

**Montgomery County  
Drainage Board Meeting**

**July 10, 2024**

The Montgomery County Drainage Board met on Wednesday, July 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. There was no prayer.

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

Also, present was Randy McCormick, Ben Cody, Bart Maxwell, Chloe Maxwell, Ed Stephens, Chadd Cassida, Jacob Arthur, Brenda Foster, and Stephanie Summitt Campbell.

**Approval of Minutes**

**John Frey moved, seconded by Doug Mills, to approve the June 20, 2024 minutes as submitted. Motion carried 5-0.**

**Sealed Bid Openings**

**Chrineyance Schenck #506 Reconstruction**

Surveyor Tom Cummins- reported receiving one bid from Maxwell Farm Drainage. The bid was \$82,500 for Phase I and \$619,987.63 for Phase II. After reviewing the bid for compliance with the solicitation for bids, Cummins recommended the bid from Maxwell Farm Draining be approved for Phase I and Phase II.

Dave Rhoads – inquired what the completion date is.

Tom Cummins – reported October 1, 2024.

Randy McCormick landowner – reported he will have cows out in pasture and will have to move them from one pasture to another. Mr. McCormick also, inquired about a structure to be removed, he reported it is not necessary to remove it and inquired about excess dirt to level off an area where the surface drain is, would help a lot. He has lost many calves since 1972.

Tom Cummins and Bart Maxwell agreed to meet with Mr. McCormick at the site prior to commencement of the project to address Mr. McCormick's concerns and answer questions.

**John Frey moved, seconded by Matt Mitchell, to award the Chrineyance Schenck #506 reconstruction project to Maxwell Farm Drainage for Phase I for \$82,500.00 and Phase II for \$619,987.63. Motion carried, 5-0.**

**Fred Maxwell #585 Reconstruction**

Surveyor Tom Cummins – reported receiving one bid from Arthur Excavation. The bid was \$155,840.00 for Phase I and \$155,019.44 for Phase II. After reviewing the bid for compliance with the solicitation for bids, Cummins recommended that the bid from Arthur Excavation be approved.

**John Frey moved, seconded by Matt Mitchell, to award the Fred Maxwell #585 reconstruction project to Arthur Excavating for Phase I \$155,840.00 and Phase II for \$155,019.44.**

Ed Stephens, landowner- inquired about the re-connection of private laterals and the estimated costs of the project.

Tom Cummins – reported the private laterals would be re-connected and estimated cost of the Phase II reconstruction is \$160,750.41. Phase I will be paid by INDOT.

**Motion carried, 4-0. Lance Sennett abstained.**

**Other Business**

**A. Drain Transfer Fund Requests**

Surveyor Tom Cummins - requested that certain funds be transferred. First, he requested that funds from **Funds without drains #400** in the Improvement funds be transferred to Maintenance funds for the **Charles McFarland #545** and **Richard Virts #560** in the amount of \$3,500 each, for a total of \$7,000. Second, Cummins requested that Maintenance funds in several drains (see report for detail) be transferred to Improvement. The total transfer for these drains is \$82,459.91.

**John Frey moved, seconded by Lance Sennett, to approve the transfer requests. Motion carried 5-0.**

**Old Business – none**

**New Business**

**Samuel Marsh #639 – Joint Drain – Request for Waiver from Tippecanoe County to Allow Montgomery County to Conduct Assessment Hearing.**

Surveyor Tom Cummins reported - the **Samuel Marsh #639** drain has a negative balance in the improvement fund (\$9,370.31) and that ongoing work is needed for this drain. The maintenance assessment is \$0.56 per acre and is insufficient to cover the costs of the maintenance of the drain. Most of the watershed is in Montgomery County, and he recommended that the Board formally request a waiver from the Tippecanoe Drainage Board in order to allow Montgomery County’s Drainage Board to conduct a hearing to raise the assessment. The screen was used to display the area. Discussion of the regulated drain and the tributaries were discussed too, which has nothing to do with raising the assessment currently. It was mentioned for future reference.

John Frey – inquired how many landowners are in the watershed.

Tom Cummins – reported last schedule of assessment from 2011. Around thirty-five parcels and estimates twenty to twenty five landowners. The majority of landowners are in our County.

**John Frey moved, seconded by Doug Mills, to approve the request for a waiver from Tippecanoe County for the Samuel Marsh #639 to hold an assessment hearing. Motion carried 5-0.**

Doug Mills – reported his thought was to make it the most simple and fair.

Dave Rhoads – inquired how much money in maintenance.

Tom Cummins – reported after transfers to improvement it will have a zero balance in Maintenance. The \$720.79 in maintenance will be transferred to the improvement fund. In the red (\$9,370.31).

Doug Mills – inquired how many acres in watershed.

Tom Cummins – reported 1,366.98 acres

Dave Rhoads – reported Drainage School is August 28, 2024. Will need to let Vicki Emmert know by July 17<sup>th</sup> if you plan to attend. Virtual attendance registration date is August 22, 2024. Fifty dollars for Farm Bureau members and \$100.00 nonmember.

Dan Taylor – reported he watched it last year and they are not Drainage Board friendly. They had a person discuss the Birge case when it was not over yet and did not present both sides of the case. Was not happy about the discussion and relayed it to Mark Smith.

**Public Comment**

Bart Maxwell- inquired how the Board handles the financial disclosures submitted with bids.

Tom Cummins and Attorney Dan Taylor responded.

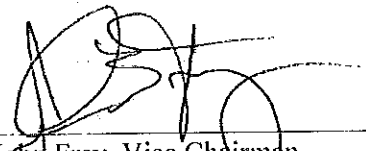
Dave Rhoads – reported the next meeting will be August 14, 2024 and he will not be able to attend.

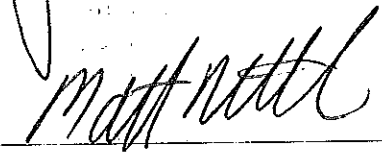
**John Frey moved, seconded by Doug Mills, to adjourn at 10:05 a.m. Motion carried, 5-0.**

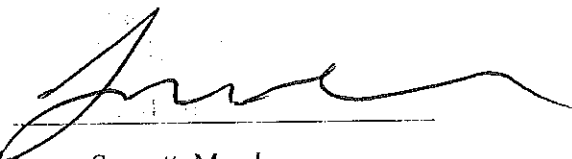
Vicki Emmert,

Recording Secretary

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David Rhoads, Chairman

  
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John Frey, Vice Chairman

  
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Matt Mitchell, Secretary

  
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Lance Sennett, Member

*Doug Mills*

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Doug Mills, Member