

Montgomery County
Drainage Board Meeting
April 10, 2024

The Montgomery County Drainage Board met on Wednesday, April 10, 2024, at 9:30 a.m. at the Montgomery County Government Center at 1580 Constitution Row, Crawfordsville, Indiana.

Chairman Dave Rhoads, followed by the Pledge of Allegiance, called the meeting to order. Vicki Emmert gave the prayer.

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

Also, present was Heather Laffoon, Larry Smith and Roger Azar.

Approval of Minutes

Lance Sennett moved, seconded by Matt Mitchell, to approve the March 13, 2024 minutes. Motion carried, 4-0.

Hearings

Tom Cummins -- reported on the Moore's Heights #598 petition hearing to vacate drain. It was constructed in 1982, located in T18N, R4W, Section 18, in Union (South) Township. The watershed is approximately 27.18 acres with 1,200 feet of tile ranging in 6" to 10" tiles. There is no open ditch. There are 28 parcels. Current assessment is \$21.88 per acre, with a \$5.00 minimum and collects \$615.53 annually.

Per IC 36-9-27-34 (d), A regulated drain should be vacated when:

- 1. The drain does not perform the function for which it was designed and constructed, or it has become inadequate to properly drain all affected land under current conditions;
 - 2. The expense of reconstruction outweighs the benefits of reconstruction; and
 - 3. The vacation will not be detrimental to the public welfare
- The Moore's Heights drain does not perform the function for which it was designed, as the existing drain is not sized adequately for sub-surface or surface runoff drainage
- 2. The expense of reconstruction outweighs the benefits of reconstruction
 - 3. The vacation will not be detrimental to the public welfare, as there is a plan to reconstruct the lower end, privately, to allow for future development.

Based on this evidence, the Surveyor recommends approving the vacation of the Moore's Heights #598 regulated drain. An aerial map is attached. To display the area, the overhead protector was used. It is located just south of Walmart on US 231 and north of 300 south and serves the Moore's Heights residential subdivision.

Based on reading the minutes and looking in the file there is limited information available. When they wanted to build the subdivision, Mr. Smith already had an existing tile going to the north.

Mr. Smith allowed them to replace the 1,200 feet of tile with plastic for the 27 acres.

After consulting with the engineer on the project it will be best to vacate the watershed and let it be done privately, due to cost.

Doug Mills – inquired if we decide to approve will the private landowner's tiles be cut off.

Tom Cummins – reported no they cannot block off the tiles by the code. Landowners that spoke with Mr. Cummins did not have a problem with the project.

Dave Rhoads – inquired is there room behind of west side can other development be done.

Roger Azar – reported everything to west is a different watershed.

Lance Sennett moved, seconded by Matt Mitchell, to approve the petition to vacate the Moore Heights #598 drain. Motion carried, 4-0.

Roger Azar – inquired if everything was good to go with the plan to use the design that was brought to the Board.

Tom Cummins – reported yes.

Petitions

Tom Cummins – reported using the overhead projector the petition to attach to the **James Harris #715** from James Hackett near New Ross. All the tiling is in the watershed and recommends approving the petition to attach.

Doug Mills – Inquired what the red lines are.

Tom Cummins – reported the red lines are the tiles.

Tom Cummins – reported he essentially verifies that the water is only coming from that watershed when the petitioner comes to him and submits the petition and the drain can handle it. Mr. Cummins can then approve it. Then it is brought to the Board so that it will be recorded in the minutes.

Lance Sennett moved, seconded by Matt Mitchell, to approve the petition to attach to the James Harris #715 from James Hackett as submitted. Motion carried, 4-0.

Dave Rhoads – reported that is the ditch a few years back that Everett Beamish was involved with.

Tom Cummins – reported using the overhead projector some areas are really low and cannot really be drained anywhere. There is tile everywhere in the **James Harris #715**, it has been dipped, and everything is working well.

Old Business

Tom Cummins – reported an update for the **John Gobin 2 #520** reconstruction using the overhead projector to display area. The **John Gobin 2 #520** tributaries 1, 2, and 3 have been reconstructed and all that is left to reconstruct now is the main. The only people who were affected by the tributaries were assessed for reconstructions in the past. Only those who are affected by the main and tributary three will be assessed for this reconstruction.

Doug Mills – inquired what you are calling Tributary 3 was done a few years ago.

Tom Cummins – reported correct.

Tom Cummins – reported if the whole water shed is to be assessed, the hearing process will have to start all over.

Doug Mills – inquired the main is the centerline all the way.

Tom Cummins -- reported correct and used overhead to display area.

Dave Rhoads -- inquired where Wade Bennett's property is.

Tom Cummins -- displayed the area with the overhead projector and discussed it.

Heather Laffoon -- inquired if this impacted the Wilson farm.

Tom Cummins -- reported no.

Dave Rhoads -- inquired about the Murphy place.

Tom Cummins -- used overhead to display area.

Matt Mitchell -- inquired how big the entire watershed is?

Tom Cummins -- reported using the overhead projector to display the whole watershed.

Dave Rhoads -- inquired if the open ditch is assessed.

Tom Cummins -- reported yes.

Dave Rhoads -- inquired what questions the landowners will have.

Tom Cummins -- reported only if the landowners do not agree on how it will be assessed. Only affected will be assessed. In this case, it made sense to assess the tributaries separately.

James Grimes #521 - reconstruction report

Tom Cummins -- reported the **James Grimes #521** is in Madison Township, north of the **Fraleigh-Coleman # 670**. The overhead projector was used to display the area. This reconstruction is to provide its own outlet for the **James Grimes #521**.

The **Francis Hoss #627** is near South Montgomery High School.

Tom Cummins -- reported to the Board our regular scheduled meeting is May 8, 2024, would like to bump it to May 15, 2024 due to reconstruction mailing requirements for the **James Grimes #521**, the **John Gobin 2 #520** and the **Francis Hoss #627**.

Dave Rhoads -- inquired how much of the **Francis Hoss #627** to be replaced. The overhead projector was used to display the area.

Tom Cummins -- reported the main line to be reconstructed.

Dave Rhoads -- inquired about the part across from Bane's is it part of the County project?

Tom Cummins -- reported there is a 5" tile full of sediment.

Doug Mills- inquired if Mr. Cummins had spoken with Bane Equipment yet.

Tom Cummins -- reported no, they will receive a notice like everyone else.

Doug Mills moved, seconded by Land Sennett, to reschedule the May 8, 2024 meeting to May 15, 2024 and hold reconstruction hearings for the John Gobin 2 #520, the James Grimes #521 and the Francis Hoss #627 on May 15, 2024 at 9:30 a.m. at the Montgomery County Government Center, Motion carried, 4-0.

New Business

Tom Cummins – reported none.

Other Business

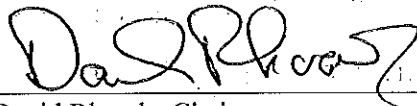
None

Public Comment

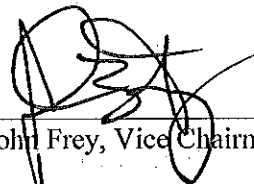
Heather Laffoon – reported the Charles McFarland #545 and the James Wilson #588 reconstruction mailings will go out this Friday from the Treasurer’s office.

Doug Mills moved, seconded by Matt Mitchell, to adjourn the meeting at 10:00 a.m. Motion carried, 4-0.

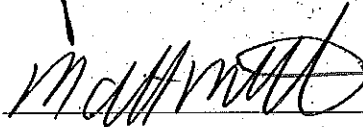
Vicki Emmert,
Recording Secretary



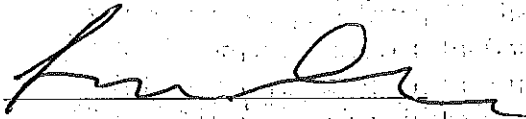
David Rhoads, Chairman



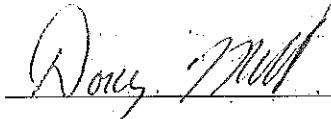
John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Doug Mills, Member