

**MONTGOMERY COUNTY
DRAINAGE BOARD
January 8, 2018
MINUTES**

The Montgomery County Drainage Board met on Monday, January 8, 2018 at 10:00 a.m. at the Montgomery County Courthouse in Crawfordsville.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary; Karen Arnold, Drainage Tech and Stu Weliever Attorney.

Also present were Ed Stephens, Stephanie Campbell, Jim Peck and Deanna Durrett and Karyn Douglas Montgomery County Clerk's office.

There were no minutes to approve.

Dave Rhoads inquired of the attorney who is eligible to sign and approve the December 4, 2018 minutes since two of the Board members attending are off the Board now. It was reported once the new Board members are sworn in they may approve and sign the minutes.

Swearing in of Board Members

Commissioner John Frey, Lance Sennett and Jarrod Zachary were sworn in by Karyn Douglas of the Montgomery County Clerk's office.

Election of Officers

John Frey moved, seconded by Jarrod Zachary, to appoint Dave Rhoads as Chairman of the Drainage Board. Motion carried, 5-0.

Lance Sennett moved, seconded by John Frey, to appoint John Frey to Vice Chairman of the Drainage Board. Motion carried, 5-0.

John Frey moved, seconded by Lance Sennett, to appoint Matt Mitchell as Secretary of the Drainage Board. Motion carried, 5-0.

Attorney Contract

Dave Rhoads opened the floor for nominations for Board attorney for the year. John Frey nominated Dan Taylor for Board attorney as he has worked on the cases that the Drainage Board has been sued over. Dave Rhoads nominated Stu Weliever who is our current attorney as Mr. Weliever replaced Suanne Milligan who retired. Mr. Weliever also stood in for Ms Milligan

when on vacation. **John Frey moved, seconded by Matt Mitchell, to close the nominations. Motion carried 5-0.** Mr. Rhoads requested the Board to raise their hands to vote. All in favor of Dan Taylor, Mr. Taylor received two votes. All in favor of Stu Weliever, Mr. Weliever received two votes. Vote was tied as Jarrod Zachary abstained. There was a re-vote. All in favor of Dan Taylor raise your right hand. Mr. Taylor received three votes. All in favor of Stu Weliever raise your right hand. Mr. Weliever received two votes. Dan Taylor is the new lawyer. Dave Rhoads thanked Stu Weliever and Mr. Weliever left the room.

Meeting Schedule

Dave Rhoads inquired of Tom Cummins of what day works best for him of scheduling Board meetings. Mr. Cummins reported the Drainage Board meetings be held on Tuesday as this gives Mr. Cummins a day to prepare. In past when preparing for Monday meetings he would prepare on Friday and then have to re-prepare on Sunday. Mr. Cummins will leave it up to Board to make the decision of the date. The Board discussed various dates. **John Frey moved, seconded by Lance Sennett, to hold the 2018 Drainage Board meetings on the second Wednesday of the month at 9:30 a.m. if able to reserve a room at the Crawfordsville District Library. Motion carried 5-0.**

There was no new business.

Other Business

Tom Cummins reported the Board should schedule their Board training for new members. **John Frey moved, seconded by Lance Sennett, to hold a special Drainage Board training meeting by Dan Taylor on Monday, January 29, 2018 at 9:00 a.m. at 110 W South Boulevard, Crawfordsville, Indiana in the conference room. Motion carried, 5-0.**

John Frey introduced Jim Peck the new County Engineer. Jim Peck reported he is a 1985 Rose Hulman graduate. He has worked in the private sector and he is registered in seven states with work experience in drainage and INDOT structures for thirty-two years. Mr. Peck will be working in a supporting role with Tom Cummins on drainage and looks forward to working with the Board and Mr. Cummins.

Tom Cummins reported the approved attorney contract in the budget is for \$6,500.00. Dan Taylor reported he would prepare a contract with an hourly rate up to \$6,500.00.

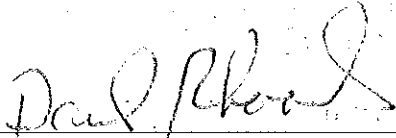
John Frey reported he will take full responsibility of the success or failure of the Drainage Board being the only elected official on the Board and feel we have a broad representation with the new Board members with no intent for hard feelings.

Dave Rhoads thanked Deanna Durrett for her twelve years of service on the Drainage Board along with Phil Rice who served 9-10 years. Mr. Rhoads wished both of them good luck.

Monday, February 14, 2018 will be the next actual Drainage Board meeting at 9:30 a.m. at the Crawfordsville District Public Library

John Frey moved, seconded by Dave Rhoads, to adjourn the meeting at 10:23 a.m. Motion carried, 5-0.

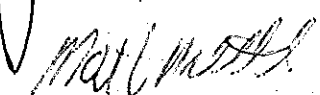
Vicki Emmert,
Recording Secretary



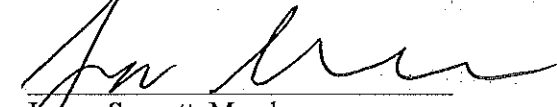
David Rhoads, Chairman




John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Jarrod Zachary, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
January 29, 2018
MINUTES**

The Montgomery County Drainage Board met on Monday, January 29, 2018 at 9:00 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. There was no prayer.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary; Karen Arnold, Drainage Tech, Jim Peck, Engineer and Dan Taylor Attorney.

There were no minutes to approve.

Training

Attorney Dan Taylor presented the Board with a twenty two item action list, along with a nine page brief discussing the workings of the Drainage Board. All these items presented were discussed with question and answer sessions.

Other Business

Dave Rhoads inquired of Tom Cummins to explain the rain drop system to the Board. Tom Cummins used the overhead projector to explain along with the history of the system.

It was discussed the sharing of employees with the Soil and Water as it is a great opportunity that benefits both sides. The Surveyor office has shared information with them but since they are federally funded they have privacy issues sharing landowner information.

Jarrod Zachary is the Soil and Water representative of the Board.

Robert Cheatham stopped in and left packets of his obstruction petition for the Board which will be brought to the Board at the February 14, 2018 meeting.

It was emphasized to the Board to evaluate what you say at meetings and speaking privately to landowner that you are only one member of the Board.

Discussed the difference between an assessment, what it is used for, and a tax that is collected from landowners.

Discussed the interest rate and how it works with a reconstruction.

Discussed private drainage with adjacent landowner and what is necessary to cross another landowner's property.

Jim Peck inquired if the County Highway Department coordinates with the Surveyor on projects. Tom Cummins reported normally, no. Mr. Cummins reported there are culverts at some point that should be replaced.

Jim Peck inquired about the Stormwater reviews for the County. Tom Cummins reported if a drainage plan is necessary the County will now use Jim Peck instead of DLZ. Mr. Peck inquired how clients were charged for a review using DLZ. It was reported Mr. Peck should keep track of his time for each project.

Vicki Emmert inquired if Tom Cummins could please bring up the County website and show how the new word search recognition works with the scanned Drainage Board minutes that Karen Arnold was able to upload to the website

Dave Rhoads would like the Tri-County Joint drain to be put on the agenda for the February 14, 2018 meeting. There will be six assessment hearings at the February 14, 2018 meeting.

Dave Rhoads thanked Dan Taylor for the Board training.

The Robert Cheatham petition packets were passed out to the Board. It will be scanned. It was reported the landowner paid \$100.00 for the Board to hear their drainage obstruction issue.

Jim Peck reported he will be meeting with StructurePoint at 1:30 pm today to discuss the County bridges. Mr. Peck plans to photograph the underneath areas of the bridges. Jim Peck and Tom Cummins will coordinate scour protection.

The next meeting will be Wednesday, February 14, 2018 at the Crawfordsville District Public Library.

John Frey moved, seconded by Matt Mitchell, to adjourn. Motion carried 5-0.

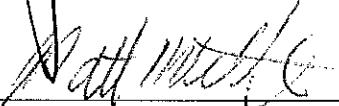
Vicki Emmert,
Recording Secretary



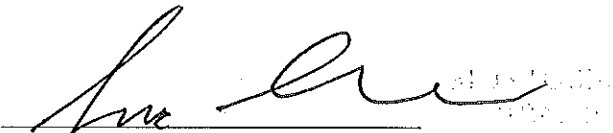
David Rhoads, Chairman

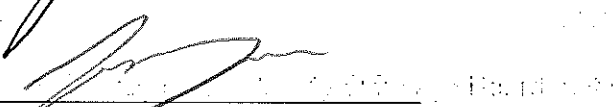


John Frey, Vice Chairman



Matt Mitchell, Secretary


Lance Sennett, Member


Jarrod Zachary, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
February 14, 2018
MINUTES**

The Montgomery County Drainage Board met on Wednesday, February 14, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. Prayer was given by David Powers.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett, with member Jarrod Zachary arriving at 10:20 a.m. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary; Karen Arnold, Drainage Tech, Jim Peck, Engineer and Dan Taylor Attorney.

Also present were Steve and Peggy Spall, Bob and Sue Cheatham, Phillip Cheatham, Mike Sn---, Mike Teague, Earl Smith, Russ Huthison, David Bower, Phil Springer, Gloria Oliver, Stewart Kellerman, Mark Barclay, Dorothy Barclay, Morris and Judy Neal, Mark Nesbitt, Walter Largent, Jacob Arthur, Darrel Birge, Phil Rice, Dan Gwin, Richard Inskeep, Sherry Whetstone, Dean Gaylor, Josh Blankenship, Amber Blankenship, Scott Odle, Patricia Johnson, Jim Fulwider, Jim Parks and Curt Hudson. One name was not legible.

Approve Minutes

John Frey moved, seconded by Lance Sennett to approve the December 4, 2017 minutes. Motion carried, 4-0.

Assessment Hearings

Joseph Ludlow #586

Tom Cummins reported we are holding a maintenance assessment increase hearing for the **Joseph Ludlow #586** drain in Coal Creek Township. The **Joseph Ludlow #586** is in debt due to work that has been completed on it. The current assessment is \$1.79 an acre with a \$5.00 minimum. Mr. Cummins recommends the assessment rate be increased to \$9.40 an acre with a \$5.00 minimum for 2018 and lower to the calculated rate of \$6.21 an acre with a \$5.00 minimum in 2019. The proposed rate would collect a yearly total of \$11,101.29 for 2018. Mr. Cummins used the overhead projector to display the area. Landowners present were Russ Huthison, Earl Smith, Lance Sennett and Jim Fulwider. The Board, landowners and the Surveyor discussed: inquired if the increase is for future work; reported it is for past work; tree removal and de-brushing has been done on one side only; DNR only allows for one side to allow for the aquatic life; inquired if there is a limit to be collected; explained the process of ditches being on and off assessment. **John Frey moved, seconded by Dave Rhoads, to increase the rate from \$1.79 to \$9.40 an acre with a \$5.00 minimum for 2018 and to lower to the calculated rate of \$6.21 an acre with a \$5.00 minimum in 2019 for the Joseph Ludlow #586. Motion carried, 3-0. Lance Sennett abstained.**

James Wilson #588

Tom Cummins reported we are holding a maintenance assessment increase hearing for the **James Wilson #588**. The drain is currently in debt. There are 517.13 acres in the **James Wilson #588**. The current assessment rate is \$2.05 an acre with a \$5.00 minimum. The proposed rate is \$15.47 an acre with a \$5.00 minimum and recommends lowering the rate in 2019 to the calculated rate of \$2.49 an acre with a \$5.00 minimum. There are issues at county road 1000 North to the upstream tributary one, water is not leaving as fast as it should. Mr. Cummins received one objection letter from Curt Thompson of Grant Gray Farms. **John Frey moved, seconded by Matt Mitchell, to increase the rate from \$2.05 to \$15.47 an acre with a \$5.00 minimum for 2018 and to lower to the calculated rate of \$2.49 an acre with a \$5.00 minimum in 2019 for the James Wilson #588. Motion carried, 4-0.**

Arthur Fraley 1 #596

Tom Cummins reported we are holding a maintenance assessment increase hearing for the **Arthur Fraley 1 #596**. The **Arthur Fraley 1 #596** is in Madison Township with 146.29 acres with a current assessment rate of \$1.38 an acre with a \$5.00 minimum. The proposed rate is \$75.06 an acre with a \$5.00 minimum and recommends lowering the rate in 2019 to the calculated rate of \$6.22 an acre with a \$5.00 minimum. Mr. Cummins recommends combining the **Arthur Fraley 1 #596** and the **Edward Coleman #720** in the future after the debt is paid off. Landowners Phil Springer and Curt Hudson were present. **Matt Mitchell moved, seconded by John Frey, to increase the rate from \$1.38 to \$75.06 an acre with a \$5.00 minimum for 2018 and to lower to the calculated rate of \$6.22 an acre with a \$5.00 minimum in 2019 for the Arthur Fraley 1 #596. Motion carried 4-0.**

Tom Cummins reported we are holding a maintenance assessment increase hearing for the **Francis Hoss #627** with 140.17 acres in the watershed. The current assessment is \$4.49 with a \$5.00 minimum with a yearly total collection of \$647.24. The proposed rate is \$40.59 an acre with a \$5.00 minimum and a yearly collection of \$5,697.47 for 2018 and recommends lowering the rate in 2019 to the calculated rate of \$4.89 an acre with a \$5.00 minimum with a yearly collection of \$702.23 to cover the debt. There were no landowners present. **John Frey moved, seconded by Lance Sennett, to increase the rate from \$4.49 to \$40.59 an acre with a \$5.00 minimum in 2018 and lowering the rate in 2019 to the calculated rate of \$4.89 an acre with a \$5.00 minimum for the Francis Hoss #627. Motion carried 4-0.**

James Harris #715

Tom Cummins reported we are holding a maintenance assessment increase hearing for the **James Harris #715**. The **James Harris #715** is in Walnut Township with 959.67 acres in the watershed. The current assessment is \$5.12 an acre with a \$5.00 minimum. The proposed rate is \$19.45 an acre with a \$5.00 minimum with a yearly collection of \$18,806.87 for 2018 while the calculated rate is \$6.72. There is still a lot of work to be done around the town and downstream with bottom dipping needed to and obstructions to be removed. Mr. Cummins recommended it would be best to lower it in 2019 to somewhere around the \$10.00 to \$12.00 an acre rate to cover

all the expenses. Landowners present were Mike Teague, Morris and Judy Neal, Jacob Arthur, Sherry Whetstone, Amber Blankenship, Patricia Johnson and Josh Blankenship. The landowners, Board and the Surveyor discussed: how long is the ditch; reported just over two miles long; inquired how money was spent; brush and trees were removed very thick in areas; inquired what the future work plans are after debt is paid; will need to remove obstructions and a survey is needed to decide if bottom dipping is necessary; reported the bottom of ditch is solid rock; reported on the Morris Neal property lots of debris was left on the hay field which cost the landowner money because the hay could not be cut; reported there is an easement on the drain; how does the Surveyor determine the cost of work; not required to bid if the project is under \$75,000.00 by the Indiana code and using money out of maintenance does not require bidding; try to use the same contractor for the whole project; when will logs be removed from ditch; that is what the survey is for; will maintenance be done to keep the area clear; reported a spray program will be put in place for the drain; inquired about what property drains into the watershed is it just the land touching the drain; used overhead projector to display the whole watershed; landowner Amber Blankenship has photos where Asplundh Tree Company cut trees and hit their siding; the Surveyor did not use Asplundh, they would have been hired by a utility company; reported Asplundh dropped trees into the ditch and it is causing drainage issues; the Surveyor explained how maintenance and improvement funds are used; the survey will decide what work will be done; will dredging be completed this spring; survey first; which trees will be cut; survey will decide. **John Frey moved, seconded by Matt Mitchell, to increase the assessment rate from \$5.12 to \$19.45 an acre with a \$5.00 minimum and to lower the rate in 2019 to \$10.00 an acre with a \$5.00 minimum for the James Harris #715.** Landowner inquired if his bridge would be removed. Mr. Cummins reported if removed can be put back in place if landowner desires. **Motion carried, 4-0.**

Clarkson #721

Tom Cummins reported we are holding a maintenance assessment increase hearing for the **Clarkson #721** and is in Coal Creek Township with 2,728.14 acres in the watershed. The current rate is \$1.06 an acre with a \$5.00 minimum. The proposed rate is \$8.97 an acre with a \$5.00 minimum for 2018 with a yearly collection of \$24,741.86, which will cover the debt of the drain. Mr. Cummins then recommends lowering it back to \$1.06 for 2019 which is the calculated rate. The overhead projector was used to display the area. The **Clarkson #721** is the outlet for the **Allen Lewis #578**. Landowners present were Stewart Kellerman, Mark Nesbitt, Darrel Birge, Richard Inskeep and Dean Gaylor. The landowners, Board and the Surveyor discussed: how long is the drain; 5,911 feet just over a mile; has any work been done; the debt is from de-brushing and tree removal; bottom dipping and spraying will be the next projects; will the lower rate of \$1.06 cover all the expenses; Surveyor reported all that is left to do is the surveying and the bottom dipping and the \$1.06 an acre should cover those costs; contractors that do de-brushing are Foster Farm Drainage, Anderson Tree Company and Frank James; what is maximum size of trees the contractors can cut; six inches and below to grind; how often to spray; in the beginning will do every year and then every other year. **John Frey moved, seconded by Matt Mitchell, to raise the assessment rate from \$1.06 an acre to \$8.97 an acre with a \$5.00 minimum for 2018 and then lower it to \$1.06 an acre with a \$5.00 minimum in 2019 for the Clarkson #721.** **Motion carried, 4-0.** Tom Cummins reported receiving two objection letters from Triangle Foundation and Jeff Turner. **John Frey moved, seconded by Matt Mitchell, to**

reconsider their decision for the Clarkson #721 after hearing of the objections. The motion will stand as approved for the assessment rates of the Clarkson #721. Motion carried, 4-0.

Petitions

Tom Cummins reported he would like to table the **Basil and Anna VanCleave #559** petition to attach from the New Market Fire Department today as there are no landowner representatives present. **John Frey moved, seconded by Dave Rhoads, to table the Basil and Anna VanCleave #559 petition to the March 14, 2018 meeting.** Motion carried, 4-0.

Tom Cummins received a petition from Rex Ballard to attach to the **Guy Little #534** for two connections which Mr. Cummins recommends to allow the attachments. **John Frey moved, seconded by Matt Mitchell, to approve the petition to attach to the Guy Little #534 from Rex Ballard.** Board member inquired if the drain could handle the extra water. Mr. Cummins reported yes. Motion carried, 4-0.

Board member Jarrod Zachary arrived at 10:20 a.m.

Tom Cummins presented a variance petition from INDOT for the **Benjamin Crabbs #511** which is north of Crawfordsville and crosses US 231, which then flows over to the gravel pit. INDOT would like to redirect an existing open ditch and replace an existing pipe and install a new six inch tile to the north. Mr. Cummins recommends approving the variance petition as submitted. **John Frey moved, seconded by Lance Sennett, to approve the variance petition for the Benjamin Crabbs #511 as submitted from INDOT.** Motion carried, 5-0.

Tom Cummins presented a variance petition from Vectren Gas Company. Vectren Gas Company have three transmission lines that cross the **John Galey #518** drain. Vectren Gas Company would like to lower the eight-inch transmission lines below the **John Galey #518** drain. Mr. Cummins recommends approving the petition. **John Frey moved, seconded by Matt Mitchell, to approve the variance petition from Vectren Gas Company to lower their transmission lines on the John Galey #518 drain.** Motion carried, 5-0.

Tom Cummins presented a variance petition from Vectren Gas Company to install a new pipe on the **William Shelley #706** to install a new sixteen inch gas pipe inside a twenty inch casing pipe. Mr. Cummins recommends the approval of this petition. **John Frey moved, seconded by Dave Rhoads, to approve the variance petition from Vectren Gas Company to install a new sixteen inch pipe with a twenty inch casing pipe on the William Shelley #706.** Motion carried; 5-0.

Tom Cummins presented the Board a petition to advance the date for a reconstruction of the **Joseph Conway #700** from Earl Smith and Ceres Farm LLC which own more than 10% of the watershed. **John Frey moved, seconded by Matt Mitchell, to hold a petitioner landowner hearing for the Joseph Conway #700 on Wednesday, March 14, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.** Motion carried, 5-0.

Tom Cummins presented the Board a petition to advance the date for a reconstruction of the **Walter Schoen #644** from Kathy Emmert, Robert Hodgen, Jack R Anderson, James A Dykes, Kevin and Andra Storms. **Dave Rhoads moved, seconded by John Frey, to hold a petitioner landowner hearing for the Walter Schoen #644 on Wednesday, March 14, 2018 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Stormwater Plans

Tom Cummins reported the building plans for the Southmont Junior Senior High School were approved by DLZ but would like to table the approval because of an issue with INDOT. **John Frey moved, seconded by Matt Mitchell, to table the Southmont Junior Senior High School stormwater building plans to the March 14, 2018 meeting at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins presented the stormwater review that was approved by DLZ for the Dollar General at Waynetown on Bratton Road and US Highway 136. **John Frey moved, seconded by Matt Mitchell, to approve the building plans for the Dollar General at Waynetown as submitted. Motion carried, 5-0.** John Frey inquired if the Surveyor will be using the new County engineer, for drainage plan reviews in the future. Mr. Cummins reported yes.

Obstruction Petition Robert and Sue Cheatham/Steve Spall

Dave Rhoads reported the Board has received information prior to the meeting about the obstruction. Tom Cummins reported he has met with both landowners Robert Cheatham and Steve Spall. Steve Spall, Robert, Sue and Phillip Cheatham were present with attorney John Capper representing the Cheatham landowners. Phillip Cheatham reported the loss of three feet of bank property and described the area with the obstruction. Mr. Cheatham is petitioning for the area to be re-opened up and believes the area should be able to drain well for his property but for future development in the area to drain into Walnut Fork. Reported Mr. Spall has been attempting to develop a road along the south side of property and in the process his fence line was removed. Two drains have been destroyed. Mr. Cheatham is asking for the re-opening of the block drainage and the ceasing of bank filling, ceasing of road building, replacement of soil to the Cheatham fence line. The Cheatham's are willing to replace the two drains that need repair. Would like to be able to go on Mr. Spall's property and inspect the drains as Mr. Spall at this time will not allow them on his property. Dave Rhoads inquired of Tom Cummins if this is a County drain. Mr. Cummins reported no. Mr. John Capper reported the petition was filed in November 2017 and to act upon Tom Cummins inspection of the obstruction. Steve Spall reported he would install a new tile. John Frey inquired as to what the size and depth should be of the replacement tile. Mr. Cummins reported it should be designed by an engineer and large enough to handle the water in area. The County Engineer cannot design the drainage but can review the plan for new drainage. Dan Taylor recommended to the Board that Steve Spall submit plans for the removal of the obstruction to the County Surveyor on or before March 1, 2018. At this time there is not enough evidence to make a decision along with cost and should take under advisement and table to March 14, 2018 meeting. **John Frey moved, seconded by Matt Mitchell, to table the obstruction petition from Robert and Sue Cheatham versus Steve Spall to the March 14, 2018 Drainage Board meeting at 9:30 a.m. at the**

Crawfordsville District Public Library to obtain more information. Mr. Spall inquired as to where the Myrtle Johnson drain is directed has lived on this property since 1956. Mr. Spall should meet with the Surveyor. **Motion carried, 5-0.**

Old Business

Tom Cummins reported the Brookstone Subdivision there is still one property owner who is waiting on good weather to finish the project.

Tom Cummins presented the Board with the stormwater review report with only one being in the two mile zone in the County.

Other Business

Tom Cummins presented the Board with a new ditch list report, the off-list for 2018, reconstruction report and the fund transfers between maintenance and improvement drain report. A total of \$66,408.29 will be moved from maintenance to improvement. John Frey inquired about reconstruction transfers with **Funds without Drain #400**. Mr. Cummins explained the use of **Funds without Drains #400** and the **Otis Thompson #708** reconstruction payment process before money was actually borrowed for the reconstruction and a reconstruction fund is then made for each individual drain. Mr. Cummins reported the process used for the ditch listing off and on list along with balances in maintenance and improvement. Dave Rhoads inquired are there not counties that have millions of dollars in their **Funds without Drains #400** accounts which their County Council has granted working money for their drain accounts. Tom Cummins reported Montgomery County Council has not appropriated funds for several decades. **John Frey moved, seconded by Matt Mitchell, to approve the financial reports.** The classification report will be presented at the March meeting. **Motion carried, 5-0.**

New Business

There was none.

Public Comment

Phil Rice inquired with the raised assessment on the **Charles Ludlow 1 #714** will any work on the drain be done this year. Tom Cummins reported yes as dipping will be done first on **Charles Ludlow 1 #714**, then the next project is to repair the **Theodore Templeton #558** head wall.

Phil Rice reported the breather on the **John McCorkle #608** should be placed about eighty five feet from edge of field to allow getting around it. There is another hole on the south side along 900. Mr. Rice inquired if a breather could be installed. Tom Cummins reported yes as there is a three inch fall.

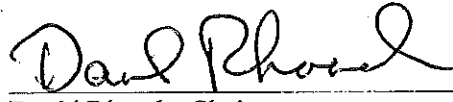
Darrell Birge reported north of County line State Road 231 concerned about the possibility of landowner jumping watersheds and is overloading the private tile and should be removed as is

blowing out the breathers. Dave Rhoads reported this will be discussed with the Surveyor as a decision cannot be made today.

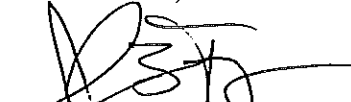
**John Frey moved, seconded by Lance Sennett, to adjourn the meeting at 11:05 a.m.
Motion carried, 5-0.**

The next meeting will be Wednesday, March 14, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

Vicki Emmert,
Recording Secretary



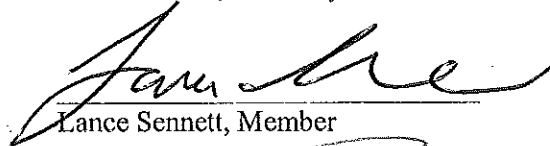
David Rhoads, Chairman



John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Jarrod Zachary, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
March 14, 2018
MINUTES**

The Montgomery County Drainage Board met on Wednesday, March 14, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer given.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary; Jim Peck, Engineer and Dan Taylor Attorney.

Also present were Brenda Foster, Lee Kirkpatrick, Tracy Budd, Earl Smith, Bob & Sue Cheatham, Mark Barclay, Abe Hodgen, Chuck Anderson, Steve Spall, Peggy Spall, Steve Emmer, David Emmert, James Dykes, Brad Grayson, St ---- Stu Weliever, Sina Parks and two names not legible.

Approve Minutes

John Frey moved, seconded by Matt Mitchell, to approve the minutes from December 20, 2017, January 8, 2018 and January 29, 2018. Motion carried, 5-0.

Hearings

Tom Cummins reported this is a continuation of the obstruction hearing for Robert Cheatham. At the last meeting Mr. Spall was requested to submit a plan. Mr. Cummins has submitted the plan to the Board for review. The plan is for a new open ditch and continues the drainage to driveway and an 18" smooth core pipe at driveway. The plan submitted is a hand drawing with no survey or calculations given. The plan was submitted to the County Engineer and Mr. Cummins reported a survey and drainage calculations and elevations are needed before project can begin. Steve Spall now has an attorney Stu Weliever. Mr. Weliever reported the work done was not intentional to block Mr. Cheatham's property and inquired who is to pay for the engineering will it be a cost share. Mr. Cummins reported that will be the Boards decision if it was intentional or not and who should pay. The Board, Surveyor, landowners and their attorneys discussed: if the 18" tile is large enough, the County cannot pay for the field work; not enough detail on the submitted plan. **John Frey moved, seconded by Jarrod Zachary, to continue the obstruction Cheatham/Spall hearing to the April 11, 2018 meeting at 9:30 a.m. at the Crawfordsville District Public Library to determine if it was intentional or not and who will pay for it. Motion carried, 5-0.**

Tom Cummins reported we are holding a petitioners hearing to advance the date for a reconstruction of the **Walter Schoen #644**. Notice was sent to landowners who signed the petition. Landowners present were Steve Emmert, David Emmert, Abe Hodgen, Chuck Anderson and James Dykes. The Board, Surveyor and the landowners discussed: tile goes

through middle of majority of Emmert property; floods every year and repair work was done at Carpenters Corner because of flooding; cut brush off of part of the open ditch privately; Hodgen's have bared the cost of a surface drain and needs to be reconstructed; silting is causing ditch to back up at 700 E; outlet to Lye Creek is bad; used overhead projector to display the area; Surveyor explained the area involved; the **Charles Schoen 2 #587** provides a separate outlet for the failing **Walter Schoen #644**; the **Walter Schoen #644** was put back on assessment last year; it is assessed in both water sheds; because of the amount of tile that is required it would be best to complete in two phases; will not be as burdensome to landowners; after Phase I and Phase II reconstructions it should be combined as one watershed; engineers will do survey and will provide details of all work needed; tile to the headwall on 800 E needs replaced; the drain is failing either due to tile size or grade issues; inquired about waterways; **Charles Schoen 2 #587** is not performing well lots of ponding; removal of fence rows has caused issues; has a grass waterway to allow the water to leave area; does not believe all the tiles were destroyed; lots of surface water in the watershed may need grass waterways; surface water is compounded because the tiles are not working correctly; Surveyor recommended June 13, 2018 reconstruction hearing to allow time for engineer work; will need to hold special meeting for bids; inquired of Sina Parks from Soil and Water if their office could help out; Steve Hannon and Jim Dykes already have tiles and grass waterways on their properties; Mark Barclay reported his parents have property in the watershed; will the whole area be engineered; can have the whole watershed engineered and then decide how much to put into each phase or to do it all at once; landowners were in favor of this option. **Lance Sennett moved, seconded by John Frey, to have the whole watershed engineered for the Walter Schoen #644. Motion carried, 5-0. Lance Sennett moved, seconded by John Frey, to hold a landowner reconstruction hearing for the Walter Schoen #644 on Wednesday, June 13, 2018 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 5-0.**

Tom Cummins reported we are holding a petitioners hearing to advance the date for a reconstruction of the **Joseph Conway #700** located in Coal Creek Township. Landowners signing the petition were noticed. Landowner Earl Smith was present. The Board, Surveyor and the landowner discussed: used overhead projector to display area; all the laterals are part of the legal drain not sure why; ditch has been bad for forty years; there are four or five ponds to the east and north due to not draining well; lots of tile holes; would need to reconstruct both downstream end tributaries at 650 and 775 across both roads; tile repairs every year; grade does not allow for adequate drainage; should not fill in open ditch; this can be completed in two phases if landowners would like; the whole area will be engineered. **John Frey moved, seconded by Matt Mitchell, to hold a landowner reconstruction hearing for the Joseph Conway #700 on Wednesday, June 13, 2018 at 9:30 a.m. at the Crawfordsville District Public Library. Motion carried, 4-0. Lance Sennett abstained.**

Stormwater

Tom Cummins reported the stormwater review for South Montgomery Junior-Senior High School has been approved as designed, by DLZ. **Lance Sennett moved, seconded by Matt Mitchell, to approve the stormwater review for South Montgomery Junior-Senior High School as designed. Motion carried, 5-0.**

Petitions

Tom Cummins reported receiving a petition to attach to the **Basil & Anna VanCleave #559** from the New Market Fire Department. Mr. Cummins used the overhead projector to display the area. Tracy Budd, representative of the New Market Fire Department, was present along with landowner Brad Grayson. The request is to attach the New Market Fire Department's outlet retention pond to the **Basil & Anna VanCleave #559**. The overhead projector was used to display the area. Mr. Cummins explained what has been done and what is being requested of the Board. The Board, Surveyor and the representative and the landowner discussed: New Market Fire Department would like to connect to a subsurface drain; who will pay for damages; Bart Maxwell did not complete finish work as he is not a landscaper and a few years later landscaper repaired issues; ever since New Market Fire Department was built have had issues; there is standing black mold, mosquitoes, etc. can't mow area until September in the wet area; standing water all the time in area; inquired if surface water was there before New Market Fire Department was built; no it was not; Mr. Grayson has a year old estimate to repair the issues for \$2,500 to \$3,000; the Fire Department's tile orifice is 4" and it would have to be the same for the attachment. The issue would be the pressure points it would cause and would need a breather; Board does not want to set a precedent to attach to legal drains; farm land to the south converges to that area from silt buildup which stopped the flow over time; has video of water flow; Mr. Grayson okay with breather in yard; does drain have the capacity to handle extra water; not sure without engineering as it is not designed for surface water; has bridge work been completed; reported no; no rock under bridge just concrete chunks; after much discussion about whether to allow an attachment or not the New Market Fire Department withdrew the petition to attach to the **Basil & Anna Vancleave #559**; suggest a new petition to install a lateral to tile.

Old Business

Tom Cummins reported he has not heard from McCullough's in the Brookstone Subdivision if work is completed. Mr. Cummins will keep the Brookstone Subdivision on agenda.

Tom Cummins reported there were three stormwater reviews in the two mile zone and one outside of the two mile zone.

Dave Rhoads inquired who now lives in Bruce Hendrickson's house in Brookstone Subdivision. It was reported it is owned by Ratcliff and being rented out while Ratcliff builds the tenants a home. Mr. Hendrickson now lives in Golf View Estates.

Other Business

John Frey inquired about being the representative as the commissioner to be on the Tri-County Joint Drainage Board as the other two members are commissioners. Dave Rhoads reported it does not have to be a commissioner as we have a five member Board, unlike the other two Boards which are made up of commissioners only. Dave Rhoads requested to put on the agenda for the April Drainage Board meeting to appoint a Board member to the **John McLaughlin #97** Tri-County Drainage Board.

John Frey inquired about blockage on Clint Murray's property it has been three years and nothing has been done. Mr. Murray has put a cage around the area to keep the beaver out of tile.

Reported Mr. Frey spoke with Kenny Cain and said they were to repair it but nothing has been done. Tom Cummins reported he has spoke with the landowner a few weeks ago and that is it a mutual drain and you are not allowed to block a mutual drain. Mr. Murray misunderstood as he thought he was not allowed to fix the tile. Mr. Cummins will contact Kenny Cain about the repair.

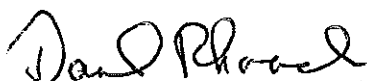
John Frey inquired of attorney Dan Taylor what the requirements are for minutes as the Drainage Board minutes are detailed and other Boards he is on they are not as detailed and all the minutes are recorded. Mr. Taylor reported there are different types of minutes that can be used at meetings from no detail and just actions taken or more detailed. Dave Rhoads reported it is important to be able to go back and read the details when looking for the history of the work performed on a drain and believes what we have now works well. Motions only would not give enough information. Matt Mitchell Drainage Board secretary reported that the recording secretary's minutes are fine with him.

Tom Cummins reported the opening of bids for the reconstruction of the **Smith-Elmore #641** will be at the April meeting.

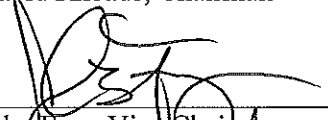
John Frey moved, seconded by Dave Rhoads, to adjourn the meeting at 11:15 a.m. Motion carried, 5-0.

The next Drainage Board meeting will be on Wednesday, March 11, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

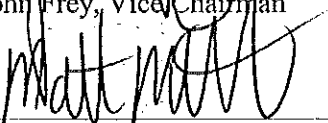
Vicki Emmert,
Recording Secretary



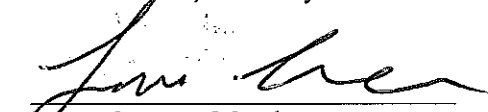
David Rhoads, Chairman



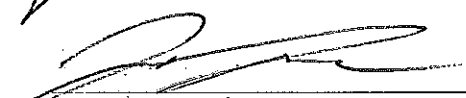
John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Jarrod Zachary, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
April 11, 2018
MINUTES**

The Montgomery County Drainage Board met on Wednesday, April 11, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer given.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary; Jim Peck, Engineer and Dan Taylor Attorney.

Also present were Bob & Nancy Stwalley, Brenda Foster, David Shelton, Curt Hudson, Mark Barclay, Dorothy Barclay, Sina Parks and Jeremy Seggebruch of Sega Ag Works LLC.

Minutes

There were no minutes to approve.

Bid Letting of Smith-Elmore #641

Tom Cummins reported receiving two bids for reconstruction of the **Smith-Elmore #641**.

Maxwell Farm Drainage	\$145,575.00
Sega Ag Works LLC	\$119,700.00

Tom Cummins recommends taking the bids under advisement until the next meeting. **John Frey moved, seconded by Jarrod Zachary, to take the bids under advisement for the Smith-Elmore #641, until the June 13, 2018 Drainage Board meeting.** Dave Rhoads inquired what the original estimate was. Mr. Cummins reported it was \$157,117.50. **Motion carried, 5-0.**

Hearings

Tom Cummins reported receiving an e-mail from attorney Stu Weliever representing Steve Spall in the Cheatham/Spall obstruction that the two landowners are trying to work this out and would like to table to next meeting. **John Frey moved, seconded by Matt Mitchell, to continue the Cheatham/Spall obstruction hearing to the June 13, 2018. Motion carried, 5-0.**

Stormwater

Tom Cummins presented the Board his monthly stormwater report. There were no questions.

Old Business

Tom Cummins reported there was no new information if the Brookstone Subdivision work has been completed by landowner. Mr. Cummins will contact landowner for an update. Mr. Cummins reported during the last big rain he inspected the area at the Brookstone Subdivision and everything was working well after the drainage work completed.

Public Comment

Bob Stwalley and Dave Shelton were present. Mr. Stwalley reported the **Joe Hall # 581**, private tributary has broken tiles and is blocked. The current 18" culvert pipe is rusted out with a flap gate. Requesting a new one that is the same size or larger but not higher in the ground as the current one is. This will help drain the woods. Mr. Stwalley reported landowner CC Murray has not been willing to cooperate in repairing the mutual drain. Tom Cummins used the overhead projector to display area. Mr. Cummins reported that Kenny Cain plans to make the repairs when Mr. Murray decides what he wants done. According to code the Board cannot take action until Mr. Murray completes the work. Board attorney Dan Taylor recommends that Tom Cummins send a letter to Mr. Murray as to work that needs to be completed that is compliant with elevation and size required. Dave Rhoads recommends that Mr. Stwalley contact Tom Cummins when work will be done. Mr. Stwalley reported that he has offered to help in cost of pipe. The Board gave Tom Cummins the authority to send letter and have it approved by attorney Dan Taylor.

Curt Hudson reported at the county line road north of Linden that a tile has been plugged. Believes a local contractor plugged it about five years ago. It is a private drain which outlets in the **Shumaker-White # 713**. Tom Cummins used the overhead projector to display the area. About 2011 the Board received a petition to attach from the previous landowner and the **Shumaker-White #713** watershed was adjusted to assess the additional acreage. **John Frey moved, seconded by Dave Rhoads, that Tom Cummins should check to see if the tile is blocked and if it needs repaired to take the funds from the Shumaker-White #713 to pay for it.** The current owner is B & B Enterprises LLC with the past owner being Lee Brunton. Board decisions can only be modified by the Board. Mr. Cummins can repair if an emergency. **Motion carried, 5-0.**

Other Business

Dave Rhoads reported receiving a letter from Hoosier Heartland Bank. The bank is holding an Ag Day Expo on June 27, 2018 and inquired of Board and Surveyor if they were interested in participating with a booth. The Board and Surveyor will not be participating.

Public Comment

Bob Stwalley inquired what the difference is between a private drain and a mutual drain. A mutual drain is a drain that serves more than one property and landowner.


Dave Rhoads reported the next meeting will be Wednesday June 13, 2018 at the Crawfordsville District Public Library at 9:30 a.m. The Board discussed changing the meeting to May 9, 2018 if

the farmers are not in the fields yet. Tom Cummins will send an e-mail in a couple of weeks to Board for their response.

John Frey moved, seconded by Jarrod Zachary, to amend their motion that the Smith-Elmore #641 bids will be taken under advisement till the next Drainage Board meeting. Motion carried, 5-0.

John Frey moved, seconded by Dave Rhoads, to adjourn the meeting at 10:14 a.m. Motion carried 5-0.

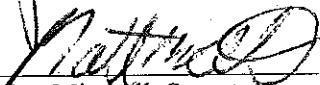
Vicki Emmert,
Recording Secretary



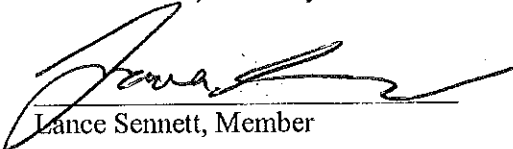
David Rhoads, Chairman



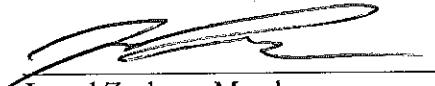
John Frey, Vice Chairman



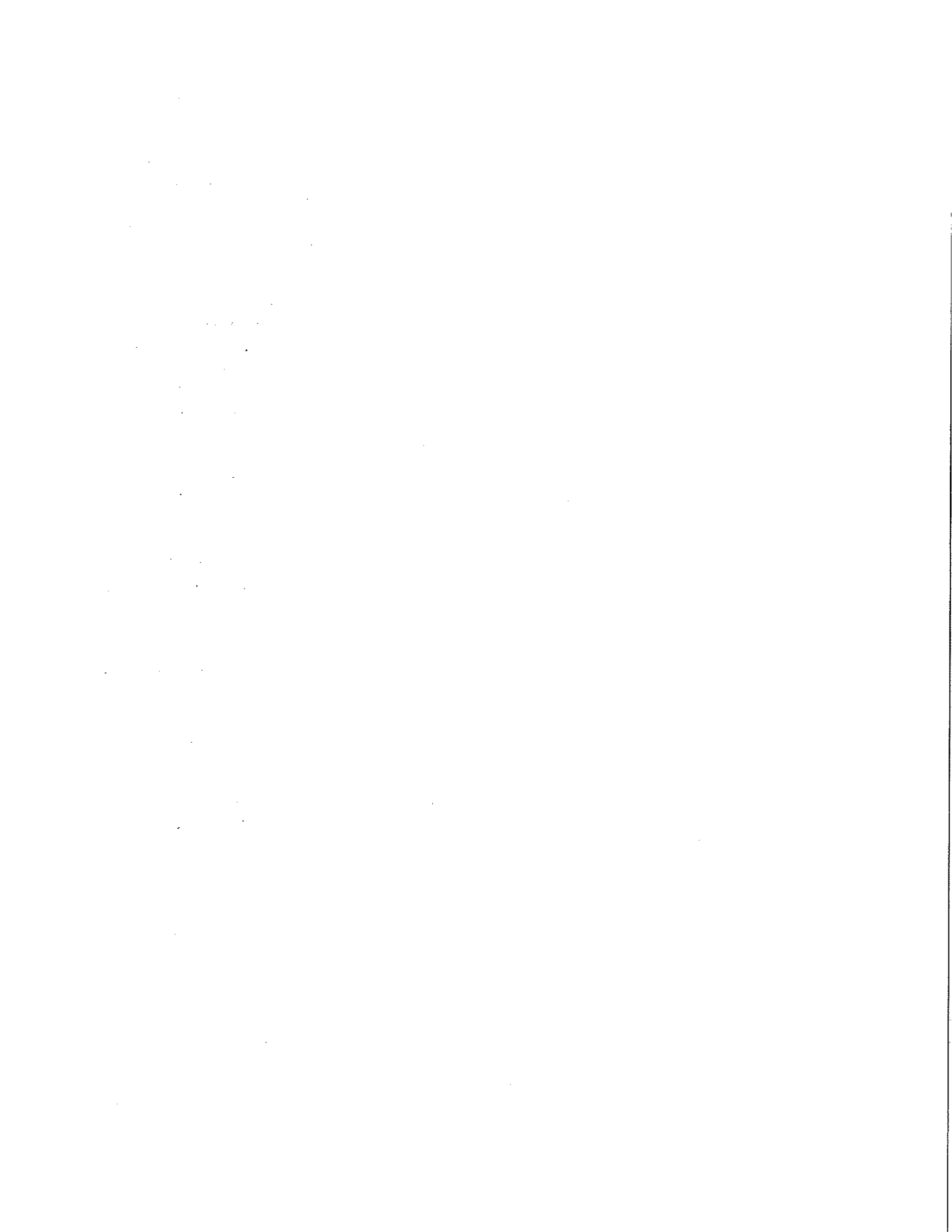
Matt Mitchell, Secretary



Lance Sennett, Member



Jarrod Zachary, Member



MONTGOMERY COUNTY

DRAINAGE BOARD

May 9, 2018

MINUTES

The Montgomery County Drainage Board met on Wednesday, May 9, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer given.

Board members in attendance were Chairman Dave Rhoads, Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary; Jim Peck, Engineer and Dan Taylor Attorney.

Also present were Brenda Foster, Curt Hudson, Darrell Birge, Lee Brunton, Bart Maxwell and Jim Ayers.

Old Business

Tom Cummins reported at the last meeting Curt Hudson had reported there is an obstruction on the **Shumaker-White #713** as his field is backing up. Tom Cummins reported that video investigation shows that the tile has been blocked with a cap. The blockage is on the B & B Farm. Attorney Dan Taylor reported the property owner may file a petition of obstruction to hold an obstruction hearing or take it to court. James Ayers attorney for Darrell Birge reported the Surveyors map is wrong. The tile is expelling water onto the Birge property and crosses watershed boundaries. Dave Rhoads inquired how long Mr. Birge has owned the property and who was the prior owner. Mr. Birge reported five or six years and purchased it from Lee Brunton. Darrell Birge reported Curt Hudson connected to his tile twenty feet into his property line without permission. There was no comment from Curt Hudson. Dave Rhoads reported no action will be taken today. Tom Cummins reported if Curt Hudson completes a petition of obstruction soon the hearing could be held at the June meeting.

Other Business

John Frey inquired about the contractor who had the lowest bid for the **Smith Elmore #641** reconstruction from Illinois. Tom Cummins will make his recommendation at the June meeting. Reported bid is extremely low and use of stone is not included in the bid. Bart Maxwell was present and reported he had turned his bid in as required and would not like to see a delay in awarding the bid. Mr. Maxwell reported many contractors have gotten in over their heads and requested more money to finish the projects in that area. Mr. Maxwell has worked in that area and understands what is to be done. Tom Cummins is to research Sega Ag's background. The typical requirement for stone is not complete and typical trench detail was not turned in. Dave Rhoads inquired about making the decision now or investigate further. Dan Taylor reported when Tom Cummins turns in his recommendation at the next meeting to report the responsiveness of the bid with the findings. The bid award needs to be on the agenda. Bart Maxwell reported he bids according to time frame on their schedule. Tom Cummins inquired of

the Board about investigating the work of the contractor. Tom Cummins and Dan Taylor will meet to decide if background check is needed.

John Frey inquired about the Clint Murrey/Swalley obstruction. Tom Cummins used the overhead projector to show photos of the new tile and reported the pipe was replaced but with a pipe that was 15" instead of an 18" as was required. The tile is above the water line and water is still not leaving the area. Tom Cummins reported a letter was sent with the requirements. An obstruction petition is the process to use for this drainage obstruction. This obstruction needs to be on the agenda.

Old Business

There is nothing new to report on the Brookstone Subdivision update. Tom Cummins will have a report at the June meeting.

The next meeting will be on Wednesday June 13, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

John Frey moved, seconded by Lance Sennett, to adjourn the meeting. Motion carried 5-0.

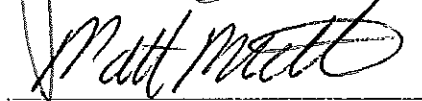
Vicki Emmert,
Recording Secretary




David Rhoads, Chairman



John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
June 13, 2018
MINUTES**

The Montgomery County Drainage Board met on Wednesday, June 13, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer given.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary; and Dan Taylor Attorney.

Also present were Bart Maxwell, Dan Booher, Don Mills, Lee Kirkpatrick, John Vansickle, Brenda Foster, Jacob Arthur, Chuck Anderson, Jeremy Seggebruch, Mallory Deardorff-Dawson, Karen Arnold, Clinton Murray, Mark Barclay, John Hudson, Jamie Sanrey, Clark Sennett, Darrell Birge, Jim Ayers, Curt Hudson, Lee Brunton, and Matt Martin.

Approval of Minutes

John Frey moved, seconded by Jarrod Zachary, to approve the minutes for the February 14, 2018, April 11, 2018 and March 14, 2018 Drainage Board meetings, Motion carried, 5-0.

Bid Award

Tom Cummins reported this is the continuation of the **Smith-Elmore #641** bid awarding from the April 11, 2018 meeting. At the April meeting two bids were received Maxwell Farm Drainage \$145,575.00 and Sega Ag Works LLC \$119,700.00. The award was tabled for Mr. Cummins to look over the bids. After reviewing the bids Mr. Cummins recommends awarding the bid to Maxwell Farm Drainage for \$145,575.00. The bid from Sega Ag Works LLC was not complete as it did not include the typical trench detail. **John Frey moved, seconded by Jarrod Zachary, to award the Smith-Elmore #641 reconstruction to Maxwell Farm Drainage for \$145,575.00.** Attorney Mallory Deardorff-Dawson representing Dan and Sheila Sering reported that with the litigation ongoing between Sering's and the Board that an award should not be made at this time. The court is to meet next Friday as a court ordered stay has been issued. Dan Taylor reported the Board has not received a court ordered stay and recommends that the Board move forward with the award but not allow work or signing of contract yet. **John Frey and Jarrod Zachary amended their motion. John Frey moved, seconded by Jarrod Zachary, to award the Smith-Elmore #641 reconstruction to Maxwell Farm Drainage for \$145,575.00 but not allow work or signing of the contract till after the court stay is lifted.** Jeremy Seggebruch of Sega Ag Works reported that Tom Cummins contacted him after the April meeting about his bid. Mr. Seggebruch interpretation of the bid packet was not clear concerning the trenching details. Mr. Seggebruch reported the plans would be available upon award of the bid but doesn't help you with submitting your bid. Mr. Seggebruch did give Mr. Cummins the trench details after he spoke with him and understands and respects why he did not get the bid. **Motion carried, 5-0.**

Hearings

Tom Cummins reported the obstruction hearing for Cheatham and Spall should be tabled, as the parties are still working on a resolution, and to table it to the July 11, 2018 meeting.

Edward Berry #593 reconstruction continuation hearing

Tom Cummins reported that this is the continuation hearing for Edward Berry #593. The engineering of the Phase I has been done with a new schedule of assessments for the Phase I reconstruction. The projector was complete used to display the area. Once the engineering was complete it was realized the tiles were not large enough. The project estimate is \$185,676.60 with a rate of \$255.56 an acre for the 726.56 acres in the watershed.

Quantity	Unit	Description	@	Rate/unit	Total
1,550	ft	30" smooth-corr HDPE	@	\$27.00	\$41,850.00
2,000	ft	24" smooth-corr HDPE	@	\$22.00	\$44,000.00
3,841	ft	18" smooth-corr HDPE	@	\$16.00	\$61,456.00
7,400	ft	Existing tile destruction	@	\$1.00	\$ 7,400.00
1	ea.	Paved crossing	@	\$5,000.00	\$ 5,000.00

Construction Estimate	= \$159,706.00
10% Contingency	= \$15,970.60
Engineering	= \$10,000.00
Total Estimate	= \$185,676.60

Landowners present were Dan Booher, Don Mills, Lee Kirkpatrick, John Vansickle, Jamie Sankey and Clark Sennett. The Board, Surveyor and the landowners discussed: if the project is more than one phase; will be two phases; open ditch is over grown; open ditch is not regulated; to put on assessment a hearing would need to be held; if all landowners were all in favor of making it part of the regulated drain no hearing would be required; inquired why there was no cost figures for Phase II; it would be in approximately six years; projecting the cost per acre for Phase II would be \$150.00 an acre; inquired why Phase II was not engineered; prices may change too much in five years; inquired what will Phase II entail; Phase I outlet to pond; Phase II upstream there are four tributaries; may not need to reconstruct all four will know once engineering is done; pipe and oil prices parallel; will it be deep enough to drain at pond; engineering will decide; Matt Martin farms where pond is; middle tributary is nonexistent and it runs into pond; Mr. Martin would like to repair part of it himself; the area is broken down with surface water and ponding; tiles broke down and now a tributary; Mr. Martin would like to tile into it; surface water on ground in all three tributaries; after Phase I is complete Mr. Martin should come back to Board with a petition to attach. **John Frey moved, seconded by Dave Rhoads, to approve the Phase I reconstruction of the Edward Berry #593 at a cost of \$255.56 per acre for a total of \$185,676.60 with the acknowledgement there will be a Phase II reconstruction. Motion carried, 4-0. Lance Sennett abstained as he is a property owner.** Tom Cummins reported the Edward Berry #593 reconstruction bids will be opened at the July 11, 2018 Drainage Board meeting at the Crawfordsville District Public Library at 9:30 a.m.

Obstruction Hearing Curt Hudson/B & B Farms

Tom Cummins reported receiving an obstruction petition from Curt Hudson/B & B Farms in Madison Township north of Linden on the south side of 1200 N. Mr. Cummins used the overhead projector to display the area. It was reported a camera was sent through the 10" tile and found that the 12' tile just inside the property line of B & B Farms is blocked with a black plastic cap. Attorney Jim Ayers for B& B Farm Enterprises reported has filed a suit for judgment yesterday in circuit court. Mr. Ayers reported the water has only been re-directed. It is two private tiles. Mr. Ayers has filed for a motion to stay in circuit court. Drainage Board attorney Dan Taylor reported receiving a copy of the complaint, but not a court ordered stay. The decision is to whether the drain is a private or mutual drain and recommends going forward with the hearing. Dan Taylor reported to the Board that Mr. Hudson will need to prove if it is a mutual drain with permission to connect. Mr. Taylor recommends the Board proceed. Dave Rhoads gave the floor to Curt Hudson to speak. Curt Hudson reported the west half of the sixty acres is already a part of a common private drainage. The Brunton and Boyd Hudson Families have maintained the tile in years past and with permission from several years ago attached to the tile. Hudson's received permission from the Board to attach an eight inch tile years ago. Board inquired who owned the ground when permission was granted. Lee Brunton's mother granted the permission. Tom Cummins reported the **Shumaker White # 713** was not on assessment and the watershed was altered for the 28 acres to pay assessment in the future. Mr. Hudson has been paying assessment. John Frey inquired if there is any documentation. John Hudson rented the farm at that time and carried the message to Lee Brunton and George Lunly: It was discussed that a written agreement be created for the upkeep of the tile, but no written agreement was created. The Board inquired when was the work done. John Hudson reported he was not certain but thought the work was done in 2010. Mr. Ayers reported the water has not been obstructed only redirected. Board inquired if the hookup has damaged the tile. There is water standing now and not farmable. John Frey reported he has only driven by the area. Darrell Birge reported it is a 12" tile designed for 45 acres anything over 40 acres is too much and any jump in the watershed overloads our tile. Mr. Birge reported what Mr. Cummins calls a cap is a fabricated T that Mr. Birge had installed to blow water back into Hudson's eight inch tile and believes the watershed is over loaded. Dave Rhoads inquired if Mr. Hudson could install his own tile across Mr. Birge's property. Mr. Birge reported only at the perimeter of the field in the grass area as he wants Mr. Hudson's water to go where it was supposed to. Mr. Birge reported he would grant a construction maintenance easement of 15 to 20 feet within the easement. Mr. Hudson agreed to the proposal. There is a pipeline junction to work around. Dave Rhoads inquired of Dan Taylor what the next step is. Mr. Taylor recommends the two parties make an agreement in writing with all the details and a ruling will be made at a future date. Tom Cummins reported the Board will have to approve the attachment to the regulated open ditch before any work can be completed. **Lance Sennett moved, seconded by John Frey, to continue the obstruction hearing for Hudson/B & B Farms to the July 11, 2018 meeting at 9:30 a.m. at the Crawfordsville District Public Library.** Darrel Birge reported no work should be done until after harvest. Curt Hudson agreed. **Motion carried, 5-0.**

Obstruction Hearing Marshland Inc./C.C. Murray Mr. John Frey now farms the area that is being flooded

Tom Cummins reported this is a continuation of the Marshland Inc. /C.C. Murray obstruction petition hearing regarding a private tributary that leads into the **Joe Hall # 581** drain. Mr. Cummins reported the existing 18" drain tile has failed and was replaced with a 15" tile and approximately a foot higher. Mr. Cummins used the projector to display photos and report on work that had been completed in May 2018 when he was there. Landowner C.C. Murray was present. The Board, Surveyor and C.C. Murray discussed: the new pipe was installed at the water line which Mr. Murray reported it was a reasonable

height; did not want to work in water; inquired the replacement pipe was not the same size as the original 18"; reported the new pipe is approximately nine inches higher than old pipe; why was the level of pipe changed; discussed wet land crop guidelines; ten years ago prior landowner changed tile without getting permission; Board gave directions to replace with same size pipe and level; Mr. Murray reported he did not receive a letter; Surveyor met with him at farm and explained it; Mr. John Frey now farms the area that is being flooded; when beaver dam was there water was not on neighbors ground; did not put water on neighbors; who installed and did contractor know it was at a different level; Kenny Cain installed new pipe; Mr. Murray inquired which pipe is the obstruction issue; presented photos to the Board; John Frey lost crops due to water; flap gates on some but not this pipe; the above discussion was reiterated again; misconception of what water is backing onto neighbors; presented Board with photos from June 10, 2018 water is flowing in; presented photos from October 2017; discussed that water can flow both ways through pipe; Surveyor reported only with pressure can water do that; Mr. Murray reported the contractor didn't know anything about it; (John Frey left the room at 10:47 a.m. and came back after the discussion and vote was over) presented more photos to Board; Mr. Murray reported he raised the pipe to keep water higher on his side; neighbors do not want extra water on their land; Marshland changed flow of water on northeast of Mr. Murray's property; Surveyor reported cannot stop the natural flow of water; civil matter; Mark Barclay inquired of Mr. Murray if he understood when you backup water in a tile it can become an issue for both subsurface and surface water; the outlets are backed up; **Lance Sennett moved, seconded by Jarrod Zachary, that Mr. Murray replace the pipe to the old level and pipe size of 18"**. Dan Taylor recommends in the motion state whether it was intentional or not and work to be done in 30 days and who pays for it. Dave Rhoads inquired if Tom Cummins has a copy of the letter. Mr. Cummins reported it would be on his computer. **Lance Sennett moved, to amend his motion, seconded by Jarrod Zachary, to say; Lance Sennett moved, seconded by Jarrod Zachary, that Mr. Murray replace the pipe with an 18" to the old level and has 30 days to install and was unintentional. Motion carried, 4-0. John Frey did not vote. The Board and attorney recommends the findings will be sent certified both parties involved.**

Stormwater

Tom Cummins reported on the Clark Truck Equipment stormwater drainage plan and used the overhead projector to display the plan for expansion and new parking area. The plan was reviewed and approved by County Engineer. **John Frey moved, seconded by Lance Sennett, to approve, the Clark Truck Equipment stormwater plan as presented. Motion carried, 5-0.**

Tom Cummins presented the Board with his monthly stormwater review report. (There were no questions.)

Old Business

Tom Cummins reported he has called Jim Ratcliff concerning the Brookstone Subdivision update with no reply. Keep on agenda for July meeting.

Tom Cummins reported reconstruction hearing notices have been sent out for the **Joseph Conway #700** and **Walter Schoen #644** set for the July 11, 2018 meeting.

Other Business

Tom Cummins presented the Board his 2018 Drain Classification report which explains which drains are in need of repair, assessment, reconstruction or new urban classification status.

Dave Rhoads inquired for an update on the **William Shelley #706** reconstruction. Tom Cummins reported the construction part is complete, but leveling of dirt and some repair to grass seed blanket still needed.

Dave Rhoads inquired when an urban classification comes into use in a reconstruction. Tom Cummins reported an urban classification is used when the reconstruction involves an area where land use has changed. This was done in the **Foster Fletcher #573** where three rates were applied to the reconstruction, instead of a flat rate for all.

Tom Cummins presented the Board with drain account transfers from maintenance to improvement to cover debt and reconstruction fund transfer to **Funds without Drains #400** to cover a payment to contractor before loan was approved. **John Frey moved, seconded by Matt Mitchell, to approve the transfers. Motion carried, 5-0.**

New Business

None

John Frey inquired as to whether invoices for Dan Taylor have been paid. Tom Cummins reported the regular Drainage Board invoices claims have been turned in for Dan Taylor. The litigation invoices are outstanding and Mr. Cummins will speak with Mr. Taylor about these invoices as the Board does not have an appropriation line for litigation.

Dave Rhoads inquired about the beaver dam situation. Tom Cummins reported it is the landowner's responsibility as not in a watershed. The dam is on Larry Burnett's and Hines Farm. Mr. Cummins will speak with Mr. Burnett and will go out and look and mark the area and let the landowners know who is responsible for removing the beaver dam.

Public Comment

Mark Barclay inquired the status of the **Smith-Elmore #641** case with Dan Sering. It was reported that Dan Sering has appealed and it is in the hands of the court. The Board is now waiting on the court appeal to make decision and review. It is a two step process with the court date of June 29, 2018 will determine if it is a bench trial or not.

Mallory Deardorff-Dawson reported the current agenda was not on the website.

Attorney Dan Taylor would like to schedule an executive meeting with the Board concerning the two Birge cases and will need a 48 hour notice. It will be Monday, June 18, 2018 at 9:30 a.m. at the courthouse in room 103. Mr. Taylor will speak with Tom Cummins another time as he will be out of town on Monday.

Dave Rhoads inquired of Board as to whether a report should be given to the County Council this year. Tom Cummins reported it is a good idea. Mr. Rhoads and Mr. Cummins will work on a report to be given at the August County Council meeting.

John Frey reported that the 10% interest on reconstructions has been lowered to 5% in Tippecanoe County. Tom Cummins reported their improvement fund is larger than ours and we do not have the funds to pay for reconstructions. This should be discussed with the County Council in the future for an appropriation into the improvement fund.

Dave Rhoads inquired if anyone knew when the Farm Bureau Drainage School is. Vicki Emmert will find out if a date has been set yet.


Dave Rhoads moved, seconded by Lance Sennett, to adjourn the meeting at 11:38 a.m. Motion carried, 5-0.

The next Drainage Board meeting will be July 11, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

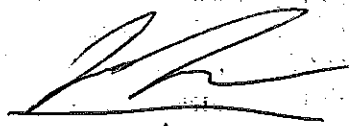
Vicki Emmert,
Recording Secretary


David Rhoads, Chairman

John Frey, Vice Chairman


Matt Mitchell, Secretary

Lance Sennett, Member


Jarrod Zachary, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
July 11, 2018
MINUTES**

The Montgomery County Drainage Board met on Wednesday, July 11, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer given.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell and member Lance Sennett. Member Jarrod Zachary was not present. Present were Tom Cummins, Surveyor; Vicki Emmert Secretary; and Dan Taylor Attorney.

Also present were Brenda Foster, Jerry Jansen, Edward S S-----, Gary Owen, Mark Barclay, Doug Grenard, Grant Lough, Barry Virgin, Kimbra Lough, Gayle Lough, Jeff Bane, Clark Sennett, CL Bunnell, Dick Inskip, Earl Smith, Donald Cowan, Linda Schoen Hugh, David Gramman, David Emmert, Lee Brunton, Darrell Birge, Scott Hessler, Joe Miller, Josh Kirkpatrick, Seth Swyers, Jim Dykes, Stu---, Jake Jones, Dee Roage, St---, Edward Graham, and Curt Hudson

Approval of Minutes

John Frey moved, seconded by Lance Sennett, to approve the minutes from the May 9, 2018 Drainage Board meeting. Motion carried, 4-0.

Hearings

Dave Rhoads reported the Robert Cheatham obstruction hearing will be continued to the August meeting.

Joseph Conway #700 Hearing

Tom Cummins reported the Joseph Conway #700 is in Coal Township with 3,014.46 acres in the watershed. The petitioners' hearing was already held. The engineering has been completed. Mr. Cummins used the overhead projector to display the area. The outlet will be moved. The area is very flat and ditch dipping is needed every two years. The Joseph Conway #700 is undersized and submerged.

Reconstruction Report

Description	Quantity	Unit	Unit Price	Amount
Installation of 36" tile	1,100	LFT	\$35.00	\$38,500.00
Installation of 30" tile	1,450	LFT	\$29.00	\$42,050.00
Installation of 24" tile	3,125	LFT	\$23.00	\$71,875.00
Installation of 18" tile	1,912	LFT	\$18.00	\$34,416.00
Destruction of existing tile	6,500	LFT	\$ 1.00	\$ 6,500.00
Gravel road crossing	2	EA	\$2,500.00	\$ 5,000.00
Engineering	1	EA	\$10,000.00	\$10,000.00
			Total =	\$208,000.00
			10% Contingency =	\$ 20,834.10
			Total Estimate =	\$229,175.10

Landowners present were Doug Grenard, Grant Lough, Jeff Bane, Clark Sennett, CL Bunnell, Dick Inskeep, Earl Smith, Donald Cowan, Dee Roage, Edward Graham, Jake Jones and Josh Kirkpatrick. The Board, landowners and the Surveyor discussed: tiles are undersized and submerged; speculation that the open ditch was created because the tile was broken down; would like to vacate a portion of the open ditch on the Inskeep property once new tile is installed; area has been de-brushed; open ditch has a two to five year capacity; inquired if the petitioner believes this design will work better; what is advantage of open ditches versus tile; there is less maintenance for tile; reported west of 775 will not benefit the landowners; lots of work done prior to current Surveyor; landowners benefitting only have to pay \$16,000; should be two projects; will not be able to maintain tiles around hog barn; landowners bought the property with the problem; if tiles were removed could be a waterway; landowner will have option to fill in ditch; no plans to close any open ditches; the Joseph Conway is a subsurface drain; Jeff Bane reported he would not receive any benefit for the \$34,000 on his property; Leroy Bunnell no benefit either if not increasing size of tile; outlets need to be opened to find the other issues with tiles that are not working sufficiently; inquired why a post card could not be sent to landowners with favor or against on it; Drainage Code does not require a post card; law must be changed through state; small landowners do not benefit from this work; why paperwork is sent out so early; required by law thirty days prior to meeting; are landowners required to pay for reconstruction; only if the Board approves reconstruction; landowner lives on hill with no issues; your water goes somewhere; inquired about how much land a petitioner must own to file a petition; it is 10% never has been 51%; 10% of effected acres signed by petitioner and a petitioners hearing was held; Drainage Board then decided enough evidence was given to hold a reconstruction hearing which is what we are holding today; Edward Graham no benefit; not for reconstruction; design is to benefit all not just a few; drain has been classified in need of reconstruction since 2007; explained colors on drain map; yellow is the proposed area to be done; light blue is private tile; dark blue open ditch; green is tile; red line is the watershed area that is assessed for the **Joseph Conway #700**; John Frey inquired of attorney Dan Taylor what the recourse is for the drain; if Surveyor determines that a drain cannot work properly through maintenance then the law says it has to be designated as a drain in need of reconstruction; the Surveyor can bring it to the Board or 10% of the landowners can bring to Board; once a petition is filed by law the Board has two choices either to reconstruct and everyone in watershed pays as the law designed it or abandon and let land owners solve their own problems; drain was built with horses and the drainage law is to improve drainage for better ag production; Edward Graham reported Board has option to assess only landowners in direct area only; the law gives the Board the option of how to assess for the reconstruction; Surveyor reported the downstream drain tile is beyond repair and cannot be maintained; there are three 18" tiles and when one goes they all go; if Board decides to vacate the drain what will it be like for the next generation of landowners; landowner inquired if it can be installed deep enough; with horses it was not deep enough; reported yes it can be done; what is the time frame if approved; summer with a deadline not later than into September; when is payment due; 2019 pay all or five years with 10% interest by Indiana Drainage Code; some go to bank and get a lower interest rate loan. **John Frey moved, seconded by Matt Mitchell, to reconstruct the Joseph Conway #700 as designed at a cost of \$229,175.10.** Clark Sennett inquired who will be overseeing the reconstruction. Tom Cummins reported it would be him out at the site. **Motion carried, 3-0.** Lance Sennett abstained as he is a landowner.

Walter Schoen #644 Hearing

Tom Cummins reported the **Walter Schoen #644** is in Sugar Creek Township with 1,573.9 acres in the watershed.

Description	Quantity	Unit	Unit Price	Amount
Installation of 30" tile	1,850	LFT	\$27.00	\$49,950.00
Installation of 24" tile	5,100	LFT	\$21.00	\$107,100.00
Installation of 21" tile	1,265	LFT	\$18.00	\$22,770.00
Destruction of existing tile	8,200	LFT	\$1.00	\$8,200.00
Gravel road crossing	1	EA	\$2,500.00	\$2,500.00
Paved road crossing	1	EA	\$5,000.00	\$5,000.00

Engineering	1	EA	\$10,000.00	<u>\$10,000.00</u>
			10% Contingency =	\$20,552.00
			Total Estimate =	\$226,072.00

Mr. Cummins used the overhead projector to display the area. The first phase of the reconstruction is estimated at \$226,072.00, at a rate of \$143.83 per acre. Landowners present were Mark Barclay, Grant Lough, Linda Schoen Hugh, David Emmert, Seth Swyers, Jim Dykes, Kimbra Lough and David Gramman. The Board, landowners and the Surveyor discuss: open ditch on Kevin Storm property has not been cleaned; working on de-brushing out of maintenance; Surveyor reported tile going north has tile holes every year and it is not the natural flow; constant maintenance and undersized tiles; level same as creek has to wait till creek lowers to work properly; poor main on drain is why in need of reconstruction; clay tiles are 100 years old; once outlet is repaired can monitor; see if it can be maintained through maintenance or requires a reconstruction; Board will decide if a second phase is required or not after first phase is completed; lots of surface water flowing to the west because subsurface drainage is not working; landowner reported only in huge rain is there surface water; no benefit to Gayle Lough; not notified about petitioners hearing; petition was submitted in 2018; a hearing was held prior to today for maintenance assessment; inquired how much maintenance has been completed; maintenance has been done on downstream open ditch area; classified by Surveyor in need of reconstruction in June 2017; approximately \$16,000.00 spent on de-brushing of open ditch and excavation for engineering design work; how much has been actually spent on tile repair; reported none as tile is beyond maintenance; underwater at open ditch and structure of tile is beyond repair; if phase one is completed can 51% of the landowners stop phase two; reported no, once at a reconstruction hearing only Board can decide to approve or not; same laws apply; could this reconstruction be postpone due to farmers are under a lot of stress with tariff on grain and prices are down and completed in a couple of years; would need the petitioner to withdraw his petition to stop the process; have to have more bushels to counter out low prices; need to be neighbors still; lots of patterned tile has been installed after reconstructions; Mr. Rhoads reported he has never heard of reconstruction not benefiting landowners in the last ten years; maintenance is low after reconstruction; corn is \$3.50 a bushel; inquired about surface water east of 800; payment is not due until a year after it is completed and you have the option to pay it all off or make payments; Steve Hannah's property needs to be repaired; Mark Barclay reported not a good outlet tile in favor of reconstruction; Lance Sennett in favor; outlet to 800 E is in need of reconstruction all the tiles are bad; received one objection letter from Jeff Manning. **John Frey moved, seconded by Lance Sennett, to approve the Phase I reconstruction as designed for the Walter Schoen #644 for a total of \$226,072.00 and after payback of Phase I, Phase II will be investigated by the Surveyor and a recommendation will be given to the Board.** Jim Dykes urged the Board to retain the **Charles Schoen 2 #587**. The government is not participating in the CRP programs anymore. Tom Cummins recommends that after the **Walter Schoen #644** reconstruction, the Board revisit the assessment on the **Charles Schoen 2 #587**. **Motion carried, 4-0.** The bids will be let in a couple of weeks. The project is scheduled to be completed this year.

Stormwater

Tom Cummins reported the Whitesville Christian Church plans to build a new building and a gravel parking lot. County Engineer Jim Peck has reviewed the plans and recommends that they be approved. **John Frey moved, seconded by Lance Sennett, to approve the stormwater plan for the Whitesville Christian Church. Motion carried, 4-0.**

Tom Cummins presented the monthly report for stormwater reviews, three in the 2-mile zone and five in County. There were no questions.

Old Business

Tom Cummins reported there is no update for the Brookstone Subdivision today.

Tom Cummins reported the reconstruction for the **William Shelley #706** phase I is completed. The engineers will be going out to the site to finish the as-built in the next couple of weeks to sign off on Phase I. After speaking with officials with the City of Crawfordsville, and the calls they have been receiving, the Surveyor has decided to go forward with the engineering of Phase II. A reconstruction hearing will still be needed for Phase II. Majority of the money for Phase I has already been collected. Payback should be in a year or two. After payback of the **William Shelley #706 Phase I**, we will proceed with Phase II.

Other Business

Dave Rhoads inquired what is the construction taking place at State Roads 47 and 32 on east side of Crawfordsville. Tom Cummins reported it is gas line work.

Scott Hessler, Crawfordsville Street Superintendent and also oversees the storm water for Crawfordsville. Mr. Hessler presented handouts to the Board concerning the flooding issues at Montgomery Place II on the east side of city. Montgomery Place II is in the **William Shelley #706** watershed. Mr. Hessler reported a lot of flooding issue at State Road 47 and State Road 32. Traction Road to State Road 32 there is no tile so flooding road. On State Road 47 backs up higher than pipe and floods area parking lots. At Memorial Drive the tile size goes from a 72" and shrinks down to a "36 or 42" which is causing back up of water. Mr. Hessler inquired about the installation of a retention pond in the future at Traction Road and a retention pond at the east side of Krogers. John Frey reported the **William Shelley #706** is subsurface not stormwater and inquired of Tom Cummins how to proceed. Mr. Cummins reported the **William Shelley #706** actually should be classified as an urban drain as it then could be assessed differently. The **Foster Fletcher #573** reconstruction was classified as residential, commercial and agricultural; with Tiff money paying part of the reconstruction. John Frey inquired if this is a circumstance to vacate the **William Shelley #706**. The concern is that it is a regulated drain and how the money is handled that has been collected for it. Mr. Cummins reported cannot just give the money to the city of Crawfordsville by code. Crawfordsville currently has a storm water fund. Dan Taylor reported the County Council could appropriate money for this project but has not put any in general improvement fund for use on projects recently. In 2008 or 2009 the **William Shelley #706** was on a high assessment for three years to find the issues. Traction Road area will be an expensive project, crossing of two highways. Tom Cummins reported when Montgomery Place II was constructed their stormwater consisted of their digging a hole with an 18" pipe to connect to the **William Shelley #706** with over 200 acres draining into it. Montgomery Place II did not design their stormwater to allow for all the upstream water. Lance Sennett inquired when Montgomery Place II was built did they come before the Drainage Board. Dave Rhoads reported the **William Shelley #706** was off assessment for many years. Dave Rhoads inquired whether the State Rd 47 culvert along Memorial Drive if the State could enlarge their section. John Frey reported he will have Jim Peck look at it. Scott Hessler reported Kroger is threatening to leave because of the water issues. Mr. Cummins reported once Phase I reconstruction is paid back, can go forward with next phase. Mr. Cummins plans to go ahead with engineering now. Cannot work jointly with City until Phase I reconstruction is paid back on financing Phase II. Mr. Hessler reported his engineer estimates the cost at \$400,000.

There was no new business.

Other Business

Dave Rhoads reported three members of the Board will be attending Drainage School. Dave Rhoads requested Vicki Emmert to contact Jennifer Andel at Auditor's office to be on the agenda for the County Council meeting for their August meeting where Mr. Rhoads and Tom Cummins will give their annual report.

Public Comment

Mark Barclay inquired about the **Smith-Elmore #641**. Dan Taylor reported there is a meeting on July 19, 2018 with motion of stay currently. The reconstruction bid has been accepted but not signed. It will go into mediation with Drainage Board and Serings. Mr. Barclay inquired how he would receive an answer. Mr. Barclay will be unavailable for the August 8, 2018 meeting. Dan Taylor reported the Board may want to have an early special meeting if necessary.

Landowner inquired the life expectancy of a tile. Tom Cummins not sure with plastic as it has to do with rate of sedimentation in tile. Joe Miller stated that without tile holes the sedimentation goes down dramatically and keeping a clear outlet is self cleaning. Plastic tile states a 100 years life span with stone placed around the tiles which is the standard used around the state. Can use a jet to clean plastic tiles as with clay tiles they collapse.

The next meeting will be August 8, 2018 at the Crawfordsville District Public Library at 9:30 a.m.

Curt Hudson inquired about the grant of easement for construction of drainage tile across B and B Farms Enterprise LLC that he presented to the Board prior to meeting. Dan Taylor reported he has read the article but it would have to be reviewed at the next meeting.

John Frey moved, seconded by Lance Sennett, to adjourn the meeting at 11:20 a.m. Motion carried, 4-0.

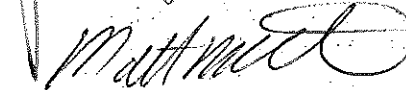
Matt Mitchell
Vicki Emmert,
Recording Secretary



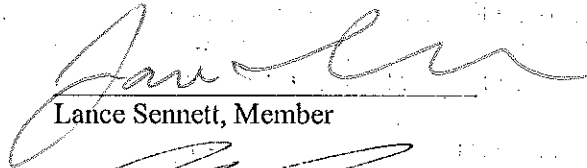
David Rhoads, Chairman



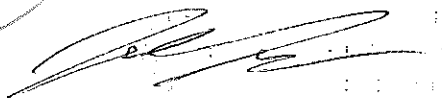
John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Jarrod Zachary, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
August 6, 2018
MINUTES**

The Montgomery County Drainage Board met on Monday, August 6, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer given.

Board members in attendance were Chairman Dave Rhoads; Secretary Matt Mitchell and member Jarrod Zachary. Vice Chairman John Frey and member Lance Sennett were not present. Present were Tom Cummins, Surveyor and Dan Taylor Attorney. Vicki Emmert Secretary was not present.

Also present were Bart Maxwell, Brenda Foster, Jacob Arthur, Jeremy Seggebruch, Darrell Birge, Earl Smith and Josh Kirkpatrick.

Approval of Minutes

Matt Mitchell moved, seconded by Jarrod Zachary, to approve the June 13, 2018 Drainage Board minutes. Motion carried, 3-0.

Opening of Bids

Edward Berry #593

Foster Farm Drainage	\$174,973.69	
Maxwell Farm Drainage	\$143,465.00	5% less \$136,291.75
Sage Ag	\$148,166.90	
ADI	\$144,544.50	

Tom Cummins reported the estimated reconstruction cost of the **Edward Berry #593** at \$185,676.60

Joseph Conway #700

Tom Cummins reported the estimated reconstruction cost of the **Joseph Conway #700** at \$229,175.10

Maxwell Farm Drainage	\$173,343.00	5% less \$164,675.85
Sage Ag	\$172,255.00	
ADI	\$171,137.00	

Walter Schoen #644

Tom Cummins reported the estimated reconstruction cost of the **Walter Schoen #644** at \$226,072.00.

Maxwell Farm Drainage	\$184,970.00	5% less	\$175,721.50
Sage Ag	\$179,240.00		

Bart Maxwell reported on his bids there is a 5% discount on each bid if his company receives all three bids and it is explained in the drench detail.

Dave Rhoads inquired what the completion date is for all three reconstructions. Tom Cummins reported the completion date for all three reconstructions is September 14, 2018. Mr. Cummins requested a short recess to examine the bids.

Dave Rhoads requested while at recess the Board review the Cheatham/Spall agreement that was presented to them.

Tom Cummins reported by the bid packets presented that he recommends the **Edward Berry #593** reconstruction to be awarded to Maxwell Farm Drainage for \$143,465.00 minus the 5% for a total of \$136,291.75. Contractor from Sage Ag inquired if we are bidding them all together or separate as he would give a 5% discount too. The Board will need to approve each bid separately. Mr. Cummins reported based on bid amounts it is his recommendation to award the **Edward Berry #593**, the **Joseph Conway #700** and the **Walter Schoen # 644** to Maxwell Farm Drainage.

Dave Rhoads inquired if the 5% discount was in the proposal in each of the bids from Maxwell Farm Drainage. Tom Cummins reported it is listed on each bid packet turned in. Mr. Cummins read the statement from the bid packet to the Board from Maxwell Farm Drainage. Sage Ag reported he believed the bidding was for each reconstruction to bid separate not as a package deal and would put it in writing next time. Dave Rhoads reported it has to be in writing not verbally. Attorney Dan Taylor reported it is the Boards job to award the bids for the lowest amount to benefit the landowners.

Tom Cummins recommended the **Edward Berry #593** be awarded to Maxwell Farm Drainage in the amount of \$136,291.75.

Jarrod Zachary moved, seconded by **Matt Mitchell**, to award the **Edward Berry #593** reconstruction to Maxwell Farm Drainage in the amount of \$136,291.75 with a completion date of September 14, 2018. Motion carried, 3-0.

Tom Cummins recommended the **Joseph Conway #700** be awarded to Maxwell Farm Drainage in the amount of \$164,675.85

Jarrod Zachary moved, seconded by **Matt Mitchell** to award the **Joseph Conway #700** reconstruction to Maxwell Farm Drainage in the amount of \$164,675.85 with a completion date of September 14, 2018. Motion carried, 3-0.

Tom Cummins recommended the **Walter Schoen #644** be awarded to Maxwell Farm Drainage in the amount of \$175,721.50.

Jarrold Zachary moved, seconded by Dave Rhoads to award the Walter Schoen #644 reconstruction to Maxwell Farm Drainage in the amount of \$175,721.50 with a completion date of September 14, 2018. Motion carried, 3-0.

Hearings

Dave Rhoads inquired about the settlement agreement for the Cheatham/Spall obstruction. Tom Cummins reported after speaking with attorney Dan Taylor the Board should wait to approve the agreement until after the Board receives and reviews the technical specs. The Cheatham/Spall obstruction hearing will be continued to review Deckard Engineering paperwork.

The B & B Farms/Hudson obstruction hearing will be continued. Darrell Birge reported the agreement is with Curt Hudson's attorney. Mr. Birge reported Mr. Hudson had wanted Bart Maxwell to install the tile but Mr. Maxwell declined and now will have Jake Arthur install the tile. This obstruction hearing will be continued to next meeting, waiting on the final agreement.

Stormwater

Nucor Corp. Dry Storage Warehouse

Tom Cummins reported the County Engineer has completed the technical review for the stormwater and is ready for the Boards approval. Mr. Cummins used the overhead projector to display the area where the warehouse will be built and the new detention area. **Matt Mitchell moved, seconded by Jarrold Zachary, to approve the Nucor Corp. dry storage warehouse stormwater drainage plans as presented. Motion carried, 3-0.**

DuBose Strapping Inc.

Tom Cummins reported the DuBose Strapping proposed a building addition to their building. Mr. Cummins used the overhead projector to display the area and where the water will drain to. **Jarrold Zachary moved, seconded by Dave Rhoads, to approve the DuBose Strapping Inc building addition stormwater drainage plans as presented. Motion carried, 3-0.**

Tom Cummins presented the Board with his monthly stormwater reviews. There were no questions from Board.

Petitions

Tom Cummins reported receiving a petition to attach to the **Fred & Bessie Brown #503** and to continue this petition as Mr. Cummins awaits the actual map of what the petitioner would like to do.

Old Business

William Shelley #706

Tom Cummins reported he has presented the Board with a contract change order for the **William Shelley #706** reconstruction of \$28,221.36 due to more engineering because of the Raybestos' environmental restrictions in that area. Originally was to install a tile in area, but due to restrictions and do not disturb the area an open ditch is there. The order includes additional engineering for change in specs, redesign the project and the rest are for some unknowns while doing a reconstruction in a city with utilities. **Matt Mitchell moved, seconded by Jarrod Zachary, to approve the change order in the amount of \$28,221.36 for the William Shelley #706 reconstruction from the original bid.** Dave Rhoads recommended the Board to read the history of the minutes concerning the **William Shelley #706** since at the last meeting Scott Hessler was present with reports of more water issues with the drain. Tom Cummins reported Kroger has had a lot of water issues with their docks and Montgomery Place II with flooding. Mr. Cummins went out two weeks ago and opened up a section of tile and found a six foot section completing gone with a reaty sign shoved into tile to block it off. Now with the new outlet it is now free flowing with water getting away. Mr. Cummins used the overhead projector to display and discuss the water issues. Not a good outlet in the Traction Road area. John Frey is to meet with the Mayor on how it could be paid for. The City has been collecting stormwater funds from landowners for several years now. Once the engineering is completed figures can be presented to City and Board of the actual cost would be. Jarrod Zachary inquired if Raybestos should pay for the change order due to their issues. Tom Cummins reported no as this is similar to running into an old cemetery in a field and having to re-route the tile because of it. Attorney Dan Taylor reported the EPA did a super fund clean-up at Raybestos and they have paid millions of dollars already. This is a perfect example of how the Montgomery Place II was approved without a good drainage plan in an agricultural area. When new developments are submitted in the future they should all have a good drainage plan set forward or not approve them. Tom Cummins reported the EPA has put deed restrictions on what can and cannot do in Raybestos area. **Motion carried, 3-0.**

Tom Cummins presented the Board with the amortization schedule for the **William Shelley #706** with the total costs of the reconstruction. **Jarrod Zachary moved, seconded by Matt Mitchell, to make the final payment to contractor Masterscape in the amount of \$97,352.36.** Tom Cummins reported a partial payment has already been made to the contractor in the amount of \$76,779.25. Jarrod Zachary inquired that the final payment would be dispersed between the contractor and the engineer. Tom Cummins reported yes. **Motion carried, 3-0.** Dave Rhoads inquired what the current assessment rate is for the **William Shelley #706**. Tom Cummins reported it was originally \$100.00 with a \$10.00 minimum but is now \$3.00 with a \$5.00 minimum. It has approximate 1000 parcels in the **William Shelley #706** and is currently off of assessment as it had reached its four year cap.

Brookstone subdivision – Drainage plan update

Tom Cummins reported to keep the Brookstone subdivision on the agenda for next meeting.

Other Business

None

New Business

Tom Cummins reported receiving a letter from Tippecanoe County Surveyor which Mr. Cummins presented copies to the Board concerning the joint **Mary McBeth #N/A** regulated drain. Montgomery County has not assessed this drain and believes Tippecanoe has not either in the past. Montgomery County only has a small amount of acreage draining into it. Mr. Cummins recommendation is to waive our right to be represented but if the Board deems necessary we can form a joint board. Mr. Cummins used the overhead projector to display the area. If the **Mary McBeth #N/A** is put back on maintenance assessment Montgomery County would collect our share and then send to Tippecanoe County. Attorney Dan Taylor reported this is normal for the Board to waive their right to a joint Board for maintenance, but for a reconstruction, the Board is advised to be involved. **Jarrod Zachary moved, seconded by Dave Rhoads, to waive the Montgomery County Drainage Boards rights to the Tippecanoe County Drainage Board for the Mary McBeth #N/A joint drain maintenance hearing. Motion carried, 3-0.**

Dave Rhoads reported Drainage School is in August. Lance Sennett, John Frey and Jarrod Zachary will be attending.

Tom Cummins reported there is a budget line for travel available for the Board to attend Drainage School.

Public Comment

None


Dave Rhoads inquired which meeting is best to cancel September or October: Closer to date a decision will be made as to whether the September meeting will be cancelled.

Dave Rhoads reminded the Board to read the mission statement in your handbook. Tom Cummins reported it is on the back of his business' cards.

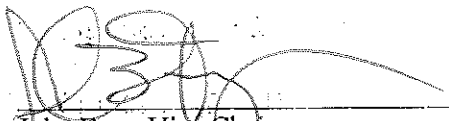
The next Drainage Board meeting as of today will be September 12, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

Matt Mitchell moved, seconded by Dave Rhoads, to adjourn the meeting: Motion carried, 3-0.

Vicki Emmert,
Recording Secretary



David Rhoads, Chairman



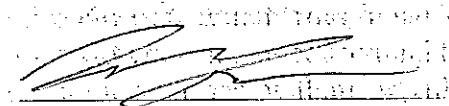
John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Jarrod Zachary, Member

**MONTGOMERY COUNTY
DRAINAGE BOARD
September 28, 2018
Special Meeting
MINUTES**

The Montgomery County Drainage Board met on Friday, September 28, 2018 at 8:15 a.m. at the 110 W. South Boulevard, Crawfordsville, Indiana in the conference room.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer given.

Board members in attendance were Chairman Dave Rhoads; Secretary, Vice Chairman John Frey; members Matt Mitchell, Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor, Vicki Emmert Secretary was not present.

Also present was Brenda Foster, Bart Maxwell and Jim Peck.

Reconstructions

Tom Cummins reported the reason for the special meeting is to approve the final payments and the change orders for the reconstructions of the **Edward Berry #593**, the **Joseph Conway #700** and the **Walter Schoen #644**.

Edward Berry #593

Tom Cummins presented the change order to the Drainage Board for the **Edward Berry #593** in the amount of \$23,030.65. Mr. Cummins reported the final invoice from Maxwell Farm Drainage is \$166,495.65. The engineering fee is \$6,877.50 with notices to the newspapers for \$66.60. The amount of the loan will be \$173,439.75 with 5% interest being accessed to the landowners for a total of \$182,011.74. The original estimate for the reconstruction was \$185,676.60. Dave Rhoads inquired what the percentage of change is allowed in a reconstruction. Mr. Cummins reported the code states up to 20% in change orders and for unforeseen issues another 10% which could make it a total of 30%. This would be using the original estimate for the **Edward Berry #593** of \$185,676.60.

John Frey moved, seconded by Jared Zachary, to approve the reconstruction bank loan for the Edward Berry #593-01 in the amount of \$173,439.75. Motion carried, 5-0.

Dave Rhoads moved, seconded by John Frey, to approve a change order for the Edward Berry #593 reconstruction in the amount of \$23,030.65. Motion carried, 5-0.

Joseph Conway #700

Tom Cummins presented the change order to the Drainage Board for the **Joseph Conway #700** in the amount of \$18,669.85. Mr. Cummins reported the final invoice from Maxwell Farm Drainage is \$192,012.85. The engineering fee was \$9,000.00 with notices to the newspapers for

\$81.21. The amount of the loan will be \$201,094.06 with 5% interest being accessed to the landowners for a total of \$211,148.76. The original estimate for the reconstruction was \$229,175.00.

John Fred moved, seconded by Jared Zachary, to approve the reconstruction bank loan for the Joseph Conway #700 in the amount of \$201,094.06. Motion carried, 5-0.

John Frey moved, seconded by Jared Zachary, to approve a change order for the Joseph Conway #700 reconstruction in the amount of 18,669.85. Motion carried, 5-0.

Walter Schoen #644

Tom Cummins presented the change order to the Drainage Board for the **Walter Schoen #644** which is \$15,535.22. Mr. Cummins reported the final invoice from Maxwell Farm Drainage is \$205,005.22. The engineering fee is \$8,750.00 with notices to the newspapers for \$64.16. The amount of the loan will be \$213,819.38 with 5% interest being accessed to the landowners for a total of \$224,510.35. The original estimate for the reconstruction was \$226,072.00.

John Frey moved, seconded by Jared Zachary, to approve a change order for the Walter Schoen #644 in the amount of \$15,535.22. Motion carried, 5-0.

Jared Zachary moved, seconded by John Frey, to approve the payment to Maxwell Farm Drainage for the Walter Schoen #644 in the amount of \$205,005.22. Motion carried, 5-0.

Dave Rhoads inquired of County Engineer Jim Peck if he had any comments.

The Board, Surveyor, and Jim Peck discussed the following: Jim Peck reported recording a video of the last big rain at Memorial Drive and the Random House area; recommended Random House replace their flap gate at Random House and work on other drainage issues in future; reported the drainage issues with Jay Cox that tenant farmer John Frey removed their field debris and re-located the debris after big rain; reported there is possibly an old cattle crossing that was filled in that could be part of the drainage issue; the open ditch is private; will be working with Soil and Water for grass waterway.

John Frey reported Jarrod Zachary is running unopposed for School Board and the Drainage Board will need to find a replacement for him, as the Soil and Water recommendation to the Board.

Bart Maxwell reported that the reconstructions went well and will do clean-up work in spring.

Tom Cummins reported 1,500 foot of open ditch of the **Walter Schoen #644** was dipped out during the reconstruction.

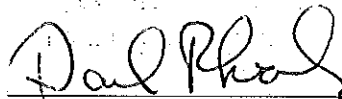
Jarrold Zachary inquired who is responsible for crop damage during a reconstruction, as he had several landowners call him during last reconstructions. Tom Cummins reported all the contractors have his cards for landowners to call him when they have inquiries. The easement right away is seventy five feet on each side of a drain so if landowners plant in the easement their crops could be damaged. Several years ago the Board made the decisions that all reconstructions would be completed in the summer as there is less damage to the soil in area when it is dry rather than wet.

Jim Peck reported he has submitted for work to be done on County road 500 S, from 500 E to State Road 136 and that culverts will be replaced and will work with Surveyor that they are the correct depth.

Dave Rhoads reported the next Drainage Board meeting will be October 10, 2018. Tom Cummins reported he would e-mail all the Board as to whether an October meeting is necessary closer to date.

Dave Rhoads moved, seconded by Jarrold Zachary, to adjourn the meeting. Motion carried, 5-0.

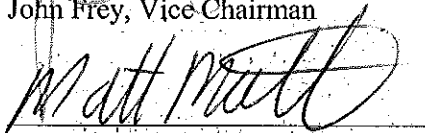
Vicki Emmert,
Recording Secretary



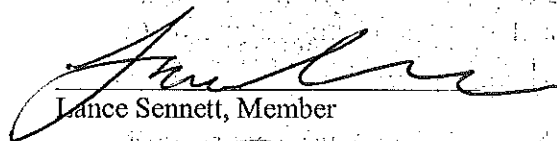
David Rhoads, Chairman



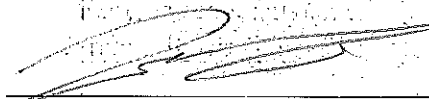
John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Jarrold Zachary, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
November 14, 2018
MINUTES**

The Montgomery County Drainage Board met on Monday, November 14, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. There was no prayer given.

Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor, Vicki Emmert Secretary and Dan Taylor Attorney.

Also present were, Darrell Birge, Lee Brunton and Roger Azar of Deckard Engineering.

Approval of Minutes

John Frey moved, seconded by Lance Sennett, to approve the June 13, 2018 Drainage Board minutes. Motion carried, 5-0.

Lance Sennett moved, seconded by John Frey, to approve the August 6, 2018 Drainage Board minutes. Motion carried, 5-0.

Hearings

Tom Cummins reported that no one is present from the petition to remove an obstruction hearing for Cheatham/Spall. Mr. Cummins reported that Deckard Engineering has designed the plan to use. Now waiting on the attorneys to submit the design and agreement between the parties, Surveyor would like a continuation to the December meeting.

Tom Cummins reported on the petition to remove an obstruction hearing for B&B Farms/Hudson that an agreement has been drawn up. Darrell Birge and Lee Brunton were present. Mr. Birge reported there is an issue of how the work will be completed on his property. Attorney Dan Taylor reported there are pending cases that need to be settled before a decision by the Drainage Board can happen. The hearing will be continued to the December meeting.

Stormwater

Tom Cummins and Roger Azar of Deckard Engineering reported on JTR Enterprises project. Using the overhead projector Mr. Cummins displayed the area. The INDOT right away, gravel parking lot and pond with the current stormwater plan a building could be built in the future were discussed. Tom Cummins recommends the Board approve the stormwater plans as presented.

Jarrod Zachary moved, seconded by Matt Mitchell, to approve the stormwater plans for JTR Enterprises as presented to the Board. Motion carried, 5-0.

Tom Cummins presented the monthly stormwater review report. There were no questions.

Old Business

Tom Cummins reported at the Brookstone Subdivision there is only one project of sixty to eighty feet of open ditch that is not complete at McCullough's. Jim Ratcliff is supposed to perform the work. Mr. Cummins used the overhead projector to display the area and gave a brief history to new members of the Board. Dave Rhoads recommends sending a letter with a thirty day compliance. Roger Azar of Deckard Engineering reported that north of the Hendrickson lot that the flow was never corrected as that area holds water and the outlet to the pond is breaching on another property. Lot 1.31 purchased lot 1.58 with pond on it. **John Frey moved, seconded by Matt Mitchell, to send a certified letter to the McCullough's with a thirty day notice to repair the open ditch or fines can be enforced. Motion carried, 5-0.**

Other Business

Dave Rhoads inquired if any of the Board had any updates on past Board member Deanna Durrett who fell while on vacation and hit her head. There were no updates.

Jarrold Zachary reported he would be leaving the Board at the end of year as he was elected to the North Montgomery School Board. John Frey reported contacting Soil and Water as Mr. Zachary was their representative on the Board. There will be a recommendation for a replacement at the December meeting.

John Frey moved, seconded by Lance Sennett to adjourn the meeting at 9:58 a.m. Motion carried, 5-0.

Vicki Emmert,
Recording Secretary



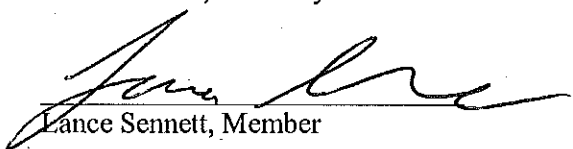
David Rhoads, Chairman



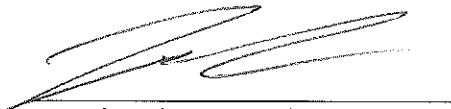
John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Jarrod Zachary, Member

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**MONTGOMERY COUNTY
DRAINAGE BOARD
December 12, 2018
MINUTES**

Meeting: The Montgomery County Drainage Board met on Monday, December 12, 2018 at 9:30 a.m. at the Crawfordsville District Public Library.

Attendance: The meeting was called to order by Chairman Dave Rhoads, followed by the Pledge of Allegiance. A prayer was given by Dave Byers.

Members: Board members in attendance were Chairman Dave Rhoads; Vice Chairman John Frey; Secretary Matt Mitchell; members Lance Sennett and Jarrod Zachary. Present were Tom Cummins, Surveyor, Vicki Emmert Secretary and Dan Taylor Attorney.

Guests: Also present were, John Hudson, Lee Brunton, Sheila Sering, Travis Lewis and Roger Azar of Deckard Engineering.

Approval of Minutes

Approval: John Frey moved, seconded by Matt Mitchell, to approve the September 28, 2018 and November 14, 2018 Drainage Board minutes. Motion carried, 4-0. Jarrod Zachary had not arrived at this time.

Hearings

Cheatham/Spall: Tom Cummins reported there were no new updates for the Cheatham/Spall petition to remove an obstruction and should continue to the January meeting.

B&B Farms/Hudson: Tom Cummins reported there were no new updates for the B&B Farms/Hudson petition to remove an obstruction. Dan Taylor reported waiting on paperwork due to lawsuit pending. This petition should also continue to the January meeting.

Jarrold Zachary came in at 9:38 a.m.

Stormwater

Stormwater: Tom Cummins reported there were no new stormwater reviews for the two-mile zone and only one new review for the County in the previous month.

Stormwater Fee: Dave Rhoads inquired about the Crawfordsville City storm water fee and does that affect the Board. Mr. Cummins reported the Surveyors office is not involved in this. Their fee is for stormwater sewers.

Old Business

Tom Cummins reported he has prepared a letter to send to the Brookstone Subdivision landowner who is still not in compliance with the stormwater requirements determined by the Drainage Board. The letter is currently in review with attorney Dan Taylor and then will be sent out after approval.

New Business

John Hudson and Travis Lewis were present and inquired about a petition that was turned into the Surveyor recently. Tom Cummins reported he has not had enough time to thoroughly review it and the request will be on the January meeting agenda.

John Hudson reported there is a beaver dam near 100 West that meets up with Bennett Road and when there is a one inch rain it is flooding the road now. At 200 West there is also a beaver dam. Tom Cummins reported it is not a regulated drain under the culvert. Mr. Hudson reported the Highway Department reported it should be investigated by the Surveyor first. Mr. Cummins reported it is the landowner and the Highway Department's responsibility to clear it up. John Frey will contact the Highway Department.

John Frey reported there is a beaver dam at Cassidy Road near Cherry Grove. Several landowners have trapped in the past. Tom Cummins reported there is full growth and it is a county drain and will be working on it in the future.

Tom Cummins reported on the **George Nichols #546** drain at Linden; the assessment has already been raised to cover the debt of the drain. Brush has choked out the tiles and used the overhead projector to display the area. Has been in contact with some of the landowners on Center and Bible streets where there are water issues. The notes in the files are vague and report in the 1980's and 1990's there was a partial reconstruction as the contractor quit work and the project was abandoned. Mr. Cummins has explained to some of the landowners how the petition to reconstruct works, but it appears none of them want to put their name on a petition to reconstruct. This drain appears to be a drain where the Board will have to propose the reconstruction for the betterment of the community. Tom Cummins recommends to the Board that he bring them a complete report for a reconstruction. Dave Rhoads directed Mr. Cummins to put it on the January meeting agenda. Mr. Cummins reported the drain as already been classified as a drain in need of reconstruction for at least the last five years and will gather an engineering report for the Board. Martha Gaylor is one of the largest landowners in the area. The tile is not all mapped out and part of it may be in a wet land. The Soil and Water office will determine if it is a wet land and what can and can't be done in area. John Hudson reported receiving a letter at least 20 years ago concerning the wet land. A wetland determination will use the historic aerial photography to assess what classification is appropriate.

Roger Azar of Deckard Engineering reported at 9062 West 440 South, south of I-74 there is a water issue on the Harpel parcel and inquired as to who is responsible to repair it. The culvert under 440 is undersized and clogged. The gentleman is in a low area and the water is backing up to his back door. Tom Cummins reported it is a blue line stream but is not a regulated drain. John Frey will speak with the Highway Department about the tile issues as they are 42" and 60".

Dave Rhoads inquired if Jake Arthur has spoke with Tom Cummins concerning the water issues at New Ross as there is a pasture standing in water. There is a private sub-surface drain that is not working properly in the area. The area is not a regulated drain and Mr. Cummins has given information to a landowner about gathering landowners together to petition the Board to make it a legal drain. The landowners have to bring it to the Board with all landowners in agreement or one landowner to bring it to the Board for a hearing.

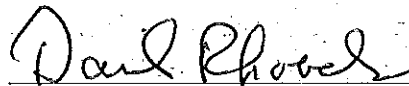
Attorney Dan Taylor requested to set up an executive meeting with the Board on Wednesday, December 19, 2018 at 110 W South Boulevard at 10:00 a.m. in the Conference Room. The Board agreed to date and time.

John Frey thanked Jarrod Zachary who was the Soil and Water representative on the Board for his service. Mr. Zachary was elected to the School Board and cannot serve on two County Boards. The Soil and Water has recommended Doug Mills for the Board and will now go to the Commissioners for the appointment.

Discussion as to when the 2019 meetings should be held. **John Frey moved, seconded by Matt Mitchell, to hold the Drainage Board meetings on the second Wednesday of the month at 9:30 a.m. at the Crawfordsville District Library. Motion carried, 5-0.**

John Frey moved, seconded by Dave Rhoads, to adjourn the meeting at 10:18 a.m. Motion carried, 5-0.

Vicki Emmert,
Recording Secretary



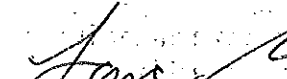
David Rhoads, Chairman



John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member

Jarrod Zachary, Member

