstruction payment. Mr. Cummins reported Mr. Nelson understands the issues now.

Deanna Durrett inquired if Ms Milligan had researched about dividing reconstruction projects into two projects when a bore is required. Ms Milligan had not been informed of this request and will report at the next meeting.

### **New Business**

Jack Edwards, Wayne Township Trustee, inquired why Wayne Township should pay assessment on an abandoned cemetery in the **Detchon Adams #711** watershed. Mr. Edwards stated there is no money in their budget and has paid it out of his own pocket one year. Ms Milligan and Terry Hockersmith will look into local and state law concerning abandon cemeteries. Phil Rice will notify Mr. Edwards with the answer.

Curt Hudson inquired about the **Arthur Fraley 2 #709** and **Joe Hall #581** that the spraying has not been successful in some areas, where only portions of brush had been killed. Mr. Cummins will look into it. It may need to be mowed, rather than sprayed this year. Mr. Hudson also inquired about the boring project and Mr. Cummins reported that it is a slow process securing boring projects permits.

Deanna Durrett present a copy of the Putnam County tax form which lists landowners extra assessments on it. Terry Hockersmith reported a GUTS program problem and the County is still withholding payment to them.

Angie Miller Deputy Surveyor presented her April and May reports. She is performing a lot of contribution agreements at this time.



**Deanna Durrett moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:54 a.m.  
Motion carried, 4-0**

Vicki Emmert,  
Recording Secretary

\_\_\_\_\_  
David Rhoads, Chairman

*Phil Rice*

\_\_\_\_\_  
Phil Rice, Vice Chairman

*Deanna Durrett*

\_\_\_\_\_  
Deanna Durrett, Secretary

*Terry Hockersmith*

\_\_\_\_\_  
Terry Hockersmith, Member

*Ed Stephens*

\_\_\_\_\_  
Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
July 1, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, July 1, 2013 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Phil Rice, Vice Chairman; Deanna Durrett, Secretary; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Deputy Surveyor; Angie Miller. Suanne Milligan attorney was not present.

Also present were Dave & Brenda Foster, Dick Shelton, Walt Nelson, Bart Maxwell Jr., Don Mills, Michael Terry, Matt Goings, Bob Cox, LeRoy Bunnell, Clark Sennett, Bob Shelton, and Joe Miller of Banning Engineering.

Dave Rhoads introduced Don Mills who had brought in a hollowed out wooden tube approximately eight feet long that he could not identify that he discovered in an old barn. One of the board members identified it as an old well casing.

**Deanna Durrett moved, seconded by Phil Rice, to approve the June 3, 2013 minutes. Motion carried, 4-0. Dave Rhoads abstained.**

**Bid Openings:**

Tom Cummins reported he has received four bids for the **John Lane #531** reconstruction.

Maxwell Farm Drainage	\$46,375.00
Goings Excavating	\$51,487.75
Foster Farm Drainage	\$48,831.70
Davidson Excavating	\$109,322.25

Surveyor's Original Estimate                   \$58,360.00

Tom Cummins reported he has received four bids for the **Swearingen Runyon 2 #718**

Maxwell Farm Drainage	\$52,650.00
Goings Excavating	\$54,709.50
Foster Farm Drainage	\$48,765.36
Davidson Excavating	\$116,210.50

Surveyor's Original Estimate                   \$57,850.00

A ten minutes recess was taken for Mr. Cummins to review the bids.

Tom Cummins reported all bids were responsive to the bid packets and all had the 5% bid bonds and recommended Maxwell Farm Drainage for \$46,375.00 for the **John Lane #531** reconstruction. Completion date is September 1, 2013. **Phil Rice moved, seconded by Ed Stephens, to award the bid to Maxwell Farm Drainage for \$46,375.00 for the reconstruction of the John Lane #531. Motion carried, 5-0.**

Tom Cummins reported all bids were responsive to the bid packets and all had the 5% bid bonds and recommended Foster Farm Drainage for \$48,765.36 for the **Swearingen Runyon 2 #718** reconstruction. Completion date is September 1, 2013. **Phil Rice moved, seconded by Ed Stephens, to award the bid to Foster Farm Drainage for \$48,765.36 for the reconstruction of the Swearingen Runyon 2 #718.** Mr. Cummins reported camera work after the reconstruction would be done out of the maintenance accounts. He will have the rates at the August meeting. **Motion carried, 5-0.**

camera YAE  
Approved August 5, 2013  
D.B. Meeting

### **Albert Nobes #547 Petitioner Hearing**

Tom Cummins reported the petition was signed by Shelton Farms. The **Albert Nobes #547** is in North Union Township in the area of 570 N and 400 E. Discussion between the landowners, Surveyor and the Board was held. Mr. Cummins used the GIS program to display the area. The drain will need to be increased at the main outlet. There are tile, grade and cover issues. Shelton Farms has performed some of their own ditching and presented a photo to the Board after a recent heavy rain. Durrett and Cummins have seen tiles on the drain repaired with plastic and shingles. Shelton Farms owns over ten percent of the land in the **Albert Nobes #547**. Deanna Durrett moved, seconded by Phil Rice, to hold a reconstruction hearing on August 5, 2013 for the **Albert Nobes #547**. **Motion carried, 5-0.** The Sheltons thanked the Board for the hearing.

### **Updates**

Tom Cummins reported the reconstructions for the **John Galey #518, the Swearingen Runyon #557** and **Jesse Evans #514** are all complete.

Bart Maxwell of Maxwell Farm Drainage reported the work on the **James Sanders #550** will be completed today. Deanna Durrett reported that this work was done free of charge by Maxwell Farm Drainage and Fratco Tile as work by another contractor was done incorrectly.

Tom Cummins reported there are ten drains that need spraying. The seven with sufficient funds will be done at this time. Mr. Cummins reported he is focusing on mowing and large tree removal this summer. Deanna Durrett requested a report of what is sprayed and mowed this year.

### **Old Business**

Walt Nelson: Tom Cummins reported that when Larry Utz was Surveyor, he told Walt Nelson that a portion of the Linn-Himes #533 watershed could be switched to the **Timothy Lane #602**. Walt Nelson declined to speak as he has already discussed the issue with the Surveyor. Mr. Cummins displayed the watershed using the GIS program and reported the watersheds have been

redrawn. Mr. Cummins reported that Mr. Nelson's land flows west into the **Linn-Himes #533** during heavy rains. Approximately 19.59 acres are in question. Dave Rhoads reported when the hearing was held for the **Linn-Himes #533** there were landowners present at the meeting that felt their land did not drain into the watershed either.

(Mr. Nelson decides to speak) Mr. Nelson reported he never received a notice of the hearing. Mr. Cummins showed proof to Mr. Nelson that the notice for the **John Galey #518** was sent to him, but returned to the office. Mr. Cummins also told him a notice was sent for the **Linn-Himes #533**, but was not returned. Deanna Durrett reported that the Drainage Board follows the Indiana Code and if a letter is returned the landowners name is published in the newspaper when the notice of hearing is published.

Mr. Nelson stated he would like a vote by the Drainage Board as to where his land should be. **Dave Rhoads moved, seconded by Deanna Durrett, that Walt Nelson's land be kept in the Linn Himes #533 watershed because the surface water runs into the Linn-Himes #533.** Ed Stephens inquired if Larry Utz had the authority to change and edit the watershed. Mr. Cummins says yes, but what he did with Mr. Nelson was orally and the paperwork was never updated. Dave Rhoads reported the in 2009 the Raindrop system was implemented in the office. Ed Stephens requested it be put on record that he is not satisfied with the way this situation was handled. Terry Hockersmith also felt this was not being resolved correctly. **Motion carried, 3-2. Stephens and Hockersmith against.** Mr. Nelson reported that Mr. Rhoads should not vote as he is in the watershed. **Dave Rhoads withdrew his vote. Motion died due to a tie therefore nothing changes.** Walt Nelson requests that Mr. Cummins to look up evidence that a letter was sent to him on the **Linn-Himes #533** ditch.

LeRoy Bunnell: Mr. Bunnell was present to discuss taking over a private drain (**known prior to the Board as the unkown drain or Clark Alford**) or creating a new watershed. Mr. Cummins will speak to Suanne Milligan about this issue. The Surveyors office will create the letter and Mr. Bunnell will be responsible for sending the letter to landowners. Mr. Cummins will update the Board at the August meeting.

### **Pending Items**

Tom Cummins reported on the following:

**John Gobin 2 #520:** There will be two railroad bores and Banning Engineering is working on the permits.

**Arthur Fraley 2 #709** is an open ditch. Mr. Cummins reported they are ready for a Surveyor to take official grade recordings on it.

### **Martin Liter #709**

The majority of the drain has been dipped out however the culvert is two feet too high. Cummins will work with the Highway Department.

**Albert Hysong #618:** A letter was sent to Hendricks County concerning their role but we have received no response. Joe Miller of Banning Engineering reported that Hendricks County will be responding to Mr. Cummins letter.

### **New Business**

Tom Cummins presented his classification report to the Board. Ed Stephen inquired if at this time there is enough money in the drains to perform maintenance. Mr. Cummins reported it varies from year to year if work needs to be done. If a lot of work is to be done, Mr. Cummins has a formula to calculate the numbers and it works well. At the end of year Mr. Cummins will have four to five drains to raise assessment on. **Phil Rice moved, seconded by Ed Stephens, to accept the classification report. Motion carried, 5-0.**

### **Deputy Surveyor**

Angie Miller reported she has wrapped up the contributions agreements and attended several meetings.

### **Other Business**

Deanna Durrett reported she would like to have a special meeting to discuss with a technician from the manufacturer the specification of tiles used in the reconstruction projects. The Board would like to know the difference between virgin pipe and non virgin pipe from the manufacturer. July 15, 2013 at 8:00 a.m. a strategic planning meeting will be held at 110 W South Boulevard, Crawfordsville in the conference room.

Ms. Durrett requested that the minutes show that reconstructions should be done in the summer and will prepare a draft motion for the August meeting. Board members discussed the Commissioners resolution, about landowners performing their own work. Terry Hockersmith reported the County Attorney is working on the wording to clarify that a landowner must contact the Surveyor before any work is done. Mr. Hockersmith will report back on updates.

Deanna Durrett inquired if there were any updates from Terry Hockersmith concerning the tax forms that are sent out to the landowners. Mr. Hockersmith said at this time there is nothing new to report. He will check to see who designs the tax form for Putnam County.

Tom Cummins reported there may be a storm water review for T & N Trash Services at the July 15, 2013 meeting.

Deanna Durrett requested Matt Goings to be present to discuss the **Swearingen Runyon #557** reconstruction project that is now complete. Tom Cummins reported the original deadline was December 1, 2012. The bid was awarded at the September 17, 2012 meeting. Mr. Goings wanted to start work right away, but was delayed. At the request of the landowners, who wanted to wait till the crops were harvested, Mr. Goings waited. After harvest it turned wet. With the weather problem and the type of soil in Ripley Township Mr. Goings had to change the type of

machinery used to perform the reconstruction. There were several delays due to the weather. The Board thanked Mr. Goings for his work.

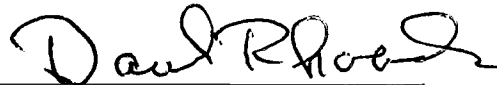
Phil Rice inquired will there be camera work on the **John McCorkle #608**. Mr. Cummins reported in the affirmative.

Drainage School will be August 28, 2013 at the Indiana Farm Bureau Building. Those attending will be Deanna Durrett, Phil Rice, and Ed Stephens, Tom Cummins and Suanne Milligan.

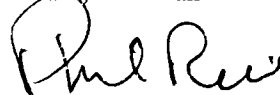
The next meeting will be July 15, 2013 at 110 W. South Boulevard at 8:00 a.m. and the next monthly meeting will be August 5, 2013 at 9:30 a.m. at the Crawfordsville District Public Library.

**Phil Rice moved, seconded by Deanna Durrett, to adjourn the meeting at 11:09 a.m. Motion carried, 5-0.**

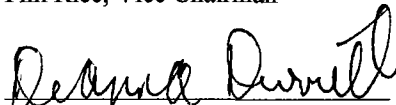
Vicki Emmert,  
Recording Secretary



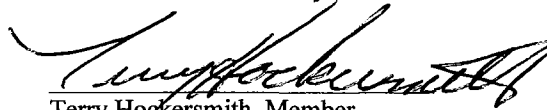
David Rhoads, Chairman



Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
July 15, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, July 15, 2013 at 8:00 a.m. at 110 W South Boulevard in the conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Phil Rice, Vice Chairman; Deanna Durrett, Secretary; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary. Suanne Milligan attorney was not present.

Also present were Walt Nelson and Bart Maxwell.

Tom Cummins reported he has not heard back from DLZ for the D & S Storm Water review.

Tom Cummins presented the Board with three handouts concerning manufacturer supplying pipe to contractors for reconstructions.

The Board discussed that they would like to have a meeting with contractors and technical representatives from area manufacturers.

Mr. Cummins will set up meeting times to tour Fratco, Inc. of Francisville, IN, ADS/Hancor, Inc. of Brazil, IN and Prinsco, Inc. of Chatsworth, IL. At least three Board members will attend along with the Surveyor to each facility with a set of questions for the manufacturer.

Dave Rhoads addressed Walt Nelson in attendance concerning his tax statements. Phil Rice reminded Mr. Nelson that no decision was made and it was a dead vote at the last meeting concerning the **Linn-Himes #533** watershed and reconstruction. Walt Nelson had requested a vote at the last meeting to remove him from the Linn-Himes and the request failed. Tom Cummins reported the **Linn-Himes #533** possibly was off of assessment during the period that Mr. Nelson was inquiring about. Mr. Cummins will meet with Mr. Nelson after the meeting. Mr. Rice asked Mr. Nelson for an apology to Mrs. Emmert concerning the information about receipt of certified mail. A apology was not given. Bart Maxwell came in at 9:00 a.m. for meeting. Mr. Maxwell discussed with the Board his findings on different kind of tiles.

**Phil Rice moved, seconded by Ed Stephens to adjourn at 9:35 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

YAE  
Approved  
August 5, 2013  
D.B. Meeting



*Phil Ribe*

Phil Ribe, Vice Chairman

*Deanna Durrett*

Deanna Durrett, Secretary

*Terry Hockersmith*

Terry Hockersmith, Member

*Ed Stephens*

Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
August 5, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, August 5, 2013 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Phil Rice, Vice Chairman; Deanna Durrett, Secretary; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; and Suanne Milligan, attorney.

Also present were Dick Shelton, Robert L McDonald, Richard Wills, Ed Elmore, Jeff Lough, William L Cain, Monty Storm, Bryan McClaskey, Marion Kiger, Chad Widmer, Don Mills, Greg Foudray, Dave & Brenda Foster, Brad Conner, Bob Cox, and Wayne Branstetter.

**Ed Stephens moved, seconded by Terry Hockersmith, to approve the July 15, 2013 minutes with corrections. It should be added to the Linn-Himes #533 section; Mr. Rice asked Mr. Nelson for an apology to Mrs. Emmert concerning the information about receipt of certified mail. Apology was not given. Deanna Durrett requested that the word possibly be omitted from "Tom Cummins reported the Linn-Himes #433 possibly was off of assessment during the period that Mr. Nelson was inquiring about. " The reason was Mr. Cummins said it was off assessment. Motion carried, 5-0.**

**Ed Stephens moved, seconded by Terry Hockersmith, to approve the July 1, 2013 minutes with corrections. Deanna Durrett requested the word camera be added to the Swearingen Runyon 2 #718 section that read "He will have the rates at the August meeting" with He will have the camera rates at the August meeting. Motion carried, 5-0.**

**RECONSTRUCTION HEARINGS:**

**William Buchanan #505:** The Board and landowners discussed three options provided by Surveyor Cummins for the reconstruction. Landowners present were Robert L McDonald, Jeff Lough William L. Cain, Bryan McClaskey, Richard McClaskey, Brad Conner and Wayne Branstetter. Option A reconstructs the drain in its present pathway; Option B moves much of the drain into a grassy area in order to preserve trees. However, it requires extensive "scalping" of the soil. Option C relies on an open drain. Cummins told the Board that open drains, over the life-time, are much more expensive than tiles. Mr. Cummins will work with the county highway department about solutions for the surface water at the culvert. **Deanna Durrett moved, seconded by Phil Rice, to accept Option A for the reconstruction of the William Buchanan #505 at \$36,050. A slotted breather to intake surface water will be added. The work is to be completed by summer 2014, weather permitting. Motion carried, 4-1 with Mr. Hockersmith voting "no."**

**Albert Nobes #547:** Landowners present were Richard Wills, Ed Elmore, and Marion Kiger. The Board and landowners discussed that the outlet for the **Albert Nobes #547** is many feet removed from a creek. The Board discussed the general problem of this kind of a drain and

concluded that a strategy should be created. In addition, a landowner has tiled an area outside the watershed that now drains into the watershed.

Mr. Cummins will need to create a new map and schedule of assessments. **Deanna Durrett moved, seconded by Ed Stephens, to continue the Albert Nobes #547 reconstruction hearing to Friday, August 16 at 8:00 at the South Boulevard office. Motion carried, 5-0.**

UPDATES:

Cummins reported that work has been finished and loans have been secured for the **John Galey #518, Swearingen Runyon #557** and the **Jesse Evans #514**. Work is finished on the **Joseph Ludlow #586 and Carolyn Kenyon #704**. Reconstruction of the **Rebecca Miller #718** begins this week.

OLD BUSINESS:

Mr. Cummins received a letter from the Hendricks County Drainage Board relinquishing participation in reconstruction hearings on the **Albert Hysong #618**. **Deanna Durrett moved, seconded by Phil Rice, to hold a reconstruction hearing on November 4, 2013 at 9:30 a.m. for the Albert Hysong #618 joint drain with Hendricks County at the Crawfordsville District Public Library. Motion carried, 5-0.**

Mr. Hockersmith reported that Putnam County uses an accounting software program different from Montgomery County's Cyma. Their program allows for description of assessments for individual drains while ours does not.

Ms. Durrett will present her resolution concerning summer tile installation at the next Board meeting.

The 2013 Ditch Spraying and Mowing report was presented by Mr. Cummins. He indicated that this work has progressed to the point that once five more drains are chemically de-brushed, he will be able to maintain drains through a regular spraying program.

A letter from ADS, dated 7/29/13, certifies that the tile used by contractor Matt Goings for the **Swearingen Runyon #557** Drain complies with requirements of the AASHYO M 294 Standard Specifications. Mr. Cummins further reported that the tile is 100% virgin material.

Mr. Stephens reported that he wants to include a violation clause in the document that contractors sign concerning the use of 100% virgin tile. He also wants the contractor to provide a copy of the tile purchase. No action was taken.

Ms. Milligan reported on her research on Wayne Township Trustee's responsibility to pay ditch maintenance and reconstruction assessment for land in a cemetery maintained, but not owned, by the Township. She concludes that the Township should not be assessed. A copy of her letter will be filed with these minutes. Mr. Cummins will provide Ms. Milligan's report to the County Recorder and Auditor.

NEW BUSINESS:

Contractor Dave Foster presented a DVD of a grinding excavator ([www.mbamerica.com](http://www.mbamerica.com)) to solicit Board interest in using it as an alternative to current specification about fill material for work he is doing on the xxx. The Board thanked Foster but will retain current specifications. Members told Foster to continue his research for future consideration.

Foster also presented a failed drain tile installed privately on Dave Maroney property approximately 12 years ago. Foster believed it to be recycled tile. Further inspection showed it to be AS 405 252 or virgin tile.

Tile representative Monte Storms appeared to request a meeting with the Board about his company's ECO flow 100 tile. Ms. Durrett told Storms that the Board is in the midst of arranging fact-finding visits to our three major tile providers, including his.

At Rice's request, Durrett will copy her Inventory for Board members.

Meeting was adjourned at 12:00 pm.

Respectfully submitted: Deanna Durrett



David Rhoads, Chairman

Phil Rice, Vice Chairman



Deanna Durrett, Secretary

Terry Hockersmith, Member



Ed Stephens, Member

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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
October 7, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, October 7, 2013 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by *Chairman, Dave Rhoads*, followed by the Pledge of Allegiance and a prayer by Suanne Milligan.

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Ed Stephens. Phil Rice, Vice Chairman and Terry Hockersmith member were not present. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary and Suanne Milligan, attorney.

Also present were Brenda Foster, Gayle Wolfe, Bob Clark, Richard Wills, Ed Elmore, Y. Sue Elmore and Bob Cox of the Journal Review.

**Deanna Durrett moved, seconded by Ed Stephens, to approve the August 5, 2013 minutes. Motion carried, 3-0.**

**Hearings**

The **Albert Nobes #547** reconstruction hearing was continued until today due to an investigation of which lay the tiles lay to the north. Mr. Cummins reported the tiles run north to the un-assessed Elva Thompson drain.

**Albert Nobes #547 Proposed Reconstruction Report**

1,400 ft	18" smooth corr. HDPE pipe	@ \$16/ft	= \$22,400.00
700 ft	15" smooth corr. HDPE pipe	@ \$12/ft	= \$ 8,400.00
2,100 ft	12" smooth corr. HDPE pipe	@ \$10/ft	= \$21,000.00
1,200 ft	10" smooth corr. HDPE pipe	@ \$8/ft	= \$ 9,600.00
5,400 ft	Existing tile destruction	@ \$1/ft	= \$ 5,400.00
1	Paved road crossing	@ \$5,000/ea.	= \$ 5,000.00
1	18" outlet w/animal guard	@ \$500/ea.	= \$ 500.00
1.5 acres	Tree removal	@ \$3,000/acre	= \$ 4,500.00
		Total	= \$76,800.00

Landowners present were: Bob Clark, Richard Wills, Ed Elmore and Y Sue Elmore. Discussion between the landowners, Surveyor and the Board addressed the following: The procedures of hearings and petitions. How the work will benefit the landowners. Why was a new tile allowed to attach when the main tiles were not working correctly. How the old tiles will be destroyed. Mr. Cummins will take someone from the Highway Dept. to look at the culvert that was reported to be in need of repair. .

**Deanna Durrett moved, seconded by Ed Stephens, to approve the reconstruction of the Albert Nobes #547 at a cost of \$76,800.00 with the reconstruction to be completed in the summer of 2014 with the bid opening set for November 4, 2013 at 9:30 a.m. at the Crawfordsville District Public Library.** Ed Stephens inquired about how it is noticed. Notice is published in the newspaper with a twenty day waiting period to determine whether or not any appeal has been filed. Mr. Cummins recommends the reconstruction and will consider lowering the assessment rates after the reconstruction is

completed. Landowners inquired how long it takes for a reconstruction. Mr. Cummins reported about two weeks, weather permitting. **Motion carried, 3-0.**

### **Updates**

Tom Cummins reported reconstructions have been completed for the **Rebecca Miller #718, John Lane #531, Issac Shotts #574 and the Swearingen Runyon 2 #719.** Mr. Cummins will be soliciting loan rates from the banks and hopes to have checks for contractors by end of week.

Ditch spraying and mowing has been completed for the **Smith-Elmore #641, Joe Hall #581, Lye Creek #535, Phillip Dewy #584, Chrin. Schenck #506, Charles Ludlow # 1 #714, Shumaker White #713, and the George Rusk #712**

There are two drains in the process of being mowed now. **George Hutchinson #527 and Detchon Adams #711.** Frank James and Foster Farm Drainage both have mowing machines in the county along with Anderson Tree Company of Lafayette, which are contracted for mowing at a rate of \$225.00 an hour.

### **Old Business**

**Deanna Durrett moved, seconded by Ed Stephens, to set the bid opening for the William Buchanan #505 for November 4, 2013 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 3-0.**

Tom Cummins reported there will be a delay in having the **Albert Hysong #618** reconstruction hearing as he spoke with the Hendricks County Surveyor at a recent conference and found out they have not been assessing the drain. He is waiting on a call from Hendricks County to see if they want to be involved in the assessment hearing process.

Deanna Durrett inquired about the tour with the tile manufactures. Tom Cummins reported it will be after harvest.

Deanna Durrett inquired about the cemetery discussion shown in the previous minutes. Susanne Milligan presented a memo to be submitted also to the Auditor and Records office.

Deanna Durrett will make a written motion policy for timing of new reconstructions to present at the next meeting.

### **Petitions**

Tom Cummins reported he received a Petition for Removal of Obstructions in a Mutual Drain from Ms. Gayle Jackson Wolfe of 604 Parke Ave., Crawfordsville, IN on September 26, 2013. Ms Wolfe lives in the Cox Addition. This property is in the two mile zone of Crawfordsville with snow removal by the County. Ms. Wolfe has been dealing with this issue for two years. The issues are with two properties. One which widened their driveway and either removed or blocked their driveway culvert. The other is with landowners who removed their culvert and did landscaping on both sides of their drive where the drain should go. A photo was presented for this. Both of these issues are alleged to cause flooding on her property. Mr. Cummins reported there is a culvert ordinance but does not know who should enforce it. **Dave Rhoads moved,**

**seconded by Ed Stephens, to hold a hearing on the landowner's Petition for Removal of Obstructions in Mutual Drains on November 4, 2013 at 1:00 p.m. at the Crawfordsville District Public Library. Motion carried 3-0.** All landowners will receive a certified notice of the hearing and a copy of the petition.

Tom Cummins reported he would like to continue the Petition to Re-establish Maintenance on the **Edward Coleman #N/A** to the November 4, 2013 meeting.

**Dave Rhoads moved, seconded by Ed Stephens to adjourn the meeting at 11:12 a.m. Motion carried, 3-0.**

Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman

Phil Rice, Vice Chairman



Deanna Durrett, Secretary

Terry Hockersmith, Member



Ed Stephens, Member





**MONTGOMERY COUNTY  
DRAINAGE BOARD  
November 4, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, November 4, 2013 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Ed Stephens members. Phil Rice Vice Chairman was not present. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary and Suanne Milligan, attorney.

Also present were Brenda Foster of Foster Farm Drainage, Bart W. Maxwell of Maxwell Farm Drainage, Matt Goings of Goings Excavating, Clint Knoy of Masterscape, Dick Shelton and Bob Shelton.

**Deanna Durrett moved, seconded by Ed Stephens, to approve the October 7, 2013 minutes. Motion carried, 3-0. Terry Hockersmith abstained.**

**Bid Openings**

Tom Cummins reported there were four bids for the **William Buchanan #505** reconstruction in Franklin Township with an estimate of \$36,050.00.

Masterscape	\$33,286.50
Goings Excavating	\$32,825.00
Maxwell Farm Drainage	\$34,650.00
Foster Farm Drainage	\$29,573.18

Mr. Cummins reported there were three bids for the **Albert Nobes #547** reconstruction in Union Township with an estimate of \$76,800.00

Masterscape	\$59,094.00
Goings Excavating	\$61,671.00
Maxwell Farm Drainage	\$63,000.00

A brief recess was taken for the Surveyor to review all the bids.

Tom Cummins reported all bids were responsive to the bid packets and all had the 5% bid bonds. The time frame for completion of all reconstructions is September 1, 2014. One hundred percent virgin tile is required in both reconstructions.

Mr. Cummins recommended that the reconstruction of the **William Buchanan #505** be awarded to Foster Farm Drainage. **Terry Hockersmith moved, seconded by Deanna Durrett, to award the bid to Foster Farm Drainage for the William Buchanan #505 reconstruction for \$29,573.18 to be completed by September 1, 2014. Motion carried, 4-0.**

Mr. Cummins recommended that the reconstruction of the **Albert Nobes #547** be awarded to Masterscape. **Ed Stephens moved, seconded by Terry Hockersmith, to award the bid to**

**Masterscape for the Albert Nobes #547 reconstruction for \$59,094.00 to be completed by September 1, 2014.** Bob Shelton presented the Board with a letter from Shelton Farms stating that they would like to use Maxwell Farm Drainage as he has done previous work for them. Tom Cummins reported Shelton Farms own 48% of the land in the watershed. The difference between the bids is less than \$4,000.00 difference between bids. Ed Stephens inquired from Suanne Milligan what the code says. Ms Milligan reported the code requires the contract be awarded to the lowest most responsive and most responsible bid. Dave Rhoads suggested the Shelton's to call the Board and Surveyor if any problem arises. Deanna Durrett reported all drains have a camera run through them to make sure they are on grade after a reconstruction.

**Motion carried, 4-0.**

Dave Rhoads thanked all the Contractors for their bids and being competitive to each other. The Shelton's thanked the Board for their consideration of their letter.

### **Updates**

Tom Cummins reported all the reconstructions and loans undertaken this year are completed now.

Tom Cummins reported that ditch mowing has been done on the **Stanford-Elmore #555, Edward Patton #548, James Fleming #517,** and a portion of the **Detchon Adams #711.** Mr. Cummins will be looking at assessments and mowing of other drains in the future. In 2015 there will be a new aerial mapping of the County and on it viewers will be able to see the de-brushing that has been done.

### **Old Business**

Tom Cummins reported the **Edward Coleman #N/A** in Madison Township South of 1100 N should have a hearing to increase the assessment. It drains into the **Arthur Fraley #596.** Mr. Cummins has spoken to Scott Odle about tile holes in the area. **Deanna Durrett moved, seconded by Ed Stephens, to hold a rate assessment hearing at the first Drainage Board meeting in January 2014 to put the Edward Coleman #N/A back on assessment.** Motion carried, 4-0.

The Board discussed when to set the 2014 Drainage Board meetings. **Dave Rhoads moved, seconded by Ed Stephens, to hold the Drainage Board meetings on the first Monday of the month in 2014 with discretion to cancel if needed, to be held at the Crawfordsville District Public Library at 9:30 a.m.** Motion carried, 4-0.

### **New Business**

Brenda Foster of Foster Farm Drainage inquired if she could bring a CD to the next Board meeting to show how the de-brushing machine works. The Board will put it on their agenda.

**Deanna Durrett moved, seconded by Dave Rhoads, to cancel the December 2013 meeting as there are no items on the agenda.** Motion carried, 4-0.

### **Other Business**

Deanna Durrett discussed the language that should be used in policy for reconstructions. Suanne Milligan reported the policy is subject to change as needed.

**Deanna Durrett moved, seconded by Dave Rhoads, that it is the Board's policy that drains will be reconstructed in the summer, unless extenuating circumstances prevail, in order to ensure quality installation. Motion carried, 4-0.**

Dave Rhoads inquired about the **Marion Conner #716** joint drain with Boone County. Tom Cummins reported the **Marion Conner #716** is back on assessment. Mr. Cummins spoke with Mike Cline about a year ago about tile holes and a reconstruction possibly but has not heard back from Mr. Cline. Mr. Cline suggests that it is a grade issue in Boone County. In the northern section for landowner Sam/Fisher a new crossing was installed on the open section of the ditch.

The landowner pays for materials and the drain maintenance fund pays for the installation.

Deanna Durrett requested the Surveyor to send out new contracts to the contractors for the upcoming year. Ms. Durrett also requested a financial report for the Board ending September 30, 2013.

The next meeting will be the hearing at 1:00 pm today. Terry Hockersmith has met with the Highway Department concerning the obstruction hearing that will be held today.

Terry Hockersmith inquired of Brenda Foster about completing the **Swearingen-Runyon 2 #719** this summer. Ms. Foster reported it was very dry and dusty.

**Terry Hockersmith moved, seconded by Deanna Durrett, to adjourn the meeting at 10:25 a.m. Motion carried, 4-0.**

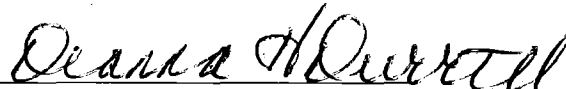
Vicki Emmert,  
Recording Secretary



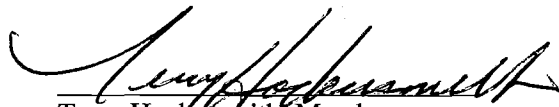
David Rhoads, Chairman

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Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
Removal of Obstruction Bechtel Hearing  
Monday November 4, 2013  
MINUTES**

The Montgomery County Drainage Board met on Monday, November 4, 2013 at 1:00 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary; Ed Stephens and Terry Hockersmith members. Phil Rice, Vice Chairman was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Recording Secretary; and Suanne Milligan attorney.

The hearing was held on Petition 2013-10.

Present were John Stephenson, Brian Bechtel representing Darrin Bechtel his son, Gayle Wolfe, and Fred Stroebel. Attorney Suanne Milligan explained to Brian Bechtel, that by representing the landowner, Darrin Bechtel, he assumes the role of "agent" and is ultimately bound by any decisions made.

Gayle Wolfe reported problems that have occurred on her property, 1924 Crescent Dr., Crawfordsville, in 2009 and 2010, in which water has backed up on the property causing the septic system to fail, and causing damages to the house. Ms. Wolfe believes the problem is being created by the lack of driveway culverts on two properties; 1908 Crescent Dr., Crawfordsville, owned by Mr. and Mrs. Stevenson and 1934 Crescent Dr., Crawfordsville, owned by Mr. and Mrs. Bechtel. Both landowners listed in petition. Ms. Wolfe explained that there was previously a culvert under the driveway on the Bechtel property, but after the driveway was widened, the culvert was buried. Ms. Wolfe explains that landscaping is now covering any culvert that might be in place on the Stevenson property.

Brian Bechtel explained that his son, landowner Darrin Bechtel, is "more than willing" to install a culvert under the driveway on his property, he just needs the County Highway Dept. to mark where the culvert should be. Mr. Bechtel explained that the widening of the driveway, and subsequent loss of the culvert, was done by the previous owner.

John Stevenson explained that the landscaping along the driveway was done by the previous owner and that the "culvert is not blocked". Mr. Stevenson presented photos (exhibits A-F) to the Board, showing a seven inch surface drain structure on the upstream side of the driveway, and an open tile outlet on the downstream side. Mr. Stevenson claims that there were "no issues with the last 2 inch rain".

Mr. Fred Stroebel, friend of Ms. Wolfe and adjacent landowner, explained that flooding is evident after every significant rain event. Mr. Stevenson explains that he has never noticed any flooding in the area. Mr. Stroebel explains that the current drainage system in the area is "stopped".

Surveyor Cummins explains to the Board, that the structure on the Stevenson property is considered an obstruction. Previously, a seven inch pipe was installed, presumably connected to any driveway culvert that was in place at the time, and a surface drain was installed to try to capture the surface water. This action not only reduced the size of the pipe, but also changed the nature of the drain from a surface water structure to a sub-surface water structure. Surveyor Cummins also reported that this problem will only be compounded if, and when, any road ditching is completed.

Terry Hockersmith reported Rod Jenkins at the Montgomery County Highway Department will install new driveway culverts, each landowner is only responsible for the cost of the culvert pipe.

Dave Rhoads inquired if all landowners present were in agreement to replace their driveway culverts, if needed. Mr. Stephenson reports that he has a paved driveway. Mr. Hockersmith reported Mr. Jenkins will keep disturbance to a minimum. Mr. Hockersmith confirms that the County Highway Dept. will install the culverts.

Board discussion of the County's culvert ordinance, in regards to an adjacent property not listed in the petition. This issue is not included in the proceedings today.

After discussion of road easements and pipe sizes, the landowners present were in agreement to complete the needed work.

Surveyor Cummins explained the Board process and responsibilities, according to the Drainage Code, in response to an "Obstruction Hearing".

**Deanna Durrett moved, seconded by Ed Stephens, that the Board finds in favor of the petitioner and determines that the obstruction is unintentional per IC 36-9-27.4-19 b.(4) and respondents and the petitioner will work with the County Highway Department in cooperation to fix the issues. Motion passed, 3-0. Terry Hockersmith abstained.** Mr. Hockersmith explains that his abstention, is due to the fact that he believes it to be a Highway right-of-way problem and could be fixed by the County Highway Department. He understands that a hearing was already in place, and would have voted yes to simply finding in favor of the petition.

Mr. Hockersmith inquired when the work can start. Surveyor Cummins explained that there are no more time constraints, and work can begin immediately.

The Drainage Board gave Terry Hockersmith the authority to contact Mr. Jenkins at the Montgomery County Highway Department to start the process to work on the Stevenson and Bechtel properties.

Mr. Bechtel reported he believes they have complied, and will comply with the Board's conditions and asked that the record reflect as much.

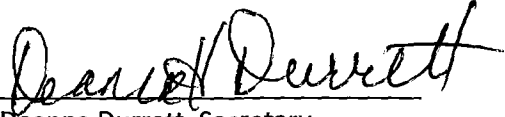
**Ed Stephens moved, seconded by Dave Rhoads, to adjourn at 2:23 pm. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

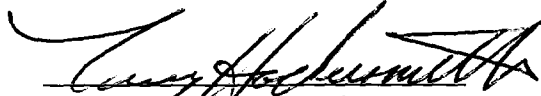
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Phil Rice, Vice Chairman




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Deanna Durrett, Secretary



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Terry Hockersmith, Member



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Ed Stephens, Member





**MONTGOMERY COUNTY  
DRAINAGE BOARD  
February 3, 2014  
MINUTES**

The Montgomery County Drainage Board met on Monday, February 3, 2014 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by *Chairman, Dave Rhoads*, followed by the Pledge of Allegiance and a prayer by Phil Rice.

Board members in attendance were Dave Rhoads, Chairman; Phil Rice, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary and Suanne Milligan, attorney.

Also present were Brenda Foster of Foster Farm Drainage, Kevin Carlson, Sue Bailey, Bob Cox and Ken Noe of Beck's Hybrids.

**Reorganization**

**Ed Stephens moved, seconded by Terry Hockersmith, to retain the 2013 officers for the 2014 year: Dave Rhoads, Chairman, Phil Rice Vice Chairman and Deanna Durrett, Secretary. Motion carried, 5-0.**

**Attorney**

Tom Cummins presented the 2014 Attorney's contract for the Board to retain Suanne Milligan as their legal advisor.

**Ed Stephens moved, seconded by Phil Rice, to retain Suanne Milligan as the 2014 Drainage Board attorney for a fee of \$6,500.00. Motion carried, 5-0.**

**Minutes**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the November 4, 2013 minutes with the correction of Same Fisher to Sam Fisher. Motion carried, 4-0. Phil Rice abstained.**

The November 4, 2013 Obstruction Hearing minutes will be presented at the March 10, 2014 meeting as there are some additions to be inserted into the minutes before approval.

**Hearing**

Tom Cummins reported the **Edward Coleman #N/A** was taken off assessment in the 1960's by the past Surveyor. The **Edward Coleman #N/A** is in Madison Township with 515.35 acres and recommended a new assessment rate of \$3.50 an acre, with a \$5.00 minimum, for a total of \$1,825.86. This drain was originally built in 1894. Mr. Cummins reported there are tile holes and in one section of watershed the ground may be considered a wetland due to the length of time it has not been farmed. Mr. Odle requested the **Edward Coleman #N/A** be put back on assessment. The **Arthur Fraley #596** should be reconstructed for the **Ed Coleman #N/A** to work correctly, but this is not in the plan at present for landowners. The **Arthur Farley #596** serves as the outlet for the **Edward Coleman #N/A**. Landowners

present were: Kevin Carlson and Sue Bailey. Discussion between the landowners, Surveyor and the Board addressed the following: How an assessment works, whether the tile under the old railroad bed is blocked, if the ground is a wetland or not and who determines it. **Ed Stephens moved, seconded by Phil Rice, to raise the assessment on the Edward Coleman #N/A to \$3.50 an acre, with a \$5.00 minimum, for a total of \$1,825.86.** Terry Hockersmith inquired if all landowners received their notice. It was reported that DF Ag LLP did not claim their letter. A public notice was published in the newspapers prior to the hearing. **Motion carried, 5-0.**

Tom Cummins presented a petition to attach to the **James Fleming #517** from James Prosser. Mr. Cummins used the projector to show where the tile is and recommended approval of the petition. **Phil Rice moved, seconded by Terry Hockersmith, to approve the petition to attach to the James Fleming #517.** Motion carried, 5-0.

**Old Business**

Tom Cummins presented the Board with the financial reports for the end of the 2013 year and the beginning of 2014. Phil Rice inquired about the adjustment line. It was reported it is in balance with the State Board of Accounts and the Auditor’s office. Deanna Durrett inquired if money has been moved from Improvement to Maintenance on the 2013-14 reports. Mr. Cummins reported money has not been moved from Improvement to Maintenance.

**New Business**

Ken Noe representing Beck Hybrids would like to vacate the **Peter Barley #501** drain. A hearing has to be set to vacate this drain. Beck Hybrids owns \$68.67% of the watershed. It is currently assessed at \$2.26 an acre. It was reported by Mr. Noe that, if vacated, a dual wall tile will be put in at no cost to area landowners in the watershed and they will be allowed to attach to the new tile. Ed Stephens inquired as to where the balance of the money in the **Peter Barley #501** drain fund would go. Mr. Cummins reported it would go into the **Funds without drains #400**, per the Drainage Code. **Deanna Durrett moved, seconded by Ed Stephens, to change our March meeting from March 3, 2014 at 9:30 a.m. at the Crawfordsville District Library to Monday, March 10, 2014 at 1:00 p.m. and to hold the Peter Barley #501 at 1:00 p.m. on March 10, 2014.** Motion carried, 5-0.

**Reports**

Tom Cummins presented the Board with the 2014 Off List, the 2014 Fund Transfers, the proposed assessment increases and the proposed decreases for 2014. **Phil Rice moved, seconded by Deanna Durrett, to hold assessment hearings to raise the rates for the following drains on March 10, 2014 at 1:00 p.m. at the Crawfordsville District Public Library.**

<b>Drain Name</b>	<b>Current Rate/Min</b>	<b>Proposed Rate/Min.</b>
<b><u>Howard Cline #508</u></b>	<b>\$1.04/\$5.00</b>	<b>\$4.41/\$5.00</b>
<b><u>Richard Faust #515</u></b>	<b>\$1.48/\$5.00</b>	<b>\$2.67/\$5.00</b>
<b><u>John Gobin #520</u></b>	<b>\$3.50/\$5.00</b>	<b>\$4.78/\$5.00</b>
<b><u>Martin McBee #540</u></b>	<b>\$1.75/\$5.00</b>	<b>\$2.84/\$5.00</b>

<u>Richard Virts #560</u>	\$3.03/\$5.00	\$3.66/\$5.00
<u>Isaac Shotts #574</u>	\$1.25/\$5.00	\$3.69/\$5.00
<u>Joel Tobin #576</u>	\$1.44/\$5.00	\$2.40/\$5.00
<u>John McCorkle #608</u>	\$1.25/\$5.00	\$3.41/\$10.00
<u>William Epperson#622</u>	\$1.69/\$5.00	\$8.83/\$5.00
<u>Richard Graham #623</u>	\$4.70/\$5.00	\$6.24/\$5.00
<u>Francis Hoss #627</u>	\$1.25/\$5.00	\$4.49/\$5.00

Motion carried, 5-0.

Phil Rice moved, seconded by Terry Hockersmith, to lower the assessment on the following:

Drain Name	Current Rate/Min	Proposed Rate/Min
<u>Jesse Evans #514</u>	\$4.96/\$5.00	\$2.76/\$5.00
<u>Lemuel McClamroch #542</u>	\$5.06/\$5.00	\$3.18/\$5.00
<u>Allie Peterson #549</u>	\$10.76/\$5.00	\$5.41/\$5.00
<u>Smith Elmore #641</u>	\$9.55/\$5.00	\$5.27/\$5.00

Motion carried, 5-0.

#### Other Business

Deanna Durrett inquired if the annual contractor letters have been sent out. Tom Cummins reported they have been sent and the office is receiving replies.

Deanna Durrett requested that Vicki Emmert gather all the policies that have been written by the Board that are in the minutes since 2006 to be put in a binder for the March meeting.

Deanna Durrett reported on the findings of the State Board of Accounts action for contracts that were written in 2012 that exceeded \$75,000. The State Board of Accounts would like all contracts that exceed \$75,000.00 to be signed by the Drainage Board president.

Deanna Durrett moved, seconded by Phil Rice,  
Pursuant to IC 36-9-27-78 c

Within five (5) days after the acceptance of a bid, the successful bidder shall enter into a contract with the Board that complies with subsection (d)

Pursuant to IC 36-9-27-79.1

Notwithstanding Sections 77 and 78 of this chapter, the following provisions apply whenever the board estimates that the amount of the contracts to be let is not more than seventy-five thousand dollars (\$75,000): (2) the board may authorize the county surveyor to contract for the work in the name of the board.

Whereas the State Board of Accounts Audit Result and Comment for 2012 found two reconstruction contracts in excess of \$75,000 in 2012.

**Therefore, from this date forward, the Drainage Board president will sign all contracts in excess of \$75,000.**

**Motion carried, 5-0.**

Ed Stephens left the meeting at 11:00 a.m.

Dave Rhoads reported that at the State Board of Accounts first meeting that Surveyor Tom Cummins was not invited to attend and others from the County Auditor's office were in attendance. The Surveyor's office was asked to also keep paper contracts on file in addition to the digital versions now stored in that office.

Deanna Durrett reported all State Board of Account reports of the County are on State Board of Accounts website.


Mr. Carlson inquired will the new ditch listing report be put on the internet. Mr. Cummins will post the new ditch listing report on the county website.


**Phil Rice moved, seconded by Terry Hockersmith, to move the March 3, 2014 Drainage Board meeting to Monday, March 10, 2014 at 1:00 p.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

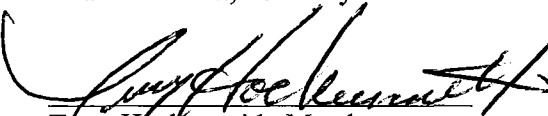
**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:15 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
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Phil Rice, Vice Chairman

  
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Deanna Durrett, Secretary

  
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Terry Hockersmith, Member

  
\_\_\_\_\_  
Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
March 10, 2014  
MINUTES**

The Montgomery County Drainage Board met on Monday, March 10, 2014 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Phil Rice, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary and Suanne Milligan, attorney.

Also present were Brenda Foster of Foster Farm Drainage, Phil Springer of Romar Acres LLL, Ethel Reeves, Ryan Jackson of Becks Hybrids, Ed Runyon, Ted Lollis (by Terry Nichols), Aaron Nichols, Mark Barclay, Harold Barclay, Richard Inskeep, Jennifer Anandel of the Auditor's Office, Mike Devore, Barbara Rusk, Wayne Kessler & Steve Carlson.

**Approval of Minutes**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the November 4, 2013 minutes. Motion carried, 4-0. Phil Rice abstained.**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the February 3, 2014 minutes. Motion carried, 5-0.**

**Hearings**

Tom Cummins reported there are eleven drains that need to have their maintenance assessment rate raised. Mr. Cummins explained how the assessment figures were calculated and how the formulas work to figure each drain's assessment based on income/expense over a four year period. He then divided the expenses/income to come up with the amount needed for an assessment. After a drain has accumulated a four year total it is then taken off of assessment. Landowners present discussed with the Surveyor and the Board in detail how the system works concerning assessments, maintenance and laterals.

**Howard Cline #508 Assessment Hearing**

Landowners present were: Ethel Reeves representing her son David Reeves. Discussion between the landowner, Surveyor and the Board addressed the following: The new outlet tile that was put in a couple of years ago, and the clearing of trees and brush. This drain is in debt due to the repair work done. The current rate is \$1.04 per acre with a \$5.00 minimum. Tom Cummins recommends the assessment rate be increased to \$4.41 per acre with a \$5.00 minimum with a total yearly assessment of \$1,195.52. **Ed Stephens moved, seconded by Phil Rice, to raise the assessment to \$4.41 per acre with a \$5.00 minimum for the Howard Cline #508 with a watershed of 265.64 acres for a total yearly assessment of \$1,195.52. Motion carried, 4-0. Dave Rhoads abstained.**

### **Richard Faust #515**

There were no landowners present. Tom Cummins reported the current assessment is \$1.48 per acre with a \$5.00 minimum and there are 468.43 acres in the watershed. It is an open ditch, with bottom dipping and de-brushing that needs to be done in the future. Mr. Cummins recommends raising the assessment to \$2.67 an acre with a \$5.00 minimum with a total yearly assessment of \$1,278.29. **Phil Rice moved, seconded by Deanna Durrett, to raise the assessment on the Richard Faust#515 to \$2.67 an acre with a \$5.00 minimum for a yearly total of \$1,278.29. Motion carried, 5-0.**

### **John Gobin #2 #520**

Phil Springer representing Romar Acres was present. Discussion between the landowner, Surveyor and the Board addressed the following: The assessment was raised in 2007. The current assessment is \$3.50 an acre with a \$5.00 minimum and there are 1,532.16 acres in the watershed. There are three different tributaries that flow into open ditch systems. Mr. Cummins reported we are in the process of reconstruction on tributaries 1 and 3, but maintenance costs due to camera work and general maintenance, have created a deficit. Mr. Cummins recommends raising the assessment to \$4.78 an acre with a \$5.00 minimum for a yearly total of \$7,523.81. Mr. Cummins received an e-mail from Wade Bennett who was in favor of raising the assessment to complete the necessary work. **Deanna Durrett moved, seconded by Terry Hockersmith, to raise the assessment for the John Gobin #2 #520 to \$4.78 an acre with a \$5.00 minimum with a yearly total of \$7,523.81. Motion carried, 5-0.**

### **Martin McBee #540**

Landowner Dick Inskip was present. Discussion between the landowner, Surveyor and the Board addressed the following: There are 381.22 acres in the watershed and the current rate is \$1.75 an acre with a \$5.00 minimum with a yearly total of \$682.81. The drain is in debt of \$1,211.39 because tile holes were repaired to the south and camera work was done due to a waterway being installed. There were no objections. Mr. Cummins recommended raising the assessment to \$2.84 an acre with a \$5.00 minimum with a yearly total of \$1,096.10. **Phil Rice moved, seconded by Deanna Durrett, to raise the assessment for the Martin McBee #540 to \$2.84 an acre with a \$5.00 minimum with a yearly total of \$1,096.10. Motion carried, 5-0.**

### **Richard Virts #560**

Landowner Barbara Rusk was present. Discussion between the landowner, Surveyor and the Board addressed the following: There are 366.44 acres in the watershed and the current rate is \$3.03 an acre with a \$5.00 minimum with a yearly total of \$1,117.59 and it now is in debt. Lots of work has been done around State Rd 32 and many tile holes have been repaired on this drain. Mr. Cummins believes a reconstruction will be needed in the future and that is why he recommends only raising the assessment to \$3.66 an acre with a \$5.00 minimum and a yearly total of \$1,353.23. Mr. Cummins spoke with Kenny Moore and he was in favor of the new rate. There were no objections. **Phil Rice moved, seconded by Terry Hockersmith to raise the assessment for the Richard Virts #560 to \$3.66 an acre with a \$5.00 minimum with a yearly total of \$1,353.23. Motion carried, 5-0.**

### **Isaac Shotts #574**

There were no landowners present. Mr. Cummins reported this drain was recently reconstructed and it is in debt for the camera work \$6,174.52 completed to investigate the status and condition of the old tile. There are 635.08 acres in the watershed. It is currently assessed at \$1.25 an acre with a \$5.00 minimum

for a yearly total of \$869.43 and Mr. Cummins recommends raising the rate to \$3.69 an acre with a 5.00 minimum for a yearly total of \$2,387.62. **Ed Stephens moved, seconded by Phil Rice, to raise the assessment to \$3.69 an acre/5.00 minimum for a yearly total of \$2,387.62 for the Isaac Shotts #574. Motion carried, 5-0.**

#### **Joel Tobin #576**

Landowners present were: Ethel Reeves, Terry Nichols, Aaron Nichols and Wayne Kessler. Discussion between the landowner, Surveyor and the Board addressed the following: The current assessment is \$1.44 an acre with a \$5.00 minimum with 2,999.82 acres in the watershed. The new assessment recommendation is \$2.49 an acre with a \$5.00 minimum with a yearly total of \$7,463.55. The Surveyor received two letters of objection. The drain is west and south of Nucor. There has been de-brushing of the open ditch and spraying. There is lots of erosion and Mr. Cummins is waiting on permitting from DNR and Army Corps of Engineering before work can be scheduled. The Nichols family has owned property in this area since 1952 and now has drainage issues. Photos were presented to the Board. It was stated that when the new road (500 S Ladoga Rd) was completed the cement culverts and drains around the railroad area were removed and never re-installed. The elevation contours were displayed in the area to show which way the water drains. The Board stated this is not a Board issue but a Commissioner issue with a County Road culvert. The next commissioner meeting is March 24, 2014 and the Nichols family should call and request to be put on the agenda. Terry Hockersmith will contact the County Highway Department to see if there are any drawings available showing the road construction. **Phil Rice moved, seconded by Ed Stephens to raise the assessment for the Joel Tobin #576 to \$2.40 an acre with a \$5.00 minimum with a yearly assessment of \$7,463.55. Motion carried, 5-0.**

#### **John McCorkle #608**

Landowners present were: Phil Rice, and John McCorkle. Discussion between the landowners, Surveyor and the Board addressed the following: The current rate is \$1.25 an acre with a \$5.00 minimum and there are 465.09 acres in the watershed. The recommendation is \$3.41 an acre with a \$10.00 minimum with a total yearly assessment of \$2,373.47. It was stated this is similar to an urban drain as part of the watershed goes through Wingate. Phil Rice is the largest landowner in the watershed and will abstain from voting. He is in favor of the increase. Mr. Rice reported that he paid for a breather to be installed in his field to get it all of the state right of way. Also the cable company and Tipmont REMC cut a tile that has have been corrected. John McCorkle stated he is in favor of the increase. **Ed Stephens moved, seconded by Deanna Durrett, to raise the rate to \$3.41 an acre with a \$10.00 minimum with a total yearly assessment of \$2,373.47 for the John McCorkle #608. Motion carried, 4-0. Phil Rice abstained.**

#### **William Epperson #622**

There were no landowners present. Tom Cummins reported the **William Epperson #622** is an open ditch along the east of Nucor. The current assessment rate is \$1.69 an acre with a \$5.00 minimum with 723.19 acres in the watershed and is debt \$2,343.41. Mr. Cummins recommends raising the rate to \$8.83 an acre with a \$5.00 minimum. Part of the drain has been de-brushed. Dave Rhoads reported Beverly Turner called him and is in support of raising the assessment rate. **Deanna Durrett moved, seconded by Phil Rice, to raise the assessment rate to \$8.83 an acre with a \$5.00 minimum for the William Epperson #622 with a yearly total of \$6,408.32. Motion carried, 5-0.**

#### **Richard Graham #623**



Landowner Harold Barclay was present. Discussion between the landowner, Surveyor and the Board addressed the following: The current rate is \$4.70 an acre with a \$5.00 minimum and there are 225.57 acres in the watershed. The drain is in debt \$1,099.40 and Mr. Cummins recommends raising the assessment rate to \$6.24 an acre with \$5.00 minimum. On the Barclay property there was camera work and a tile was cleaned out with a jet truck. There is a lot of erosion at the headwall. **Terry Hockersmith moved, seconded by Ed Stephens to raise the assessment rate to \$6.24 an acre with a \$5.00 minimum with a yearly total of \$1,410.56 for the Richard Graham #623. Motion carried, 5-0.**

#### **Francis Hoss #627**

Landowner Barbara Reeves was present. Discussion between the landowner, Surveyor and the Board addressed the following: The current rate is \$1.25 an acre with a \$5.00 minimum and there are 140.16 acres in the watershed. It is south of South Montgomery High School across from Bane Equipment. Mr. Cummins recommends raising the rate to \$4.49 an acre with a \$5.00 minimum with a yearly total of \$647.20. The open ditch needs to be sprayed and de-brushed. **Terry Hockersmith moved, seconded by Phil Rice to raise the assessment rate to \$4.49 an acre/\$5.00 minimum with a yearly total of \$647.20 for the Francis Hoss #627. Motion carried, 5-0.**

#### **Hearing to Vacate the Peter Barley #501**

Ryan Jackson representing Beck's Hybrids was present. Discussion between the landowner, Surveyor and the Board addressed the following: The Peter Barley #501 is located in Union Township. Beck's Hybrids own 68% of the watershed. Ken Noe came to the last Drainage Board meeting requesting to vacate the Peter Barley #501. There are only three other landowners in this watershed. Mr. Rice inquired if Mr. Noe had contacted the other landowner. Mr. Jackson said he did not know for sure, but that is Mr. Noe's job to contact people. The money left in the **Peter Barley #501** drain account will go into the funds without drains #400 account if it is vacated. **Ed Stephens moved, seconded by Phil Rice to vacate the Peter Barley #501 drain. Motion carried, 5-0.** Jennifer Andel inquired about the tax roll and Mr. Cummins will check on it. Suanne Milligan will provide an order form for vacating the drain.

#### **Old Business**

Tom Cummins presented a layout of a revision for the New Market Fire Station. The storm water plan was approved in 2008. The original design had the drainage tile going between the sidewalk and the road. There are numerous utilities along that way. The town of New Market owns the right of way easement on the alley. This is the recommended route for the water to outlet from the detention ponds. **Phil Rice moved, seconded by Deanna Durrett, to allow the change to the storm water plan. Motion carried, 4-1.** With Terry Hockersmith voting against, reporting that he grew up there and the water does not run any better now than it did then.

#### **Detchon-Adams #711**

Tom Cummins reported Ed Runyon has requested the Drainage Board to take jurisdiction of a private drain because there is a portion in the middle of the watershed that is a private drain. Mr. Runyon explained what work they have done on the private drain. Mr. Cummins has not found the answer to how this should be done. Suanne Milligan will research the code. **Phil Rice moved, seconded by Ed Stephens, to table this issue till the April meeting. Motion carried, 5-0.**

Brenda Foster presented a CD on the mowing (de-brushing) of **Lye Creek #535** and the **George Rusk #712** drain for the Board to review. Dave Foster recommends fescue grass after de-brushing instead of using chemicals every year.

## **New Business**

Tom Cummins and Jennifer Andel of the Auditor's office discussed with the Board the new fund numbers that were mandated with the State for all County offices. All but four numbers in the account number are mandated. The old software was liability software. The Auditor's office would like to have a meeting with the software company, the Surveyor and two members of the Drainage Board to discuss a better way to set up the drain accounts.

The Tippecanoe County Drainage Board requested the Board to waive their rights to be on a Joint Drainage Board for two possible reconstructions for the **Elijah Fugate #569** and the **Frank Kirkpatrick # 566**. The landowners will still be notified before a hearing. **Terry Hockersmith moved, seconded by Ed Stephens, to waive their rights to form a joint board for the Elijah Fugate #569 and Frank Kirkpatrick #566 possible reconstructions. Motion carried, 5-0.**

## **Other Business**

Dave Rhoads reported that Keith Willet had contacted him about the **Harrison Doyle #617** about water that stands on the north side of the road on the Saylor property. Tom Cummins reported he will go out and check. A lateral may not have been connected when they reconstructed the **Harrison Doyle #617** in 2012.

Dave Rhoads reported landowners in **the James Harris #715** drain in New Ross would like to know who can request a reconstruction of a drain. Tom Cummins reported that Amy Woodall has finished up surveying the area for elevations. Mr. Cummins reported trees will be removed to allow access to the ditch. All landowners along the easement with trees and buildings will receive a letter and he will meet with them about the easement. North of the railroad is where the water stands.

## **Public Comment**

Mike Devore inquired about the Heritage Transport new railroad spur that is to go across the **James Fleming #517 drain**. Tom Cummins reported he spoke with Heritage Transport and they will be putting in a steel casing tile just like CSX would use. Mr. Cummins will be going to this site with a camera in the near future to check the tile.

The next meeting will be April 7, 2014 at the Crawfordsville District Public Library at 9:30 a.m.

John McCorkle inquired what the process is to make a private drain into a legal drain. It is in Coal Creek sections 2 & 11. Dave Rhoads reported he should meet him Tom Cummins to look at the drain.

**Phil Rice moved, seconded by Deanna Durrett, to adjourn the meeting at 3:48 p.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

*Phil Rice*

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Phil Rice, Vice Chairman

*Deanna H Durrett*

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Deanna Durrett, Secretary

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Terry Hockersmith, Member

*Ed Stephens*

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Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
April 21, 2014  
MINUTES**

The Montgomery County Drainage Board met on Monday, April 21, 2014 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Phil Rice, Vice Chairman; Deanna Durrett, Secretary; Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary and Suanne Milligan, attorney.

Also present were Brenda Foster of Foster Farm Drainage and Jeff Healy of Banning Engineering.

There were no minutes to approve.

**Petitions**

Tom Cummins reported more information is required from Richard Ward before a petition can be presented for the **Lye Creek # 535** drain.

Tom Cummins reported DuBose Strapping is waiting on permitting from IDEM before presenting a petition to outlet into the **William Epperson #622**. Terry Hockersmith reported the Sewer Board denied allowing the release of water into the sewer due to ph levels without extra treatment.

**Old Business**

Tom Cummins reported on the request to assume jurisdiction of a private drain in the **Detchon-Adams #711** from Ed Runyon. Mr. Cummins displayed the drain with the projector to the Board and discussed the layout and recommends that this private drain be a part of the **Detchon-Adams #711**. It is right in the middle of the legal drain and all the landowners of the Detchon-Adams will benefit from it being a part of the legal drain. **Phil Rice moved, seconded by Deanna Durrett, to hold a hearing to assume jurisdiction of a private drain in the Detchon-Adams #711 watershed on June 2, 2014 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins gave an update on the Ms. Gayle Wolfe, Crescent Drive obstruction of a private drain. Mr. Cummins reported on April 3, 2014 he went out there and photographed the standing water after an inch of rain on the property. These photos were displayed on the projector to the Board. Mr. Darrin Bechtel has installed a new culvert in his driveway. Mr. John Stephenson has not done anything to his property and looking at the photos that is where the water is backing up at his drive. Phil Rice requested that Mr. Cummins invite Mr. Stephenson to the next meeting on June 2, 2014 to discuss the drainage issues on Crescent Drive as the water is partially covering the road. Terry Hockersmith will contact Rod Jenkins of the County Highway department to verify what work has been completed.

**New Business**

Tom Cummins reported that laterals were attached to the **Isaac Shotts #574** without permission along with approximately ten acres that is not in the watershed. The ten acres belongs to the **Rebecca Miller**

**#718.** The landowner Richard Ruppel lives out of state. The work was done by contractor Darrell Birge. Suanne Milligan requested Tom Cummins to write a letter to the landowner requesting that the landowner call Mr. Cummins within five days to discuss the issue.

### **Other Business**

Deanna Durrett inquired when the software meeting with GUTS will be. Terry Hockersmith reported at the Commissioners meeting he had pulled the claim from GUTS for \$23,000.00 and now they want to meet. Mr. Hockersmith said to contact Commissioner Phil Bane on when the meeting will be.

Deanna Durrett inquired about what had been done for the Nichols family in the **Joel Tobin #576** watershed at Whitesville since the Commissioners meeting. Terry Hockersmith reported the culverts were in place and the Highway Department would be bringing in fill dirt for the Nichols to fill in the low area but the Nichols family will be responsible for leveling it out.

Phil Rice reported the trees destroyed by the 2013 fall tornado on the **Charles Ludlow 1 # 714** near the sewer plant at Wingate would be cleaned up at no charge to the county.

Dave Rhoads reported the **James Servies #703** on the south side of the blacktop should be checked out as it is starting to erode. Tom Cummins reported that Bart Maxwell has done some exploring in the area to find the issue for Bob Rogers and Keith Willet. Ralph Saylor will not let anyone touch his breather as it is private and Mr. Cummins believes it could be stopped up.

Tom Cummins reported he will be opening bids for the **John Gobin 2 #520** on Tributary 1 & 3 on June 2, 2014 at the 9:30 a.m. at the Drainage Board meeting at the Crawfordsville District Public Library.

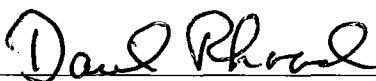
Jeff Healy of Banning Engineering inquired if Joe Miller has been doing a suitable job for the Drainage Board. The Board replied yes.

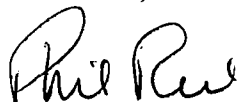
Dave Rhoads inquired of Jeff Healy what kind of tile is used in other counties for their drains. Mr. Healy replied all use new virgin tile. Tom Cummins reported at the Surveyor's meeting earlier this year there is a landfill that used recycled tile and has a \$10,000.00 assessment every year.

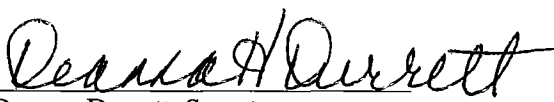
The next meeting will be on June 2, 2014 at 9:30 a.m. at the Crawfordsville District Public Library.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn at 11:05 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
\_\_\_\_\_  
Phil Rice, Vice Chairman

  
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Deanna Durrett, Secretary

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Terry Hockersmith, Member

*Ed Stephens*

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Ed Stephens, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
June 2, 2014  
MINUTES**

The Montgomery County Drainage Board met on Monday, June 1, 2014 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by *Chairman, Dave Rhoads*, followed by the Pledge of Allegiance and a prayer by Phil Rice.

Board members in attendance were Dave Rhoads, Chairman; Phil Rice, Vice Chairman; Deanna Durrett, Secretary and Ed Stephens member. Terry Hockersmith member was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary and Suanne Milligan, attorney.

Also present were: Jennifer Andel of the Auditor's Office, Darrell Birge representing Rick Roppel, Walt Nelson, Ed Runyan, Leroy Bunnell, Clark Sennett, Roger Harshbarger, Robert E Geyer and Phil Campbell.

**Approval of Minutes**

**Deanna Durrett moved, seconded by Phil Rice, to approve the March 10, 2014 minutes. Motion carried, 4-0.**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the April 21, 2014 minutes. Motion carried, 4-0.**

**Bid Openings**

Tom Cummins reported due to specifications and insurance issues the **John Gobin 2 #520 tributary one and three** will be re-scheduled for the July 7, 2014 meeting.

**Detchon Adams #711 Hearing**

This hearing is for a mutual drain to be considered converting to a regulated drain. The location in the **Detchon Adams #711** as follows.

*Upstream-Starting at a point approximately 2,950 ft. west of intersection of CR 600 W., and CR 500 N., Wayne Township; approximately 250 ft. north (along ditch-line) of CR 500 N.*

*Outlet-Ending at a point approximately 4,100 ft. west of intersection of CR 625 W., and CR 450 N., Wayne Township; outletting into the Detchon Adams regulated drain.*

*Approximately 5,900 ft total length*

Landowners present were: Ed Runyan, Leroy Bunnell, Clark Sennett, Roger Harshbarager, Robert E. Geger & Phil Campbell. Discussion between the landowners, Surveyor and the Board addressed the following: That this portion of the **Detchon Adams #711** was never established as part of the regulated drain according to the Surveyor's records on file. The assessment will not change of \$1.58 an acre. It is a standard open ditch with lack of maintenance. The **George Hutchinson #527, Samuel Humphrey #526,**



& **Kenneth Hudson #525** flow into the **Detchon Adams #711**. Mr. Cummins recommends this section should become a part of the **Detchon Adams #711**. Concerns that allowing this private drain become a part of the **Detchon Adams #711** and the cost of maintaining it would then be considered for a reconstruction. The total annual assessment is \$15,841.58 with a current total of \$17,177.40.

Reconstruction is not needed or anticipated. Other areas of the **Detchon Adams #711** have already been maintained since it was put back on assessment. Landowners Clark Sennett, Leroy Bunnell, Ed Runyon and Kenneth Brewer have spent a lot of their own money on private drains within the Detchon Adams #711 and feel other private drains within the watershed should also be considered being a part of the regulated drain. It was explained that to become part of a regulated drain the landowners must petition the Drainage Board just as is being done in this case. **Phil Rice moved, seconded by Deanna Durrett, to grant the petition to include the mutual drain in the Detchon Adams #711 because the benefit to the landowners outweighs the detriment to the landowners. Motion carried, 4-0.**

#### **Old Business**

Tom Cummins reported he contacted Mr. Stevens concerning the Crescent Drive obstruction and he was unable to attend today, would like to re-schedule and will see if Mr. Stevens will come to the July meeting.

#### **Isaac Shotts #574 Richard Ruppel Attachment**

Darrell Birge contractor for Richard Ruppel was in attendance and discussed with the Board and Surveyor about the ten acres that is draining into the wrong watershed after tiles were installed. Mr. Birge reported tile work was done back in 1949 and 1974 in the same area and thought it was grandfathered in. Mr. Birge also reported he believed Scott Odle had permission to connect. Mr. Cummins reported Mr. Odle did not have permission. Mr. Ruppel has been paying for the reconstruction for the **Rebecca Miller #718-01** and the **Isaac Shotts #574**. Deanna Durrett requested that Mr. Cummins check with other Surveyors where this may occurred in other counties. Tom Cummins requested a map from Mr. Birge of work that has been done in the area. **Deanna Durrett moved, seconded by Ed Stephens, to table the Isaac Shotts #574 Richard Ruppel attachment for more information. Motion carried, 4-0.**

#### **New Business**

Jennifer Andel from the Auditor's office reported landowners have come into the Auditor's office and reported the acres that their deed shows and the amount that was reported on the reconstruction form is not always the same. Tom Cummins reported he uses the calculation of the GIS program to make the report. Deanna Durrett reported she would like to discuss this with our Attorney Suanne Milligan, who had to leave for another meeting before making policy on this.

Dave Rhoads inquired of Jennifer Andel if the Auditor's office has met with the GUTS yet? Ms. Andel replied they had not.

#### **Other Business**

Tom Cummins reported Bob Utterback planted a tree farm on the **Boswell Clough #595**. This is near New Richmond. Mr. Cummins has had camera work done to locate the drain and Mr. Utterback will move trees on both sides of the drain back thirty feet.

Deanna Durrett inquired if Kenny Cain had contacted Tom Cummins concerning a reconstruction for the **Roy Harper #592**. Mr. Cummins reported it would be on the July agenda.

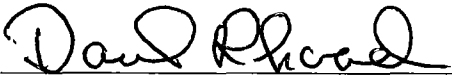
Deanna Durrett inquired when the budget is due for Board. The Surveyor turns in the first form the end of June. The Drainage Board Budget will be put on the agenda for the July 7, 2014 meeting.

**Public Comment**

There was none.

**Ed Stephens moved, seconded by Phil Rice, to adjourn at 11:00 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

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Phil Rice, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

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Terry Hockersmith, Member

  
\_\_\_\_\_  
Ed Stephens, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
July 7, 2014  
MINUTES**

The Montgomery County Drainage Board met on Monday, July 7, 2014 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary, Terry Hockersmith and Ed Stephens members. Phil Rice, Vice Chairman was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary and Suanne Milligan, attorney.

Also present were: Darrell Birge representing Rick Ruppel, Dave Snyder of Snyder Construction, Bart Maxwell of Maxwell Farm Drainage, Doug Burns of BBCIC, Brenda Foster of Foster Farm Drainage, Joe Miller of Banning Engineering, Brad Grayson, Gayle Wolfe and Curt Hudson.

**Approval of Minutes**

**Ed Stephens moved, seconded by Deanna Durrett, to approve the June 2, 2014 minutes. Motion carried, 3-0. Terry Hockersmith abstained.**

**Bid Openings for the John Gobin 2 #520 Tributaries 1 & 3**

Tom Cummins reported due to the two bores and two tiles this reconstruction was split into phases.

Bart Maxwell Farm Drainage	Tributary 3 Phase 2	\$45,650.00
Bart Maxwell Farm Drainage	Tributary 1 Phase 2	\$13,650.00
Riley Contracting	Tributary 1 Phase 1	\$47,260.00
Riley Contracting	Tributary 3 Phase 1	\$70,695.00
With a rebate of \$3,500.00 per project if they receive both project bids		
BBCIC	Tributary 1 Phase 2	\$32,690.00
BBCIC	Tributary 3 Phase 2	\$164,000.00

Snyder Construction	Tributary 3 Phase 1	\$67,500.00
Snyder Construction	Tributary 1 Phase 1	\$43,500.00

With a rebate of \$2,000.00 per project if they receive both project bids. A deduction of \$2,000.00 may be taken if permits with CSX may be combined on one policy.

After a brief recess Tom Cummins reported all bids were responsive to the bid packets and recommends the following to the Board.

Snyder Construction	Tributary 1 Phase 1	\$43,500.00
Maxwell Farm Drainage	Tributary 1 Phase 2	\$13,650.00
Snyder Construction	Tributary 3 Phase 1	\$67,500.00
Maxwell Farm Drainage	Tributary 3 Phase 2	\$45,650.00

**Deanna Durrett moved, seconded by Terry Hockersmith, to award the John Gobin 2 #520 Tributary 3 Phase 2 re-construction to Maxwell Farm Drainage for the amount of \$45,650.00. Motion carried, 4-0.**

**Deanna Durrett moved, seconded by Ed Stephens, to award the John Gobin 2 #520 Tributary 1 Phase 2 re-construction to Maxwell Farm Drainage for the amount of \$13,650.00. Motion carried, 4-0.**

**Terry Hockersmith moved, seconded by Ed Stephens, to award the John Gobin 2 #520 Tributary 1 Phase 1 re-construction Snyder Construction for the amount of \$43,500.00. Motion carried, 4-0.**

**Deanna Durrett moved, seconded by Terry Hockersmith, to award the John Gobin 2 #520 Tributary 3 Phase 1 re-construction to Snyder Construction for the amount of \$67,500.00. Motion carried, 4-0.**

#### **Petitions**

Tom Cummins reported he has received a petition from Rick Ward to attach to the Lye Creek #535 drain and recommends too approve the petition. Deanna Durrett inquired if the outlets were adequate. Mr. Cummins responded yes. **Deanna Durrett moved, seconded by Ed Stephens, to approve the petition to attach from Rick Ward to the Lye Creek #535. Motion carried 4-0.**

Tom Cummins reported he has received a petition from Kenny Cain to Advance the date to hold a petitioner's hearing for the **Roy Harper # 592** for a reconstruction, which is located near Garfield. Mr. Cummins reported the Cain's own 46% of the land in the watershed. **Ed Stephens moved, seconded by Dave Rhoads, to hold a petitioners hearing on Tuesday, September 2, 2014 for the Roy Harper # 592 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried 4-0.**

#### **Old Business**

Tom Cummins reported Mr. John Stephenson of Crescent Drive could not be here today and inquired if the Board could meet on Monday, July 14, 2014 to discuss the drainage problem. Gayle Wolfe was here prior to the meeting, but left. Terry Hockersmith reported Attorney Dan Taylor for Montgomery County sent a letter to Mr. Stephenson that he either repair the problem or the County would at his expense. Mr. Hockersmith will check with Rod Jenkins of the Highway Department what the status is on the work as it involves the highway right of way. Ed Stephens requested a time line when the work will be done and Deanna Durrett requested a copy of Mr. Taylor's letter for the Drainage Board files.

Darrell Birge contractor for Richard Ruppel was in attendance and discussed with the Board and Surveyor about the ten acres that is draining into the wrong watershed after tiles were installed without a petition and are in the **Rebecca Miller #718** watershed. Tom Cummins reported he has not spoke with Mr. Ruppel only his tenant farmer Chuck Shelby. **Deanna Durrett moved, seconded by Dave Rhoads, to cut off the ten acres and disconnect from the Issac Shotts #574 after the corn is harvested by October 30, 2014. Motion carried, 4-0.**

Darrell Birge reported he will be cutting off a tile today North of Linden near Curt Hudson after the above decision was made.

### **New Business**

Tom Cummins presented the Board with the 2014 Regulated Drain Classification Report. It was discussed the drains that either need to be put on assessment for repair or they should be vacated. Hearings can be set for drains either to be vacated or put on assessment that are off assessment now for same day with separate notices in same envelope explaining the procedure. Mr. Cummins will set up a schedule to hold these hearings. **Ed Stephens moved, seconded by Terry Hockersmith, to accept the 2014 Regulated Drain Classification Report. Motion carried, 4-0.**

Vicki Emmert reported the Library was available to hold a Drainage Board meeting on Tuesday, September 2, 2014 at 9:30 a.m. at the Crawfordsville District Public Library.

Tom Cummins presented the Board with their preliminary budget that has been sent to the County Council. Deanna Durrett reported since the Board does not meet twice a month now only once a month. What does the Board feel about taking a deduction of pay? Terry Hockersmith reported he does a lot of behind the scenes work to look at drains. **Dave Rhoads moved, seconded by Deanna Durrett, to lower their salary from \$2,800.00 a year to \$2,000.00. Motion carried, 4-0.**

### **Other Business**

Dave Rhoads requested Vicki Emmert to check when Drainage School is in August, and let the Board know.

Tom Cummins reported the Indiana State Board of Accounts came to the office to check four reconstruction accounts; he is waiting for their report.

Deanna Durrett requested a financial report for the August meeting. Ms. Durrett would like to see a separate reconstruction account in the future.

### **Public Comment**

Brad Grayson of the **Basil & Annie Vancleave # 559** of New Market discussed with the Surveyor and the Board about the retention pond in front of Chuck Robbins property and the open pipe on his property. Mr. Grayson's inquiry was who decided the plans for the new fire department needed to be changed and if the Board requested them to do so. It was reported the original plan was approved in 2008 and the town came to the Board with the revision.

Curt Hudson reported after Darrell Birge spoke of disconnecting the tile earlier in the meeting that he felt threatened and that cutting the tile could cause him to lose his crop. Mr. Cummins reported the

**Shumaker-White #713** was amended several years ago to accommodate Mr. Hudson's field and now is on assessment with the rest of the watershed. The Board and Surveyor will monitor the situation.

Joe Miller of Banning Engineering reported he had spoke to a CSX inspector and was very impressed with the work the Snyder Construction has done in the past.

The next two meetings will be August 4, 2014, and September 2, 2014, there will be no October meeting. All held at the Crawfordsville District Public Library at 9:30 a.m.

Dave Rhoads moved, seconded by Ed Stephens to adjourn the meeting at 11:33 p.m.

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

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Phil Rice, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

\_\_\_\_\_  
Ed Stephens, Member

Montgomery County Drainage Board

August 4, 2014.

Attending: Rhoads, Durrett, Rice, Hockersmith. Absent: Stephens and Attorney Milligan. Also attending: Cummins No guests attended.

The meeting was convened by President Rhoads at 9:30 AM. A prayer was lead by Alan Goff followed by the Pledge of Allegiance.

There were no bid openings, hearings, or petitions.

OLD BUSINESS:

Stephenson/Crescent Drive: Mr. Hockersmith presented a letter to Mr. Stephenson from County Attorney Taylor requiring him to make changes. Unfortunately, the demand date on the letter was September 1, 2015 rather than 2014. Mr. Hockersmith sent a message to Mr. Taylor about the problem; Taylor said he would make the correction and re-issue the letter. Mr. Cummins said he believes Stephenson intends to make the changes and is hopeful they will be made before the fall rains.

Un-assessed drains, hearing schedule: Mr. Cummins presented four un-assessed drains all that are outlets for regulated drains. The Board set a hearing date for November 3. Cummins' goal is to hold rate assessment increase hearings or vacation hearings before the March deadline for assessment changes. About 30 more un-assessed drains will have rate assessment or vacation hearings in December, January or February.

NEW BUSINESS:

2014 Long Range Plan: Cummins will present the plan in November.

OTHER BUSINESS:

Indiana Farm Bureau Drainage 101 will be held xxx; Attorney Milligan and Stephens will attend.

Durrett moved, Rice seconded. Passed 4-0.

*The Drainage Board members salaries will remain at \$2800; no additional money will be requested from the Council for the Drain Improvement Fund.*

In response to a draft letter by Durrett that asked the Board to send a letter to the Auditor concerning the correction of a Drain Account number in the Auditor's Chart of Accounts, Hockersmith said he spoke with Deputy Auditor Andel. Andel said the Auditor's office has made the software company aware of the problem through numerous emails. Durrett asked Hockersmith to provide the emails to the Board. Durrett will query other counties to learn if their account numbers are correct and learn of their software vendors. (Durrett research is attached.)



Cummins announced that the William Buchanan Drain reconstruction is complete. He said the County Highway Department will replace and raise the culvert and fill side ditches; both actions will minimize chronic surface water problems.

Mr. Cummins discussed the Waynetown Township assessment for four abandoned cemeteries. Two have been removed from assessment. Cummins says this issue concerns the county assessor rather than the Drainage Board. He is concerned that this will begin a series of requests from other governmental entities to have cemetery lands removed from assessment.

Durrett told of the mapping capability of Dr. Darrell Schultz, Purdue University. The maps will be of interest to members. Durrett will pursue having Schultz present at Drainage 101 or at the Soil and Water Annual Meeting.

Meeting; adjourned at 11:05 AM.

Minutes respectfully submitted by Deanna Durrett

The next meeting is September 2 at 9:30 AM; the October meeting is cancelled.

Deanna Durrett,

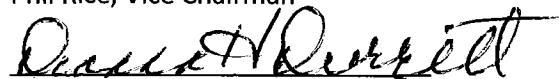
Drainage Board Secretary



David Rhoads, Chairman



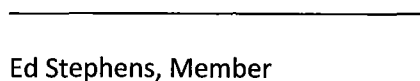
Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
September 2, 2014  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, September 2, 2014 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Vice Chairman, Phil Rice; Deanna Durrett, Secretary, Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary and Dave Peebles, attorney representing Suanne Milligan.

Also present were: Kenny Cain and Jennifer Anandel of the Auditor's office.

**Approval of Minutes**

**Deanna Durrett moved, seconded by Phil Rice, to approve the August 4, 2014 minutes. Motion carried, 4-0. Ed Stephens abstained.**

**Bid Openings**

None

**Hearings**

A petitioners hearing to advance the date for a reconstruction of the **Roy Harper #592** was held with petitioner Kenny Cain present. The **Roy Harper #592** drain is east of 425 and drains west through Garfield and under SR 47 with 236.75 acres in the watershed. The Board, Surveyor and Kenny Cain discussed the following: A breather has been removed from the Tom Norman property and installed into the field. Camera work shows there are tree roots in the Garfield tile area and the tile bellies under SR 47. The sub-surface water is causing surface water issues. The bore under SR 47 will be paid for by INDOT. **Ed Stephens moved, seconded by Phil Rice, to hold a reconstruction hearing for the Roy Harper #592 on November 3, 2014 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

**Petitions**

Tom Cummins reported he has received a petition for an easement variance from Mark Burkett who owns a parcel that is split by the **George McClain #541** open ditch and would like to install a farm crossing. Mr. Cummins reported a calculation water table is used to figure the size of the tank that is needed and a 10 x 24 foot hollow tank should be used. **Deanna Durrett moved, seconded by Phil Rice, to allow the variance to install the 10 x 24 foot hollow tank crossing as it is sufficient for the water to flow through it on the George McClain #541 open ditch. Motion carried, 5-0.**

## Old Business

Tom Cummins reported that Mr. Stephenson on Crescent drive has dug up the pipe on the east side of the driveway and looks like he has been rained out. It is now a matter of cutting it off at the driveway and to cut out the edging for the water to flow back. The Board advised Mr. Cummins to report back at the November meeting on the progress.

## New Business

Kenny Cain reported his nephew is building a house in the **John Martz #607** watershed and they have discovered that the tile that should be used to connect to is full of roots, which is a 10 inch that goes into a 12 inch tile. Mr. Cain recommends that 600 feet of tile should be replaced with seamless tile in that area. The Board, the Surveyor and Mr. Cain discussed whether to replace with the same size tile or upgrade to larger tile. If this is done it would be considered a reconstruction and all the trees along the tile would have to be removed. The other option is vacating that portion of the tile and letting the landowners take care of it. Mr. Cummins recommends vacating that portion of the tile. **Ed Stephens moved, seconded by Phil Rice, to hold a hearing to vacate the 600 feet of tile on the John Martz #607 on Monday, November 3, 2014 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

## Other Business

Deanna Durrett and Jennifer Anadel of the Auditor's office reported on the progress of the State Board of Account numbers being corrected for the Legal drains. The State Board of Accounts had referenced the wrong code. In the future there will be a separate line for the reconstruction accounts.

Deanna Durrett reported she has contacted three other Counties about getting the break-down of the drains listed on the tax assessment papers when sent to the taxpayer. Ms Anadel reported it could be solved by changing the size of the paper from standard to legal size paper. It was reported that the other Counties that have issues to will probably need to join forces to approach GUTS to fix the issue. Ms. Anadel will contact some of the Counties at the upcoming conference. Ms. Durrett thanked Jennifer Anadel for her work on this problem.

Phil Rice reported that there is a hole on the **Theo. Templeton #558** along State Highway 25 in Wingate south of the restaurant on the east site of the highway. Tom Cummins will check this out.

Tom Cummins reported the **William Buchanan #505** reconstruction is complete. The **Albert Nobes #547** is not due to rain.

## Public Comment

None

The Board thanked Dave Peebles for representing attorney Suanne Milligan today.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 10:40 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

David Rhoads

David Rhoads, Chairman

Phil Rice  
Phil Rice, Vice Chairman

Deanna Durrett

Deanna Durrett, Secretary

Terry Hoekersmith

Terry Hoekersmith, Member

Ed Stephens

Ed Stephens, Member

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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
November 3, 2014  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, November 3, 2014 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Dave Rhoads, Chairman; Deanna Durrett, Secretary, Terry Hockersmith and Ed Stephens members. Vice Chairman, Phil Rice was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary and Suanne Milligan, Attorney.

Also present were: Charles and Vickie Sparks, Gloria Oliver, Ryan Jackson representing Beck's Hybrids, Kenny Cain, Jeff Myers, Morris Mills, Bret Priebe, Kyle Blaydes, Bob Stwalley, Cindy Cory, John Kincaid, and Dale Crum.

**Approval of Minutes**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the September 2, 2014 minutes. Motion carried, 4-0.**

**Hearings**

**John Martz #509 Hearing**

Tom Cummins reported receiving a petition to vacate a portion of the **John Martz# 509** in Franklin Township from Kenny Cain. Mr. Cain would like to vacate at 400 N to the south 375 feet of 12" tile and 575 ft of 10 " tile. Discussion between Mr. Cain, the Board and the Surveyor regarded the 75 foot easement, the efficiency of the tiles, and the walnut tree stand, camera work showing roots in the tiles. If vacated Mr. Cain would be responsible for tile repair and replacement of tiles where needed. *Ed Stephens moved, seconded by Deanna Durrett, to vacate a portion of the John Martz# 509 beginning at a point 10 feet east and 50 feet south of the northwest corner of Section 14, Township 19 N, Range 3W., continuing upstream approximately 900 feet. Described portion consists of approximately 300 feet of 12 inch tile and approximately 600 feet of 10 inch tile. Motion carried, 4-0.*

**Clarkson Drain # N/A Hearing**

Tom Cummins reported the **Clarkson Drain # N/A** is in Coal Creek Township. It is currently off of assessment. The classification report states it is not known when it was constructed, but was reconstructed in 1986. There are 2,730.53 acres in the watershed. The open ditch is 5,650 linear feet with 167 parcels that drain into the **Clarkson Drain #N/A**. The drain outlets into the north fork of Coal Creek, with medium to heavy brush and tree growth on the middle portion of the drain. Tree and brush growth have promoted beaver activity on the ditch with dams, etc. The **Clarkson Drain #N/A** also serves as the outlet for the **Allen Lewis #578** drain. The Surveyor recommended putting the **Clarkson Drain # N/A** back on assessment with a proposed assessment of \$1.06/acre with a \$5.00 minimum for a total yearly collection of \$3,402.71. Mr. Cummins received one letter of objection from Margaret Geiger. Landowners present were Gloria Oliver representing Marguerite Geiger. Discussion topics between the

landowner, Board and Surveyor were that it has always been a regulated drain just not assessed, and currently has beaver dams in the area. **Deanna Durrett moved, seconded by Ed Stephens, to raise the assessment from \$0.00 to \$1.06 an acre with a \$5.00 minimum with a total yearly assessment of \$3,402.71 for the Clarkson #N/A drain. Motion carried, 4-0.**

#### **Clearville Cook #N/A Hearing**

Tom Cummins reported the **Clearville Cook #N/A** was constructed in 1917 with 1,133.95 acres in the watershed, with 4,100 linear feet of open ditch and 35 parcels. Mr. Cummins reported the **Clearville Cook #N/A** outlets into un-named tributary and eventually into Honey Creek. There is medium to heavy brush and tree growth on the downstream portion of the ditch. On the north side of the ditch there is minimal tree growth on the banks. The **Clearville Cook #N/A** serves as the outlet to the **John Martz #509** and the **Albert Flaningam #634**. The current assessment is zero and Mr. Cummins recommends the rate be raised to \$1.48 an acre with a \$5.00 minimum with a total yearly assessment of \$1,716.31. Mr. Cummins received one objection received by mail from Tim Budd who would like to vacate the drain and believes the landowners have been maintaining it well enough without having to pay an assessment. Mr. Cummins read his letter to the Board. Landowners present were Bret Priebe representing Sherry Priebe, and Robert Stwalley. Discussion topics between the landowners, Board and Surveyor were: Mr. Priebe reported every year at the flood gate he has to clean up debris from the trees upstream; whether the outlets worked well for the **John Martz #509** and the **Albert Flaningam #634**; and that the **Clearville Cook #N/A** serves as the outlet to the **John Martz #509** and the **Albert Flaningam #624**. **Ed Stephens moved, seconded by Terry Hockersmith, to raise the assessment from \$0.00 to \$1.48 an acre with a \$5.00 minimum with a total yearly assessment of \$1,716.31 for the Clearville Cook #N/A. The Board found the assessment was needed because of the two drains that outlet into the **Clearville Cook #N/A** and thanked the landowners for the work they have done to keep it functioning. Motion carried, 4-0.**

#### **Prince Croy #N/A Hearing**

Tom Cummins reported the **Prince Croy #N/A** was constructed in 1930 with 898.06 acres in the water shed, with 6,000 linear feet of open ditch and 81 parcels. Mr. Cummins reported the **Prince Croy #N/A** outlets into Black Creek. There is medium to heavy brush and tree growth on the majority of the open ditch. The **Prince Croy #N/A** serves as the outlet to the **William McClamroch #543** and the **George Conrad #N/A**. The current assessment is zero and Mr. Cummins recommended the rate be raised to \$3.31 an acre with a \$5.00 minimum with a total yearly assessment of \$3,086.49. Mr. Cummins received one objection from Douglas & Cory Gallapoo. Landowners present were Jeff Myers representing McClamroch Farms and Myers Farms and Dale Crum. Discussion topics between the landowners, Board and Surveyor: whether there will be enough money to de-brush and the spraying program, with this assessment rate; it was stated it would be adequate. **Ed Stephens moved, seconded by Terry Hockersmith, to raise the assessment from \$0.00 to \$3.31 an acre with a \$5.00 minimum with a total yearly assessment of \$ 3,086.49 for the Prince Croy #N/A. Motion carried, 4-0.**

#### **John & Sarah Niven #N/A Hearing**

Tom Cummins reported the **John & Sarah Niven #N/A** was constructed in 1881 and reconstructed in 1929 with 3,152.48 acres in the water shed, with 4,880 linear feet with 8", 10" and 12" tiles. The open ditch is 25,500 linear feet with 104 parcels and is located in Brown and Scott Townships. The **John & Sarah Niven #N/A** outlets into an un-named tributary and eventually into Indian Creek. The brush and tree growth ranges from none-light-medium-heavy throughout the ditch. The **John & Sarah Niven #N/A** serves as the outlet to the tile portions of the **John & Sarah Niven #N/A** drain, as well as the **William Davis #600**, **Thomas Armstrong #632**, and **Robert Niven #637**. There were no objections by mail.

The current assessment is zero and Mr. Cummins recommended the rate be raised to \$4.23 an acre with a \$5.00 minimum with a total yearly assessment of \$13,382.40. Landowners present were Kyle Blades, and Morris Mills. Discussion topics between the landowners, Board and Surveyor: whether it ever on assessment; landowners have done maintenance on their own over the years. Mr. Blades and Mr. Mills think the assessment is too large for the drain having been off assessment for so long. They own approximately 52% of the watershed and feel lowering it to \$1.50 an acre would be best for now.

**Deanna Durrett moved, seconded by Terry Hockersmith, to raise the assessment from zero to \$1.50 an acre with a \$5.00 minimum with a total yearly assessment of \$4,846.13 for the John & Sarah Niven #N/A. Motion carried, 4-0.**

Tom Cummins reported since the Board passed motions for assessments for the **Clarkson #N/A, Clearville Cook #N/A, Prince Croy #N/A** and the **John & Sarah Niven #N/A** they will not be holding vacation hearings for these drains.

### **Roy Harper #592 Reconstruction hearing**

Tom Cummins reported the **Roy Harper #592** drain is located in the town of Garfield in Union Township. The Board has already held the petitioner hearing. The next step is this reconstruction hearing. The proposed reconstruction cost as follows.

#### Phase I – Jack and bore under SR 47

90 ft.	Jack & bore	@	\$350.00/ft	= \$31,500.00
90 ft.	30" steel casing pipe	@	\$150.00/ft	= \$13,500.00
90 ft.	18" PVC carrier pipe	@	\$50.00/ft	= \$ 4,500.00
90 ft.	Restrained casing spaces	@	\$25.00/ft	= \$ 2,250.00
1	Engineering Fees	@	\$10,000.00/ea.	= \$10,000.00
				Total = \$61,750.00

#### Phase II- Tile installation from SR 47 to CR 425 E.

1,600 ft	18" HDPE pipe	@	\$16.00/ft	= \$25,600.00
1,600 ft	Existing tile destruction	@	\$1.00/ft	= \$ 1,600.00
4	Stone driveway crossings	@	\$1,500.00/ea.	= \$ 6,000.00
< 1 acre	Tree removal	@	\$1,000.00/acre	= \$ 1,000.00
				Total = \$34,200.00

- Total of Phase I and Phase II estimates = \$95,950.00
- \$95,950.00 / 236.72 acres = 405.33/acre
- Estimated re-imburement from INDOT for bore project = \$51,750.00
- Estimated project total, to be assessed to landowners = \$44,200.00
- \$44,200.00 / 236.72 acres = 186.72/acre

Landowners present were Charles and Vickie Sparks, Ryan Jackson representing Beck's Hybrids, Kenny Cain, Cindy Cory and John Kincaid. Discussion topics between the landowners, Surveyor, and Board: There are tree roots in the tiles; the tile bellies at State Road 47 under the



State road; no repairs have been done in the last 35 years; the clay tiles have worn out. An explanation of sub-surface and surface water was given by the Surveyor; how the reconstruction payment system works; what the current assessment is; if the tile size is correct and the engineering fee for the bore that extends under the State road; the removal of trees for the reconstruction along the tile line. **Terry Hockersmith moved, seconded by Ed Stephens, to reconstruct the Roy Harper #592 drain for \$95,950.00. Motion carried, 4-0.** Tom Cummins requested approval from the Board to send a notice to the landowners when the bid openings will be. The Board agreed.

### **Old Business**

Tom Cummins reported regarding Mr. Stephenson on Crescent Drive and that the drainage issue is somewhat resolved and has left a small amount of landscaping. The Board wants to know if Mrs. Wolfe is happy with the work performed. Terry Hockersmith reported Rod Jenkins of the Highway Department is monitoring the site also.

Tom Cummins reported he left the Mr. Ruppel attachment on the agenda concerning the attachment as he has not been to the site due to the rains. Mr. Cummins will report back at the December meeting with an update.

### **Un-assessed Drains**

Tom Cummins requested the following list of drains be scheduled for assessment increases/ vacation hearings at the December 1, 2014 meeting for assessment or vacate for the **Anna Campbell #N/A, Claude Moody #N/A, Daniel Callihan #N/A, Edward Berry #N/A, Fred White #N/A, William Servies #N/A** and **George Conrad #N/A**. **Ed Stephens moved, seconded by Deanna Durrett, to accept the list and hold assessment or vacation hearings for the Anna Campbell #N/A, Claude Moody #N/A, Daniel Callihan #N/A, Edward Berry #N/A, Fred White #N/A, William Servies #N/A and George Conrad #N/A on December 1, 2014 at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.**

### **Drain Reconstruction update**

Tom Cummins reported the **Albert Nobes #547** reconstruction is complete with the exception of the riprap at the outlet end.

Tom Cummins reported the **William Buchanan #505** reconstruction is working very well. Mr. Cummins has done some dye testing on the upstream to check the flow.

### **Open Ditch Maintenance Update**

No report.

Tom Cummins reported the **Linn-Himes #533** work is complete. Mr. Cummins reported he will soon be working on the **James Harris #715** drain at New Ross.

## **New Business**

Deanna Durrett reported the work that was presented today by the Surveyor is an example of the progress made by the Surveyor and the Board over the last seven years. Ms. Durrett would like to thank the Surveyor for all his hard work to get to this point. Mr. Cummins reported he could not have performed the work without the Board.

## **Other Business**

Suanne Milligan reported that Darrell and Sandra Birge have filed suit against the Montgomery County Surveyor, the Commissioners, the Drainage Board and the County, along with the Town of Linden, Joseph Miller, Jeff Haley of Banning Engineering and Harvey Construction Company. The Birge's are filing for nuisance and damages. The suit has been turned over to the Insurance Attorney, Kyle Landsberry of Lewis Wagner, and on behalf of the Board, Darren Chadd, County Attorney. Mr. Cummins reported Mr. Birge did not file within the time line during the reconstruction remonstrance period. Mr. Rhoads reported he hoped that the Board, etc. did not give in to Mr. Birge. Terry Hockersmith reported it is now the policy of the Commissioners to not just settle.

The next Drainage Board meeting will be December 1, 2014 at the Crawfordsville District Public Library at 9:30 a.m.

Suanne Milligan recommended to the Board to make a motion about not vacating the drains that were put on assessment today as a notice was sent to landowners.

**Terry Hockersmith moved, seconded by Deanna Durrett, that the Board not take any action today to vacate the Clarkson #N/A, Clearville Cook #N/A, Prince Croy #N/A and the John & Sarah Niven #N/A drains. Motion carried, 4-0.**

## **Public Comment**

There was none.

**Terry Hockersmith moved, seconded by Ed Stephens, to adjourn the meeting at 11:40 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary



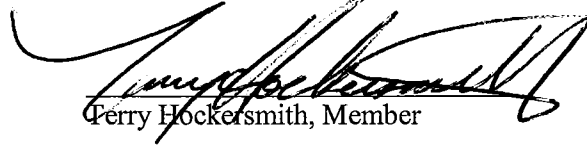
David Rhoads, Chairman

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Phil Rice, Vice Chairman

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Deanna Durrett, Secretary



Terry Hockersmith, Member

*Ed Stephens*

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Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
December 1, 2014  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, December 1, 2014 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by *Vice Chairman, Phil Rice*, followed by the Pledge of Allegiance and a prayer by Alan Goff.

Board members in attendance were Phil Rice, Vice Chairman; Deanna Durrett, Secretary, Terry Hockersmith and Ed Stephens members. Chairman, Dave Rhoads was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary and Suanne Milligan, Attorney.

Also present were: Gerry & Connie Perkins, Jason Douglas, Joe Enlow, Robert Bridwell, Barbara Bridwell, Everett P. Morrison, Ethel Reeves, Harold Reeves, Dan Booher, George High, Greg Linn, John Vansickle, Roy Sillery, Wayne Kessler, Clark Sennett, George R Cox, Randall E. Smith, Stan Weliever, Janet Valliere, Randy Borden, Welby Ward, Ron Wharry, Max Noblitt, Randy McCain and Dale Cottrell.

**Approval of Minutes**

There were no minutes to approve.

**Bid Openings**

None

**Hearings**

**George Conrad #N/A**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **George Conrad #N/A** drain in North Union and Madison townships. It was constructed in 1940 with 199.44 acres in the watershed. There are 4,578 feet of tile with no open ditch and nineteen land parcels. The **George Conrad #N/A** outlets into the **Prince Croy #724** drain. The tile was rerouted and bypassed during the construction of the North Montgomery High School and the subsequent buildings. A vacation of the drain was requested by the landowners at a previous assessment hearing on May 26, 2009. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$2.71 an acre with a \$5.00 minimum yielding a yearly total of \$557.23. The Surveyor classified the **George Conrad #N/A** as a drain in need of vacation and based on the information on file it doesn't appear that the regulated drain is of any benefit to the watershed. There were no landowners present. These landowners also pay assessment into the **Prince Croy #724**. **Deanna Durrett moved, seconded by Ed Stephens, to vacate the George Conrad #N/A and not put it on assessment. Motion carried, 4-0.**

**Daniel Callihan #N/A**

Tom Cummins reported notice to vacate or put on assessment was sent to landowners on the **Daniel Callihan #N/A** is in South Union Township south of Nucor Steel. It was constructed in 1883 with 197.96

acres in the watershed. There are 3,300 feet of ten inch tile, with no open ditch and 34 land parcels. The **Daniel Callihan #N/A** outlets into the Nucor Steel storm-water system. The information on file, suggests tile was replaced by the landowners. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$1.67 an acre with a \$5.00 minimum yielding a yearly total of \$425.35. The Surveyor classified the **Daniel Callihan #N/A** as a drain in need of vacation. Based on the information on file it doesn't appear that the regulated drain is of any benefit to the watershed. Mr. Cummins spoke with Nucor Steel landowners which replaced tiles on their own. Landowner present was Welby Ward. **Ed Stephens moved, seconded by Phil Rice, to vacate the Daniel Callihan #N/A and not put it on assessment. Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **William Servies #N/A** in Scott Township. It was constructed in 1889 with 380.14 acres in the watershed. There are 2,890 feet of 8", 10" and 12" tile with no open ditch and 31 land parcels. The **William Servies #N/A** outlets into the **John & Sarah Niven #723** and there is a waterway that has been constructed on a portion of the tile. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$ 0.86 an acre with a \$5.00 minimum yielding a yearly total of \$407.11. The Surveyor classified the **William Servies #N/A** as a drain in need of maintenance for 2014 and recommended an increase to the maintenance assessment. This increase would allow for much needed maintenance of tile repair. There were no landowners present. The Surveyor and the Board discussed the waterway and tile holes. **Deanna Durrett moved, seconded by Ed Stephens, to vacate the Williams Servies #N/A and not put it on assessment. Motion carried, 3-1. Phil Rice, opposed.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Fred White #N/A** in South Union Township. It was constructed in 1928 with 685.27 acres in the watershed. There are 8,200 feet of open ditch with no tiles and 74 land parcels. The **Fred White #N/A** drain, outlets into the Crawfordsville Municipal Golf Course waterway, which eventually drains into an un-named tributary of Dry Branch Creek. Brush and tree growth which ranges from none, to light, to medium, to heavy exists throughout the ditch. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$5.98 with a \$5.00 minimum yielding a yearly total of \$4,168.69. The Surveyor classified the **Fred White #N/A** as a drain in need of maintenance for 2014 and recommended an increase to the maintenance assessment. This increase would allow for much needed maintenance of open ditch clearing and bottom dipping. Landowners present were; Randy Borden, Janet Valliere, Dale Cottrell representing Judith Cottrell, Roy Sillery and Wayne Kessler. The landowners, Surveyor and the Board discussed: what is the long term goal; if there was a need to reconstruct (not at this time); if landowners had contacted the Surveyor; and the ground being flat in areas, surface water stands on the east side of the railroad on the Sillery property. Terry Hockersmith will check with the County Highway Department to see if there is an outlet that is blocked near the Sillery property. Mr. Kessler and Mr. Cottrell reported it should be maintained. An explanation was given on how assessment payments work. **Ed Stephens moved, seconded by Deanna Durret, to raise the assessment from \$0.00 to \$5.98 an acre with a \$5.00 minimum yielding a yearly total of \$4,168.69 for the Fred White #N/A drain. Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Anna Campbell #N/A** in Franklin Township. It was constructed in 1917 with 249.62 acres in the watershed. There are 5,144 feet of 8", 12" and 18" tile, with no open ditch and 17 land parcels. The **Anna Campbell #N/A** drain, outlets into an un-named tributary of Little Sugar Creek. Surface waterways have been constructed on portions of the tile. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$3.74 an acre with a \$5.00 minimum yielding a total yearly assessment of \$955.45. The Surveyor classified the **Anna**

**Campbell #N/A** as a drain in need of maintenance for 2014 and recommended an increase to the maintenance assessment. This increase would allow for much needed maintenance in the way of tile repair. Mr. Cummins received one objection from Stuart Weliever who did not understand the notices. Landowners present were: George Cox, Jason Douglass, Stuart Weliever, Robert and Barbara Bridwell. Discussion topics between the landowners, Board and Surveyor: what work is needed; a camera will be first used to determine the location of the mains; whether a reconstruction will be necessary in the future; what is the white line on the overhead projection display (Boundary line); can tiles be added into a watershed (Have the right to petition to attach tiles); how a watershed was created was explained. Mr. Weliever indicated after listening to landowners that he is not objecting now.

**Deanna Durrett moved, seconded by Terry Hockersmith, to raise the assessment from \$0.00 to \$3.74 an acre with a \$5.00 minimum yielding a yearly total of \$955.45 for the Anna Campbell #N/A . Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Edward Berry #N/A** in Wayne and Ripley Townships. It was constructed in 1914 with 725.72 acres in the watershed. There are 14,802 feet of 8", 10", 12", 15", 18", 20", and 22" tiles with no open ditch and 28 land parcels. The **Edward Berry #N/A** drain, outlets into the un-named tributary of Mill Creek. It has tile issues including depth, grade and breakdowns with several low-lying, ponding areas in the watershed. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$5.34 an acre with a \$5.00 minimum yielding a yearly total of \$3,875.34. The Surveyor classified this drain as a drain in need of maintenance for 2014 and recommended an increase to the maintenance assessment. This increase would allow for much needed maintenance in the way of tile repair. Mr. Cummins received no objections. Mr. Cummins reported he has spoken with landowners Kirkpatrick, Noblitt and Mills about their drainage issues. Mr. Cummins reported there is adequate elevation for drainage. Landowners present were Joe Enlow, Everett P Morrison, Dan Booher, John Vansickle, Clark Sennett, Max Nobbitt and Randy McCormick tenant farmer. Discussion topics between the landowners, Board and Surveyor: tile issues along with grade and elevations issues; where the tiles are located in the watershed; There are holes large enough to swallow a pickup truck. Clark Sennett reported on the down-stream they have spent \$40,000-50,000.00 of their own money to make repairs and does not feel he should have to pay assessment for the upper portion since those landowners neglected their property. Dan Booher reported his grandfather objected in the 1950's to taking the drain off assessment but it was taken off for political reasons. The issues of a pond that was attempted to be drained which then blew out the tiles were discussed. An explanation was given on how assessment and reconstruction works and that 10% of the landowners have to sign the petition and that 75% of the money in the maintenance fund may go towards a reconstruction. Mr. Noblett reported he has made repairs himself and does not have a good outlet. Mr. Booher and Mr. Noblett were in favor of the assessment. **Deanna Durrett moved, seconded by Terry Hockersmith, to raise the assessment from \$0.00 to \$5.34 an acre with a \$5.00 minimum yielding a yearly total of \$3,875.34 for the Edward Berry #N/A . Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Claude Moody #N/A** in Walnut Township at Mace. It was constructed in 1922 with 53.7 acres in the watershed. There are 2,919 feet of 8", 10" and 12" tiles and 375 feet of open ditch and 59 land parcels. The **Claude Moody #N/A** drain outlets into an un-named tributary of Walnut Fork Creek. The tile serves the residential area known as the town of Mace. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$8.26 an acre with a \$10.00 minimum yielding a yearly total of \$808.35 and 59 parcels. The Surveyor classified this drain as in need of maintenance for 2014 and recommended an increase to the maintenance assessment. This increase would allow for maintenance in the way of tile repair and open ditch clearing and bottom dipping. Mr. Cummins spoke to approximately a dozen landowners in Mace and they were divided as to whether they wanted an assessment or to vacate the **Claude Moody #N/A**. Landowners present were Jerry and Connie Perkins, George High, Grey Linn

and Randall E. Smith. Discussion topics between the landowners, Board and Surveyor: how will this affect the Perkins property drainage; Bell Telephone in the 1960's or 70's broke tiles and never repaired them; tiles along the highway. **Ed Stephens moved, seconded by Terry Hockersmith, to raise the assessment from \$0.00 to 8.26 an acre with a \$10.00 minimum yielding a yearly total of \$808.35 for the Claude Moody #N/A. Motion carried, 4-0.**

Tom Cummins reported he has received a petition to advance the date for a petitioners' hearing for a reconstruction from Harold & John Reeves for the **Margaret Remley #615**. Mr. Cummins reported there is a large hole in the Reeves' yard. The tree roots are blocking the tiles and to save the trees the tile should be moved to the east. **Deanna Durrett moved, seconded by Ed Stephens, to hold a petitioners hearing to advance the date for a reconstruction of the Margaret Remley #615 on Monday, January 4, 2015 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

### **Old Business**

Tom Cummins reported there were no new reports regarding Mr. Stephenson on Crescent Drive and Mr. Ruppel's attachment in Madison Township.

Tom Cummins reported he would like to hold assessment/vacate hearings for the **Henry Lee I #N/A, Joseph Watkins #N/A, Oscar Summers #N/A, Samuel Mount #N/A, Servies Carter #N/A, Walter Schoen #N/A, and William R. McClamrock #N//A** for the January 4, 2015 meeting. Phil Rice requested an e-mail with locations of all of these drains. **Deanna Durrett moved, seconded by Ed Stephens, to hold assessment/vacate hearings for the Henry Lee I #N/A, Joseph Watkins #N/A, Oscar Summers #N/A, Samuel Mount #N/A, Servies Carter #N/A, Walter Schoen #N/A, and William R. McClamrock #N//A for the January 4, 2015 meeting at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

**Deanna Durrett moved, seconded by Phil Rice, that the Board not take any action today to vacate the Fred White #N/A, Anna Campbell #N/A, Edward Berry #N/A, and Claude Moody #N/A. Motion carried, 4-0.**

Tom Cummins presented to the Board the 2014 open ditch maintenance report for drains that were de-brushed, drains sprayed, and with drains scheduled for work.

### **New Business**

Tom Cummins reported to the Board that Mr. Ron Wharry of Moses Surveying was present representing Jason Morrison, who has a proposed development site west of Big Lots in Crawfordsville, which will drain into the **William Shelley #706**. It will have a detention pond to slow down the water. This development must first pass through the city of Crawfordsville Stormwater Review and Planning Department. Mr. Cummins request from the Board direction regarding when our engineer should look at the plans. The Board requests that after the city of Crawfordsville Stormwater review and planning complete their side they will consider the request to attach to the **William Shelley #706**.

### **Other Business**

Deanna Durrett reported paperwork has been sent to the Montgomery County Commissioners for their next meeting to re-appoint Phil Rice and Deanna Durrett to the Drainage Board.

**Phil Rice moved, seconded by Terry Hockersmith, to schedule the 2015 Drainage Board meetings for the first Monday of the month, as needed, in the Donnelly Room at the Crawfordsville District Public Library at 9:30 a.m. Motion carried, 4-0.**

Deanna Durrett would like an end of the year report to share with the newspapers about the work that has been done in 2014. This report would also let the landowners know which drains are on assessment and which are not. Terry Hockersmith reported he still gets complaints about the **William Shelley #706** drain still being on assessment but it is no longer on assessment.

Ed Stephens apologized to Tom Cummins for requesting him to explain to the landowners how assessments and reconstruction work again. Mr. Cummins replied that sort of explanation is helpful to landowners.

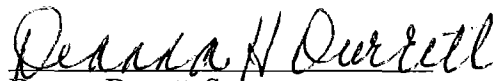
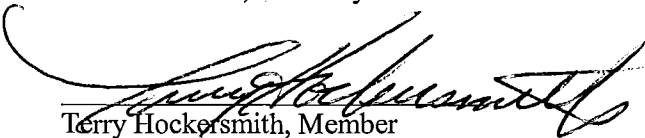

**Terry Hockersmith moved, seconded by Phil Rice, to adjourn the meeting at 11:27 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

\_\_\_\_\_  
David Rhoads, Chairman



\_\_\_\_\_  
Phil Rice, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary  
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Terry Hockersmith, Member  
\_\_\_\_\_  
Ed Stephens, Member





**MONTGOMERY COUNTY  
DRAINAGE BOARD  
January 5, 2015  
MINUTES**

The Montgomery County Drainage Board met on Monday, January 5, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Phil Rice, Vice Chairman; Terry Hockersmith and Ed Stephens members. Deanna Durrett, Secretary was absent. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary and Suanne Milligan, Attorney.

Also present were Terry Cain, Jim Dykes, Ernestine Kendall, David Virgin, Mike Patton, Bryan Matricia representing Robert Matricia, Rick Bymaster, Joyce Ann Runyan, Edward Runyan, James M. Rosen, Clark Sennett, Susan Conkright, David \_\_\_\_\_ of Moses Surveying representing Jason Morrison, Ethel Reeves, Harold Reeves, John Reeves, Chuck Anderson, CK Wilkins, Gordy Kiger, Don Hester, Richard Chastain, Mark Barclay, Jon Hester, William Calder, Brenda Foster of Foster Farm Drainage, David Davidson, Warner H. Davidson, Bart Maxwell of Maxwell Farm Drainage, Rex Tribbett, Cindy Chastain, Kevin Storms, David and Steve Emmert and Mark McClamrock.

**Election of Officers**

**Ed Stephens moved, seconded by Terry Hockersmith, to retain the current officers for the 2015 year. Motion carried, 4-0.**

**Attorney Contract**

**Phil Rice moved, seconded by Ed Stephens, to retain Suanne Milligan as the Drainage Board attorney. Motion carried, 4-0.**

**Approval of Minutes**

**Terry Hockersmith moved, seconded by Ed Stephens, to approve the November 3, 2014 minutes. Motion carried, 3-0. Phil Rice abstained.**

**Bid Openings**

There were none.

**Petitioner Hearing**

Tom Cummins reported regarding the petition to advance the date for a reconstruction for the **Margaret Remley #615** presented by Harold and John Reeves. The **Margaret Remley #615** is in Scott Township. The area in need of repair is in Harold Reeves yard. The tree roots are blocking the tiles. Landowners present were: Harold & Ethel Reeves and John Reeves. The landowners, Surveyor and the Board discussed: Mr. Cummins reported the Drainage Code states that a landowner can move the tile at his own cost or the Board can set a reconstruction hearing; the crossing under the road and 250 feet of 12" tile

needs to be replaced. **Phil Rice moved, seconded by Terry Hockersmith, to table the Margaret Remley #615 petitioner hearing for Harold Reeves to look at all the options available to the next meeting on February 17, 2015. Motion carried, 4-0.**

## Hearings

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Servies/Carter #N/A** drain in Scott Township. It was constructed in 1883 with 649.05 acres in the watershed. There are 4,315 feet of 8" and 24" tile with 1,750 feet of open ditch and 23 land parcels. The **Servies/Carter #N/A** drain outlets into an un-named tributary of Indian Creek. The open ditch is relatively clean of trees and brush. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$3.15 an acre with a \$5.00 minimum yielding a yearly total of \$2,070.72. The Surveyor classified the **Servies/Carter #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for maintenance to tile and open ditch clearing and bottom dipping. Mr. Cummins received no contact or objection from landowners. Discussion topics between the Board and Surveyor: the size of the tiles. **Ed Stephens moved, seconded by Dave Rhoads, to raise the assessment from \$0.00 to \$3.15 an acre with a \$5.00 minimum yielding a yearly total of \$2,070.72 for the Servies/Carter #N/A. Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Henry Lee 1 #N/A** drain in Coal Creek Township. It was constructed in 1900 and reconstructed in 1960 with 895.58 acres in the watershed. There are 2,900 feet of 12" tiles with 13,600 feet of open ditch and 23 land parcels. The **Henry Lee 1 #N/A** drain outlets into an un-named tributary of Wea Creek. Brush and tree growth ranges from none to light, to medium, to heavy throughout the ditch. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$8.14 an acre with a \$5.00 minimum yielding a yearly total of \$7,295.06. The Surveyor classified the **Henry Lee 1 #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for tile repair and open ditch clearing and bottom dipping. Mr. Cummins received one objection from David Stevenson. Mr. Stevenson objected to the rate as crop prices are low. Landowners present were; Mike Patton, Bryon Matricia, Rick Bymaster, CK Wilkins, Gordy Kiger and Mark McClamrock representing two landowners out of state. (Silty Clay Loam LCC &----) Discussion topics between the landowners, Board and Surveyor: Michael Patton, Rick Bymaster and CK Wilkins were in favor of putting the drain back on assessment; first step would be de-brushing, then an assessment of other trees that may need to be taken out; possible to send maps with hearing notice; Mr. McClamrock believes there should be more acreage in the watershed; received a map from Mr. Patton of tiling that has been done; Mr. McClamrock's landowners would like to see the rate lowered; Phil Rice is the Soil & Water representative on the Drainage Board; the rate is calculated by projected need for the year; Phil Rice had two landowners call him and are in favor; Mike Patton was told the tile he connected to was a private drain; Surveyor explained the assessment rate; whether or not the landowners were okay with the rate. **Ed Stephens moved, seconded by Dave Rhoads, to raise the assessment from \$0.00 to \$8.14 an acre with a \$5.00 minimum yielding a yearly total of \$7,295.06 for the Henry Lee 1 #N/A. Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **William R. McClamrock #N/A** drain in Coal Creek and Union Townships. It was constructed in 1903 with 939.21 acres in the watershed. There are 4,300 feet of open ditch and 49 land parcels. The **William R. McClamrock #N/A** drain outlets into an un-named tributary of Black Creek. Brush and tree growth ranges from none to light, to medium, to heavy throughout the ditch. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$2.29 an acre with a \$5.00 minimum yielding a yearly total of \$2,214.60. The Surveyor classified the **William R. McClamrock #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would

allow for maintenance of the open ditch in clearing and bottom dipping. Mr. Cummins received no letters of objection. Landowners present were Richard Chastain, William Calder and Cindy Chastain. Discussion topics between the landowners, Board and Surveyor: Richard Chastain in favor of putting it back on assessment. **Ed Stephens moved, seconded by Phil Rice, to raise the assessment from \$0.00 to \$2.29 an acre with a \$5.00 minimum yielding a yearly total of \$2,214.60 for the William R. McClamroch #N/A. Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Samuel Mount #N/A** drain in Walnut Township east of Linnsburg. It was constructed in 1882 and reconstructed in 1914 with 371.16 acres in the watershed. There are 4,470 feet of 10" and 12" tiles with 2,230 feet of open ditch and 26 land parcels. The **Samuel Mount #N/A** drain outlets into an un-named tributary of Walnut fork. The open ditch is relatively clean of trees and brush. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$4.40 an acre with a \$5.00 minimum yielding a yearly total of \$1,675.65. The Surveyor classified the **Samuel Mount #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for maintenance of tile hole repair and open ditch clearing and bottom dipping. Mr. Cummins received no letters of objection. Landowner present was Susan Conkright. Discussion topics between the landowners, Board and Surveyor: the Conkright property location; explanation of the watershed, where the tiles are and the border and how it was created; whether there are problems; no landowners have called in. **Phil Rice moved, seconded by Terry Hockersmith, to raise the assessment from \$0.00 to \$4.40 an acre with a \$5.00 minimum yielding a yearly total of \$1,675.65 for the Samuel Mount #N/A. Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Walter Schoen #N/A** drain in Sugar Creek Township. It was constructed in 1917 and reconstructed in 1929 with 975.48 acres in the watershed. There are 6,965 feet of 10", 12" 15" and 22" inch tiles with 7,000 feet of open ditch and 45 parcels. The **Walter Schoen #N/A** drain outlets in Lye Creek (unregulated). Brush and tree growth ranges from none to light, to medium, to heavy throughout the ditch. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$5.24 an acre with a \$5.00 minimum yielding a yearly total of \$5,149.38. The Surveyor classified the **Walter Schoen #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for maintenance of tile hole repair and open ditch clearing and bottom dipping. Mr. Cummins presented the Board with a letter from James A. Dykes, and read the last paragraph to the Board, and reported the letter was a wealth of history of the drain. The **Walter Schoen #N/A** flows to the west. In the 1930's, an 18" relief drain was installed, which flows north to Little Potato Creek, to serve the Charles Schoen 2 drain. The two 10" tiles and 12" tile were disconnected from the Walter Schoen drain and connected to the 18" tile main as part of the Charles Schoen 2. By the 1980's it was discovered that surface water from the Charles Schoen 2 watershed continued to flow west to the Walter Schoen watershed. Several CRP waterway projects have been completed to contain this surface water flow and minimize scour. Landowners present were Chuck Anderson, Mark Barclay, Rex Tribbett, Kevin Storms, David and Steve Emmert, Terry Cain, Jim Dykes, Ernestine Kendall, and David Virgin. Discussion topics between the landowners, Board and Surveyor: who's responsible about attaching to drain; contacting the Surveyor required before any work is to be done; when can repairs be made; Kevin Storms reported he was in favor of the assessment and has a 22" concrete outlet on his property, has several blowouts on his land; discussed fixing a crossing on cost share and filter strips; can only clear one side of the drain, have to work with DNR, IDEM and Armory Corp sometimes; Steve Emmert in favor of assessment and presented a photo of past flooded field; it was recommended the Board look at section 41 in the code about combining watersheds; David Emmert in favor of assessment and inquired about replacing tile himself on his forty acres as is very poor shape; tile is flat; Tom will study the watershed more as to whether it should be combined. **Ed Stephens moved, seconded by Terry Hockersmith, to**

**raise the assessment from \$0.00 to \$5.24 an acre with a \$5.00 minimum yielding a yearly total of \$5,149.38 for the Walter Schoen #N/A. Motion carried, 4-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Oscar Sommer #N/A** drain in Union and Wayne Townships. It was constructed in 1952 with 744.55 acres in the watershed. There are 9,620 feet of 12", 14", 18", 20" 22" and 27" inch tiles with 1,100 feet of open ditch and 30 land parcels. The **Oscar Sommer #N/A** drain outlets into an un-named tributary of the East Fork Coal Creek. The open ditch consists of medium to heavy tree and brush growth. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$5.68 an acre with a \$5.00 minimum yielding a yearly total of \$4,233.93. The Surveyor classified the **Oscar Sommer #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for maintenance of tile hole repair and open ditch clearing and bottom dipping. Mr. Cummins received a letter of objection from Clark Sennett and Lafayette Bank & Trust (Randy Perigo) and Charles Fay representing 77.31 % of the watershed. Landowners present were James M Rosen and Clark Sennett. Discussion topics between the landowners Board and Surveyor: the Sennett family have maintained their part for over sixty years; described which tiles were good and which were bad; Clark Sennett would like to see the assessment rate lowered to \$2.00 to \$2.75 an acre; whether the open ditch is clean; Sennett would like to repair their own tile; explanation of being on the list of contractors for the County; Mr. Rosen was in favor of putting it back on assessment; Sennett will allow the Surveyor to repair tiles on their property. **Phil Rice moved, seconded by Terry Hockersmith, to raise the assessment from \$0.00 to \$3.00 an acre with a \$5.00 minimum yielding a yearly total of \$2,243.70 for the Oscar Sommer #N/A.** Terry Hockersmith explained that if Mr. Sennett wants to do his own tile repair he must fill out a contractor's packet with insurance just like all contractors who work for the County. He believes all landowners have the right to take care of their own land. Ed Stephens thanked Mr. Sennett for comprising the assessment rate. **Motion carried, 4-0.**

Clark Sennett inquired about the town of Wingate and their grant. Mr. Cummins reported he has met with the Town and will be involved in the process.

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Joseph Watkins #N/A** drain in Union and Scott Townships. It was constructed in 1883 with 1,114.5 acres in the watershed. There are 820 feet of 12 inch tile with 3,280 feet of open ditch and 46 land parcels in option #1 and 21 land parcels in option #2. The **Joseph Watkins #N/A** drain outlets into Rattlesnake Creek. The open ditch is relatively clean of trees and brush. The Surveyor presented two options for assessment. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$1.60 an acre with a \$5.00 minimum yielding a yearly total of \$1,822.33 for option # 1. Option #2 would raise the current assessment of \$0.00 to \$5.93 an acre with a \$5.00 minimum yielding a yearly total of \$1,790.20. The Surveyor classified the **Joseph Watkins #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for tile hole repair and open ditch clearing and bottom dipping. Mr. Cummins received a letter of objection to vacate from Mr. Steven Hester. Landowners present were Don Hester, David Davidson, Warner H. Davidson and Jon Hester. Discussion topics between the landowners, Board and Surveyor: the drain is affected by Rattlesnake Creek as it outlets into the creek; whether a section at the end should be vacated; an explanation of the two options; waterways that were installed by Soil and Water; it's not normal for a creek to be part of a watershed; the notice sent to landowners was for the higher rate of \$5.93; landowners were agreeable to option #1. **Phil Rice moved, seconded by Terry Hockersmith, to raise the assessment from \$0.00 an acre to \$1.60 an acre with a \$5.00 minimum yielding a yearly total \$1,822.33 for the Joseph Watkins #N/A. Motion carried, 4-0.**

**Petitions**

Tom Cummins reported he has received a petition to attach from Rex Ballard for the **Guy Little #534**. The attachment is an eight inch lateral and installed by Foster Farm Drainage, who contacted Mr. Cummins before the work was performed. **Phil Rice moved, seconded by Terry Hockersmith, to approve the petition to attach to the Guy Little #534 from Rex Ballard. Motion carried, 4-0.**

Tom Cummins reported he has received a petition to attach to the **Jesse Evans #514** from Adrian McClain. **Ed Stephens moved, seconded by Phil Rice, to approve the petition to attach to the Jesse Evans #514 from Adrian McClain. Motion carried, 4-0.**

Tom Cummins reported he has received a petition to attach from Earl Smith for the **Kenneth Hudson #525 drain**. Mr. Cummins reported that Maxwell Farm Drainage has already done the work and did not get permission to connect 2 ½ acres that is outside of the watershed. Phil Rice asked Suanne Milligan about assessing rates into two watersheds. Discussion of the need for a policy to be consistent for all drains and that landowners and contractors will be aware of. Tom Cummins recommended accepting the petition, but not the acreage outside of the watershed, with the knowledge that if there is trouble with the drain, that section outside the watershed will be the first to be cut off. **Phil Rice moved, seconded by Terry Hockersmith, to approve the petition to attach from Earl Smith to the Kenneth Hudson #525 drain but not the area outside of the watershed. Motion carried, 3-0. Ed Stephens abstained.**

Tom Cummins reported he has received a petition to attach from Earl Smith for the **Carolyn Kenyon #704 drain**. Mr. Cummins reported that Maxwell Farm Drainage has already done the work and did not get permission to connect a lateral that is outside of the watershed. Tom Cummins recommended accepting the petition, but not the lateral outside of the watershed. **Phil Rice moved, seconded by Dave Rhoads, to approve the petition to attach from Earl Smith to the Carolyn Kenyon #704 drain but not the area outside of the watershed. Motion carried, 4-0. Ed Stephens abstained.**

Tom Cummins reported that he has received two petitions for variances for the project by Big Lots from Mr. Morrison whose project was discussed at the last meeting. The plan is to build a 40 x 54 foot building with a dura-berm parking lot. They have designed a detention pond on the NE edge of the property with a 12" pipe and a 4" outlet coming out of pond. Phil Rice inquired if Mr. Cummins is comfortable with the plan and that it will not impact the **William Shelley #706 drain**. Mr. Cummins reported if the site is designed correctly and with the Crawfordsville Stormwater approval, the design should not have any more impact than what is already occurring. The pond is to be a dry pond unless it rains. **Phil Rice moved, seconded by Terry Hockersmith, to table both petitions until Stormwater is granted approval by the City of Crawfordsville. Motion carried, 4-0.**

### **Old Business**

Tom Cummins reported there is nothing new to report on the Mr. Ruppel attachment in Madison Township.

Tom Cummins reported he would like to hold assessment/vacation hearings for the **Azra McClamroch #N/A, Elva Thompson #N/A, John Baker #N/A, Joseph Butcher #N/A, Joseph Smith #N/A, Robert Jeffries #N/A and William Henthorn #N/A** for our next meeting. Phil Rice requested an e-mail with township and locations of all of these drains. **Phil Rice moved, seconded by Terry Hockersmith, to hold a special meeting to hold assessment/vacate**

hearings on Tuesday, February 17, 2015 at 9:30 a.m. at the Crawfordsville District Public Library to meet the deadline requirements for mailings for the Azra McClamroch #N/A, Elva Thompson #N/A, John Baker #N/A, Joseph Butcher #N/A, Joseph Smith #N/A, Robert Jeffries #N/A and William Henthorn #N/A. Motion carried, 4-0.

Terry Hockersmith moved, seconded by Phil Rice, that the Board not take any action today to vacate the Servies Carter #N/A, Henry Lee 1 #N/A, William R. McClamroch #N/A, Samuel Mount #N/A, Walter Schoen #N/A, Oscar Sommer #N/A and the Joseph Watkins #N/A. Motion carried, 4-0.

Terry Hockersmith moved, seconded by Ed Stephens, to hold the regular Drainage Board meetings on the first Monday of the month, but not May or October, with exceptions as needed, at 9:30 a.m. at the Crawfordsville District Library. Motion carried, 4-0.

**No Public Comment**


Monday, February 2, 2015 will be a planning meeting at 110 W. South Boulevard, in Crawfordsville in the conference room at 9:30 a.m.

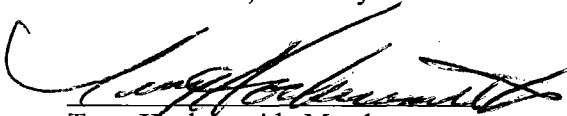
Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 12:14 pm.

Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

  
\_\_\_\_\_  
Phil Rice, Vice Chairman

 - omit,  
not present  
\_\_\_\_\_  
Deanna Durrett, Secretary

  
\_\_\_\_\_  
Terry Hockersmith, Member

  
\_\_\_\_\_  
Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
February 2, 2015  
MINUTES**

The Montgomery County Drainage Board met on Monday, February 2, 2015 at 9:30 a.m. at the ~~Crawfordsville District Public Library in the basement conference room.~~  
*110 W. South Boulevard in the conference room*

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

Board members in attendance were Chairman, Dave Rhoads; Phil Rice, Vice Chairman; Deanna Durrett, Secretary, Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary and Suanne Milligan, Attorney.

Also present were: Jeff Troike, and Jason Hankins of Ceres Solutions, Jennifer Andel and Mindy Byers of the Auditor's office, Reese Harpel and Scott Sperry of Deckard Engineering and Surveying and Thenea Locke.

**Approval of Minutes**

There were no minutes to approve.

**Stormwater Review & Variance**

Tom Cummins reported that Ceres Solutions LLP of Wingate would like to build an 80 x 120 foot storage building on McClure Street. DLZ has approved the stormwater design. Ceres Solutions demolished a house and will build a detention pond in that location. Mr. Cummins explained the drainage for the building and pond. It will outlet into the **Theodore Templeton #558** then into the **Charles Ludlow 1 #714** open ditch if approved. Part of Wingate is built on an 8 inch agriculture tile which serves as their stormwater outlet. The **Theodore Templeton #558** and the **John McCorkle # 608** serve as the outlets for the town's stormwater. Camera work has been done on Main Street. Mr. Cummins would recommend that Ceres Solutions put in an actual drainage outlet. There is a petition for a setback variance from 50 to 25 feet as the neighbor's garage en-croaches the property line where the pond should start. No fence is required as it is considered a dry pond which will be four to five feet deep, but a warning sign will be installed. Mr. Cummins recommends approving the stormwater design and the variance. **Phil Rice moved, seconded by Ed Stephens, to accept the stormwater review. Motion carried, 4-0. Ed Stephens moved, seconded by Phil Rice, to approve the variance as requested, subject to the installation of a new concrete casting stormwater structure at the connection. Motion carried, 4-0.**

**Strategic Planning**

Tom Cummins presented the Board with four e-mails from other Counties concerning tiles that go beyond a watershed boundary. Discussion topics were: Contractors who attach for landowners a small amount of acreage of land that is not in the watershed; whether to forgive, fine or drop contractors from the County approved list; whether to assess in both watersheds; policy should have an effective date; **Deanna Durrett moved, seconded by Phil Rice, requesting Tom Cummins to create a policy concerning tiles that are outside a watershed with an effective date, the terms a contractor and a landowner will use to connect to tiles within a watershed. Motion carried, 4-0.**

Thenea Locke entered at 10:27 a.m.



Discussion was held, concerning landowners choosing the contractor on maintenance projects.

Tom Cummins reported that Foster Farm Drainage was performing work on the **Guy Little # 534** on the Rex Ballard property and work needs to be extended to the Randy McCormick property. There was a confrontation at the local café between Dave Foster and Randy McCormick because Mr. McCormick does not want Mr. Foster on his property and threatened to shoot him if he did cross over. Mr. Cummins reported that calling another contractor is not reasonable, as Mr. Foster is already there and set up and every time a contractor moves in there is a charge. It's not fair to the landowners in the watershed to waste their money on moving contractors. Thena Locke spoke about policy of being informed. Ed Stephens requested Tom Cummins to address policy of who does work on properties with extra cost of moving. **Phil Rice moved, seconded by Terry Hockersmith, that Tom Cummins take Foster Farm Drainage along with a County Deputy Sheriff to perform work on the Guy Little #534. Motion carried, 4-0.**

Deanna Durrett inquired about threats and whether there are laws about it. Suanne Milligan requested a copy of the minutes be put in the **Guy Little #534** files.

Ms. Locke inquired as to how long it takes for a policy to become effective. The Board stated it has monthly meetings.

#### **Other Business**

Jennifer Anandel introduced the new Drainage Deputy at the Auditor's office, Mindy Byers.

Suanne Milligan inquired how the records are stored in the Surveyor's office and what the long term plan is. Mr. Cummins reported the paper records are stored in the Surveyor's Office, while the digital records are stored on the servers at the Montgomery County Jail, with redundancy backup in Tippecanoe County.

Jennifer Anandel reported on the process for destruction of records.

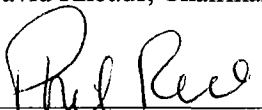
Deanna Durrett reported she has a copy of the policy book that was put together in 2014 and will make an index and send it to the Board. If anyone wants a copy of the book they should contact the office.

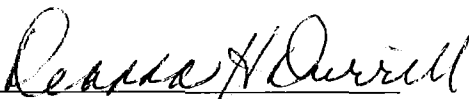
Terry Hockersmith inquired about the motions passed at the previous meeting, in regard to the Attachment petitions involving private tiling outside of a regulated drain watershed. Mr. Cummins explained that the approval was given, with the exception of all tiling outside of the watershed boundary.

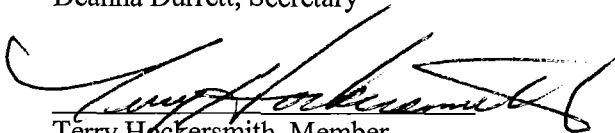
**Phil Rice moved, seconded by Terry Hockersmith, to adjourn at 11:18 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

  
\_\_\_\_\_  
Phil Rice, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Ed Stephens, Member

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**MONTGOMERY COUNTY  
DRAINAGE BOARD  
February 17, 2015  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, February 17, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Chairman Dave Rhoads; Phil Rice, Vice Chairman; Secretary Deanna Durrett; Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney was absent.

Also present were Brenda Foster of Foster Farm Drainage, Mark Barclay, John Reeves, Wayne Rush, Randy McCormick, Bart Maxwell of Maxwell Farm Drainage, Brian L. Swick, Ella M. Swick, Steven McBee, Mindy Gann, Jennifer Andel and Mindy Byers of the Auditor's office, Harold Reeves, Robert Woody, Eulah E Jaynes, John Kelch, Mike Kepner and Marion Kiger.

**Approval of Minutes**

**Phil Rice moved, seconded by Deanna Durrett, to approve the December 1, 2014 minutes. Motion carried, 4-0. Dave Rhoads abstained.**

**Phil Rice moved, seconded by Deanna Durrett, to approve the January 5, 2015 minutes. Motion carried, 4-0. Deanna Durrett abstained.**

**Phil Rice moved, seconded by Deanna Durrett, to approve the February 2, 2015 with the correction the meeting was held at 110 W. South Boulevard, Crawfordsville, instead of the Crawfordsville District Public Library. Motion carried, 5-0.**

**Hearings**

Tom Cummins reported on the continued **Margaret Remley #615** petitioner hearing, from the January 5, 2015 Drainage Board meeting. Landowners present were: John Reeves and Harold Reeves. Discussion topics between the landowners, Board and Surveyor: the 12" tile throughout the field; the easement and what trees would need to be cut; moving of the tile; Mr. Cummins will research different reconstruction options and present at the hearing. **Deanna Durrett moved, seconded by Phil Rice, to hold a reconstruction hearing on Monday, April 6, 2015 at the Crawfordsville District Public Library at 9:30 a.m. for the Margaret Remley #615. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Elva Thompson #N/A** drain in North Union, Madison and Sugar Creek Townships. It was constructed in 1905 with 654.81 acres in the watershed. There are 10,040 feet of 6", 8", 10", 12" 15" and 18" tiles with 1,330 feet of open ditch and 24 land parcels. The **Elva Thompson #N/A** drain outlets into an unregulated portion of Lye Creek. The downstream portion of the tile main

runs through thick brush and trees. There are numerous grassed waterways along the tile main. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$3.60 an acre with a \$5.00 minimum yielding a yearly total of \$2,372.38. The Surveyor classified the **Elva Thompson #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for maintenance of tile hole repair. Mr. Cummins received letters to vacate the drain from Jeff Myers and RJ F Farms. Landowners present were Robert Woody, Marion Kiger, Steven McBee, Mike Kepner and Mark Barclay representing his father Harold Barclay. Discussion topics between the landowners, Board and Surveyor: landowners made repairs with their own money; needs a new main; tiles broke in multiple places; Marion Kiger would like a location of tiles which outlets into the **Albert Nobes #547** tile; north of 650 there is not a culvert under the road to allow for drainage; Bart Maxwell reported he has replaced tiles for some of the landowners; Randy McCormick discussed working with neighbors for a private reconstruction; explanation of when a drain is taken off of assessment with a four year total. **Deanna Durrett moved, seconded by Phil Rice, to raise the assessment from \$0.00 to \$3.60 an acre with a \$5.00 minimum yielding a yearly total of \$2,372.38 for the Elva Thompson #N/A and not vacate the drain today. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **John Baker #N/A** drain in North Union Township on State Road 32 East at Smartsburg. It was constructed in 1917 with 68.08 acres in the watershed. There are 2,565 feet of 10" and 12" tiles with no open ditch and 25 land parcels. The **John Baker #N/A** drain outlets into an un-named tributary of Little Sugar Creek and approximately one-third of the watershed has been converted to residential area. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$5.54 an acre with a \$5.00 minimum yielding a yearly total of \$376.90. The Surveyor classified the **John Baker #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for maintenance of tile hole repair. Mr. Cummins received a letter from Daniel Matthews to vacate. Landowners present were Brian L Swick, Ella M. Swick and John Kelch. Discussion topics between the landowners, Board and Surveyor: why put it back on assessment as water runs on top of ground and into Mr. Kelch's pond; would like to re-dig the pond; Mr. Swick reported he is directly affected by the water and pointed on overhead projector where the culverts are and the flow around his house.; the Swick's have water in their basement even when it is dry out; 850 feet of tile is in the woods. **Terry Hockersmith moved, seconded by Ed Stephens, to raise the assessment from \$0.00 to \$5.54 an acre with a \$5.00 minimum yielding a yearly total of \$376.90 for the John Baker #N/A and not vacate the drain today. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Joseph Butcher #N/A** drain in Sugar Creek Township. It was constructed in 1884 with 222.63 acres in the watershed. There are 4,940 feet of 8" and 10" tiles with no open ditch and 33 land parcels. The **Joseph Butcher #N/A** drain outlets into an unregulated portion of Lye Creek. The tile serves the residential area formerly known as Bowers. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$2.05 an acre with a \$5.00 minimum yielding a yearly total of \$535.38. The Surveyor classified the **Joseph Butcher #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for maintenance of tile hole repair. Mr. Cummins received one letter from

Thenea Locke to vacate as they have no drainage issues. There were no landowners present. Discussion topics between the Surveyor and the Board: Mr. Cummins has spoke with agriculture landowners and the name escapes him now but through old aerial photography shows tiling has been done as recently as 2002; the main is functional possibly; who is landowner EG LLC as they are the largest landowner; **Phil Rice moved, seconded by Deanna Durrett, to raise the assessment form \$0.00 to \$2.05 an acre with a \$5.00 minimum yielding a yearly total of \$535.38 for the Joseph Butcher #N/A and not vacate the drain today. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **William Henthorn #N/A** drain in Wayne Township. It was constructed in 1911 with 401.98 acres in the watershed. There are 5,106 feet of 12", 15" and 18" tiles with 1,052 feet of open ditch and 16 land parcels. The **William Henthorn #N/A** drain outlets into Mill Creek. A new waterway was built along the main with waterway tributaries throughout the watershed. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$3.78 an acre with a \$5.00 minimum yielding a yearly total of \$1,520.37. The Surveyor classified the **William Henthorn #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for tile hole repair. Mr. Cummins received one letter from Randy McCormick and Lafayette Bank & Trust (Randy Perigo) and another from Matthew Bradshaw to vacate. Landowners present were Randy McCormick and Wayne Rush. Discussion topics between the landowners, Surveyor and the Board; landowners have made repairs with their own money; broken down tile in pasture and a new waterway was built; Bart Maxwell has maps for the waterway; Kenny Cain did work for landowners also; Wayne Rush would like to vacate the drain; **Phil Rice moved, seconded by Deanna Durrett, to vacate the William Henthorn #N/A and not to put it on assessment today. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Robert Jeffries #N/A** drain in Ripley Township. It was constructed in 1916 with 146.82 acres in the watershed. There are 6,983 feet of 8", 10", 12", 14", and 16" tiles with no open ditch and eight landowner parcels. The **Robert Jeffries #N/A** drain outlets into Stillwater Creek. There are numerous grassed waterways along the tile main. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$8.42 an acre with a \$5.00 minimum yielding a yearly total of \$1,236.22. The Surveyor classified the **Robert Jeffries #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for tile hole repair. There were no letters of objection. Landowners present were Mark Barclay representing his dad Harold Barclay. Discussion topics between the landowners, Surveyor, and the Board: Barclay's have replaced tile through the Soil and Water waterway project and another waterway project is pending; Don Mills working on a waterway project; Mr. Cummins spoke with Dean Rush and either vacating or putting on assessment is okay with him; Mark Barclay would like to table hearing for a year pending on the waterway project. **Phil Rice moved, seconded by Deanna Durrett, to table the hearing for the Robert Jeffries #N/A for a year pending on the Soil and Water waterway project. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Azra McClamroch #N/A** drain in North Union and Coal Creek Townships. It was constructed in 1903 with 436.01 acres in the watershed. There are 5,524 feet of 12" and 15 "with no open

ditch and 33 landowner parcels. The **Azra McClamroch #N/A** drain outlets into the **William R. McClamroch # 648** drain. There are numerous grassed waterways along the tile main. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$2.41 an acre with a \$5.00 minimum yielding a yearly total of \$1,101.97. The Surveyor classified the **Azra McClamroch #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for tile hole repair. There were no letters of objection. There were no landowners present. Discussion topics between the Surveyor and the Board: the **Azra McClamroch #N/A** drains into the **William R. McClamroch #648**. **Terry Hockersmith moved, seconded by Phil Rice, to raise the assessment from \$0.00 to 2.41 an acre with a \$5.00 minimum yielding a yearly total of \$1,101.97 for the Azra McClamroch #N/A and not vacate the drain today. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Joseph Smith #N/A** drain in South Union Township. It was constructed in 1913 with 60.26 acres in the watershed. There are 1,498 feet of 8", 10" and 12" tiles with no open ditch and eight landowner parcels. The **Joseph Smith #N/A** drain outlets into an unnamed tributary of Offield Creek. A large portion of the tile main runs through thick brush and trees. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$2.45 an acre with a \$5.00 minimum yielding a yearly total of \$147.77. The surveyor classified the **Joseph Smith #N/A** as a drain in need of maintenance for 2015 and recommended an increase to the maintenance assessment. This increase would allow for tile hole repair. There were no letters of objection. Landowners present were Eulah Jaynes and Mindy Gann representing her father Larry Smith. Discussion topics between the landowner, Surveyor and the Board: Ms Gann reported her father texted and would like to vacate; three ponds; small watershed; other counties if a subdivision is built it automatically becomes a regulated drain; **Terry Hockersmith moved, seconded by Phil Rice, to vacate the Joseph Smith #N/A and not to put it on assessment today. Motion carried, 5-0.**

### **Petitions**

Tom Cummins reported he would like to table the petitions to attach from Robert Ferrell to the **Albert Nobes #547**, the **Albert Nobes #547** from David Shelton and the **Charles Schoen 2 #587** from James Dykes as the map information is not available for the Board.

**Deanna Durrett moved, seconded by Terry Hockersmith, that the Board not take any action today to vacate the John Baker #N/A, Joseph Butcher #N/A, Azra McClamroch #N/A and the Elva Thompson #N/A. Motion carried, 5-0.**

### **Old Business**

Tom Cummins presented the Board the un-assessed drain hearing schedule for 2014-2015.

Terry Hockersmith left the meeting at 10:55 a.m.

Deanna Durrett thanks Tom Cummins and Vicki Emmert for work well done on the recent hearings that have been held.

## **New Business**

Tom Cummins presented to the Board the 2014 end of the year Ditch Listing Report after transfers and answered questions about the report. Discussion topics between the Surveyor and the Board: the Surveyor's Association is working on legislation to keep the interest rate for reconstructions at 10%; **Fred & Bessie Brown #503** and the plan to raise the assessment; why some drains have such a high rate of debt; 45 drains in the red; **John Gobin #520** reconstruction; **George Nichols #546** hearing to be announced; **Richard Virts #560** to approach the landowners about a reconstruction; question from Ed Stephens when a drain goes off assessment; on the report yellow means a change has happened and green means four year cap has been met, but work needs to be completed; contacting Hendricks County about the **Albert Hysong #618** joint drain with a maintenance hearing and then reconstruction hearing for 2015 and work to be completed in 2016; **Phil Rice moved, seconded by Ed Stephens, to approve the 2015 regulated drain off list and transfers between funds. Motion carried, 4-0.**

## **Public Comment**

Jennifer Anadel of the Auditor's office requested a copy of the ditch listing report. Ms. Anadel reported the Office is still working with the vendor to put the names of the ditches on the tax rolls along with Boone County.

The next meeting will be April 6, 2015.

Mark Barclay reported years ago with another Surveyor they checked on watersheds and does not know the wording that was used then but essentially it meant the County would not maintain them anymore. These are now the drains that recent hearings have been held for. Mr. Barclay inquired if the Drainage Board has a set policy about jumping watersheds. Mr. Cummins reported working on a policy now and it is a state wide issue.

Brenda Foster of Foster Farm Drainage thanked everyone for the extra security on the **Guy Little #534** drain project.

**Phil Rice moved, seconded by Ed Stephens, to cancel the March 2, 2015 Drainage Board meeting at the Crawfordsville District Public Library at 9:30 a.m. Motion carried 4-0.**

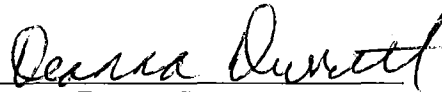
**Phil Rice moved, seconded by Ed Stephens to adjourn the meeting at 11:33 a.m. Motion carried, 4-0.**

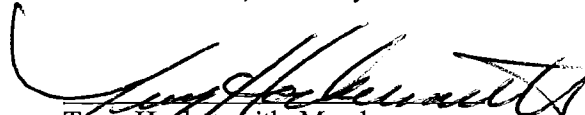
Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman



  
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Phil Rice, Vice Chairman

  
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Deanna Durrett, Secretary

  
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Terry Hockersmith, Member

  
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Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
April 6, 2015  
MINUTES**

The Montgomery County Drainage Board met on Monday, April 6, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Chairman Dave Rhoads; Phil Rice, Vice Chairman; Secretary Deanna Durrett; Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Dave Peebles representing Suanne Milligan, Attorney.

Also present were Brenda Foster of Foster Farm Drainage, Marilee Pearson, Mark Dixon, Jay Prosser, Ethel Reeves, Harold Reeves, Bill Ray, Clark Sennett, David Virgin, Randy Busenbark, Jon Hester, Curt Hudson, Jennifer Andel and Mindy Byers of the Auditor's office.

**Approval of Minutes**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the February 17, 2015 minutes. Motion carried, 5-0.**

**Bid Openings**

None

**Hearings**

Tom Cummins reported he had prepared two options for the reconstruction of the **Margaret Remley #615** drain. The **Margaret Remley #615** is in Brown Township with 1424.58 acres within the watershed with 43 land parcels.

**Proposed Option A**

1,650 ft.	15" smooth corr. HDPE pipe	@	\$12/ft.	= \$19,800.00
0.1 acre	Tree removal	@	\$3,000/acre	=\$ 300.00
1	15" outlet w/animal guard	@	\$100/ea.	=\$ 100.00
1,600 ft	Existing tile destruction	@	\$1/ft	=\$ 1,600.00
1	Paved road crossing	@	\$2,500/ea.	=\$ 2,500.00
<b>Total</b>				<b>=\$24,300.00</b>

**Proposed Option B**

1,675 ft	15" smooth corr. HDPE pipe	@	\$12/ft	=\$20,100.00
1	15" outlet w/animal guard	@	\$100/ea.	=\$ 100.00
1,600 ft	Existing tile destruction	@	\$1/ft.	=\$ 1,600.00
1	Paved road crossing	@	\$2,500/ea.	=\$ 2,500.00
<b>Total</b>				<b>=\$24,300.00</b>

Landowners present were: Marilee Pearson, Mark Dixon, Jay Prosser, Ethel Reeves, Harold Reeves, Bill Ray, Clark Sennett, Randy Busenbark and Jon Hester. Discussion topics between the landowners, Board and Surveyor: What condition is the tile in; how old are the trees; some trees are seventy years old; Phil Rice inquired if using Option B will the trees be far enough from the tiles; what condition the open ditch is; should open ditch be repaired before tiles; open ditch is in need of dipping and one area in middle is swamp; Deanna Durrett supports Mr. Reeves with Option B as that is the option he would like at this time unless more information is presented; the tiles are blocked; recommends using larger tile because of the 90° turn in tile at road; a survey should be done on the open ditch; the drain is in the red because of de-brushing; when checking the tile no dye could go through due to blockage; the easement is 75 feet from the center of drain on each side total of 150 feet; no letters of protest; inquired as to how money was spent in the maintenance fund; all information about how money was spent is available at the office; Dave Rhoads explained the watershed to landowners. **Deanna Durrett moved, seconded by Dave Rhoads, to reconstruct the Margaret Remley #615 using Option B for a total cost of \$24,300.** Discussion: Tom Cummins explained the payment process to the landowners; Marilee Pearson supports ditching; Tom Cummins recommends taking the trees out as best avenue using Option A; Ed Stephens reported this is a tough decision. **Motion carried, 3-2.** Terry Hockersmith & Phil Rice voted to remove trees. Bids will be accepted at the June meeting. The reconstruction will be done in the summer when it is dry. The Drainage Board will not pay for crops planted in the easement that are destroyed during the reconstruction.

### **Petitions**

Tom Cummins reported he received a petition to advance the date to reconstruct the **George Hutton #528** from Robert & Nancy Stwalley. **Phil Rice moved, seconded by Deanna Durrett, to hold a petitioner hearing for the George Hutton #528 at the June 1, 2015 Drainage Board meeting at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins reported he received a petition to advance the date to reconstruct the **Smith-Elmore #641** from Kenny Moore, Mark Barclay and Danny Sering. **Phil Rice moved, seconded by Deanna Durrett, to hold a petitioner hearing for the Smith-Elmore #641 at the June 1, 2015 Drainage Board meeting at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

### **Old Business**

Dave Rhoads inquired about the **James Harris #715** drain at New Ross. Tom Cummins reported he has met with the Park Board about the pathway and told the Park Board they should petition the Drainage Board for a variance for the pathway.

Phil Rice inquired about the **Theodore Templeton #558** what was found when the tile was opened up. Tom Cummins reported the 10" tile was full of sediment and flushed out with jet truck. Phil Rice also inquired whether Mr. Cummins knew how close the dry bottom detention pond would be to the road as a guard rail is needed. Mr. Cummins reported yes. Clark Sennett reported that Ceres Solutions is going to put in a guard rail at the cost of \$5000.00 but is not reporting officially for Ceres Solutions.

Curt Hudson & David Virgin inquired about the **George Barnett #N/A** ditch which is currently off of assessment. Tom Cummins reported shots were taken of tile holes and stand pipes. Tom Cummins

reported that the **George Barnett #N/A** un-assessed and the **James Grimes #521** maybe joint drains with Tippecanoe County and will inquire the status of the drains as both drain into Tippecanoe County. Mr. Cummins reported these two drains may be better served to combine the watersheds and will have a report at the June meeting.

**Public Comment**

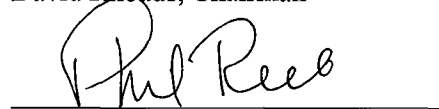
Jennifer Andel of the Auditor's office reported the property taxes are on schedule to be sent out this year. Ms. Andel reported the Auditor's Office is still looking into why Dave Rhoads, Deanna Durrett, Phil Rice and Ed Stephens were only paid the first two quarters of the year for serving on the Drainage Board but not the last two quarters. Terry Hockersmith Board member was paid for all four quarters as all pay was turned in on the same payroll voucher each time.

The next meeting will be held on Monday, June 1, 2015 at 9:30 a.m. at the Crawfordsville District Public Library.


**Phil Rice moved, seconded by Dave Rhoads, to adjourn the meeting at 10:52 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
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Phil Rice, Vice Chairman

  
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Deanna Durrett, Secretary

  
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Terry Hockersmith, Member

  
\_\_\_\_\_  
Ed Stephens, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
June 1, 2015  
MINUTES**

The Montgomery County Drainage Board met on Monday, June 1, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Chairman Dave Rhoads; Phil Rice, Vice Chairman; Secretary Deanna Durrett; Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Brenda Foster of Foster Farm Drainage, Bart Maxwell of Maxwell Farm Drainage, Jake Arthur of Arthur Excavating, Bob Stwalley, John Frey, Dan Sering, Mark Barclay, and Dean & Edith Rush.

**Approval of Minutes**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the April 6, 2015 minutes. Motion carried, 5-0.**

**Bid Opening**

Tom Cummins opened the three bids he had received for the **Margaret Remley #615** reconstruction.

Foster Farm Drainage	\$19,633.89
Maxwell Farm Drainage	\$28,200.00
Arthur's Excavating	\$22,175.00

A five minute recess was taken for Mr. Cummins to examine the bids. It was reported all bids meet the Surveyor's requirements and Mr. Cummins recommended approving the Foster Farm Drainage bid of \$19,633.89. **Deanna Durrett moved, seconded by Ed Stephens, to approve the Margaret Remley #615 reconstruction bid of \$19,633.89 from Foster Farm Drainage with all work to be completed by September 1, 2015. Motion carried 5-0.**

Deanna Durrett thanked Vicki Emmert for the Drainage Ditch History Report that was prepared for the Board members.

**Hearings**

Tom Cummins reported regarding a hearing on a petition from Bob Stwalley to advance the date for a reconstruction of the **George Hutton #528**. Mr. Cummins displayed the watershed with the projector for all to view. The **George Hutton #528** is in (North) Union Township and Mr. Stwalley owns approximately 90 % of the watershed. Tile work has been done in the past along with clearing of area where tile goes through. The tile is approximately 6,100 feet of 15 inch on the downstream and 1,275 feet of 12" on the upstream areas. Information given to Mr. Cummins

by John Frey is that the outlet has issues too. Landowner Bob Stwalley and his tenant John Frey, were present. Discussion between the Surveyor, Landowner, tenant farmer and Drainage Board included the following: allowing approximately 60 acres of the **Martin Liter #710** to be accessed into the **George Hutton #528**; the surface water will still go towards the **Martin Liter #710** and the subsurface water into the **George Hutton # 528**; whether it be assessed into both drains; a petition from the landowner would be needed to present to the Board; the Board still does not have a set policy on these types of drainage issues. **Phil Rice moved, seconded by Terry Hockersmith, to hold a reconstruction hearing for the George Hutton #528 on Monday, July 6, 2015 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins reported regarding a hearing on a petition from Kenny Moore, Dan Sering and Mark Barclay to advance the date for a reconstruction of the **Smith-Elmore #641**. This drain is in Ripley Township. Mr. Cummins reported the first reconstruction of the **Smith-Elmore #641** will be paid off before the second reconstruction project payments begin if a reconstruction is approved. There are 1,020 acres in the watershed. The watershed was displayed with the projector for all to view. Landowners present were Dan Sering, Mark Barclay and Dean & Edith Rush. Discussion between the Surveyor, Landowners and Drainage Board included the following: how the tiles outlet into the open ditch and why the open ditch is not part of the legal drain; what could be done for better drainage on the Barclay property; Tom Cummins recommended that this drain be sent to engineers to be evaluated as it outlets into Fountain County. **Ed Stepehns moved, seconded by Deanna Durrett, to accept the report from Mr. Cummins on the Smith-Elmore #641. Motion carried, 5-0. Deanna Durrett moved, seconded by Ed Stephens, to continue the Smith-Elmore #641 petitioner hearing until after an engineer evaluates the drain. Motion carried, 5-0.**

### **Old Business**

Tom Cummins reported the bore under State Road 231 and the bore under the railroad on Tributary 3 have been completed for the **John Gobin 2 #520** reconstruction and the bore under the railroad starts June 2, 2015 on Tributary 1. Bart Maxwell is to perform the tile work.

Tom Cummins reported the **Roy Harper #592** reconstruction that goes through Garfield is still moving and no bore is needed because of the flat terrain and with the State's permission plan to outlet into the culvert that is already in place. This will cost everyone less money.

Tom Cummins reported the engineer work for the joint drain **Albert Hysong #618** with Hendricks County has been done. Our regular scheduled Drainage Board meeting due to the July 4<sup>th</sup> holiday was changed to July 7, 2015. Deanna Durrett will look into changing the meeting back to Monday, July 6, 2015. Mr. Cummins reported Dave Gaston Hendricks County Surveyor has requested to reconvene the joint Board meeting at the July 6, 2015 Drainage Board meeting at 10:30 .am.

### **New Business**

Dave Rhoads reported Alan Goff area preacher who normally gives the prayer at our Drainage Board meetings has taken a job with the State of Indiana with Weights & Measures and will no longer be giving the prayer. After discussion the Board decided to keep the prayer and Phil Rice will give the prayer at the meetings.

The Surveyor's Office has not received the 2015 spring settlements yet.

Deanna Durrett requested Tom Cummins to report on the **William Shelley #706** issues that were brought to the County Council and Commissioner meetings. Tom Cummins reported an e-mail was sent to Jim Fulwider Commissioner. Mr. Fulwider reported he couldn't reach Mr. Cummins about a 3 ½ inch rain in April at Montgomery Place II where there was water up to the garage and a car was damaged. Mr. Cummins has been out to observe the area. Steve Dutcher has a tile hole in Eastern Acres. Darrel Swick lives at the corner of Green Acres Drive. There is a storm surface structure that was put in before Tom Cummins was Surveyor. Mr. Swick also contacted the Commissioner's Office because he believes he has no other avenue. Mr. Cummins reported on the area repairs have been made to sunken holes in the past. The plan is to check with the engineer if there is a better surface structure to use and if not to put an animal guard over it to keep the raccoons out for Mr. Swick. Terry Hockersmith inquired if the **William Shelley #706** is on or off assessment. Mr. Cummins reported it is off. Tom Cummins reported he should discuss with the City of Crawfordsville about the **William Shelley #706**, as a lot of the property owners believe the City's stormwater fee is the **William Shelley #706** assessment in that part of the city. He will discuss the possibility of repairs to make it perform better and coordinate with the City.

#### Public Comment


None


**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:32 a.m.  
Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

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Phil Rice, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

  
\_\_\_\_\_  
Terry Hockersmith, Member



Ed Stephens  
Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
July 6, 2015  
MINUTES**

The Montgomery County Drainage Board met on Monday, July 6, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman, Dave Rhoads, followed by the Pledge of Allegiance and a prayer by Terry Hockersmith.

Board members in attendance were Chairman Dave Rhoads; Secretary Deanna Durrett; Terry Hockersmith and Ed Stephens members. Phil Rice, Vice Chairman was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Bart Maxwell of Maxwell Farm Drainage, Bob Stwalley, John Frey, Eileen Matricia, Amy & Joe Neville, John Hooper, Jack Lewellyn, Wilma Lewellyn, David Oswalt, Wade Bennett, John Galloway, Curt Hudson, Kyle Rule, Leeann Doerffein of the Paper of Montgomery County, Mindy Byers of the Auditor's office.

**Approval of Minutes**

**Ed Stephens moved, seconded by Deanna Durrett, to approve the June 1, 2015 minutes. Motion carried, 4-0.**

**Bid Openings**  
None

**Hearings**

Tom Cummins presented the proposed report for the **George Hutton #528** reconstruction in North Union Township. Mr. Cummins presented two schedules of assessments: the original and a new version with the 57.63 additional acres of Stawley Farms Inc.

The original watershed is 484.82 acres with a proposed reconstruction estimate of \$145,125.00 with a reconstruction estimate of \$299.23 per acre. The new version is 545.99 acres with a proposed reconstruction estimate of \$145,125.00 with a reconstruction estimate of \$265.80 per acre.

**Proposed reconstruction report George Hutton #528**

3,625 ft	24" smooth corr. HDPE pipe	@	\$22/ft	= \$79,750.00
2,500 ft	18" smooth corr. HDPE pipe	@	\$16/ft	= \$40,000.00
1,375 ft	15" smooth corr. HDPE pipe	@	\$13/ft	= \$17,875.00
7,500 ft	Existing tile destruction	@	\$1/ft	= \$ 7,500.00
Total				= \$145,125.00

Landowners present were Bob Stwalley, John Hooper and tenant farmer John Frey. Discussion between the Surveyor, Landowners, tenant farmer and Drainage Board included the following: water stands on county road 400 and this project would improve the area; past tile repair and clearing of woods has been done; the tile is not large enough; the NRCS is coordinating a waterway with landowners; the drain was

constructed in 1878 and reconstructed in 1949. **Deanna Durrett moved, seconded by Ed Stephens, to reconstruct the George Hutton # 528 at a cost of \$145,125.00 with the additional 57.63 acres of the Stwalley Farm to be included in the schedule of assessments. Motion carried 4-0. Ed Stephens moved, seconded by Deanna Durrett, to add the additional 57.63 acres to the maintenance schedule of assessment of the George Hutton # 528 and the 57.63 acres to continue to be assessed in the Martin Liter #710. Motion carried, 4-0.**

Tom Cummins reported the bids for the **George Hutton #528** will be opened at the August 3, 2015 Drainage Board meeting at 9:30 a.m. at the Crawfordsville District Public Library.

Tom Cummins reported he has received a petition to advance the date when a regulated drain will be referred to the County Surveyor from Mark McClamrock for the **Otis Thompson #708** in Madison Township and recommends holding the petitioners hearing on August 3, 2015. Mr. Cummins and Wade Bennett reported that camera work has been performed on the **Otis Thompson #708** and cannot locate the 6" tributary tile in an area that is near a Vectron Gas Company a gas line. Mr. Cummins used the overhead projector to display the drain, showing where the gas lines are, and what was and was not found in that tributary. Vectron Gas Company is willing to upgrade 2,500 feet of field tile to a 12" tile at \$6.50 a foot. They do not plan to provide a stone base or use dual wall pipe as the County requires when doing a reconstruction and which would cost \$10-11.00 a foot. Mr. Bennett has not been able to farm the area for the last two years as there is only a foot cover on the gas line. Vectron would like to perform work before winter. This information was given to help in deciding what should be done at the petitioner hearing if there is one. **Deanna Durrett moved, seconded by Ed Stephens, to hold a petitioner hearing for the Otis Thompson #708 at 9:30 a.m. on August 3, 2015 at the Crawfordsville District Public Library. Motion carried, 4-0.**

#### **Old Business**

Tom Cummins updated the Board on the **John Gobin 2 #520** reconstruction and reported both bores under US 231 and CSX RR are done and part of the tile has been installed. He now has a request from the landowners in Tributary I for a change order because when the Board approved the reconstruction in 2008 the D.B. did not know that the D.B. would be reimbursed for 100% of the bore by INDOT and 50% from CSX. There is still money available to allow more tiling and still keep the cost under the original bid of \$87,000.00. Landowners Curt Hudson, Wade Bennett and representative Kyle Rule were present. Tom Cummins presented a change order to the D.B. for information and it was received by the Board for the **John Gobin 2#522** reconstruction.

#### **New Business**

Tom Cummins reported the **Phillip Dewey #584** is blocked on the East side of New Richmond he has been out with the hydro truck looking for the tile blockage and the swale is all under water and he cannot find the drain. Mr. Cummins used the overhead projector to show the problem area. To find the issue will require crop damage to the property of Roy Sillery. Due to the fact this is causing damages to landowners' houses it is necessary to start at the outlet and work back to find the obstruction. A reconstruction was partially done according to records in the 1970's. The code allows for repairs when crops are planted in the easement but not reimbursement of crop damage. Landowners present were Jack Lewellyn, Wilma Lewellyn, David Oswalt, Amy & Joe Neville and John Galloway. Wilma Lewellyn reported she has never seen it this way in forty-five years of living there and they cannot mow in the area at all. It was reported the area is stagnant and breeds mosquitoes. Mr. Cummins reported this issue to the Board in case they received any concerns from landowners who may contact them about crop damage etc.

Tom Cummins presented the Board with a current ditch listing report.

**Other Business**

Dave Rhoads reported that Bill Dice contacted him about a tile hole on the **John Ward #562** and by Dave Maroney regarding a tile hole on the **Howard Cline #508**.

**Public Comment**

None

The next meeting will be Monday, August 3, 2015 at 9:30 a.m. at the Crawfordsville District Library.

Terry Hockersmith requested when Tom Cummins is at New Richmond to please check the area around the ball diamonds that is the **Boswell Clough # 595** as there is standing water.

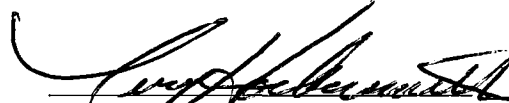
**Ed Stephens moved, seconded by Terry Hockersmith, to adjourn the meeting at 10:55 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

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Phil Rice, Vice Chairman

  
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Deanna Durrett, Secretary

  
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Terry Hockersmith, Member

  
\_\_\_\_\_  
Ed Stephens, Member



**MONTGOMERY COUNTY/ HENDRICKS COUNTY  
DRAINAGE BOARD JOINT MEETING  
July 6, 2015  
MINUTES**

The Montgomery County Drainage and Hendricks County Joint Board met on Monday, July 6, 2015 at 11:00 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman, Pro Tem Dave Rhoads.

Montgomery County Board members in attendance were Chairman Dave Rhoads; Secretary Deanna Durrett; Terry Hockersmith and Ed Stephens members. Phil Rice, Vice Chairman was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Hendricks County Board members in attendance were Jack Maloney, member, Bob Gentry, Hendricks County Commissioner, Bill Hahn, Park County Deputy Surveyor and David Gaston, Hendricks County Surveyor and legal counsel Greg Sterwald.

Tom Cummins presented the **Albert Hysong # 618** watershed with the overhead projector and explained the areas with drainage issues. He reported that Vestor and Associates Engineers designed a plan to take care of the drainage and the surface water. The **Albert Hysong #618** is currently not on assessment in Hendricks County and he recommended that a maintenance assessment hearing should be held.

**Re-Establish Officers from the 2008 meeting.**

**Bob Gentry moved, seconded by Jack Maloney, Dave Rhoads be elected as chairman of the Joint Board of the Albert Hysong #618. Motion carried, 5-0. The Board will consist of Dave Rhoads, Deanna Durrett Montgomery County, Jack Maloney, Bob Gentry and an impartial Board member Bill Hahn of Parke County. Motion carried, 5-0.**

The Joint Board discussed the following with the Montgomery and Hendricks County Surveyors: Montgomery County requested a current list of landowners from Hendricks County for the **Albert Hysong #618** watershed; Hendricks County will give Mr. Cummins a shape file; several tiles are blown out and the road is now the surface drain; there are 590 acres in Montgomery County and 320 acres in Hendricks County; the main outlet will need to be replaced; the **Albert Hysong #618** is in debt due to the engineering report; reconstruction may be needed.

**Bob Gentry moved, seconded by Bill Hahn, to request the Montgomery County Surveyor to present a report for a maintenance assessment hearing with a proposed assessment of \$1.00 an acre with a \$5.00 minimum per acre and a reconstruction hearing report for the Albert Hysong #618 on Monday, August 3, 2015 at 10:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

**Jack Maloney moved, seconded by Bill Hahn, to adjourn meeting at 11:40 a.m. Motion carried, 5-0.**

Recording Secretary,  
Vicki Emmert

*Dave Rhoads*

Dave Rhoads, Chairman

*Deanna H Durrett*

Deanna Durrett, Member Montgomery County

*Jack Maloney*

Jack Maloney, Member Hendricks County

*Bob Gentry*

Bob Gentry, Member Hendricks County

*Bill Hahn*

Bill Hahn, Member Parke County

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
August 3, 2015  
MINUTES**

The Montgomery County Drainage Board met on Monday, August 3, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman, Dave Rhoads, followed by the Pledge of Allegiance and a prayer by Phil Rice.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Secretary Deanna Durrett; Terry Hockersmith and Ed Stephens members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Bart Maxwell of Maxwell Farm Drainage, Eileen Matricia, Jack Lewellyn, Wilma Lewellyn, David Oswalt, George High, Wm. R. Martin, Foster Farm Drainage, Mark McClamroch, Leeann Doerffein of the Paper of Montgomery County, and Mindy Byers of the Auditor's office.

**Approval of Minutes**

**Ed Stephens moved, seconded by Terry Hockersmith, to approve the July 6, 2015 minutes. Motion carried, 4-0. Phil Rice abstained.**

**Bid Openings**

Tom Cummins reported there were two sealed bids for the **George Hutton #528** reconstruction. The bids were opened.

Maxwell Farm Drainage	\$140,475.00
J S McCullough	\$227,325.00

There was a brief recess for Mr. Cummins to look over the bids. Tom Cummins reported both bids were responsive to the bid packet. Mr. Cummins recommended Maxwell Farm Drainage as it was the lowest bid. The Board inquired as to what the estimated project cost was. Mr. Cummins reported \$145,125.00. **Ed Stephens moved, seconded by Phil Rice, to approve the George Hutton #528 reconstruction bid of \$140,475.00 from Maxwell Farm Drainage with all work to be completed by October 1, 2015. Motion carried, 5-0.**

**Hearings**

Tom Cummins reported the **Otis Thompson #708** is in Madison Township and was put back on assessment in 2010. Petitioner Mark McClamroch was present. Discussion between the Surveyor, Landowner and the Drainage Board included the following: have done many repairs; the concrete tile is breaking down; Mr. Cummins reported should start at the outlet and replace all tile and a bore under the railroad and highway if a reconstruction is performed; should send an engineer out to look at grade at railroad and highway before cost can be figured; can see more



of the issues after the crop is harvested. **Phil Rice moved, seconded by Terry Hockersmith, to continue the petitioner hearing of the Otis Thompson #708 to Monday, November 2, 2015 Drainage Board at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

### **Old Business**

Tom Cummins reported on the progress of the **Phillip Dewey # 584** at New Richmond. Using the projector Mr. Cummins displayed where the tile has been probed and dug out to the east, and cleaned with a jet truck. Several places were clogged with roots. The jet trucks are to come out today to finish cleaning the 15" tile. Landowners with large trees are Craft, Hudson, Matricia and Lewellyn. Some of these are 200 year old oak trees. Landowners present were Jack and Wilma Lewellyn, Eileen Matricia, David Oswalt, Bill Martin and David Brown. Discussion between the Surveyor, Landowners and the Drainage Board included the following: it is a concrete tile with a few bellies in it; the watershed is 770 acres and being assessed at \$1.85 an acre; fiber optic cables may be the cause at the railroad; will continue to clean; was reconstructed in the 1970's; Mr. Cummins will speak to landowners about work that needs to be done; landowners present understand that some trees may need to be removed.

Tom Cummins reported work on the **John Gobin 2 #520** will be done once it dries out again.

Tom Cummins reported a meeting has been set up with INDOT on the **Roy Harper #592** and then he will send the information to engineers.

### **New Business**

Tom Cummins reported the Harvest Fellowship Church, located east of Lake Holiday on 500 South. Their runoff water from the parking lot is flowing onto Travis Smith's property and causing an issue. The water from the church was filling up the ditch causing a back up with his sump pump. Mr. Cummins used the projector to show the properties. When the church was built it had a stormwater plan approved in November 1995. Since then the parking lot has doubled in size. The original plan has an area for detention and then to flow to the ditch. The parking lot was enlarged to the north and the west. There is now a cut caused by erosion, which is about a foot and half deep causing water to run onto to Mr. Smith's property. Mr. Cummins and Marc Bonwell, County Building Administrator, went out and looked at the property. Tom Cummins will prepare a letter to send to Harvest Fellowship Church. He will e-mail the letter to the Board and call Ed Stephens when it is ready for Board review before sending the letter out.

### **Other Business**

Deanna Durrett requested a new reconstruction report to analyze the recent reconstructions and the interest payments.

Dave Gaston Hendricks County Surveyor, requested a copy of the engineering plan for the **Albert Hysong #618**. Montgomery County has not received Hendricks County landowner list

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yet. Mr. Gaston would like to continue the meeting to the September 8, 2015, Drainage Board meeting.

Dave Rhoads reported Drainage 101 School through Farm Bureau is August 27, 2015. The deadline to enroll is August 7, 2015. Phil Rice would like to know what will be on the agenda.

Dave Rhoads inquired if there had been any complaints about water issues from the Cox Addition from Ms. Wolfe. Tom Cummins reported there have been none.

Phil Rice inquired about the drainage plan at Wingate. Tom Cummins reported he met last week with the Town.

Brian Ducan presented a petition to take jurisdiction of a mutual drain in the **John McCorkle # 608** watershed. All landowners have signed the petition: Dallas Jones, Ruby Ralston, Lamar Miller, Lafayette Bank & Trust, and Cheryl Rosenthal. Tom Cummins reported the drain is adequate for sub-surface agricultural tile drainage. **Deanna Durrett moved, seconded by Ed Stephens, to take jurisdiction of the mutual drain which will be called the John McCorkle Tributary 2 #608 drain. Motion carried 4-0. Phil Rice abstained.**

#### **Public Comment**

George High reported he has lived in Mace for 58 years and the water issue has been really bad due to all the heavy rains this summer. Mr. High reported the following: the State Board of Health said they could condemn the houses where the septic systems are not working properly; the Highway Department referred Mr. High to the Surveyor; there are no road ditches; the culverts are full of silt under the roads; drain is moving slowly; are there catch basins in town; State Highway came out once and partially cleaned out a culvert and made a real mess on nearby property; neighbors couldn't flush toilets for a couple of weeks this summer. The Board mentioned: Mace is not incorporated; County has jurisdiction of Mace; the County has an ordinance of requiring culverts under driveways; reported Phil Bane is the commissioner; other end of town Bell Telephone cut the tiles years ago; Terry Hockersmith will go to Mace and look at the situation.

Dave Rhoads reported there is a lawsuit against the Board and the Surveyor by five landowners for the sidewalks on Hickory Street in Ladoga. Suanne Milligan requests a copy of the papers that were served.

The next meeting will be Tuesday, September 8, 2015 at 9:30 a.m. at the Crawfordsville District Public Library.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:27 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary


  
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David Rhoads, Chairman


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Phil Rice, Vice Chairman

  
Deanna Durrett, Secretary

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Terry Hockersmith, Member

  
Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
September 8, 2015  
MINUTES**

The Montgomery County Drainage Board met on Tuesday, September 8, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Chairman Dave Rhoads; Secretary Deanna Durrett; and Ed Stephens member. Vice Chairman Phil Rice and Terry Hockersmith were not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Brenda Foster of Farm Drainage, Leeann Doerfflein of the Paper of Montgomery County.

**Approval of Minutes**

**Ed Stephens moved, seconded by Deanna Durrett, to approve the August 3, 2015 minutes. Motion carried, 3-0.**

**Petitions**

Tom Cummins reported he would like to table the **George Hutchinson #527** and the **Joseph Conway #700** to the November 2, 2015 meeting. Mr. Cummins has not received the maps for the attachments from ADI yet.

**Old Business**

Tom Cummins reported on the **Phillip Dewey #584** in the Town of New Richmond a contractor was able to clear 400 feet of tiles of 90% of the roots in the town area. The drain is over \$30,000.00 in debt now. Mr. Cummins has been going back on a regular basis to check on the receding of the ponding water and drainage of the area. Mr. Cummins will present at a future meeting a plan for reconstruction and rate assessment hearing to pay off the current debt.

Tom Cummins reported that on the **John Gobin 2#520 Tributaries #1 & #3** the work is almost complete. There is some fill of tile work at the railroad that will be done on September 16 & 17, 2015, with CSX to complete the project.

Tom Cummins reported that on the **Roy Harper #592** at Garfield a bore under the highway is not necessary. Mr. Cummins met with the State Highway Department and will be able to empty the water into the ditch. Sealed bids will be received at the November 2, 2015, Drainage Board meeting for the reconstruction of the **Roy Harper #592**.

Tom Cummins reported that the work on the **George Hutton #528** in North Union Township is complete. Bart Maxwell was the contractor.

Tom Cummins reported the **Margaret Remley #615** reconstruction, is being completed by Foster Farm Drainage and should be complete by the end of week. Deanna Durrett inquired about the trees and the

tiles and the process of the reconstruction. Mr. Cummins explained the procedure of the original plan that was presented to the Reeves and how it evolved into a reconstruction.

Tom Cummins reported the letter to Harvest Fellowship Church has been reviewed by the County Attorney and Drainage Board Attorney is ready to send out today. The Board approved of the language within the letter.

### **New Business**

Tom Cummins reported he would like to table the stormwater plan for County Road 200 South as the review from DLZ has not been completed and the Drainage Board may have to have a special meeting to review the drainage plan.

Tom Cummins requested the following list of drains be scheduled for assessment increases/vacation hearings for

November 2, 2015: Asbury Linn, Bluford Clough, Elmer Daggy, Ernest McGaughey

December 7, 2015: George Jewell, Henry Lee 2, James McMullen, John Ames

January 4, 2016: John Hudson, John Peterson, George Barnett, John Gobin 1

February 1, 2016: Winfield Johnston, Milton Waugh, James Spencer, Robert Middleton

**Deanna Durrett moved, seconded by Ed Stephens, to accept the list and hold assessment or vacation hearings for the following drains all at 9:30 a.m. at the Crawfordsville District Public Library**

November 2, 2015: Asbury Linn, Bluford Clough, Elmer Daggy, Ernest McGaughey

December 7, 2015: George Jewell, Henry Lee 2, James McMullen, John Ames

January 4, 2016: John Hudson, John Peterson, George Barnett, John Gobin 1

February 1, 2016: Winfield Johnston, Milton Waugh, James Spencer, Robert Middleton

**Motion carried, 3-0.**

### **Other Business**

Tom Cummins reported on the reconstruction accounting analysis which was presented to the Board. Mr. Cummins reported it is a long process to go through the individual parcels to track when the payments were made on a reconstruction and which landowners still owe on their reconstruction. Deanna Durrett requests a proposal at the November meeting of a way to pay loans so they will not be in debt at the end of payments.

Tom Cummins gave a presentation on the new 2015 Aerial using the 2010 Aerial **James Servies # 703** and **Stanford Elmore # 555** ditches as examples of a reconstruction that has been completed how the fields look after they drain properly.

Dave Rhoads reported that people have been complimenting the work of de-brushing along the ditches. Mr. Rhoads reported Mr. Dice says there are tile holes on the **John Ward # 562**. Tom Cummins will call Mr. Dice.

Deanna Durrett reported she has been representing the Board at the Soil and Water meetings. She reported that Sherry Wetstone has an issue and would like to know when the work will be done. Mr. Cummins reported he has spoken with her regarding work on a drain before and the work is on the list and hopefully will be completed this fall.

Deanna Durrett inquired about the **Albert Hysong #618** joint meeting. Tom Cummins reported that the Hendricks County Surveyor called last week and wanted to postpone it to the November meeting. The Hendricks County Commissioners wanted another engineering study to be completed by a different

company and we are waiting on them as they wanted two companies to pick from so they had to wait and have the bids re-submitted. Suanne Milligan inquired about the Board member from Parke County and that would make a quorum to go forward Mr. Cummins reported he needs to speak to her about this as he works for the Hendricks County office. At this time Hendricks County landowners in the **Albert Hysong #618** watershed are not being assessed and that is why we need to have a landowners list and a rate assessment hearing before a reconstruction can move forward.

Deanna Durrett inquired about the drainage issue at Mace. Tom Cummins reported nothing was said at the last commissioners meeting. Dave Rhoads reported he had been told Terry Hockersmith went out to Mace to look at the drainage issue. It was stated Mr. High's issue and east of the church are two different watershed issues. **Deanna Durrett moved, seconded by Dave Rhoads, that Tom Cummins, Surveyor, contact Mr. High regarding drainage problems in Mace and inquire whether he desires to make a petition to the County Commissioners and if he does the Drainage Board agrees to attend the meeting to answer any question regarding information on drainage. Motion carried, 3-0.**

Deanna Durrett inquired about the Ladoga sidewalk lawsuit. Dave Rhoads reported he stopped by the Town Building at Ladoga and spoke with Vicki Powers, Ladoga Town Clerk. Tom Cummins reported the County Attorney asked for a clarification from him if the County was involved in the project. Mr. Cummins reported there were no permits from the County with their involvement. It has been turned over to the County Attorney and the county insurance carrier attorney. In the future Suanne Milligan recommended all notices should be given to her as soon as possible for a quick forwarding to the county's insurance company.

Tom Cummins reported the Town of Linden had filed a motion to dismiss the James Hose reconstruction case with Darrell Birge and the judge granted to let them out of the case. Apparently the County has not requested a dismissal, but a motion of summary judgment has been filed.

#### **Public Comment**

None


The next meeting will be on Monday, November 2, 2015 at 9:30 a.m. at the Crawfordsville District Public Library.

**Ed Stephens moved, seconded by Dave Rhoads, to adjourn the meeting at 10:30 a.m. Motion carried, 3-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

\_\_\_\_\_  
Phil Rice, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

Terry Hockersmith, Member

*Ed Stephens*  
Ed Stephens, Member

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
November 2, 2015  
MINUTES**

The Montgomery County Drainage Board met on Monday, November 2, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance and prayer by Terry Hockersmith.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Secretary Deanna Durrett; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Brenda Foster of Foster Farm Drainage, Michael Meritt, Bradley Paddock, Larry Pickett, Lee & Penny Anglin, Jim Fulwider, Kenyon Dice, Steven Gass, Mindy Byers and Paula Green of the Auditor's Office, Randy Gaswein and John Mandeville, and Jacob & Sebrina Lucas.

**Approval of Minutes**

**Ed Stephens moved, seconded by Deanna Durrett, to approve the September 8, 2015 minutes.**

Terry Hockersmith reported that at the August County Commissioners' meeting it was discussed about Mace and that he had spoke to Rod Jenkins of the Highway Department about possibly deepening the ditches but the inlet is not deep enough. Mr. Hockersmith has not contacted Mike Pickett about connecting onto his property. Mr. High was not at the commissioners' meeting. **Motion carried, 3-0.** Terry Hockersmith and Phil Rice abstained as they were not at the September meeting.

**Bid Opening Roy Harper #592**

Tom Cummins reported he has received five bids for the **Roy Harper #592** reconstruction.

Cains Homelike Farms	\$48,508.00
Foster Farm Drainage	\$29,998.68
Masterscape	\$54,552.00
Maxwell Farm Drainage	\$39,700.00
Goings Excavating	\$36,332.00

Mr. Cummins requested a recess to review the bids. The original estimate was for \$39,700. Mr. Cummins reported all bids were responsive to the bid packet and recommended Foster Farm Drainage at \$29,998.68. All construction will occur in the summer before September 1, 2016. **Terry Hockersmith moved, seconded by Phil Rice, to award the Roy Harper #592**



**reconstruction to Foster Farm Drainage for a cost of \$29,998.68 to be completed in the summer with a completion date of September 1, 2016. Motion carried, 5-0.**

### **Assessment/Vacate Hearings**

#### **Asbury Linn #N/A**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Asbury Linn #N/A** in Walnut Township. It was constructed in 1923 with 22.52 acres in the watershed. The tile length is 2,033 feet, consisting of 18", 16" and 8" tiles. There is no open ditch and has 29 land parcels. The **Asbury Linn #N/A** drain outlets into an unnamed unregulated tributary of Walnut Fork Creek. There are numerous trees within the tile easement and it serves portions of the town of Linnsburg. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$12.45 with a \$10.00 minimum yielding a yearly total of \$415.17. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much needed tile maintenance. Landowners present were: Bradley Paddock, Larry Pickett, Kenyon Dice, and Steven Gass. The landowners, Surveyor and the Board discussed: that Bradley Paddock's yard floods terribly usually for 24 hours and then recedes; Bradley has photos with no septic problems with one area of yard where water just sits; Bradley stated that across the street where the grates are a small child could be swallowed up; Larry Pickett has 9.3 acres in the watershed; the ditch is essential but County paving has caused issues for Kenyon Dice; it is necessary to have the tile; in one area a router roter was used to clean tiles; Surveyor reported if put on assessment may have to raise the assessment next year after an investigation of where tiles are and what trees would need to be cut down; landowners inquired about cutting trees themselves to save money and Board said that could be done; Board discussed a possible reconstruction in future. **Deanna Durrett moved, seconded by Ed Stephens, to raise the assessment form \$0.00 to \$12.45 an acre with a \$10.00 minimum yielding a yearly total of \$415.17 for the Asbury Linn #N/A drain. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Bluford Clough #N/A** in Coal Creek Township. It was constructed in 1904 with 802.76 acres in the watershed. The tile length is 9,415 feet consisting of 6", 8", 10", 12" & 15" tiles with 7,180 feet of open ditch and 43 land parcels. The **Bluford Clough** drain outlets into an unregulated portion of North Fork Coal Creek. There are numerous waterways and structures on upstream portion of the watershed. The open ditch was apparently constructed to supplement the drainage due to failed tile. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$5.74 with a \$5.00 minimum yielding a yearly total of \$4,611.49. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much-needed tile maintenance. Landowners present were; Mike Merritt and Jim Fulwider. The landowners, Surveyor and the Board discussed: Mr. Cummins received a letter from 4R Farms (Adam & Edith Rausch) and it was presented to the Board; Mr. Cummins explained how long drains can be on assessment. Board inquired if a reconstruction is necessary; Surveyor stated that the only reason for a reconstruction would be to make original tile functional again and not rely on the open ditch and will take an investigation of the drain; the old tile may have been destroyed with

open ditch; Discussed tree growth and what has been done in past; Board inquired about letter from 4R Farms; Mr. Cummins reported they wanted to put in a pipe that was partially rusted and that all pipes have to meet the correct standards and since it was a new project the landowner is responsible for the cost; wet bridges are allowed. Jim Fulwider, the largest landowner present, would like to vacate. Mike Merritt said he would go along with Mr. Fulwider since he is the larger landowner. Ed Stephens moved, seconded by Phil Rice, to vacate the **Bluford Clough #N/A** and not put it on assessment. Both withdrew their motions as Mr. Fulwider changed his mind and favored not to vacate **Terry Hockersmith moved, seconded by Phil Rice, to raise the assessment from \$0.00 to \$5.74 an acre with a \$5.00 minimum yielding a yearly total of \$4,623.83 for the Bluford Clough #N/A drain. Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Elmer Daggy #N/A** in Franklin Township. It was constructed in 1900 with 253.94 acres in the watershed. The tile length is 4,524 feet consisting of 8", 10", 12" & 15" tiles. There is no open ditch and 13 land parcels. The **Elmer Daggy #N/A** drain outlets into an unregulated portion of Hazel Creek. There are trees located along the path of the tile and easement. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$2.91 with a \$5.00 minimum yielding a yearly total of \$748.00. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much-needed tile maintenance. Landowners present were Jacob and Sabrina Lucas. The landowners, Surveyor and the Board discussed: inquired about their property as they want to build a house; Surveyor said their property was not in the easement right of way, just in the watershed; No landowner correspondence with the Surveyor. **Deanna Durrett moved, seconded by Ed Stephens, to raise the assessment from \$0.00 to \$2.91 an acre with a \$5.00 minimum yielding a yearly total of \$748.00 for the Elmer Daggy #N/A Motion carried, 5-0.**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Ernest McGaughey #N/A** in Brown Township. It was constructed in 1929 with 186.22 acres in the watershed. The tile length is 4,649 feet consisting of 10", 12" 14 ", 15 " & 16" tiles. There is no open ditch and 10 land parcels. The **Ernest McGaughey #N/A** drain outlets into a private 12" tile, which outlets into South Fork Raccoon Creek. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$4.95 with a \$5.00 minimum yielding a yearly total of \$927.04. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much-needed tile maintenance. Landowners present were Lee and Penny Anglin. The landowners, Surveyor and the Board discussed: Surveyor spoke with Mr. Mitchell; Mr. Anglin believes the tile has been cut and has put in a sump pump to keep water out of well house; Lee Anglin has spoken with the Grahams and Grimes and they said they were just going to pay the assessment. **Deanna Durrett moved, seconded by Phil Rice, to raise the assessment from \$0.00 to \$4.95 an acre with a \$5.00 minimum yielding a yearly total of \$927.04 for the Ernest McGaughey #N/A Motion carried, 5-0.**

#### **New Business**

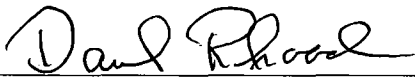
Tom Cummins reported regarding the **George Barnett #N/A**. He has been working with Curt Hudson and John Mandeville, farm manager for JC Halstead Farm, and he has been marking some of the drainage issues and tile hole areas. This drain was listed for a hearing on January 4, 2016. It is actually a joint drain with Tippecanoe County. Using the projector Mr. Cummins showed the area and that the **George Barnett #N/A** and the **William Grimes #N/A** are both joint drains in Tippecanoe County. Mr. Cummins is requested that he be allowed to send a letter to Tippecanoe County to organize a new joint Board for the **George Barnett #N/A** and the **William Grimes** to discuss what should be done. **Deanna Durrett moved, seconded by Ed Stephens, to notify Tippecanoe Count that a joint Board should be formed for the George Barnett #N/A and William Grimes #N/A and to discuss the drainage issues of these two drains. Motion carried, 5-0.**

**Phil Rice moved, seconded by Terry Hockersmith, to remove the George Barnett #N/A drain from the vacation or assessment hearing list for the January 4, 2016. Motion carried, 5-0.**

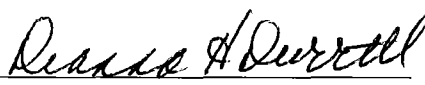
The next meeting will be Monday, December 7, 2015 at the Crawfordsville District Public Library.


**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 10:57 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
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Phil Rice, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

  
\_\_\_\_\_  
Terry Hockersmith, Member

  
\_\_\_\_\_  
Ed Stephens, Member

Correct

**MONTGOMERY COUNTY/ HENDRICKS COUNTY  
DRAINAGE BOARD JOINT MEETING  
November 2, 2015  
MINUTES**

The Montgomery County Drainage and Hendricks County Joint Board met on Monday, November 2, 2015 at 11:00 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman, Dave Rhoads.

Montgomery County Board members in attendance were Chairman Dave Rhoads; Deanna Durrett. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Hendricks County Board members in attendance were Jack Maloney, member, Bob Gentry, Hendricks County Commissioner, Bill Hahn, Parke County and David Gaston, Hendricks County Surveyor.

**Jack Maloney moved, seconded by Bob Gentry, to approve the minutes of the July 6, 2015 joint drainage Board. Bill Hahn corrected that the minutes that he is not the Parke County Deputy Surveyor. Motion carried, 5-0.**

Tom Cummins reported the original engineering report was created by Vester and Associates Engineers and at the last meeting Mr. Cummins was in need of the land parcels from Hendricks County. The Hendricks County Drainage Board made the decision to have Longest and Neff review the plans from Vester and Associates Engineers at no cost to the landowners. Their report states they have an issue with the software that was used and the pipe size may not be large enough to handle the water. Dave Gaston went out with local contractor Rob Wood to evaluate the area and he also believes the pipe may not handle the water.

The Board discussed with the Surveyors: Tom Cummins reported Longest and Neff questioned the methodology that was used by Vester and Associates Engineers; Mr. Cummins stated that everyone is looking at the surface water issue which relates to the subsurface water; the design is for the entire watershed for subsurface drainage; it has good grade; \$10,000.00 study spent on the Vester study; engineer study is site specific; Believes they should use the study and engineering report by Vester and Associates Engineers; Hendricks County has given Mr. Cummins the shape file of landowners.

The next joint meeting for the **Albert Hysong # 618** will be Monday, December 7, 2015 at 9:00 a.m. at the Crawfordsville District Library.

**Bob Gentry moved, seconded by Bill Hahn, to move forward with the Vester & Associates engineering report and to review a new schedule of assessment for Albert Hysong #618 at the next meeting on Monday, December 7, 2015 at 9:00 am at the Crawfordsville District Library. Motion carried, 5-0.**

**Bob Gentry moved, seconded by Deanna Durrett, to adjourn the meeting at 11:30 am. Motion carried, 5-0.**

Recording Secretary,  
Vicki Emmert

*Dave Rhoads*

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Dave Rhoads, Chairman

*Deanna H. Durrett*

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Deanna Durrett, Member Montgomery County

*Jack Maloney*

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Jack Maloney, Member Hendricks County

*Bob Gentry*

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Bob Gentry, Member Hendricks County

*Bill Hahn*

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Bill Hahn, Member Parke County

**MONTGOMERY COUNTY/ HENDRICKS COUNTY  
DRAINAGE BOARD JOINT MEETING  
December 7, 2015  
MINUTES**

The Montgomery County Drainage and Hendricks County Joint Board met on Monday, December 7, 2015 at 9:00 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman, Dave Rhoads.

Montgomery County Board members in attendance were Chairman Dave Rhoads; Deanna Durrett arrived at 9:25 a.m. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Hendricks County Board members in attendance were Jack Maloney, member; Bob Gentry, Hendricks County Commissioner; Bill Hahn, Parke County and David Gaston, Hendricks County Surveyor.

**Bob Gentry moved, seconded by Jack Maloney, to approve the minutes of the November 2, 2015 joint Drainage Board.** Jack Maloney corrected that the minutes read it was Jack Maloney and local contractor Rob Wood who went to evaluate the area not Dave Gaston and Rob Wood. **Motion carried, 4-0.**

Tom Cummins presented to the Board the joint maintenance schedule of assessment for the **Albert Hysong# 618.**

The Board discussed with the Surveyors: The Vester report what would be done with a reconstruction using a swale; the over head projector was used to show the ditch issues; filling in the road ditch and replacing with a tile and destroying the existing tile; if landowners would like to hook onto the **Albert Hysong# 618** who should they contact; Montgomery County because the drain is in Montgomery County; there is no fee to connect but the Surveyor has to inspect the hookup.

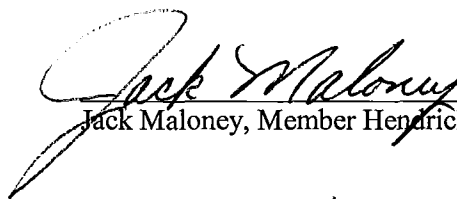
**Bob Gentry moved, seconded by Bill Hahn to hold a maintenance hearing and a reconstruction hearing for the Albert Hysong #618 on Monday, January 25, 2016 at 9:30 am at the Crawfordsville District Public Library. Motion carried, 5-0.**

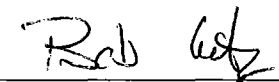
Bob Gentry moved, seconded by Bill Hahn to adjourn the meeting at 9:29 a.m.

Recording Secretary,  
Vicki Emmert

  
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Dave Rhoads, Chairman

  
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Deanna Durrett, Member Montgomery County

  
Jack Maloney, Member Hendricks County

  
Bob Gentry, Member Hendricks County

  
Bill Hahn, Member Parke County

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
December 7, 2015  
MINUTES**

The Montgomery County Drainage Board met on Monday, December 7, 2015 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance and prayer by Phil Rice.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Secretary Deanna Durrett; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Paula Green of the Auditor's Office, John Wells, Patricia Johnson, Michael Merritt, Darrell Birge, Jim Fulwider, Dick Inskeep, Earl Smith, Jacob Arthur, Sherry Whetstone, and Brad Grayson.

**Approval of Minutes**

**Deanna Durrett moved, seconded by Phil Rice, to approve the November 2, 2015 Drainage Board minutes. Motion carried, 5-0.**

There were no bid openings.

**Assessment/Vacate Hearings**

**John Ames #N/A**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **John Ames #N/A** in North Union/Coal Creek Township. It was constructed in 1900 and reconstructed in 1947 with 237.75 acres in the watershed. The tile length is 8,531 feet, consisting of 8", 10", 12" and 15" tiles. There is no open ditch and has 16 land parcels. The **John Ames #N/A** drain outlets into the **William R McClamroch #648** regulated open ditch. There are numerous grassed waterways along the path of the tile throughout the watershed. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$5.86 with a \$5.00 minimum yielding a yearly total of \$1,402.06. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much needed tile maintenance. There were no landowners present nor did the landowners contact the Surveyor about the **John Ames #N/A**. The Surveyor and the Board discussed: does it need to be on assessment; it drains into the **William R McClamroch #648** drain. **Ed Stephens moved, seconded by Terry Hockersmith, to vacate the John Ames #N/A**. Deanna Durrett would like to lower the assessment to \$3.00. **Motion failed 2-3**. Nay were Deanna Durrett, Dave Rhoads and Phil Rice. **Deanna Durrett moved, seconded by Phil Rice, to lower the assessment to \$3.00 an acre with a \$5.00**



**minimum with a yearly total of \$727.69. Motion carried, 3-2.** Nay were Ed Stephens and Terry Hockersmith.

### **George Jewell #N/A**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **George Jewell #N/A** in Franklin Township. It was constructed in 1904 with 356.12 acres in the watershed. The tile length is 7,195 feet, consisting of 10" 12" 15" and 18" tiles. There is no open ditch and has 15 land parcels. The **George Jewell #N/A** drain outlets into the **Needham Booher #640** regulated open ditch. There are trees located along the path of the tile and the easement on the downstream end. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$3.70 with a \$5.00 minimum yielding a yearly total of \$1,322.05. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much needed tile maintenance. Landowner John Wells was present: The landowner, Surveyor and the Board discussed: Mr. Cummins reported Bill Crowe has a tile hole; Mr. Wells in favor of the assessment and has standing water on his place; Dave Rhoads reported that Larry Picket would like to vacate; Mr. Picket has a new waterway and tiles on his land; Mr. Cummins reported Mrs. Goldman notified him that whatever was decided would be fine with her. **Dave Rhoads moved, seconded by Ed Stephens, to raise the assessment form \$0.00 to \$3.70 an acre with a \$5.00 minimum yielding a yearly total of \$1,322.05 for the George Jewell #N/A drain. Motion carried, 5-0.**

### **Henry Lee 2 #N/A**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **Henry Lee 2 #N/A** in Coal Creek Township. It was constructed in 1900 with 280.04 acres in the watershed. The tile length is 4,242 feet, consisting of 10" and 15" tiles. The open ditch is 435 feet and has 18 land parcels. The **Henry Lee 2 #N/A** drain, outlets into an unregulated portion of North Fork Coal Creek. There are numerous waterways installed along the path of the tile throughout the watershed. The open ditch runs through the wooded area to the outlet. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$3.86 with a \$5.00 minimum yielding a yearly total of \$1,087.67. The Surveyor classified this drain as a drain in need of maintenance for the 2016 and recommended an increase to the maintenance assessment. This increase would allow for much needed tile and open ditch maintenance. Landowners present were: Michael Merritt, Darrell Birge, Jim Fulwider and Earl Smith. The landowners, Surveyor and the Board discussed: Mr. Cummins reported no landowners have contacted him; Phil Rice reported Soil and Water installed a waterway several years ago in which an 8" tile was connected to a 15" tile. The old tiles were filled in with soil and not destroyed according to information that was given to him that now causes drainage problems to the surrounding landowners; The Banta and the McCord farms are wet; Mike Merritt and Darrell Birge used the overhead projector to discuss water issues. Deanna Durrett moved to put the **Henry Lee 2 #N/A** back onto assessment at \$3.86 with a \$5.00 minimum for a yearly total of \$1,087.67 then Tom Cummins contact Soil & Water about the waterway put in. Motion failed for lack of a second.

Tom Cummins will contact Soil & Water. **Deanna Durrett moved, seconded by Dave Rhoads, to raise the assessment from \$0.00 to \$3.86 an acre with a \$5.00 minimum yielding a yearly total of \$1,087.67 for the Henry Lee 2 #N/A drain. Motion carried, 3-2.** Nay were Ed Stephens and Terry Hockersmith.

### **James McMullen #N/A**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **James McMullen #N/A** in Coal Creek Township. It was constructed in 1884 with 147.66 acres in the watershed. The tile length is 5,543 feet, consisting of 10" and 12" tiles. There is no open ditch and has 8 land parcels. The **James McMullen #N/A** drain outlets into the **Joseph Conway #700** regulated open ditch. Waterways were installed along the path of the tile on the downstream end. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$6.07 with a \$5.00 minimum yielding a yearly total of \$909.77. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much needed tile maintenance. Landowners present were Dick Inskip, Kenneth Bane and Earl Smith: The landowner, Surveyor and the Board discussed: landowner has put in new tile; found quicksand 2-3 years ago; Inskip, Bane and Smith are in favor of putting it back on assessment; tile line is deep; **Phil Rice moved, seconded by Ed Stephens, to raise the assessment form \$0.00 to \$6.07 an acre with a \$5.00 minimum yielding a yearly total of \$909.77 for the James McMullen #N/A drain. Motion carried, 5-0.**

### **Stormwater Approval**

Tom Cummins reported he has received the information required for the extension of County Road 200 S that will connect US 231 to State Road 47. The Board and Surveyor discussed; The required water storage is 7271.8 cubic feet and it was designed for 10,304 cubic feet for future growth; the pond is 42% above the requirement with a 36" cross culvert; any other projects will have to design their own stormwater plan; it has been approved by the DLZ Engineering firm the County uses for Stormwater review. **Ed Stephens moved, seconded by Phil Rice, to approve the Stormwater plan for Road 200 South. Motion carried, 4-0.** Terry Hockersmith abstained with a possible conflict of interest.

### **Petition**

Tom Cummins reported he has received a petition to attach to the **Richard Thomas #625** from Jack Fifer. Mr. Cummins used the overhead projector to display the land. Mr. Cummins recommends approving the petition to attach to the **Richard Thomas #625**. **Deanna Durrett moved, seconded by Ed Stephens, to approve the petition to attach to the Richard Thomas #625 from Jack Fifer.** Phil Rice inquired if this is about the reconstruction issue. Mr. Cummins reported he will meet with Bart Maxwell the contractor who reconstructed the **Richard Thomas #625** to discuss the land owner's issues. Phil Rice was contacted by Darrell Birge and told Mr. Birge he would go out to walk the area but cannot physically look at it now and it and Ed Stephens will go out instead. **Motion carried, 5-0.**

## Old Business

### Reconstruction assessment policy

Tom Cummins presented at the last meeting a handout to the Board discussing the bank interest on reconstruction loans. Mr. Cummins has met with Suanne Milligan and Deanna Durrett to discuss options. Mr. Cummins explained the handout. Suanne Milligan inquired of Terry Hockersmith about the County contracting to collect outstanding taxes. Terry Hockersmith was not sure. Deanna Durrett moved, seconded by Dave Rhoads, to accept the proposal for new reconstruction loans. Terry Hockersmith would like to have more time to look at the proposal. Suanne Milligan recommended table the proposal until the next meeting. Deanna Durrett and Dave Rhoads withdrew their motion. **Phil Rice moved, seconded by Terry Hockersmith, to table the proposal until the January 4, 2016 meeting. Motion carried, 5-0.**

### Harvest Fellowship Church-Stormwater complaint

Tom Cummins reported it is over thirty days from which the letter was sent on September 9, 2015 to Harvest Fellowship Church. Mr. Cummins has met with Jay Prosser concerning the issue but has not heard from the church what their plan is. Terry Hockersmith reported the church has contacted an engineering firm. The Board directed Tom Cummins to send a second letter to Harvest Fellowship Church.

## New Business

Tom Cummins reported he has received a petition from Travis Smith to remove an obstruction on county road 500 S on Mr. Coudret's property. A 4" field tile has been installed and the road ditch was filled in. **Deanna Durrett moved, seconded by Dave Rhoads, to accept the petition to hold an obstruction hearing on Monday, January 25, 2016 at 11:00 a.m. pending room availability. Motion carried, 5-0.**

## Other Business

**Deanna Durrett moved, seconded by Ed Stephens, to retain the same meeting dates for 2016 that were held in 2015. Motion carried, 5-0.**

Dave Rhoads inquired about if any of the Board terms are up in 2016. Deanna Durrett reported the terms of expiration: Dave Rhoads, 2016; Deanna Durrett, 2018; Phil, Rice 2018; Ed Stephens, 2017; and Terry Hockersmith is the County Commissioner member.

January 4, 2016 will be the Board's next meeting at 9:30 a.m. at the Crawfordsville District Public Library.

## Public Comment

Sherry Whetstone of the **James Harris #715** inquired of Tom Cummins if he has been receiving her e-mails. Mr. Cummins reported yes but had no new information so had not responded to her

e-mails. Mr. Cummins reported he will be meeting with a contractor tomorrow to look at the area. Ms. Whetstone stated that the Park Board would like to build a new shelter but do not want a flooded area. Mr. Cummins will notify Ms. Whetstone when work will start on the **James Harris #715**.

Brad Grayson of the **Basil and Anna VanCleave # 559** ditch of New Market reported that all the water from the New Market Volunteer Fire Department is running onto his property. Tom Cummins reported he did not receive anything from the building department stating the baffle was not installed correctly. Mr. Grayson is concerned about spring floods. Mr. Cummins will go out with Marc Bonwell to check to see if the area meets all requirements.

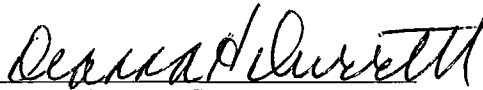
Deanna Durrett reported the January 25, 2016 meeting has been scheduled with the Library.


**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 11:27 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman

  
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Phil Rice, Vice Chairman

  
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Deanna Durrett, Secretary

  
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Terry Hockersmith, Member

  
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Ed Stephens, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
January 4, 2016  
MINUTES**

The Montgomery County Drainage Board met on Monday, January 4, 2016 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance and prayer by Suanne Milligan.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Secretary Deanna Durrett; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Paula Green of the Auditor's Office, Travis Smith, Marvin Swick, Rick Ward, Lyle Bowlin, James Prosser, Lauren Anderson, Edward Runyon, Curt Hudson and Christopher Hudson.

**Reorganization**

**Ed Stephens moved, seconded by Terry Hockersmith, to retain the current officers for the 2016 year. Motion carried, 5-0.**

**Attorney Contract**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the legal contract for Suanne Milligan as the Drainage Board attorney for 2016. Motion carried, 5-0.**

**Approval of Minutes**

**Ed Stephens moved, seconded by Phil Rice, to approve as corrected the December 7, 2015 Drainage Board minutes with corrections that it was Kenny Campfield in attendance not Kenneth Bane, and that the John Ames #N/A motion should read to increase the assessment from \$0.00 to \$3.00 an acre with a \$5.00 minimum. Motion carried, 5-0.**

**Deanna Durrett moved, seconded by Phil Rice, to approve the November 2, 2015 minutes as corrected that the date of the meeting was Monday, November 2, 2015 not Tuesday, November 2, 2015 minutes. Motion carried, 5-0.**

**Assessment/Vacate Hearings**

**John Hudson #N/A**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **John D. Hudson #N/A** in Madison Township. It was constructed in 1903 with 221.11 acres in the watershed. The tile length is 6,375 feet, consisting of 8" 10" 12" 15" and 18" tiles. There is

no open ditch and has 21 land parcels. The **John Hudson #N/A** drain outlets into the **George Rusk # 712** regulated open ditch. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$5.77 with a \$5.00 minimum yielding a yearly total of \$1,294.67. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much needed tile maintenance. Landowners present were Curt Hudson, Christopher Hudson, Marvin Swick, and Rick Ward. The landowners, Surveyor and the Board discussed: tile has been repaired by Tim Terry and Rick Ward; does not drain well on the west side; some would like to move forward with a reconstruction and not put on assessment; Rick Ward representing Edgewood Farms and Myrtle Ward Farms reported if vacated, he will put in an 8" tile but the drain needs a reconstruction; Marvin Swick reported he had never heard of the drain. Mr. Cummins received two letters: one from David Stevenson, who would like a lower assessment of \$4.00 with a \$5.00 minimum, and a letter from Marvin Swick who would like to put the drain on assessment. Lyle Bollin of ADI Drainage would like to work on Mr. Stevenson property for him but is not opposed to a reconstruction if it is not five to ten years down the road. Mr. Cummins reported if hearings go smoothly a reconstruction could be done in 2016. Further discussion: will the horseshoe design be re-routed; seventy five percent of the maintenance account can be used towards a reconstruction; it takes ten percent of the landowners to petition for a reconstruction; seventy five percent of the maintenance fund may be used towards a reconstruction. **Deanna Durrett moved, seconded by Ed Stephens, to raise the assessment from \$0.00 to \$3.00 an acre with a \$5.00 minimum yielding a yearly total of \$688.61 for the John Hudson #N/A drain. Motion carried, 5-0.** Curt Hudson, Christopher Hudson and Edgewood Farms presented a petition to advance the date when a regulated drain will be referred to the County Surveyor. **Deanna Durrett moved, seconded by Ed Stephens, to accept the petition to advance the date when a regulated drain will be referred to the County Surveyor for his report. The report will be given at the February 1, 2016 meeting. Motion carried, 5-0.**

#### **John Peterson #N/A**

Tom Cummins reported notice to vacate or to put on assessment was sent to landowners on the **John Peterson #N/A** in Madison Township. It was constructed in 1888 with 324.99 acres in the watershed. The tile length is 6,037 feet, consisting of 6" 7" 10" and 12" tiles. There is no open ditch and has 12 land parcels. The **John Peterson #N/A** drain outlets into the **Lye Creek # 535** regulated open ditch. The current assessment is \$0.00 and if put back on assessment the recommended rate is \$2.23 with a \$5.00 minimum yielding a yearly total of \$730.47. The Surveyor classified this drain as a drain in need of maintenance for 2016 and recommended an increase to the maintenance assessment. This increase would allow for much needed tile maintenance. Landowner Rick Ward was present representing Myrtle Ward Farms and Edgewood Farms. The landowner, Surveyor and the Board discussed: would like for it to be maintained as without it they would not have an outlet; Mr. Ward is on the far end and has no issues at this time; Mr. Cummins reported that notes in the file say in 1974 Soil and Water installed 300 feet of 16" and 1,562 feet 14" tile were installed. **Deanna Durrett moved, seconded by Phil Rice, to raise the assessment from \$0.00 to \$2.23 an acre with a \$5.00 minimum yielding a yearly total of \$730.47 for the John Peterson #N/A drain. Motion carried, 5-0.**

## Petitions

### Joseph Conway #700

Tom Cummins reported he has received a petition to attach to the **Joseph Conway #700** from TipRad Broadcasting. Mr. Cummins used the overhead projector to display the land. Mr. Cummins recommends approving the petition to attach to the **Joseph Conway #700**. Phil Rice reported he used to farm in that area and the past Surveyor Larry Utz said it was not a County drain and Rice replaced an eight inch tile. Mr. Rice questioned whether the tile could take more water. Mr. Cummins reported it will only take the water it can take and that TipRad Broadcasting understands that drainage issue. **Terry Hockersmith moved, seconded by Ed Stephens, to approve the petition to attach to the Joseph Conway #700 from TipRad Broadcasting. Motion carried, 5-0.** Phil Rice reported on the history of the **Joseph Conway #700** that he knew.

### George Hutchinson #527

Tom Cummins reported he has received a petition to attach to the **George Hutchinson #527** from TipRad Broadcasting. Mr. Cummins used the overhead projector to display the land. Mr. Cummins recommends approving the petition to attach to the **George Hutchinson #527**. This drain is inside of the **Detchon Adams #711** watershed. Phil Rice inquired if this was a private ditch or part of the **Detchon Adams #711** that TipRad Broadcasting would like to attach to. Mr. Cummins reported it is private tile, which would then attach to the **George Hutchinson #527**. Maintenance has been done to repair some of the tile and the open ditch on the **George Hutchinson #527**. **Ed Stephens moved, seconded by Phil Rice, to approve the petition to attach from TipRad Broadcasting to the George Hutchinson #527 and adding the additional 22 acres to the George Hutchinson #527 watershed. That acreage was an un-assessed watershed area and will now be assessed in both the George Hutchinson #527 and the Detchon Adams #711. Motion carried 5-0.**

### John Gobin 2 #520

Tom Cummins reported he has received a petition to attach to the **John Gobin 2 #520** from David Stevenson. Mr. Cummins used the overhead projector to display the land. Mr. Cummins recommends approving the petition to attach to the **John Gobin 2 #520**. **Phil Rice moved, seconded by Terry Hockersmith, to approve the petition to attach to the John Gobin 2 #520 from David Stevenson. Motion carried, 5-0.**

### Charles Newkirk #594

Tom Cummins reported he has received a petition to attach to the **Charles Newkirk #594** from David Stevenson. Mr. Cummins used the overhead projector to display the land. Mr. Cummins recommends approving the petition to attach to the **Charles Newkirk #594**. **Deanna Durrett moved, seconded by Ed Stephens, to approve the petition to attach to the Charles Newkirk #594 from David Stevenson. Motion carried 5-0.**



### **Joe Hall #581**

Tom Cummins reported he has received a petition to attach to the **Joe Hall #581** from David Stevenson. Mr. Cummins used the overhead projector to display the land. Mr. Cummins recommends approving the petition to attach to the **Joe Hall #581**. **Deanna Durrett moved, seconded by Ed Stephens, to approve the petition to attach to the Joe Hall #581 from David Stevenson. Motion carried 5-0.**

### **Rankin Walkup #579**

Tom Cummins reported he has received a petition to attach to the **Rankin Walkup #579** from Keith Willett. Mr. Cummins used the overhead projector to display the land. Mr. Cummins recommends approving the petition to attach to the **Rankin Walkup #579**. **Deanna Durrett moved, seconded by Ed Stephens, to approve the petition to attach to the Rankin Walkup #579 from Keith Willett. Motion carried 5-0.**

### **Old Business**

Tom Cummins gave an update on the Harvest Fellowship Church. Jay Prosser was present representing the church and reported the church will be meeting with the original engineers in the near future. Travis Smith would like a time line on when it will be repaired as it is eroding his driveway. Mr. Smith has four sump pumps running and with the other neighbor who filled in the ditch he has a major run off problem. Deanna Durrett requested a report at the February 1, 2016 meeting from Harvest Fellowship Church.

Tom Cummins reported he has been to the New Market Volunteer Fire Department site and reported there is no restrictor pipe and no grass seeding, which was reported by Brad Grayson at the December 7, 2015 meeting. The Board requested that Mr. Cummins send a letter to the New Market Volunteer Fire Department to comply with the stormwater plan for the building site.

### **Reconstruction Assessment Policy**

Tom Cummins and the Board discussed the reconstruction assessment policy: what the code says; what to do with balances in the reconstruction account for each drain when paid off; policy about 10% interest. Mr. Cummins used the overhead projector to display the Indiana Drainage Code section 36-9-27-85 (d)

“Whenever any sum is certified under this section and is not expended with two [2] years after payment of the most recently allowed claim for work on a drain, the county auditor, with the approval of the board, shall promptly transfer the unexpended sum to the periodic maintenance fund for that drain. If there is no periodic maintenance fund for the drain, the unexpended sum may be transferred to the general drain improvement fund or funds of the county or counties affected by the drain, in proportion to the original apportionment and certification of costs for the drain.”

**Deanna Durrett moved, seconded by Phil Rice, when repaying reconstruction loans in advance to always keep three payments back in the account until the reconstruction loan is paid in full. Motion carried 5-0.**

The Board tabled the reconstruction assessment policy for further study until the February 1, 2016 meeting.

Tom Cummins reported the Tippecanoe Drainage Board is meeting this week and will discuss the Joint Board to be formed for the **George Barnett #N/A** and the **William Grimes #N/A** drains. Mr. Cummins recommends the Board to select two Board members to be on the new joint Board. Mr. Cummins will find a non-partial member for the fifth member of the Board. Dave Rhoads and Phil Rice will be on the joint Board.

### **No New Business**

### **Other Business**

Dave Rhoads discussed with the Surveyor and the Board the drainage issue at Mace: they have no town board and the town is not incorporated; hard to obtain a grant; the County would have to seek the grant and it would be denied because the County has enough money to make the repairs; Terry Hockersmith has been out to the area with the County Highway supervisor Rod Jenkins and there is no quick solution; Mr. High never came before the Commissioners to present the drainage issues; that Mace has to involve the County Commissioners.

### **Public Comment**

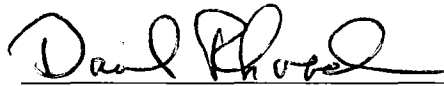
Edward Runyon inquired when work would be performed on the **Detchon Adams #711** drain. Tom Cummins reported when it freezes up or dries up it will be repaired with maintenance funds.

Phil Rice inquired about the **Joseph Ludlow #586**. Tom Cummins reported he called Jack Fifer left a message for him to meet with Mr. Cummins and Mr. Cummins has met with Bart Maxwell, contractor. Mr. Rice was talking about another area and putting a pipe in along the fence. Mr. Cummins reported the survey work has not been done but is on the list to do.

The next meetings will be on <sup>January 25</sup> ~~February 25~~, 2016 at the Crawfordsville District Public Library, the **Albert Hysong #618** joint meeting with Hendricks County at 9:30 am and the obstruction hearing at 11:00 am. Next regular meeting will be February 1, 2016 at 9:30 am.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn at 11:55 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman



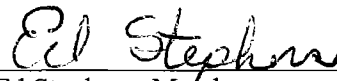
Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hoekersmith, Member



Ed Stephens, Member

**MONTGOMERY COUNTY/ HENDRICKS COUNTY  
DRAINAGE BOARD JOINT MEETING  
January 25, 2016  
MINUTES**

The Montgomery County Drainage and Hendricks County Joint Board met on Monday, January 25, 2016 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman, Dave Rhoads.

Montgomery County Board members in attendance were Chairman Dave Rhoads; Deanna Durrett member. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Hendricks County Board members in attendance were Jack Maloney, member; Bob Gentry, Hendricks County Commissioner; Bill Hahn, Parke County and David Gaston, Hendricks County Surveyor.

Also present were Paul Green of the Montgomery County Auditor's office, Allen Cline, Terri Cline, Roy Sillery, Tyler Cline, Mike Cline, Mark mercer, Dale Gladden, Jason & Melissa Summers, Rob Wood, and Don Barker.

**Bob Gentry moved, seconded by Deanna Durrett, to approve the minutes of the November 2, 2015 joint Drainage Board with the correction of date from November 6, to November 2, 2015. Motion carried, 5-0.**

**Bob Gentry moved, seconded by Deanna Durrett, to approve the December 7, 2015 joint Drainage Board minutes. Motion carried, 5-0.**

Tom Cummins reported notice to put on assessment was sent to landowners on the **Albert Hysong #618** in T17N, R2W, Sections 19 and 30 and T17N, R3W, Sections 13,24, and 25. It was constructed in 1907 with a partial reconstruction in 1988. The **Albert Hysong #618** consists of 867.97 acres (Montgomery Co. 594.29 and Hendricks Co. 273.68). The tile length is 4,596 feet, consisting of 12", 15", and 16" tiles. There is 1,200 feet of open ditch and 30 land parcels (Montgomery Co. 18 and Hendricks Co. 12). The **Albert Hysong #618** drain outlets into Haw Creek. The current assessment is \$1.00/acre with a \$5.00 minimum in Montgomery County. It is not currently assessed in Hendricks County. The proposed new assessment for both Counties is \$2.09/acre with a \$5.00 minimum yielding a yearly total of \$1,294.67. All the regulated drain is located in Montgomery County. The **Albert Hysong #618** has numerous large tile holes and the surface water has eroded most of the cover over the regulated drain tile, north of 1000 South. The regulated drain tile is nonfunctional south of 1000 S and draining above ground. The drain was partially reconstructed in 1988, but appears to have been installed incorrectly. The Montgomery County Surveyor classified this drain as a drain in need of a reconstruction for 2016 and recommends an increase to the maintenance assessment.

Sharon Richardson of Punta Gorda, Florida sent a letter objecting to the assessment. Landowners present were Allen Cline, Terri Cline, Roy Sillery, Tyler Cline, Mike Cline, Mark Mercer, Dale Gladden, Jason & Melissa Summers, and Don Barker. Rob Wood was also present.

The landowners, Surveyors and the Board discussed: landowners reported problems in 2005 and 2006; explained that Hendricks County has not been paying an assessment; why can't the open ditch be cut out of it; Surveyor says it all drains to the same way throughout the watershed; Surveyor reported in his ten

years no maintenance has been done on drain; discussion of surface water along the road; cheaper to put in an open ditch but more expensive to maintain; discussed if the north side or the south side is better for an open ditch; the drain is in debt because of the engineering report and will be paid back after work is done. **Bob Gentry moved, seconded by Deanna Durrett to close the maintenance hearing for the Albert Hysong #681. Motion carried, 5-0.**

**Bob Gentry moved, seconded by Deanna Durrett, to raise the assessment from \$1.00/acre with a \$5.00 minimum to \$2.09/acre with a \$5.00 minimum with a yearly total of \$1,829.91 for the Albert Hysong #681 in both Montgomery and Hendricks Counties. Motion carried, 5-0.**

**Reconstruction Hearing**

Tom Cummins presented the reconstruction report for the **Albert Hysong #681** in T17N, R2W, Sections 19 and 30 and T17N, R3W, Sections 13,24, and 25. The proposed reconstruction is as follows:

4,000 ft	18"smooth corr. HDPE pipe	@\$19/ft	= \$ 76,000.00
250 ft	12" smooth corr. HDPE pipe	@\$10/ft	= \$ 2,500.00
675 ft	5' bottom swale (approx.1200 cu. Yd)	@\$ 5/cu.yd	= \$ 6,000.00
4,000 ft	Existing tile destruction	@\$1/ft	= \$ 4,000.00
1	Stone driveway crossing	@\$1,000/ea.	= \$ 1,000.00
1	Paved road crossing	@\$5,000/ea.	= \$ 5,000.00
1	Engineering	@11,500/ea.	= \$ 11,500.00
1	Contingency	@ 10%	= \$ 10,600.00
			Total = \$116,600.00

Sharon Richardson of Punta Gorda, Florida sent a letter objecting to the reconstruction. Landowners present were Allen Cline, Terri Cline, Roy Sillery, Tyler Cline, Mike Cline, Mark Mercer, Dale Gladden, Jason & Melissa Summers, and Don Barker. Rob Wood, tenant farmer present.

The landowners , Surveyors and the Board discussed: Marathon pipe line between two houses; engineering report was designed for whole watershed; landowners want someone to oversee the work at all times to make sure all lateral tiles are hooked up; if there is a change in the alignment of open ditch will not be cheap for a new engineering report; discussed having a new regulated road ditch; would have to install a crossing for Curts; new tile to swale; outlet is not functioning correctly; reconstruction in 1988 was not done correctly; tile will be moved out into the field; laterals to be hooked in; could set bids for a March meeting; under County Road 1000 the tile needs to be replaced if crossing the road; for a additional 270 foot of 12" tile the approximate cost would be \$7,500.00 and a new road cut would require new cost figures and would have to re-advertize for a new hearing; south side had new tiles by Rob Wood; make an option about culvert if good or bad; the size of the extended tile that is not being replaced is not known. **Bob Gentry moved, seconded by Deanna Durrett, to reconstruct the Albert Hysong #681 Montgomery/ Hendricks Counties joint drain at a cost of \$134.34 an acre for a total cost of \$116,600.00. Motion carried, 5-0.**

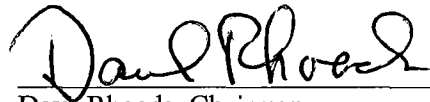
Deanna Durrett congratulated the landowners and the Board for all their input on the project.

Sealed bids will be opened on March 7, 2016 at 9:10 a.m. at the Crawfordsville District Public Library. This announcement today will be the only notice to landowners given.

There was an inquiry if you can request a certain contractor to perform the work. The response was that it is not possible as all contractors need to be licensed and bonded.

Bob Gentry moved, seconded by Jack Maloney, to adjourn the meeting at 11:10 pm. Motion carried 5-0.

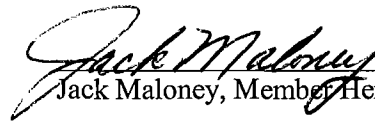
Recording Secretary,  
Vicki Emmert



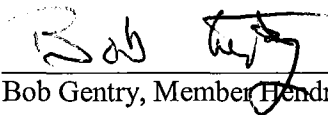
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Dave Rhoads, Chairman



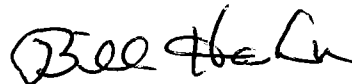
\_\_\_\_\_  
Deanna Durrett, Member Montgomery County



\_\_\_\_\_  
Jack Maloney, Member Hendricks County



\_\_\_\_\_  
Bob Gentry, Member Hendricks County



\_\_\_\_\_  
Bill Hahn, Member Parke County



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
February 1, 2016  
MINUTES**

The Montgomery County Drainage Board met on Monday, February 1, 2016 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance and prayer by Phil Rice.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Secretary Deanna Durrett; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Paula Green of the Auditor's Office, Curt Hudson, and Travis Smith.

Approval of Minutes

**Deanna Durrett moved, seconded by Phil Rice, to approve the January 4, 2016 minutes with the correction that it read the next meeting will be January 25, 2016 not February 25, 2016. Motion carried, 5-0.**

**Petitions**

**Harrison Doyle #617**

Tom Cummins presented a petition to attach to the **Harrison Doyle #617** from the Ralph Saylor Trust and recommends the Board approve it. **Ed Stephens moved, seconded by Phil Rice, to approve the petition to attach to the Harrison Doyle #617 from the Ralph Saylor Trust. Motion carried, 5-0.**

Tom Cummins presented a petition to advance the date for a petitioner hearing for the **Anna Campbell #551** in Franklin Township from landowner Jason Douglas, who owns approximately 40 % of the watershed. **Ed Stephens moved, seconded by Deanna Durrett, to hold a petitioner hearing for the Anna Campbell #551 to advance the date of a reconstruction. Motion carried, 5-0.**

Tom Cummins presented a petition to advance the date for a petitioner hearing for the **William Buchanan #505** in Franklin Township from landowners Brad Conner and Hole Farms, who own 35% of the watershed. Mr. Cummins reported they are still paying for the last reconstruction of the **William Buchanan #505**. **Ed Stephens moved, seconded by Phil Rice, to hold a petitioner hearing for the William Buchanan #505 to advance the date of a reconstruction. Motion carried, 5-0.**

**Old Business**



Tom Cummins presented a petition to advance the date for a reconstruction of the **John Hudson #661** to be held on at the March 7, 2016 meeting. **Phil Rice moved, seconded by Terry Hockersmith, to hold a petitioner hearing to advance the date for a reconstruction of the John Hudson #661 at the March 7, 2016 meeting at 9:30 a.m. Motion carried, 5-0.**

### **Harvest Fellowship Church**

Terry Hockersmith reported he met with Jay Prosser. Mr. Prosser reported to him that he had met with the engineers and Mr. Hockersmith thought Mr. Prosser would attend the Drainage Board meeting but was not present. The engineering firm is Parson Cunningham and Shartle. Travis Smith reported he has not seen any activity at the church but he is not always at home. Mr. Smith is concerned about the work not being completed before spring rains. Travis Smith, the Surveyor and the Board discussed: that another letter be sent to the church; there is a fine schedule in the Storm Water Ordinance; the attorney should look at the ordinance; the letter should state the fine; when the church has their stormwater plan it must be approved by DLZ the engineering firm the County uses. The letter will be presented to the Board prior to sending.

**Deaana Durrett moved, seconded by Phil Rice, to hold a special meeting on Friday February 5, 2016 at 1:00 pm.** The notice of special meeting should be posted. Terry Hockersmith inquired of Travis Smith who he has spoken with at the Harvest Fellowship Church. Mr. Smith reported he did not know the man's name only that he drove a white truck. Suanne Milligan inquired how the church is governed. Terry Hockersmith said he knew who the Elders were. Suanne Milligan asked that Terry Hockersmith speak to the Elders and get their names and addresses. **Motion carried 4-0. Terry Hockersmith abstained.**

### **New Market Fire Station**

Tom Cummins reported that a letter was sent to the New Market Fire Station but has received no reply to date. A second letter should be sent and copy it to other officials within the fire department. Travis Smith reported he could get names and address of fire department members for Mr. Cummins. **Phil Rice moved, seconded by Deanna Durrett, to send a second notice to the New Market Fire Station with a ten day reply requested to contact the County Surveyor and that a representative be at the March 7, 2016 meeting, with a copy of the letter be sent to the officers of the New Market Fire Station along with a copy to Brad Grayson. Motion carried, 5-0.**

### **Reconstruction assessment policy and report**

Tom Cummins reported problems with his spreadsheet to bring up reconstruction loan numbers for the meeting. Deanna Durrett discussed the following:

1. That interest also should be applied to the land owner's payments.
2. The paying of reconstruction loans that have enough money to pay advance payments leaving three payments in place.
3. What to do if loan is in the red or black at end of loan.
4. Transfer reconstruction money from **Funds without drains #400** that ended in the black should be transferred back into the individual drain maintenance accounts.

Deanna Durrett moved, seconded by Dave Rhoads, that at the end of a reconstruction loan if the drain is in the black, any overage will be transferred into the reconstructed drain's maintenance drain account, and if in the red, the money will be transferred out of the reconstruction drain's maintenance account and transferred to the reconstructed drain's reconstruction account to put it in the black. All money that was earlier transferred into Funds without drains #400 from reconstruction loans that were in the black will now be transferred back into the reconstructed drains' maintenance accounts. Motion carried, 5-0.

Deanna Durrett moved, seconded by Ed Stephens, that all new reconstruction loans with the bank will specifically provide a revised amortization schedule of the loan after each payment and to advise the County Councilman who signs for the loan know about this requirement. Motion carried, 5-0.

Deanna Durrett moved, seconded by Phil Rice, to rescind the motion made at the January 4, 2016 Drainage Board meeting, about the reconstruction drain payments to the banks. The prior motion was: "Deanna Durrett moved, seconded by Phil Rice, when repaying reconstruction loans in advance to always keep three payments back in the account until the reconstruction loan is paid in full. Motion carried, 5-0." Motion carried, 5-0.

Deanna Durrett moved, seconded by Ed Stephens, in the future to all reconstruction loans that are secured, 5% interest will be added to the schedule of assessments after the loan is secured and sent to the Auditor. Motion carried, 4-1. Terry Hockersmith opposed.

Deanna Durrett requested that a list of the transfers from Funds without drains #400 to the reconstructed drains be presented to the Board.

Tom Cummins will present a year end report at the March meeting.

Tom Cummins presented the Board the list of drains that are not on assessment for 2016.

Tom Cummins will bring a report of money that is to be transferred between maintenance and improvement at the March meeting.

### **Other Business**

Sealed bids for the **Albert Hysong #618** will be opened at the March 7, 2016 Montgomery/Hendricks County Joint meeting at 9:10 a.m. at the Crawfordsville District Public Library.

### **Public Comment**

Curt Hudson inquired about the dredging of ditches. Tom Cummins reported he has not had any responses back from the Army Corps of Engineering as required by the Waters of the US program. The DNR has approved the completion of the work without any permitting necessary. The DNR permit is then sent to the Army Corps of Engineering for their approval. There is no

spraying without the permits from the Army Corps of Engineering. Four requests have been made but no response as of today.

Curt Hudson inquired about the **Kirkpatrick One #612** joint drain with Tippecanoe County.

### **Old Business**

Tom Cummins reported he received a letter from Tippecanoe County stating they will appoint their Board members once they know the actual date of the meeting for the **George Barnett #N/A** and **William Grimes #N/A** joint meeting. Mr. Cummins reported that in Tippecanoe County they prefer to have a landowners meeting prior to the hearing which does not require a thirty day notice. Mr. Cummins will be traveling to Tippecanoe County to get their list of landowners.

### **Other Business**

Phil Rice reported he will not be at the March 7, 2016 meeting.

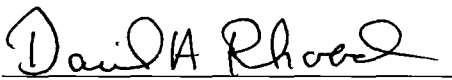
The next meeting will be on Friday, February 5, 2016 for the special meeting concerning Harvest Fellowship Church at 1:00 pm and the second special meeting will be at 2:00 pm concerning the Travis Smith/ Coudret Petition to Remove Obstruction.

Dave Rhoads reported that the Journal Review gave the annual report of what County Employees make a year. Since there was a mistake made in 2014 where the Board did not receive their full payments it was reflected in the 2015 payments. Anyone looking at the amounts would not understand as it was not clarified why the payments were higher than the actual annual payment.

**Phil Rice moved, seconded by Dave Rhoads, to hold a joint landowners meeting with Tippecanoe County for the George Barnett #N/A and the William Grimes #N/A on Monday, March 21, 2016 at the Crawfordsville, District Public meeting. Motion carried, 2-0.**

**Dave Rhoads moved, seconded by Ed Stephens, to adjourn the meeting at 11:25 pm. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

\_\_\_\_\_  
Phil Rice, Vice Chairman

Deanna H Durrett  
Deanna Durrett, Secretary

Terry Hockersmith  
Terry Hockersmith, Member

Ed Stephens  
Ed Stephens, Member



MONTGOMERY COUNTY  
DRAINAGE BOARD  
February 5, 2016

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Special Meeting Harvest Fellowship Church  
Stormwater complaint update

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MINUTES

The Montgomery County Drainage Board met on Friday, February 5, 2016 at 1:00 pm. at the Crawfordsville District Public Library in the basement conference room.

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


Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Secretary Deanna Durrett; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Paula Green of the Auditor's Office and Travis Smith.

Tom Cummins requested Suanne Milligan, Drainage Board Attorney, to present a draft of a letter to be sent to Harvest Fellowship Church. The Surveyor, Board and Suanne Milligan discussed: the letter; who the recipients will be of the letter; Harvest Fellowship Church, care of Philip Cosby, John Froedge, Curtis Stevens, Mark Rodeneck, James Prosser and John Maxwell; the letter should have the date of mailing and will be sent signature confirmation from the Surveyor's Office; "reasonable response" will be replaced with "to appear at the March 7, 2016 meeting"; there was a response from Jay Prosser on October 15, 2016; Terry Hockersmith gave timeline of events he received from Mr. Prosser; the stormwater plan must be submitted to Tom Cummins and then forwarded to the County engineering firm, DLZ; Terry Hockersmith received the information from Jay Prosser in an e-mail February 4, 2016 at 11:54 p.m.; Jay Prosser will not be able to attend the March 7, 2016 meeting and so another representative from the church should come to the meeting then; Terry Hockersmith reported survey stakes were in the ground yesterday; Jay Prosser did not attend the February 1, 2016 meeting as he was busy. **Phil Rice moved, seconded by Deanna Durrett, to send the letters with the changes to the appropriate recipients.** Terry Hockersmith reported the third paragraph is like a threat. **Motion carried, 4-0. Terry Hockersmith abstained.** Dave Rhoads inquired why he abstained. Mr. Hockersmith abstained because he is a member of the church and it would be a conflict of interest.

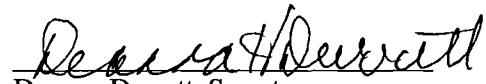
**Ed Stephens moved, seconded by Phil Rice, to adjourn the meeting at 1:25 p.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
David Rhoads, Chairman

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Phil Rice, Vice Chairman

  
Deanna Durrett, Secretary

  
Terry Hockersmith, Member

  
Ed Stephens, Member

Q All Search

Search Mail

Search Web



Home



Terry/Carol



Compose

Archive Move Delete Spam More

Inbox (36)

Drafts (3)

Sent

Archive

Spam (113)

Trash (7)

Smart Views

Important

Unread

Starred

People

Social

Shopping

Travel

Finance

Folders (1)

arial map site

county budget

Notes

paypal

poetic justice (1)

untitled

untitled1

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Fw: Harvest Fellowship Church Drainage

People

Jay Prosser <jayprosser@sbcglobal.net>  
To Terry & Carol Hockersmith

Feb 4 at 11:15 PM

Oct rec. Letter

Oct 15th verbally responded to Tom C. that's when he informed me all is well I have properly responded and recived email of what was required.

Oct? talked to Deckard Eng. was informed they were booked till Feb.-March. So I was waiting on them. the number I had for PCS was no good didn't know if they were still in business.

Dec. got 2nd Letter

Dec 17th Talked to Deckard Eng. was informed still be Feb March and cost would be 7-8 thousand. Also talked to Tom C. about us not responding after I had responded to him. he also told me PCS was still in Business. and he would get me there contact info. (Never Got It) from him.

Dec 21 talked to PCS secheduled meeting after Hollidays. also sent Tom C email to that effect.

Jan 6th met with PCS at harvest gave them verbal goahead

Mid Jan PCS surveyed site.

Jan 28th entered into contract with PCS.

On Thursday, February 4, 2016 2:33 PM, Brian Stanoch <BStanoch@pcsengineers.com> wrote:

Jay,

Following up from our conversation from this morning, the following is a summary of progress regarding the drainage study/investigation:

- The topographic survey of the project site has been completed and processed.
- We are currently reviewing the existing site conditions and drainage patterns and developing a few potential solutions to address the runoff from the site.

We should be able to have a couple of alternatives determined by the end of next week (Feb 12<sup>th</sup>). Would it make sense to schedule a meeting the following week to discuss these concepts with the drainage board so that there can be mutual agreement on a proposed solution before we finalize the proposed plans. I would expect that if we can finalize a concept the week of the 15-19<sup>th</sup> that we would be able to finalize a plan to submit to the board for approval by the end of February.

Please let me know if there are any further questions or comments.

Thanks,

Brian Stanoch, P.E., P.S.  
Project Manager

317-576-8416  
bstanoch@pcsengineers.com



Corporate Office  
1924 S. Dan Jones Rd.  
Avon, Indiana 46123  
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11650 Lantern Rd, Ste. 227  
Fishers, IN 46038

Terry H gave this Report @ Feb 1st mtg



424  
1900  
1901

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
February 5, 2016**

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**Travis Smith/ Ken and Dorothy Coudret Obstruction Hearing**

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**MINUTES**

The Montgomery County Drainage Board met on Friday, February 5, 2016, at 2:00 pm. at the Crawfordsville District Public Library in the basement conference room for hearing on the matter of Smith v. Coudret, a Petition to Remove Obstruction.

The hearing was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Secretary Deanna Durrett; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Paula Green of the Auditor's Office, Justin Smith and Travis Smith. There were no Coudret representatives.

Mr. Smith reported the following: the Coudrets to the west put in a 4 inch tile with concrete around it and back filled over it; water builds up 16 inches and overflows; Mr. Smith's sump pumps cannot keep up with the inflow of water and he has added extra sump pumps; Mr. Smith added another pump to run to the driveway; Mr. Smith has spoken to the Coudrets to explain the situation; the Coudrets did a dye test that took 47 minutes to go from the property line to their driveway, an estimated 40 yards; his perimeter drains were new when Mr. Smith bought his place; Mr. Smith presented seven exhibit photos to the Board; Bob Coudret did acknowledge the problem to Mr. Smith on August 14, 2015 and said they would fix it; Ken Coudret, Junior, said Mr. Smith should pump the ditch out; Mr. Smith has issues with  $\frac{3}{4}$  inch of rain; water runs over culvert pipe and will have to be repaired when the situation is resolved; Travis Smith presented a voice mail message from Bob Coudret which was recorded on his phone for the Board to hear; Mr. Smith has replaced 4 or 5 sump pumps because of the problem; there are no animal guards on tile.

Terry Hockersmith reported that he received a call from Commissioner Jim Fulwider Wednesday evening who had been in contact with Rod Jenkins of the County Highway Department. Mr. Jenkins says this tile is in the County right of way of the road and the County will repair it as soon as weather permits. Mr. Hockersmith also spoke with Mr. Jenkins. Mr. Smith reported he was glad it is being repaired but thought this was backdoor politics and would like to know what weather permitting means. Dave Rhoads inquired if that is the natural waterway the water will flow and if the pipe is an obstruction. **Deanna Durrett moved, seconded by Ed Stephens, that the Board find that there is a natural water course that flows across the Smith's property to the Coudret property and there is an obstruction to the natural waterway. Motion carried, 5-0.**

**Deanna Durrett moved, seconded by Ed Stephens, that the Board find that to remove the obstruction would not cause unreasonable damage to the Coudret property. Motion carried, 5-0.**

The Board discussed the possible ways the ditch could be repaired.

**Deanna Durrett moved, seconded by Ed Stephens, to accept the County Highway offer to remove the obstruction at the County's expense at the earliest time weather permitting and report back at the March 7, 2016 meeting. Motion carried, 5-0.**

Attorney Suanne Milligan will create the written order, effective today, and send it to the Surveyor's Office for the Board president to sign.

**Phil Rice moved, seconded by Terry Hockersmith, to adjourn the meeting at 2:45 pm. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
\_\_\_\_\_  
David Rhoads, Chairman

\_\_\_\_\_  
Phil Rice, Vice Chairman

  
\_\_\_\_\_  
Deanna Durrett, Secretary

  
\_\_\_\_\_  
Terry Hockersmith, Member

  
\_\_\_\_\_  
Ed Stephens, Member

**MONTGOMERY COUNTY/ HENDRICKS COUNTY  
DRAINAGE BOARD JOINT MEETING  
March 7, 2016  
MINUTES**

The Montgomery County Drainage and Hendricks County Joint Board met on Monday, March 7, 2016 at 9:10 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman, Dave Rhoads.

Montgomery County Board members in attendance were Chairman Dave Rhoads; Deanna Durrett member. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Hendricks County Board members in attendance were Jack Maloney, member; Bob Gentry, Hendricks County Commissioner; Bill Hahn, Parke County and David Gaston, Hendricks County Surveyor.

Also present were Paula Green of the Montgomery County Auditor's office, Allen Cline, Terri Cline, Rob Wood, Lyla Bollin, Jacob Arthur, Jason Summers, Rick DeWitt, John R. Johnson, Bart Maxwell, Brenda Foster, Rick Ward, John Maxwell and John Daniel Bowman.

**Jack Maloney moved, seconded by Bob Gentry, to approve the minutes of the January 25, 2016 joint Drainage Board. Motion carried, 5-0.**

Tom Cummins reported he has received seven bids for the reconstruction of the **Albert Hysong #618**.

**Bid Openings**

Maxwell Farm Drainage	\$ 74,125.00
Woodwater Farm Management	\$ 84,500.00
Arthur's Excavation	\$ 72,375.00
Goings Excavating	\$ 80,311.75
Foster Farm Drainage	\$ 79,061.68
ADI Drainage	\$111,311.00
Sellers Excavating	\$ 95,167.00

The projected cost of the reconstruction was \$116,000.00.

A brief recess was held for Tom Cummins, Surveyor to look over bids. Mr. Cummins reported all bids are responsive to the bid packet and recommended Arthurs Excavation for a total of \$72,375.00. All construction will occur in the summer before September 1, 2016.

Dave Rhoads inquired about the County Highway is dealt with crossing the culvert. Tom Cummins reported the culvert will not change.

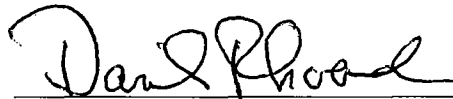
Bart Maxwell inquired about one of the contractors who submitted a bid in past projects did not conform to bid specs by using recycled pipe and not using a sock in a sandy silkily area when it was required. Mr. Cummins responded that all issues have been resolved. Tom Cummins

reported the code says to accept the lowest most responsive bid. Bob Gentry would like to have all work documented. Rob Wood reported that his water drains into the **Albert Hysong #618** and would like for the work to be done right. Bob Gentry and Dave Gaston discussed using one of Hendricks County employees from their Surveyor's office to be there at all times. Dale Gladden reported the majority of the reconstruction will be on his land and Arthur's Excavation will be doing work for him later on. **Bob Gentry moved, seconded by Bill Hahn, to award the Albert Hysong #618 reconstruction to Arthur's Excavation for a cost of \$72,375.00 to be completed in the summer with a completion date of September 1, 2016 with the Hendricks County Surveyor's Office sending someone to oversee the project at all times. Motion carried, 4-1. Deanna Durrett opposed.**

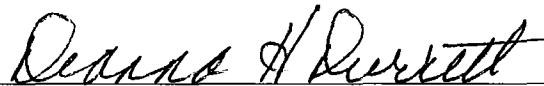
Allen Cline inquired for Roy Sillery about connecting under the road. Tom Cummins reported he could investigate the culvert out of maintenance. Mr. Cummins reported all the **Albert Hysong #618** landowners in Hendricks County should petition to have the private drain become part of the legal drain. It was reported in Hendricks County the Highway department does not pay assessments and can replace culverts as needed.

**Bob Gentry moved, seconded by Bill Hahn to adjourn the meeting at 9:40 a.m. Motion carried, 5-0.**

Recording Secretary,  
Vicki Emmert



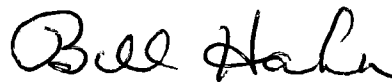
\_\_\_\_\_  
Dave Rhoads, Chairman



\_\_\_\_\_  
Deanna Durrett, Member Montgomery County

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Jack Maloney, Member Hendricks County

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Bob Gentry, Member Hendricks County



\_\_\_\_\_  
Bill Hahn, Member Parke County

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
March 7, 2016  
MINUTES**

The Montgomery County Drainage Board met on Monday, March 7, 2016 at 9:45 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Board members in attendance were Chairman Dave Rhoads; Secretary Deanna Durrett; Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney. Vice Chairman Phil Rice was not present.

Also present were Paula Green of the Montgomery County Auditor's office, Allen Cline, Terri Cline, Rob Wood, Lyla Bollin, Jacob Arthur, Jason Summers, Rick DeWitt, John R. Johnson, Bart Maxwell, Brenda Foster, Rick Ward, John Maxwell and John Daniel Bowman.

#### Approval of Minutes

**Deanna Durrett moved, seconded by Ed Stephens, to approve the February 1, 2016 minutes. Motion carried, 4-0.**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the February 5, 2016 Harvest Fellowship hearing minutes along with timeline attachment from Terry Hockersmith. Motion carried, 4-0.**

**Deanna Durrett moved, seconded by Ed Stephens, to approve the February 5, 2016 Smith/Coudret hearing minutes. Motion carried, 4-0.**

#### Old Business

Tom Cummins reported he has received a stormwater site plan from Harvest Fellowship Church. A hard copy will be delivered to the office and then sent to DLZ. The turnaround is usually about a week if everything meets DLZ standards. **Deanna Durrett moved, seconded by Ed Stephens to hold a special meeting on March 21, 2016 at 9:30 a.m. at the Crawfordsville District Public Library to review the stormwater plan for the a Harvest Fellowship Church. Motion carried, 4-0.**

#### Petitioner Hearings

Tom Cummins reported regarding a hearing on a petition from Curt Hudson, Christopher Hudson and Edgewood Farms for the **John Hudson #661**. Landowner Rick Ward of Edgewood Farms was present. Discussion between the Surveyor, Landowner and the Drainage Board included the following:

Mr. Ward owns land that tile repairs are made every year; tiles are rotten and collapsing; there are 221.11 acres in the watershed. Mr. Cummins recommends a reconstruction hearing to be held on Monday, May 2, 2016. **Deanna Durrett moved, seconded by, Ed Stephens, to hold a reconstruction hearing for the John Hudson #661 on Monday, May 2, 2016 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Tom Cummins reported regarding a hearing on a petition from Jason Douglas who owns 38% of the **Anna Campbell #551**. The **Anna Campbell #551** is in Franklin Township with 249.62 acres. Mr. Douglas was not present. Based on what Mr. Cummins has observed on the **Anna Campbell #551** he recommends a reconstruction hearing to be held on May 2, 2016. **Deanna Durrett moved, seconded by Terry Hockersmith, to hold a reconstruction hearing for the Anna Campbell #551 on Monday, May 2, 2016 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Tom Cummins reported regarding a hearing on a petition from Hole Farms and Brad Conner who owns land in the **William Buchanan #505**. A portion of the **William Buchanan #505** has already been reconstructed and the landowners are still paying for it. Neither petitioner was present. The upstream portion is still in bad condition. **Deanna Durrett moved, seconded by Ed Stephens, to hold a reconstruction hearing for the William Buchanan #505 on Monday, May 2, 2016 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

### **Petitions**

Tom Cummins presented a petition to advance the date for a petitioner hearing for the **Brent White #557** to reconstruct from Curt Hudson. Mr. Cummins recommends setting the petitioner hearing for the April 4, 2016 meeting. **Deanna Durrett moved, seconded by Ed Stephens, to hold a petitioner hearing for the Brent White #557 to advance the date of a reconstruction on Monday, April 4, 2016 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Tom Cummins presented a petition to advance the date for a petitioner hearing for the **George Hutchinson #527** to reconstruct from David Stevensen, Ed Bunnell and Clark Sennett. Mr. Cummins recommends setting the petitioner hearing for the April 4, 2016. **Ed Stephens moved, seconded by Terry Hockersmith to hold a petitioner hearing for the George Hutchinson #527 to advance the date of a reconstruction on Monday, April 4, 2016 at 9:30 a.m. at the Crawfordsville, District Public Library. Motion carried, 4-0.**

### **Old Business**

Tom Cummins updated the Board on the New Market Fire Station. The outlet pipe at the end has not been corrected yet. The orifice plate has not been installed, weather permitting it will be installed on Friday. Steve Wright of the New Market Fire Station was present. Mr. Wright reported the signage is in place and will call Mr. Cummins when the project is completed.

It was reported the joint meeting with Tippecanoe County which was originally to be held on March 21, 2016 must be rescheduled as that is their commissioner meeting date. Deanna Durrett spoke with Brenda Garrison at the Tippecanoe office and they suggest a Tuesday or a Thursday meeting. Mr. Cummins suggested March 31, 2016 at 1:30 p.m. **Terry Hockersmith moved, seconded by Ed Stephens, to hold the landowner informational joint meeting with Tippecanoe County for the George Barnett/William Grimes drains on Thursday March 31, 2016, at 1:30 p.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

#### **New Business**

Tom Cummins presented to the Board the off list of drains that will not be on assessment for 2016. **Terry Hockersmith moved, seconded by Ed Stephens to accept the 2016 off list. Motion carried, 4-0.**

Tom Cummins presented to the Board the Fund Transfers between drains. There are 125 drains on assessment and 58 off assessment. A report of rate increases for future hearings for the **Fred & Bessie Brown #503, John Lane #531, George Nichols #546, Phillip Dewey #584, James Wilson #588 and Moses Maxwell #603.** **Ed Stephens moved, seconded by Terry Hockersmith to accept his reports. Motion carried, 4-0.**

#### **Other Business**

None

#### **Public Comment**

Terry Hockersmith inquired about the New Ross project. Tom Cummins the de-brushing has begun and landowners are making decisions if they would like to keep the wood from trees taken down. There will be a new machine used to take trees down called a "feller buncher" and Mr. Cummins will let the Board know when it is coming so they may observe it.

**Ed Stephens moved, seconded by Terry Hockersmith to adjourn the meeting at 11:12 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman

Phil Rice, Vice Chairman

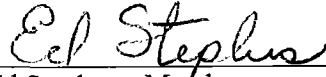


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Deanna Durrett, Secretary



Terry Hockersmith, Member



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Ed Stephens, Member

**MONTGOMERY COUNTY/ TIPPECANOE COUNTY  
DRAINAGE BOARD JOINT MEETING  
March 31, 2016  
MINUTES**

The Montgomery County and Tippecanoe County Joint Drainage Board met on Thursday, March 31, 2016 at 1:30 p.m. at the Crawfordsville District Public Library in the basement conference room for a landowner informational meeting.

The meeting was called to order by Montgomery County's Drainage Board Chairman, Dave Rhoads.

Montgomery County Board members in attendance were Dave Rhoads and Phil Rice Board members. Present were Tom Cummins, Surveyor; and Vicki Emmert, Secretary; Suanne Milligan, Attorney was not present. .

Tippecanoe Board members in attendance were, Tom Murtaugh and Tracy Brown Commissioners; Present were Zach Beasley, Tippecanoe Surveyor; and Brenda Garrison Tippecanoe County Drainage Board Secretary; Outside Board member Eric Wathen.

Also present were Paula Green of the Montgomery County Auditor's office, Kevin B. Fry, Richard L. Watkins, Joe Virgin representing Dave and Barry Virgin, John Mandeville representing JC Halstead Farm, Inc, Grant Thorp, representing Gray Farms, Curt Hudson, Sue & Rick Martin and Grant McBee representing McBee Farms.

**Election of Officers**

**Tom Murtuagh moved, seconded by Tracy Brown, to elect Dave Rhoads as chairman of the Board. Motion passed, 5-0.**

**George Barnett/William Grimes**

Tom Cummins, Surveyor presented with the overhead projector the **George Barnett/William Grimes** drain with actual photos of the drain showing large area with water standing and tiles in the area. The Montgomery County area is in Sections 5, 6, and 7 Township 20, Range 3 West and Section 12, Township 20 North, Range 4 West. The drain outlets into the **Horney-Davis Ditch** (in the south half of northeast quarter of Section 31 Township 21 North, Range 3 West) Tributary: **Wm. F. Grimes**. In Tippecanoe County the drain is in Lauramie Township: North half of road east and west between Sections 31 and 6, and 32 and 5 - ¼ mile. Also north and south between southwest quarter southwest quarter of Section 32, Township 21, Range 3 and southeast quarter of southeast quarter of Section 31 Township 21, Range 3 + ¼ mile. Old records indicate that the **George W. Barnett Ditch** was constructed to replace the **William W. Halstead Ditch**, constructed in 1882. The **William W. Halstead Ditch** - or parts of ditch- seems to be referred to as the **William F. Grimes Ditch** at other points; and the **George W. Barnett Ditch** constructed in 1909, drains the same general area as the **Halstead (or Grimes) Ditch**. A reference to a reconstruction of the **George W. Barnett Ditch** in 1939 is also made in several places, but we are unable to find any records as to what was done at that date.

The Joint Board, Surveyors and the landowners discussed the following: It is not on assessment so no repairs can be done; the majority of the drain is in Montgomery County 1106.73 acres; Tippecanoe County 188.03 acres; total acres 1,94.75; should the drains be repair or be replaced with one drain;

possible future reconstruction; the proposed assessment is \$4.16 an acre with a \$5.00 minimum per acre with a total yearly collection of \$5,390.95; maintenance assessment was explained how it works; question from landowners if they do the work will they be paid for tile repairs; if tile hole is discovered you are to contact the Montgomery County Surveyor and he will send a contractor out to do the repair; only approved contractors are used for repairs; sizes of tiles are 10, 15, 16 and 20 inches; it is unknown if the Tributaries 1, 2 and 3 are regulated or not; these tributaries were added in the assessment figures; the grade is very flat in Montgomery County; Board inquired if landowners would be wanting to connect laterals to drain; Halstead Farm said they would like to connect; old tile will be destroyed if a reconstruction is approved; the open ditch runs into the **Kirkpatrick One #612** and has been maintained; the timeline of when reconstructions occur are in the summer; explained how the reconstruction payment system works; possible dates for hearings are May 31, June 1 or 2<sup>nd</sup> 2016.

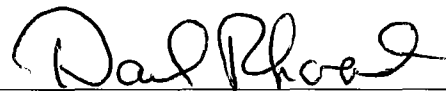
**Phil Rice moved, seconded by Eric Wathen, to hold assessment and reconstruction hearings for the George Barnett drain on Tuesday, May 31, 2016 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Dave Rhoads requested a vice chairman be elected. Eric Wathen volunteered. **Dave Rhoads moved, seconded by Phil Rice, to elect Eric Wathen as the vice chairman of the Montgomery/Tippecanoe Joint Board. Motion carried, 5-0.**

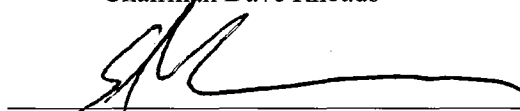
The Montgomery County Surveyor's office will take care of noticing the newspapers in Montgomery and Tippecanoe Counties.

**Phil Rice moved, seconded by Tom Murtaugh, to adjourn the meeting at 2:16 p.m. Motion carried, 5-0.**

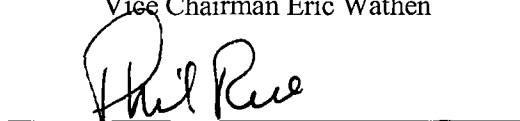
Recording Secretary,  
Vicki Emmert



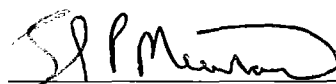
Chairman Dave Rhoads



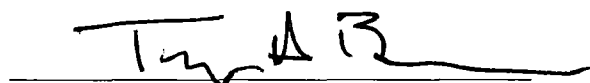
Vice Chairman Eric Wathen



Member Phil Rice



Member Tom Murtaugh



Member Tracy Brown

**MONTGOMERY COUNTY  
DRAINAGE BOARD  
April 4, 2016  
MINUTES**

The Montgomery County Drainage Board met on Monday, April 4, 2016 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance and prayer by Phil Rice.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Ed Stephens and Terry Hockersmith members. Secretary Deanna Durrett was not present. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Paula Green of the Auditor's Office, Brenda Foster, Ed Bunnell, Clark Sennett, Jay Prosser, Rick DeWitt and Bob Cox of the Journal Review.

Approval of Minutes

**Ed Stephens moved, seconded by Terry Hockersmith, to approve the March 7, 2016 minutes. Motion carried, 3-0. Phil Rice abstained, was not present.**

**Petitioner Hearings**

Tom Cummins reported regarding a hearing on a petition from Curt Hudson, for the **Brent White #577** which used to be a part of the **Rebecca Miller #718**. The **Brent White #577** is northeast of Linden in Madison Township. Mr. Hudson was not present. Discussion between the Surveyor, and the Drainage Board included the following: There are 287.76 acres in the watershed and Mr. Hudson owns 70-80% of the watershed.

Mr. Cummins recommends a reconstruction hearing to be held on Monday, June 6, 2016. **Ed Stephens moved, seconded by, Phil Rice, to hold a reconstruction hearing for the Brent White #577 on Monday, June 6, 2016 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

Tom Cummins reported regarding a hearing on a petition from Clark Sennett Ed Bunnell, and David Stevesen for the **George Hutchinson #527**. The **George Hutchinson #527** is in Wayne Township. Mr. Stevesen was not present. Discussion between the Surveyor, landowners and the Board as follows: the ditch by the road needs to be dredged; the outlet was repaired five or six years ago and is in good shape; there were fifty acres added to the watershed; if a reconstruction is approved the figures will be for all the tile as the actual cost may be less, but cannot be more than shown in the notice; can leave the old tile but would have to vacate that portion; the tile would be perforated, smooth core, dual-wall tile; Ed Bunnell reported that David Stevensen said the Board gave him permission to go across the Humphrey and Bunnell properties; Board reported they only gave permission to attach to the outlet; Mr. Bunnell now has drainage issues with his private tiles that were cut off; Denny Hopkins' pasture is now ponding and this has

never happened before the tiling performed by Stevensen; there are at least three drainage issues because of the new tiles; ADI did the work and Mr. Bunnell was not notified until after the work was complete; ADI is located in Illinois: the Board suggested Mr. Bunnell contact Mr. Stevensen to repair the drainage issue as soon as possible; if Mr. Stevensen does not repair it, then bring it back to the Board with a petition to remove obstruction of a mutual drain. Mr. Cummins recommends a reconstruction hearing to be held on June 6, 2016. **Phil Rice moved, seconded by Ed Stephens, to hold a reconstruction hearing for the George Hutchinson #527 on Monday, June 6, 2016 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0.**

### **Old Business**

Tom Cummins reported the stormwater plan was submitted the first week in March to DLZ for review and comments regarding required changes were sent were made on March 15, 2016 for the Harvest Fellowship Church. Stormwater plan revisions are not complete. Mr. Jay Prosser was present and had talked to the engineers and was under the impression that the plans would be complete by today. Mr. Prosser also reported after the plan is approved the church will receive bids for the repairs before work can be completed.

Tom Cummins reported on the work at the New Market Fire Department. Mr. Cummins spoke with Steve Wright this morning and the outlet structure is installed but not the orifice plate. The outlet is covered but not final. Terry Hockersmith reported Mr. Grayson called him last week and said he believes the pipe is too deep as water is always standing in that area. Mr. Cummins reported that it will be inspected and they will not get approval to move in until all work is complete.

### **New Business**

Suanne Milligan suggested that wording on the petition to attach to a drain should be changed to clarify that attachments that cross another landowner's property must have permission of the landowner as the Board does not have that authority to give permission to use another landowner's property, only to attach.

Clark Sennett reported this drainage issue has left landowners a mess by cutting off their tiles.

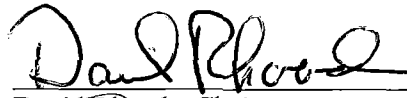
### **Other Business**

Dave Rhoads reported the Joint Board met with Tippecanoe County on the **George Barnett/ William Grimes** and will hold assessment and reconstruction hearings on May 31, 2016 at 9:30 the Crawfordsville District Public Library.

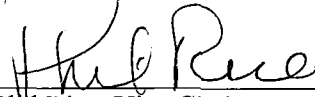
Our next regular drainage board meeting will be on Monday, May 2, 2016 at 9:30 a.m. at the Crawfordsville District Public Library.

**Ed Stephens moved, seconded by Phil Rice, to adjourn the meeting at 10:09 a.m. Motion carried, 4-0.**

Vicki Emmert,  
Recording Secretary



David Rhoads, Chairman



Phil Rice, Vice Chairman

Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member



**MONTGOMERY COUNTY  
DRAINAGE BOARD  
May 2, 2016  
MINUTES**

The Montgomery County Drainage Board met on Monday, May 2, 2016 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance and prayer by Suanne Milligan.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman Phil Rice; Secretary Ed Stephens and Terry Hockersmith members. Present were Tom Cummins, Surveyor; Vicki Emmert, Secretary; and Suanne Milligan, Attorney.

Also present were Paula Green of the Auditor's Office, Brenda Foster, Wayne Branstetter, Bob Hole, Rick DeWitt, Patrick McDonald, Jason Douglas, Robert and Barbara Bridwell, Chad Woodrow, John Hudson, Stu Weliever, Curt Hudson, Brad Conner, George Cox and Travis Needham.

Approval of Minutes

**Phil Rice moved, seconded by Terry Hockersmith, to approve the April 4, 2016 minutes. Motion carried, 4-0. Deanna Durrett abstained, was not present.**

**Hearings**

Tom Cummins presented the reconstruction report for the **Anna Campbell #551** in Franklin Township with 249.62 acres in the watershed with a proposed reconstruction estimate of \$109,400.00 for a proposed rate of \$438.27 per acre.

Description	Quantity	Unit	Unit Price	Amount
Installation of 18" smooth-corr HDPE	3,000	LFT	\$17.00	\$51,000.00
Installation of 15" smooth-corr HDPE	1,500	LFT	\$14.00	\$21,000.00
Installation of 12" smooth-corr HDPE	1,250	LFT	\$10.00	\$12,500.00
Installation of 10" smooth-corr HDPE	900	LFT	\$8.00	\$7,200.00
Destruction of existing tile	7,700	LFT	\$1.00	\$7,700.00
Paved road crossing @ 625 East	1	EA	\$5,000.00	\$5,000.00
Tree clearing	2	ACRE	\$2,500.00	\$5,000.00
			<b>Total =</b>	<b>\$109,400.00</b>

Landowners present were Jason Douglas, George Cox and Stu Weliever, attorney, representing out of state landowners. Landowners, Surveyor and the Board discussed: if the 18" outlet is large enough; reported it was; under the road it was repaired about ten years ago; if the new pipe is laid deeper will not be able to use old pipe under the road; how the payment process works; payments will begin one year after completed, fall of 2017; option to pay over five years; ten



percent interest on the unpaid balance by Indiana Code; full main reconstruction on downstream end; cannot go higher than the estimated bid; was reconstructed in 1917; the road crossing price was adjusted due to past bid prices and because of going through property owners lawns; it is cheaper to clear out the two acres of trees than to mow them down; no one has opposed the reconstruction; the 12" pipe and the stand pipe will be re-attached; discussion of watershed lines change due to elevation all the same; landowners in the **Joseph Gray #606** would like to switch 25 acres because of elevation; the cost figures would change for the reconstruction if the acreage is allowed; water floods over the road; will pipe size change; will investigate, but pipe size should be okay; will have to re-notice all landowners if watershed is changed; the drain has not worked well for the last thirty to forty years. **Phil Rice moved, seconded by Ed Stephens, to re-notice the landowners in the Anna Campbell #551 of the proposed reconstruction hearing to allow for the additional acreage in the watershed, to be held on Monday, June 6, 2016 at the Crawfordsville District Public Library.**

**William Buchanan # 505 Hearing**

Tom Cummins presented the reconstruction report for the **William Buchanan # 505** in Franklin Township with 509.1 acres in the watershed, with a proposed reconstruction estimate of \$94,750.00 for a proposed rate of \$186.11 per acre.

Description	Quantity	Unit	Unit Price	Amount
Installation of 18" smooth-corr HDPE	1,500	LFT	\$17.00	\$25,500.00
Installation of 15" smooth-corr HDPE	2,750	LFT	\$14.00	\$38,500.00
Installation of 12" smooth-corr HDPE	2,000	LFT	\$10.00	\$20,000.00
Destruction of existing tile	6,250	LFT	\$1.00	\$6,250.00
Gravel road/ driveway crossing	2	EA	\$1,000.00	\$2,000.00
Asphalt driveway crossing	1	EA	\$2,500.00	<u>\$2,500.00</u>
			<b>Total =</b>	<b>\$94,750.00</b>

Landowners present were Wayne Branstetter, Bob Hole, Patrick McDonald, Brad Conner, Travis Needham, Stu Weliever, Larry Cain and Chad Woodrow. Landowners, Surveyor and the Board discussed: there has already been a partial reconstruction in 2013; landowners said not enough was done caused the petition for additional reconstruction; Foster Farm Drainage did the first reconstruction; there is still a balance owed on the first reconstruction; seventy five percent of the maintenance account was used for the first reconstruction; sometimes reconstructions are done in segments waiting five years to as not create doubling of payments; McDonalds and Weliever farms have most of the drainage issues; Travis Needham has water issues at house; the 18" tile was never taken care of over the years; the Weesner place is flooding too; are all the tiles mapped; with work that has been done there are less blow-outs now; should work be extended under the road; the swale is not working as all the houses have issues; if Cains put in new plastic in one area could there be an obstruction from the old tile; the overhead projector was used to show where repairs have been made; could be a dead animal in pipe causing the blow-outs; the 12" is not big enough; \$5,009.99 in maintenance account recently spent on repairs on a couple of tiles; would be best to dig up a section to check tile size and how deep it is; do landowners want to wait because of expense; a government waterway was installed on the Wayne Branstetter property at some point; Wayne Branstetter would like to see the accounting for past work and

cost figures for new drain project. **Phil Rice moved, seconded by Terry Hockersmith, to recess the hearing for the William Buchanan # 505 until March 2017 so that more investigation can be done by Surveyor. A letter to land owners will be sent by regular mail as a reminder. Motion carried, 5-0.**

**John Hudson # 661**

Tom Cummins presented the reconstruction report for the **John Hudson #661** in Madison Township with 226.17 acres in the watershed, with a proposed reconstruction estimate of \$104,300.00 for a proposed rate of \$461.16 per acre.

Description	Quantity	Unit	Unit Price	Amount
Installation of 18" smooth-corr HDPE	2,600	LFT	\$17.00	\$44,200.00
Installation of 15" smooth-corr HDPE	2,400	LFT	\$14.00	\$33,660.00
Installation of 12" smooth-corr HDPE	1,500	LFT	\$10.00	\$15,000.00
Installation of 8" smooth – corr HDPE	500	LFT	\$7.00	\$3,500.00
Destruction of existing tile	7,000	LFT	\$1.00	\$7,000.00
Gravel road crossing @ 150 E	1	EA	\$1,000.00	\$1,000.00
			<b>Total =</b>	<b>\$104,300.00</b>

Landowners present were Curt Hudson and John Hudson. Landowners, Surveyor and the Board discussed: the reconstruction would be for all the drain and the tributary; landowners present were in favor of reconstruction even at current cost; two certified letters were returned but those landowners were noticed in the newspapers; where is the 8" tributary located; landowners present are still in favor of the reconstruction even at current cost. **Deanna Durrett moved, seconded by Ed Stephens, to reconstruct the John Hudson #661 at a cost of \$461.16 per acre for a total cost of \$104,300.00. Motion carried, 5-0.** Sealed bids will be opened on Monday, June 6, 2016 at 9:30 a.m. at the Crawfordsville District Public Library.

**Petitions**

Tom Cummins presented a petition to attach a perimeter septic drain to the **John Baker #641** from Brian Swick who is building a house. **Terry Hockersmith moved, seconded by Phil Rice, to approve the petition to attach to the John Baker #641. Motion carried, 5-0.**

**Old Business**

Tom Cummins gave an update on the Harvest Fellowship Church Stormwater plan. The Church is in its third round of comments with DLZ. Mr. Cummins used the overhead projector to show the area of concern. Mr. Cummins inquired of the Board if they would hold a special meeting when DLZ has given their final approval. The Board agreed to hold a special meeting when Mr. Cummins receives the approval from DLZ. Dave Rhoads reported the County Highway has dug out the ditch along the Coudret property. Terry Hockersmith reported Jay Prosser would have attended today but was working at the voting centers.

Tom Cummins reported nothing new to report regarding the New Market Fire Department. Deanna Durrett inquired if the fire department can move in yet. Mr. Cummins reported not until everything has been approved.

### **Smith Elmore #641**

Tom Cummins reported that about six years ago a reconstruction was completed on the **Smith Elmore #641** in Ripley Township with the intentions to do the rest of the reconstruction later. The engineering design has now been completed and he would like to set a reconstruction hearing for the June 6, 2016 meeting. **Ed Stephens moved, seconded by Phil Rice, to hold a reconstruction hearing for the Smith Elmore #641 on Monday, June 6, 2016 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

### **New Business**

Tom Cummins reported Drainage 101 will be on August 24, 2016 at Jonathon Byrd's Banquet Hall at Greenwood, Indiana. Mr. Cummins will be a presenter on reconstruction projects done here in Montgomery County. Vicki Emmert will contact Maria Spellman as to when you can sign up for the class. Suanne Milligan, Dave Rhoads, Deanna Durrett and Phil Rice would like to attend.

### **Other Business**

Deanna Durrett inquired about the George Hutchinson reconstruction and comments about the petition to attach. Mr. Cummins reported the Board is only involved from the standpoint of they approved the petition to attach not how it was done.

The next Tippecanoe Joint meeting will be Tuesday, May 31, 2016 at 9:30 a.m. at the Crawfordsville District Library.

### **Public Comment**

There was none.

The next Montgomery County Drainage Board meeting will be on Monday, June 6, 2016 at 9:30 a.m. at the Crawfordsville District Public Library.

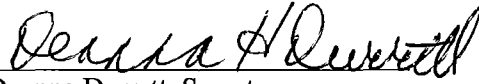
**Phil Rice moved, seconded by Ed Stephens, to adjourn the meeting at 11:16 a.m. Motion carried, 5-0.**

Vicki Emmert,  
Recording Secretary

  
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David Rhoads, Chairman



Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member

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Montgomery County Drainage Board

Special Meeting for Storm water Approval Harvest Fellowship Church

Tuesday, May 17, 2016 at 8:30 am

110 West South Boulevard

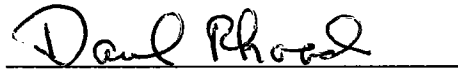
The special meeting was called to order by President Dave Rhoads at 8:30 am. Board members present: Rhoads, Durrett, Hockersmith, Stephens, and Rice. Also attending: Surveyor Cummins, Attorney Milligan, Marc Bonwell, Travis Smith and Jay Prosser.

DLZ Engineering has approved plans submitted by Harvest Fellowship Church on May 10<sup>th</sup>. Phil Rice moved and Ed Stephens seconded to approve the plan. The motion passed with four votes in favor and Mr. Hockersmith abstaining. Hockersmith is a member of the congregation of Harvest Fellowship Church. Following the vote Mr. Prosser asked if he could make changes. Mr. Cummins said he could but that any revisions would need to be reviewed by DLZ again. The plan remained approved as submitted.

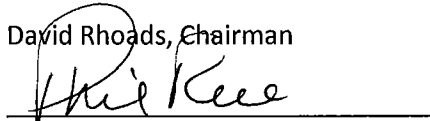
The meeting was adjourned at 9:07 am.

Recorded By

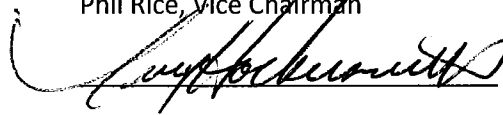
Deanna Durrett



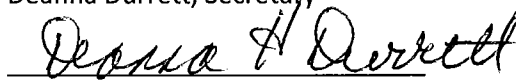
David Rhoads, Chairman



Phil Rice, Vice Chairman



Deanna Durrett, Secretary



Terry Hockersmith, Member



Ed Stephens, Member



**MONTGOMERY COUNTY/ TIPPECANOE COUNTY  
DRAINAGE BOARD JOINT MEETING  
May 31, 2016  
MINUTES**

The Montgomery County and Tippecanoe County Joint Drainage Board met on Tuesday, May 31, 2016 at 9:30 a.m. at the Crawfordsville District Public Library in the basement conference room.

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

Montgomery County Board members in attendance were Dave Rhoads and Phil Rice Board members. Present were Tom Cummins, Surveyor; and Vicki Emmert, Secretary and Suanne Milligan attorney.

Tippecanoe Board members in attendance were, Tom Murtaugh and Tracy Brown Commissioners; Present were Zach Beasley, Tippecanoe Surveyor; Outside Board member Eric Wathen.

Also present were Joe Virgin, David Virgin, Barry Virgin, Curt Hudson, Randy Gaswein, Joe Fry, Penny Walter, Brent Bible, and Kyle Knight.

**Eric Wathen moved, seconded by Phil Rice, to approve the March 31, 2016 minutes.  
Motion carried, 5-0.**

**Reconstruction Hearing – George Barnett #N/A**

Tom Cummins reported the **George Barnett #N/A** is in T20N, R4W, Sections 1 and 12, T20N, R3W, Sections 5, 6 and 7 and T21N, R3W, Sections 31 and 32 in Montgomery and Tippecanoe Counties. The old watershed was 1294.76 acres and with the updated topographical information from Tippecanoe County the total is 1311.05 acres. There are three tributaries connected to the main tile. The purposed reconstruction estimate is \$331.97 an acre for a total of \$435,225.00.

The proposed project is:

Description	Quantity	Unit	Unit Price	Amount
Installation of 36" smooth-corr HDPE	4,500	LFT	\$30.00	\$135,000.00
Installation of 30" smooth-corr HDPE	2,700	LFT	\$25.00	\$ 67,500.00
Installation of 24" smooth-corr HDPE	3,650	LFT	\$20.00	\$ 73,000.00
Installation of 18" smooth-corr HDPE	3,350	LFT	\$15.00	\$ 50,250.00
Installation of 15" smooth-corr HDPE	5,700	LFT	\$12.00	\$ 68,400.00
Installation of 10" smooth-corr HDPE	1,750	LFT	\$ 8.00	\$ 14,000.00
Destruction of existing tile	21,575	LFT	\$ 1.00	\$ 21,575.00
Gravel road corssing(s)	3	EA	\$1,000	\$ 3,000.00
Paved road crossing	1		\$2,500	\$ 2,500.00

The Joint Board, Surveyors and the landowners discussed the following: where the county line road is; the project cannot go higher than 10% of the bid based on Indiana code; the assessment rate is based on the attributes of the drain using a formula; the project could be done in July or August 2016; will take three weeks to prepare the bid packet and send to contractors; reconstructions are best done in the summer; the tributaries were included in the reconstruction price as to not to hold another hearing if work needs to be done on them; leaving the tributaries out of the reconstruction is an option; if a tributary is left out it could be repaired out of



maintenance if the tile size is not increased; this is a lot of money to be spent on project, can it be assured this will work; once the subsurface tiles are repaired the surface water should disappear in 24 hours; there is 14 feet of fall to the outlet; the tile is stopped up in places to county line and stands for 5-6 days; the overhead projection of the maps showed the low area where the dark spots are on the map; using surface inlets is not the best option as only a partial fix; Welshimer property loses 10-15 acres a year from wet ground; Welshimer and Halstead properties need a good outlet; if reconstructing only the main area will cost approximately \$370,750.00 at \$282.00 an acre; Mr. Cummins recommends reconstructing the main drain; the County line area is in bad condition; could possibly use maintenance funds to replace tributaries with same size tiles if landowners want to split project up; it is required to have a petition to attach to the drain and approved by the Board; not a lot of private tile in the watershed; please let contractor know of any private tiles in area if project is approved; assessment rate would be approximately \$61.00 an acre to do tributaries out of maintenance; cheaper to do whole project than portions of it; Tom Murtaugh and Tracy Brown believe it should all be done now; connecting existing laterals are included in the cost of reconstruction; could be an option to destroy the existing tile after the crop has been harvested; the Virgin family is okay with the reconstruction; Bray and Welshimer notices were returned to the office and personally noticed in the newspapers; all notices are sent signature confirmation; no written objections; if reconstruction is completed this year payments will not start until 2017 and landowners can pay whole bill off or make payments over five years with 10% interest by Indiana Code; installing a 36" pipe versus a 30" pipe will give almost 50% more capacity; the Surveyor recommended only connecting to the old tile as necessary; the payment plan was explained again; possibly could vacate old tile. **Tom Murtaugh moved, seconded by Eric Wathen, to reconstruct the whole George Barnett #N/A Montgomery/Tippecanoe Counties joint drain at a cost of \$331.97 an acre for a total cost of \$435,225.00 Motion carried, 5-0.**

The bid opening will be on Wednesday, June 22, 2016 at 1:30 p.m. at the Crawfordsville District Public Library. No further notice to individual landowners regarding the bid opening is required.

#### **Assessment Hearing – George Barnett #N/A**

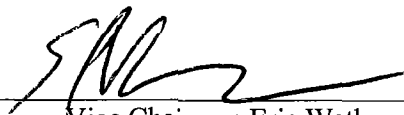
Tom Cummins reported the proposed assessment for the **George Barnett #N/A** is \$6.19 an acre with a \$5.00 minimum for a total yearly assessment of \$8,115.40 was sent to landowners. Mr. Cummins now recommends a proposed assessment of \$1.00 an acre. **Phil Rice moved, seconded by Tracy Brown, to raise the current assessment of \$0.00 to \$1.00 an acre with a \$5.00 minimum for a total yearly rate of \$1,358.55 for the George Barnett #N/A Montgomery/Tippecanoe Counties joint drain. Motion carried, 5-0.**

**Phil Rice moved, seconded by Tom Murtaugh, to adjourn the meeting at 10:40 a.m. Motion carried, 5-0.**

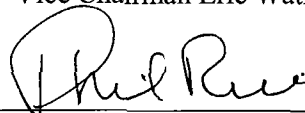
Recording Secretary,  
Vicki Emmert



Chairman Dave Rhoads



Vice Chairman Eric Wathen



Member Phil Rice



Member Tom Murtaugh



Member Tracy Brown

