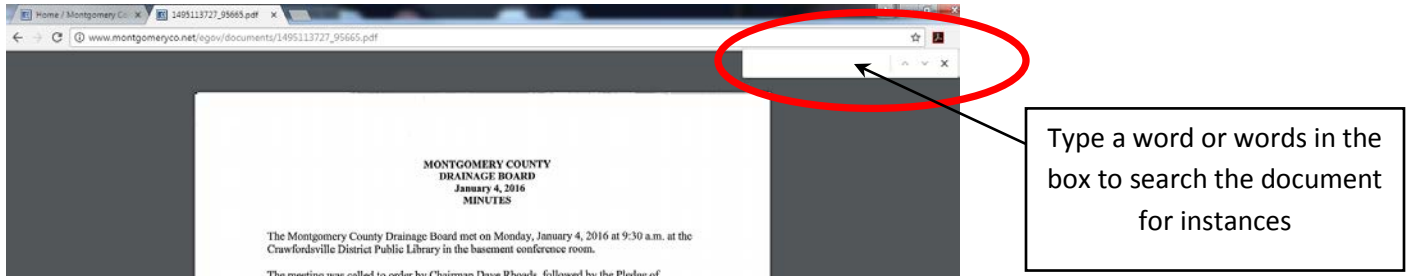
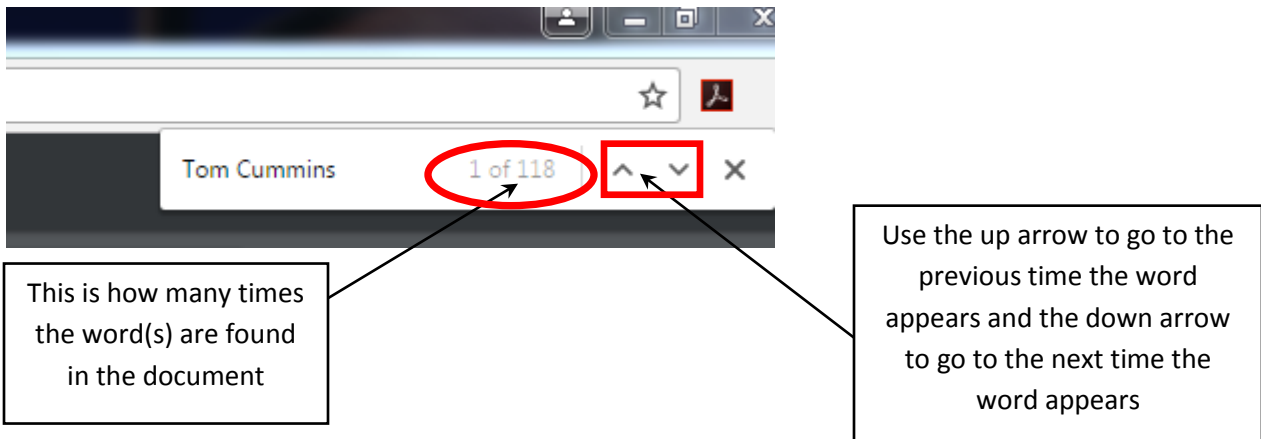


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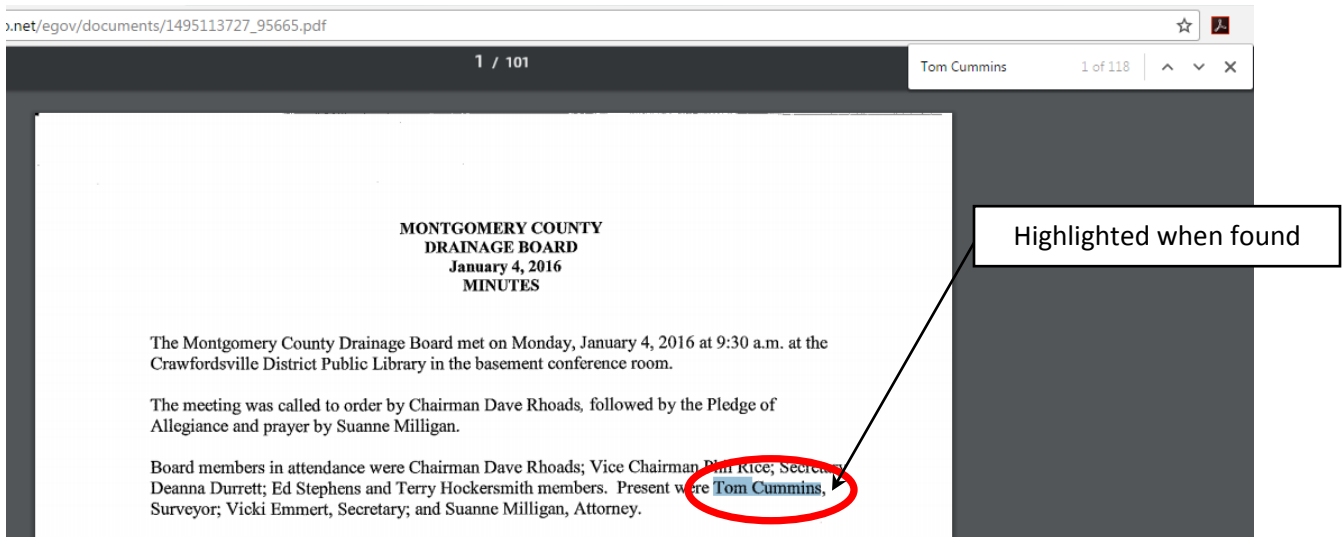
- **Hold down the CTRL key and the letter 'F' at the same time. A search box appears in the upper right hand corner. Type a word(s) in the box to search the document for the word(s).**



- **Use the down arrow to move to the next time the word appears and the up arrow to move to the previous time the word appears. The total number of times the word or phrase shows is also shown.**



- **The word(s) will be highlighted.**



\*Web browser used in these examples is Google Chrome. Results may differ with other web browsers.

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MONTGOMERY COUNTY DRAINAGE BOARD  
January 22, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, January 22, 1990, 1:30 P.M., Commissioners Room, Courthouse Crawfordsville, Indiana.

The Board reorganized as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; and Board's Attorney, Don Schmidt. The aforesaid were present plus the Surveyor, Harvey Keller.

The Board approved the minutes of October 9th and 23rd, 1989 meetings.

The Board signed encumbrances listed as follows:

November 1989:	Foster Fletcher Drain	2.64
	James Sanders Drain	464.37
	William Davis Drain	440.87
	Richard Graham Drain	2.64
	A.F. Ward Drain	1221.45
December 1989:	A.F. Ward Drain	188.87
	Richard Graham Drain	2.20
	Foster Fletcher Drain	2.20

The Surveyor presented a petition to reconstruct and maintain the Edward A. Berry Drain to the Board. Sam Kessler moved and Bob Thayer seconded a motion to accept said petition and requested the Surveyor to proceed on said petition. Motion unanimous.

The Surveyor reported on the following items:

1. The Board was reminded of ditch hearings coming up February 5th; Edgar Henry, Sarah Kincaid, Wm. T. Linn and Stanford-Elmore Drains.

February 12th hearings on John Cochran, Edward Dykes, Isaac Linn, James Sanders and George Washburn Drains. All hearings are to revise maintenance assessments.

2. Walter Schoen Drain. There is a petition out on this drain.

This drain ties into the Charles Schoen #2 Drain (which is an active drain). Both Schoen Drains are tile drains.

The complicating factor is the Walter Schoen drain handles the surface water and the sub-surface water drains to the Charles Schoen Drain.

Bob Hodgen, Jack Carpenter and Della Irvin are disputing over an earth dam installed by Irvins to stop surface water run off.

The Board's response was - since this is not a legal drain, they have no jurisdiction. But perhaps the S.C.S. Office could offer some solutions to the problem.

3. Albert Hysong Drain

January 11, Harvey met with Al Huntsman, Hendricks County Surveyor.

Harvey got the names of the Hendricks County Drainage Board Members: Richard P. Myers, Hursel C. Disney and John D. Clampitt. The Board instructed the Surveyor to arrange a meeting with the Hendricks County Board and landowners for a day meeting.

4. Joseph Ludlow Drain

Cain's have finished the work on this drain. The lower end was cleaned and a new farm crossing installed North of Jesse Howard property. The landowner paid for the farm crossing. Also, a beaver dam was removed by Macy Blasting.

5. Joel Tobin Drain

January 22, 1990

-conti-

Jack Jones is clearing approximately 3/8 mile of this drain from the railroad trestle to the headwall.

6. James Fleming Drain

Contractor, Dave Foster, has finished clearing and dipping out 750 feet on the lower end.

7. Wm. Epperson Drain

Ron Taylor has not started on this project.

8. Phillip Dewey Drain

A petition is being circulated (in Montgomery County) now to extend this drain approximately 1 to 1-1/4 miles to the Tippecanoe County line. Harvey and Mike Spencer toured the total watershed. In Tippecanoe County it is called the Lofland Drain. The entire watershed is 43 square miles.

Bob Thayer ask which county had the most acres? Harvey reported that this had not been determined.

Sam Kessler reminded Harvey that a good slope (for the banks) would need to be allowed for.

9. Harvey met with 3 other county surveyors to discuss tile repairs in general.

a. Tippecanoe County has one contractor doing 80 to 85% of the work. The same contractor has been doing the county work for many years. Mike and he have an excellent rapport.

b. Clinton and Hendricks Counties hire contractors very much along the lines as this county does. Harvey stated he feels he needs to police the contractors more.

Attorney, Don Schmidt and Harvey are going to review the work contract.

10. Plans are being made to clean 10 open drains (from the maintenance fund). Length range from 1/4 to 4 miles.

George Hutchinson, Lye Creek, Wm. B. McClamroch, Swearingen-Runyon, Richard Faust, George Washburn, John Lane, Minnich-Miser & Corn, Jesse ~~Snoddy~~ <sup>Evans</sup> and Lemuel B. McClamroch.

11. Kirkpatrick One Drain

Work is progressing and is about 50% complete.

12. Mike Macy, dba Macy Blasting is dynamiting beaver dams and lodges. Dams have been removed on the following drains: George Washburn, Richard Thomas, Linn-Himes, Joseph Ludlow and Joseph Hall Drains.

First Deputy, Larry Utz, and Mr. Macy are inspecting the Charles Ludlow # 2, Lye Creek and Moses Maxwell Drains today for future beaver removal.

13. Harvey, Louie Fellows & Paul Kruse inspected the Linn-Himes Drain. Extensive work needs to be done on this drain.

Problem areas are:

Bob Walter property a portion of the banks are sloughing in and two (2) tile outlets are covered.

At the intersection of 500 East and 500 South (southwest corner) the side ditch needs to reworked. A surface inlet pipe is covered and water flows onto Louis Fellows property.

14. Charles Newkirk Drain

Two landowners are asking for a change in the watershed stating the Newkirk should consist of only the 2 tile lines (running East and West) and classify the open portion as the Joseph Hall Drain. Drainage area today is the 2 tile lines and a portion of the open ditch. Then the Hall Drain encompasses a portion of the same area.

The Board made no specific recommendations at this time.

January 22, 1990

-conti-

15. The Board ask Harvey to meet with Don Yount and Sam Kessler at the county farm to set some permanent boundary markers. Don could not be reached today.

Bob Thayer moved and Sam Kessler seconded a motion to recess. Motion unanimous.

\*\*Later Friday morning 9:00 A.M. was designated as the time for Don Yount, Sam Kessler and Harvey to meet at the county farm.

James M. Kirtley  
Samuel Kessler

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Secretary

STATE OF INDIANA  
MONTGOMERY COUNTY

Location: Section 31, Township 19 North, Range 5 West  
Section 36, Township 19 North, Range 6 West  
Sections 6 & 5, Township 18 North, Range 5 West  
Section 1, Township 18 North, Range 6 West

IN THE MATTER OF THE EDWARD A. BERRY DITCH  
PETITION TO RECONSTRUCT AND MAINTAIN SAID DITCH

To The Montgomery County Drainage Board  
Courthouse  
Crawfordsville, IN 47933

The undersigned owners of land affected by the above named ditch, hereby request the Montgomery County Drainage Board to make the reconstruction and maintenance of part of said ditch, to refer the same to the Surveyor in accordance with law for a reconstruction and maintenance report and other relief pursuant to law for grounds that said part of ditch is not now as effective as the same should be in the drainage of said area and should be reconstructed, maintained and restored to a condition that will result in better drainage for the affected area.

The Petitioners believe that the benefit to those owners benefited is likely to be greater than the damage which may be suffered by those owners by said part of ditch being reconstructed.

Therefore the undersigned petitioners pray that this Board refer said Ditch to the Surveyor for a Reconstruction and Maintenance report, that assessments be made fairly and equitable against the affected owners in order that said ditch may be restored as effective; and for all proper relief in the premises.

We the undersigned freeholders of Montgomery County, Indiana, being the petitioners in the above entitled proceeding herewith, undertake to stand as sureties to the County of Montgomery, Indiana to pay the cost of notice, engineering fees, and all legal costs in case the drainage proposed in the petition herein is not established. Otherwise these costs become part of the Reconstruction costs.

<u>Edward A. Berry</u>	_____
<u>Walter W. Berry</u>	_____
<u>James W. Berry</u>	_____
<u>Trustee for Don Wilkerson</u>	_____
<u>by Luther L. Bond Treasurer</u>	_____
<u>Bank One, Crawfordsville</u>	_____
<u>Marsie J. Gephart VP+TO</u>	_____
<u>Elston Bank &amp; Trust Company</u>	_____
<u>Treasurer of said Trust 2128</u>	_____

RECEIVED  
DEC 12 1989  
HARVEY J. KELLER  
SURVEYOR, MONTGOMERY COUNTY



MONTGOMERY COUNTY DRAINAGE BOARD  
February 5, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, February 5th, 1990, 1:30 P.M., in the Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller and the following landowners. (Landowners are listed with regards to the appropriate ditches).

1:30 P.M. Edgar Henry Drain Hearing

To revise maintenance assessment

Landowners attending: David & Marian Johnson, Bernard W. Karle, Robert M. Stwalley and Sarah M. Simpson

Surveyor, Harvey Keller, reported a brief history of the drain:

Constructed in 1930.

Location : parallel along 275 East and 350 North.

Length: 2400 feet open drain

Acres in watershed: 515

First assessment was collected in spring of 1967.

Present maintenance assessment is \$100.00 per year

Proposed maintenance assessment is \$500.00 per year.

Current balance is \$22.67

Landowners discussed what money had been spend from the fund.

It was reported E.B. Foster and Chemi-Trol have sprayed for brush control. Landowners reported that they did not see any results from the spraying. In fact questioned if spraying had been done at all. (Spraying was done, Larry Utz, 1st Deputy Surveyor, accompanied both on the job site)

Landowners were concerned with some erosion near the county road and who would be responsible for this.

The Surveyor reported this drain was in reasonably good shape with nothing pressing to be done at this time.

Landowners reported Mr. Karle has been keeping this drain in good repair.

Vice-Chairman, Sam Kessler, ask for a vote regarding raising the maintenance assessment to \$500.00 per year.

Voting was tallied as follows:

Robert Stwalley: Voting Nay - 17 acres

Sarah M. Simpson: Voting Nay - 58 acres

Bernard W. Karle: Voting Nay - 65.61 acres

David & Marian Johnson: Voting Nay - 35 acres

Total acres opposed were 175.61

Landowners after much discussion agreed to abandon/vacate this drain.

Sam Kessler moved and Bob Thayer seconded a motion declaring the Edgar Henry Drain abandoned. Motion unanimous.

Harvey ask what is to be done with the balance of \$22.67? This will be used to pay for the legal notices (2), with the remainder going to Mr. B.W. Karle for weed spray.

The Attorney instructed the Secretary to publish a legal notice and mail to all landowners notification that this drain has been abandon.

Sarah Kincaid Drain Hearing

To revise maintenance assessments

February 5, 1990

-conti-

No landowners attended this hearing.

Constructed 1899.

Located 1,00 North and 100 West.

Drain consists of : 12,352 feet tile.

Watershed consists of 580 acres.

First assessment collected in spring of 1968.

Present assessment is \$150.00 per year.

Proposed assessment is \$600.00 per year.

Present balance is \$543.00

One letter of remonstrance was presented to the Board from Mr. Gene Akers at one time Mr. Akers property was declared as out of the drainage area. (Needs to be researched further.)

Contractor, Darrell Birge, did work for Mr. Clint Wilkens on this drain (Mr. Wilkens paying for all work). A portion of the drain was rerouted and changed at the railroad tracks. Mr. Wilkens reported that the drainage map on file was incorrect.

Harvey reported the following items:

- a. The brush is beyond spraying.
- b. The pipe under the R.R. is deteriorating

Sam Kessler moved and Bob Thayer seconded a motion to accept the revised assessment of \$600.00 per year. Motion unanimous.

#### William T. Linn Drain Hearing

Landowners attending: Raymond Linn and Azel McAnulty.

It was determined that Mr. McAnulty is not in the assessed watershed.

Constructed in 1911.

Location: 500 South and 850 East (near New Ross)

Length: 9,860 feet of tile

Incorporates the Zach Williams Drain.

Acres in watershed: 572.

Present assessment: \$200.00 per year

Proposed assessment: \$800.00 per year

Present balance: \$249.00

Harvey reported the open part of the drain is not a part of the William T. Linn Drain.

Mr. Linn and Harvey discussed how assessments are figured. Harvey explained on usage of the drain.

Bob Thayer moved and Sam Kessler seconded a motion to accept the revised assessment of \$800.00 per year. Motion unanimous.

#### Louis Stanford-Jacob Elmore Drain Hearing

Landowners present were: Beulah Spragg, Paul C. Spragg, Helen M. Rush and Mark Barclay.

One letter of remonstrance was presented to the Board from Ronald K. Coffing (owning 2 acres). Mr. Coffing feels that the assessments are not spent on drain repairs.

Constructed in 1906 was the Jacob Elmore Drain.

Louis Stanford was constructed in 1926.

In 1966 recommendations were followed in that these 2 two drains were combined into one watershed.

Elmore's length: 7,500 feet of tile

Stanford's length: 3,900 feet of tile

Total length: 11,400 feet

Location of drain 700 West and 300 South. (North & East of Alamo).

Acres in watershed: 681

Present yearly assessment: \$700.00

February 5, 1990  
-conti-

Proposed yearly assessment:\$1400.00.

Current balance: \$863.00

Surveyor, Harvey Keller, reported the following:

- a. This drain is in very poor condition.
- b. There are several tile holes (approx 8) on Klepfers property.
- c. Tile outlet area and the outlet pipe is destroyed (Rush property) due to cattle being allowed to wander in this area. The tile in this pasture is very shallow and has several tile holes. Approximately 600 feet of tile need to be replaced.
- d. On Rush property brush is out of control. (in the pasture mentioned in item c.
- e. possibly making an open drain in the pasture (see item d & e).
- f. Drainage map shows a portion of tile is 16" and some are labeled 15". Will investigate further.

Surveyors recommendations were as follows:

- (1) Reconstruct that portion on Rush property. Lay a new tile line and replace outlet. Leaving the old line as is.
- (2) Rush need to fence off the pasture at the outlet. Cattle do not need to be on this shallow tile outlet.

The area (Rush property) was discussed at great length. Harvey suggested possibly making an open drain in this area. Mrs. Rush was not receptive to this suggestion. She stated that in the future she may possibly till this area and did not want an open drain.

(3) Repair the tile holes on Kelpfer property (now owned by Travelers Insurance Company.

(4) Question: is the pond directly over the tile? Will investigate.

(5) Reported that there is not enough money in the maintenance fund to do all the repairs. The fund could go into the minus balance. Sam Kessler stated that the Board would negotiate a loan (from a local bank) to do all the necessary repairs.

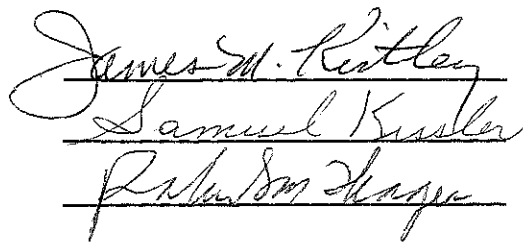
(6) Work would be done this fall.

Sam Kessler moved and Bob Thayer seconded a motion accepting the maintenance assessment of \$1400.00 per year. Motion unanimous.

There being no further business, Chairman, James Kirtley recessed the meeting.

\*\* Mrs. Rush requested the secretary to mail a map of the drainage area to her.

Mrs. Helen Rush  
R.R. 3 Box 110  
Crawfordsville, IN 47933



\_\_\_\_\_  
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
February 12, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, February 12, 1990, 1:30 P.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller and the following landowners; John Cochran Drain, Ken Bullerdick representing Lynn Cochran Farm Trust and Clyde Bullerdick. Edward Dykes Drain: Clifford E. Bryant; Isaac Linn Drain: no landowners present for this hearing; James Sanders Drain; Lawrence Lyons

Chairman, James Kirtley, called the meeting to order.

John Cochran Drain Hearing

To revise the maintenance assessments.

Surveyor, Harvey Keller, reported the following:

John Cochran Drain located: 3/4 mile east of Highway 231 and 675 North.

Constructed in 1887.

Length 3,540 feet of tile.

Acres in the watershed, 276.

Present assessment per year is \$100.00

Proposed assessment per year is \$500.00.

Current Balance \$450.00

Condition of drain today is:

- a) a tile on Mennen's property needs repaired. (This has already been assigned to a contractor).
- b) 2 pipes have fallen into the ditch.
- c) some sloughing of the banks is noted.
- d) Mennens acres need refigured, will be an increase in acres.

Sam Kessler moved and Bob Thayer seconded a motion to accept the revised maintenance assessment of \$500.00 per year. Motion unanimous.

1:45 P.M. Hearing on Edward Dykes Drain

To revise the maintenance assessments.

One remonstrance letter was presented to the Board from Mr. Clifford Bryant.

Constructed in 1909.

Length is 5,292 feet tile

Acres in watershed: 214.

Present assessment is \$151.00

Proposed assessment is \$600.00

Current balance is \$166.00.

Present condition of drain is as follows:

- a) The tile outlet is buried under soil and silt. Also, a tree has fallen into the outlet area. Outlet is a 15 inch tile.
- b) Soil has eroded an area approximately 12 x 15 feet at the outlet.
- c) The 2 breathers have been inspected and appear to be in good working order.

The Surveyor recommended the following:

- a) Installing a rock shute at the outlet.
- b) Clearing brush and seeding at the outlet area.

Mr. Bryant figures he uses only 10% of the tile as 12 acres are tillable and the remainder is woods. He went on to state that his drainage assessment had increased last year.

February 12, 1990

-conti-

Sam Kessler moved and Bob Thayer seconded a motion to postpone any decision until Mr. Bryants yearly assessment is investigated further. Motion unanimous. The hearing will reconvene Monday, February 26, 1990, 1:30 P.M.

The Attorney ask Mr. Bryant to bring in his past years assessment receipts.

Isaac Linn Drain Hearing

To revise maintenance assessments.

Drain was constructed 1902.

Location: 500 South and 700 East.

Length is 4,352 feet of tile.

Acres in watershed: 224.

Present assessment: \$100.00 per year.

Proposed assessment: \$500.00 per year.

Current balance is \$228.00

There were no landowners present at the hearing today.

The Surveyor reported the following:

He recently meet with Mr. Bayless and Mr. Charles Frey. They discussed that it would be very helpful to install a breather at this location: at the beginning of tributary number one on the east side of County Road 700 East.

Sam Kessler moved and Bob Thayer seconded a motion to accept the revised maintenance assessment of \$500.00 per year. Motion unanimous.

James Sanders Drain Hearing

To revise the maintenance assessments.

Constructed in 1903.

Location: Interstate 74 & 400 West and 400 north.

First assessment collected 1969.

Length : 8260 feet tile

Acres in watershed: 411

Present maintenance assessment \$200.00

Proposed maintenance assessment \$790.00.

Crurrent balance \$58.56

Mr. Lawrence Lyons was present.

Mr. Lyons acres have been reduced from 101.2 acres to 26.21 in this watershed. Revision was due to some private tile lines that Mr. Lyons had installed. He presented a map showing these private lines. The dollar amount for Mr. Lyons will be \$31.17 per year.

This drain has been petitioned for reconstruction in 1986. Refer to June 2, 1986 minutes.

Harvey ask Mr. Schmidt if there was a time limit on petitions? Mr. Schmidt stated "not to his knowledge as long as the property owners remain the same."

Harvey reported the following:

- a) His office will work up a reconstruction estimate.
- b) Call another hearing when these figures are completed.
- c) I feel this is important and we need to proceed with this reconstruction petition.

Bob Thayer moved and Sam Kessler seconded a motion to accept the revised maintenance assessments of \$790.00 per year. Motion unanimous.

George Washburn Drain Hearing

To revise the maintenance assessments.

No landowners were present.

Location: 850 North and 400 West.

Constructed in 1901.

Length is : Main line 4875 feet of tile

a total of 3 tributaries: 9,331 feet of tile.

February 12, 1990  
-conti-

Acres in watershed: 444.  
Present assessment is \$250.00 per year.  
Proposed assessment is \$750.00 per year.  
Current Balance: \$905.00

Mr. Kessler stated that the tile needs to be removed and replaced out of the waterway. Also need to spray some brush this spring. Harvey reported that some willows had been cleared out.

Bob Thayer moved and Sam Kessler seconded a motion to accept the revised maintenance assessment of \$750.00 per year. Motion unanimous.

The Board and Harvey discussed when work would begin on the Joel Tobin Drain. ~~Ren Taylor~~ has the bid to do this work. Harvey is to run levels, but Mr. ~~Taylor~~ has some clearing of trees and brush to do before the levels can be shot. Beginning date will depend on the weather. Now it is to wet to begin.

There being no further business, Chairman, James Kirtley, recessed the meeting.

→ Jack Jones

James M. Kirtley  
Samuel Kessler  
Robert M. Skye

---

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
February 26, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, February 26, 1990, 1:30 P.M., Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those attending were: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Surveyor, Harvey Keller; and landowner, Clifford Bryant.

Chairman, James Kirtley, called the meeting to order.

Edward Dykes Drain Hearing was continued from February 5, 1990. The proposed maintenance assessment is \$600.00 per year. The present maintenance assessment is \$151.00 per year.

Mr. Bryant and the Board discussed at great length the following items:

- a) How his assessment is figured - Board replied on a users fee.
- b) Location of the 2 breather.
- c) Mr. Bryant reported water is standing on his property.
- d) Mr. Bryant disagrees with the assessed acres - saying some acres are wooded as opposed to tillable acres.

Mr. Bryants assessment will be the following - present is \$25.72 changing to \$81.00\*\* per year.

In reviewing the proposed assessment sheet, Surveyor, Harvey Keller, reported an error which will reflect changes on the entire assessment sheet.

Sam Kessler moved and James Kirtley seconded a motion setting the yearly maintenance assessment at \$450.00 per year on the Edward Dykes Drain. Motion unanimous.

Sam Kessler reported Attorney, Jim Ayres, will send a copy of the ruling to the Drainage Board regarding a drain in Ladoga vs Debbie Priebe, landowner.

The Board signed 2 encumbrances:

Charles McFarland Drain \$1253.13 (Watkins Const)

Chrineyance-Schenck Drain \$19.97 (E.B. Foster)

The Board signed contract documents on the following drains: Isaac Linn - Wm T. Linn - George Nichols - Will N. Brown - John Ward - James Sanders & Joseph Ludlow Drain, E.B. Foster was the contractor.

Harvey discussed a report he had compiled on the Charles Schoen # 2 Drain. Several years ago a private line had been petitioned to become tributary #3 of this drain. A hearing was held November 2, 1981. But nothing further was done. (refer to drainage minutes of Book 3 page 151.) Tributary #3 measures 4,890 feet. Harvey is to refer this information to landowner, Bob Hodgen, and also the maintenance assessment will change.

Harvey reported on the status of the following drain petitions:

- (a) James Sanders Drain  
Petition out to reconstruct and to add 1 mile of drain to the present line.
- (b) William Yelton Drain  
To reconstruct and maintain  
Petition accepted October 1982.

*James M. Kirtley*  
*Samuel Kessler*  
*Richard M. Shaper*

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February 26, 1990

- (c) Walter A. Schoen Drain  
1.5 miles of drain  
petition out and not returned.
- (d) Phillip Dewey Drain  
approximately 1 mile.  
petition out and not returned.
- (e) Levi Hawkins Drain  
tile in very poor condition  
1/4 mile of 18 inch tile needs replaced.  
petition out - not returned.
- (f) Edward Berry Drain  
petition to reconstruct and maintain  
petition received December 18, 1989.

The board ask for a copy of the plat (of the County land fill property) showing the lines Surveyor, Don Yount, had set and get a figure on the acres.

Harvey reported he has done 22 ditch inspections in the past 2 weeks.

The Board approved the minutes of January 22, February 5 and February 12, 1990 meetings.

There being no further business, Chairman, James Kirtley, recessed the meeting 3:15 P.M.

\*\* Mr. Bryant of the Edward Dykes Drain will pay \$70.19 per year maintenance assessment.

James M. Kirtley  
Samuel Kessler  
Robert M. Meyer



Report on Clifford Bryant

Mr. Bryant came into the Surveyors Office Thursday, February 22, 1990. The Secretary, 1st Deputy, Larry Utz, and Mr. Bryant went over the drainage receipts that Mr. Bryant had brought with him.

Receipts were as follows:

1986	Martin V. Young Drain Paid	\$10.00
1987	Martin V. Young Drain Paid	\$10.00
1988	Martin V. Young Drain Paid	\$10.00
1989	Martin V. Young Drain Paid	\$10.00
1989	Ed Dykes Drain (spring) Paid	\$12.86
1989	Ed Dykes Drain (fall) Paid	\$12.86

Mr. Bryant feels that his assessment is "too high"

I had researched a few days before Mr. Bryant came in the following items:

Edward Dykes Drain # is 614

This drain was not in the computer print out sheet for 1988. Meaning it was not on for collection in 1988.

In 1977 Settlements were	Spring	\$113.94
	Fall	\$ 36.06
	Total	\$150.00

In 1978 Settlements were	Spring	\$113.94
	Fall	\$ 23.20
	Total	\$137.14
		Short \$12.86

In 1979 Settlements were Spring \$ 14.15 Meaning who ever did not pay in 1978 paid in 1979 the \$12.86 plus a penalty.

In 1989 Settlements were	Spring	\$ 86.97
	Fall	\$ 64.19
	Total	\$151.16

This ditch has only changed in amounts \$1.16 since 1968. And this increase was due to a split. Bringmans property changed the amount. In order to keep the total amount at \$150.00 Bringmans would be paying less than \$3.00. And the Indiana Statutes state that a MINIMUM assessment is \$3.00 per year.

End of report.

*Lee Ed* Secretary

February 22, 1990.

MONTGOMERY COUNTY DRAINAGE BOARD  
March 12, 1990 2:00 P.M.

The Montgomery County Drainage Board met Monday, March 12, 1990, 2:00 P.M., Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Deputy Auditor, Janet Harris, Surveyor, Harvey Keller; Highway Superintendent, Gordon (Bud) Holloway; Contractor, Jack Jones and Fountain County Highway Superintendent, Walt Wilson.

Chairman, James Kirtley, called the meeting to order.

Surveyor, Harvey Keller, reported problems on the Boswell Clough Drain, located in the New Richmond area. Drain was reconstructed 1938. Items discussed were as follows:

- a) The soil had eroded around a 20" metal CMP pipe and said pipe was ready to fall into the ditch. The pipe was removed and 60 feet of tile replaced. The tileout direction was rerouted and moved further upstream. Now 60 feet of tile goes to a right angle to Coal Creek.
- b) Checked the catch basin. Water here was bubbling up due to heavy rain fall over the week-end.
- c) The outlet is made up of two 15" tiles and a 10" private line joining into one 15" tile.

Surveyor recommended the following:

- a) Landowners petition to reconstruct.
- b) Replace and redo the last 1/2 mile of this drain.

This drain is approximately 13,000 feet in length. Formula shows a 24 inch tile should be used. The Vice-Chairman, Sam Kessler recommended using plastic tile. The fund account shows a balance of 0.

Harvey offered to meet with landowners and further discuss this drain and its problems. Harvey specifically wanted it noted that he strongly advises doing something about this Clough Drain.

Member, Bob Thayer, stated he was going to attend New Richmond Town Board meeting tonight and they would be discussing this drain. At this meeting he will suggest a petition needs to be carried.

#### Phillip Dewey Drain

Jim Clark, Manager of Halderman Farms, is carrying a petition to extend and reconstruct the northern portion of this ditch.

Mike Spencer, Surveyor of Tippecanoe County, Harvey and Stuart Kellerman, meet on the Dewey Ditch to discuss future plans. Depending on the length they set for a legal drain. This drain could possibly be a joint drain with Tippecanoe County.

Mike Spencer sent a map to Harvey which was reviewed by the Board at this meeting.

Any extension of this drain would immediately effect the following drains - Henry K. Lee - John Gobin - Sarah Kincaid - Thomas Wilkins and 2 open channels un-named.

Mike Spencer has 9 drains included in this watershed, but they are assessed on an individual basis. Landowners are expressing agreement to proceed a mile into Tippecanoe County. Drain could be known as the Dewey-Lough Drain.

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James Hose Drain.

- a) a lot of water is standing.
- b) There is heavy brush at the drain outlet at the railroad track.
- c) Harvey suggested increasing maintenance assessments.
- d) Harvey ask the Board to obtain a loan so some work could be done.

Sam Kessler stated that a loan would be obtained after all hearings were held and the contractor bid was awarded.

Harvey reported that at present 14 drains are in the process of being repaired under maintenance.

Timothy Lane Drain

Harvey has meet with Conrail Railroad reps at the ditch site.

There is 125 feet of broken tile on Tributary # 1 (it is a part of the legal drain). And the following was discussed:

- a) Will leave the old Interurban bridge standing.
- b) Where the tile outlets now - cut an open ditch, bypassing the Interurban structure and running to the main ditch. This would be going then in a southerwesterly direction.
- c) General location is adjacent to Buzz Feltner property.

John Gobin #2 Drain

The boring company suggested moving the tile 800 feet south of the present location. (This was not a feasible idea).

Harvey and his staff probed 900 feet of tile on the southeast side of Highway 231. They were trying to find he lowest point to install a breather.

It was discovered that the tile runs uphill. The soil cover is anywhere from 8 inches to 4 feet. The tile is not running full of water. Harvey recommended installing a breather.

Jack Jones is doing some repairs on the Joel Tobin Drain, located 350 South and Ladoga Road. Jack is going to clear 1300 feet of brush. The work will be done up to the railroad track. This will relieve pressure on the tile at the headwall. As soon as weather permits the dipping out will start.

William Epperson drain

Harvey has shot levels on this drain in preparation for cutting a new channel north and east to the railroad on the east side of 400.

Harvey reported he and his staff had attended Road School at Purdue University.

Most equipment was very high tech. Section corners are being found by satellite and computer systems.

Harvey ask for the Boards support when he goes before the County Council to request additional appropriations for a Theolidite and E.D.M. laser.

With this equipment not only would work time be cut ;by 50% but measurements would be most accurate. He went on to state he plans to set permanent monuments measuring 4 inches in diameter and 36 inches deep.

He plans to hire 2 summer employees for monumenting section stones.

March 12, 1990

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The Board discussed a letter Harvey had received from Mr. Melvin Howell. Mr. Howell lives on Old 55. and Interstate 74. Sam Kessler recommended Harvey write a letter and include a map of Mr. Howells property and further explain the water problem.

There being no further business, Chairman, James Kirtley, recessed the meeting. Time 3:00 P.M.

James M. Kirtley  
Samuel Kessler  
Richardson Brown

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MONTGOMERY COUNTY DRAINAGE BOARD  
March 26, 1990 1:40 P.M.

The Montgomery County Drainage Board met Monday, March 26, 1990, 1:40 P.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt and the following landowners; Bob Hodgen, Marion Kiger, Hugh Schoen, Darrell Hodgen, Steve Emmert and Eugene Johnson.

1:40 P.M. Chairman, James Kirtley, called the meeting to order.

The Walter Schoen Ditch was discussed. This drain is classified reconstruction. Landowners have paid (by mutual agreement) to have part of this drain dredged (work is completed) The work done included dredging - clearing of brush and repairs were made on the headwall. Landowners have expressed they want this drain (Walter Schoen) placed on maintenance assessment, not the open drain but the tile portion.

Bob Hodgen presented photos to the Board showing water crossing county roads at 700 East and 850 North (called Reid Paddock corner). Steve Emmert stated that water was also crossing the road on 800 East (approx 1/4 mile) south of the intersection of 750 East and 800 East. Water at Paddock corner is surface water from the Walter Schoen Drain. Mr. Hodgen stated the culverts are not large enough to carry the water. Mr. Hodgen feels that the culverts are restricting 2 feet of water flow. Water in Potato Creek was 2 feet lower than the water on the road.

Mr. Hodgen went on to discuss relocating a legal tile drain. He was advised that this action needs to be filed with the Surveyors Office and landowners also need to be notified of such action.

Mr. Hodgen ask if a natural waterway is a legal drain? Case being on Charles Schoen Drain #2. A waterway runs on top of a tile line. Attorney, Don Schmidt stated the tile is a part of the legal drain but the waterway is not. Waterways are under the jurisdiction of the Soil and Water Conservation Service.

As in any drain the watershed map and the ditch petitions need to be carefully studied to see what makes up the legal drain. Sometimes tributaries are included and sometimes not. Depending on what is stated in the petition and surveyors report.

Mr. Bob Hodgen carried a petition to add a 3rd tributary to the Charles Schoen #2 Drain. See drainage minutes of November 2, 1981 (copy attached). In the minutes it is discussing the same problem he had this year. No changes were made on the ditch map. On the map it is still called a private tile. The Board will discuss this with County Surveyor, Harvey Keller, before making a recommendation.

March 26, 1990

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Mr. Eugene Johnson discussed the John McLaughlin Drain. He ask if this drain could be placed on maintenance assessment? Without calling a meeting (involving Tippecanoe and Clinton Counties this Board can only make decisions & recommendations for property located in Montgomery County. The Board stated a petition needs to be carried. This petition could specify maintenance for Montgomery County. Mr. Johnson stated he will not carry a petition. He also went on to discuss that much work has been done on this drain.

There being no further business, Chairman, James Kirtley, recessed the meeting. Time 3:00 P.M.

James M. Kirtley  
Samuel Kusler  
Robertson Shays

MONTGOMERY COUNTY DRAINAGE BOARD  
April 2, 1990, 1:30 P.M.

The Montgomery County Drainage Board met Monday, April 2, 1990, 1:30 P.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller; and the following property owners: Horace Tomey, Lucile Gilstrap and Steven J. Voliva.

Vice-Chairman, Sam Kessler, called the meeting to order.

Mr. Tomey was here to discuss water problems re: Shelley Drain. He presented a diagram and photos of the area of his residence and the newly constructed condominiums (named Montgomery Place). General location is southeasterly from the intersection of Highway 32 East and 47 North. The diagram presented showed streets, location of houses, the original location of Shelley Drain and the new location of the drains installed on Montgomery Place property.

Since the construction of Montgomery Place the water flowing onto Tomeys property has greatly increased.

Items reported were as follows:

- a) Contractors have moved the original Shelley Drain and rerouted same. This was done without the consent of the drainage board.
- b) Contractors reported that they had cleaned out an 8 in tile line of the Shelley Drain, when it fact the main line is a 15 inch tile.
- c) Reported they would build an earth dam. They have made no attempt to do this.
- d) Filled the building area with 3 to 5 feet of soil.
- e) In this area there are 3 - 24 inch pipes & 1 - 12 tile tied into one 36 inch pipe.
- f) June 5, 1989 Tom Dawson of Montgomery Savings and Monty Harris, Attorney ask that the Board reduce the legal drain right-of-way from 75 feet (either side of tile total 150 feet) to 25 feet with option to build within 10 feet of the right-of-way. Board denied this request. (Book 4 pages 122 & 126).
- g) Montgomery Savings ask permission from the State Highway Department to run an open drain along Highway 32 right-of-way. This request was denied.
- h) Shelley Drain tile runs 1/2 full of water even in very dry weather.

Shelley Drain - drains a very large portion of the East side of the city, some of the areas involved are: John Beard School, Cloverdale Apartments, Meadow Wood Apartments, B & D Lumber, Eastern Acres, Countryside Plaza, Raymark, Green Acres Sub-division.

Water problems in Eastern Acres (which is part of the Shelley Drain) have been discussed before. Landowners voted against reconstruction of this drain.

County Surveyor, Harvey Keller, reported he had approached the City about maintaining this drain. The city refused.

Attorney, Don Schmidt, ask how this drain was classified? It is classified reconstruction but it is also a legal drain, located in the city limits.

Mr. Tomey ask what he could do to get relief from the water problems. He has keep the waterway mowed and very well groomed for approximately 30 year.

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County Attorney, suggested a temporary injunction. This would promptly get the owners (Montgomery Savings) attention.

The Board stated when a drain is classified reconstruction, (meaning assessments are not collected) there is not much that the Drainage Board can do. But the Board did ask that Mr. Tomey keep them informed as to how things work out.

Vice-Chairman, Sam Kessler, reported Ed Saylor ask what the County Surveyor was doing on Coreys property on Plank Road. Harvey reported he was checking & probing for drainage problems relating to Clearview Addition and Foster Fletcher Drain. There are 7 field tile in this area ranging in size 6 to 8 inches. He recorded 15 feet of fall in this area. Mr. Saylor had accused Surveyors Office of private work on company time. Not so.

Surveyor reported on the following drains: Joel Tobin and Timothy Lane. meet with the utility reps from the railroad and Sprint Company.

Joel Tobin Drain:

Jack Jones, contractor, has finished work, cleared brush & placed 56 tons of rip-rap. This fall the banks will be sprayed.

Timothy Lane Drain

The railroad had dumped old railroad ties on the railroad right-of-way, blocking water flow on a tributary to this drain. Said tributary is a part of the maintained drain.

Age & time have destroyed approximately 125 feet of tile. This will be replaced by 40 feet of 15 inch tile, bypassing the box structure and outletting into an open drain. Watkins Construction have done this work.

Charles Bronough reported an obstruction to the drain. Railroad would not grant permission to go on railroad property. Railroad brought in their own crew and equipment and cleaned out the problem area.

Ron Taylor has signed the contract to begin work on the Epperson Drain.

Harvey presented 2 petitions to the Board:

- a) Levi Hawkins Drain - petition to reconstruct (drain is already on maintenance). 345 acres signed petition.
- b) Phillip Dewey Drain - petition to extend and reconstruct. Said extension is from 1100 North to Tippecanoe County line. Tippecanoe County landowners want this drain extended approximately 1 mile into Tippy County. Harvey reported that a joint drainage board would need to be formed. Montgomery County having the majority of acres.

Tippecanoe County Commissioner, Bruce Osborn, called the Surveyors Office, requesting an updated property owners list for John McLaughlin drainage area. Attorney, Don Schmidt, ask if there were any additional tiles that need to be included in McLaughlin Drain watershed?

Charles Schoen Drain #2

It has been concluded that tributary # 3 is a part of the legal maintained drain. It had not been recorded in the drainage records & meeting minutes as such.



April 2, 1990

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Bob Thayer moved and Sam Kessler seconded a motion to place Charles Schoen # 2 Drain tributary #3 under maintenance assessment. The legal drain now consists of the main line and three tributaries. Motion unanimous.

Debbie Priebe property in Ladoga was discussed. Harvey restated that there are no legal drains in this area. Attorney, Don Schmidt, will correspond with Attorney, James Ayres, informing him of the same. Ms. Priebe is being represented by James Ayres.

Harvey Keller reported work on the following drains:

James Hose Drain.

a) Water in main line is running swift but tile running at 1/2 capacity.

b) old town tile - water is moving very slow.

Surveyor recommended the following items:

a) clear 1 acre of heavy brush - north side of the railroad track.

b) cut trees in this same area.

c) clean out the tile (i.e. jet spraying)

d) spray tree stumps.

Summer plans are to hire 2 part time employees to monument section stones.

Harvey attended a Monsanto seminar at Indianapolis and he gave a short speech. Monsanto is going to use this county as a model county and they will select 2 drains for their spraying project. This will be done at no charge.

There being no further business, Vice-Chairman, Sam Kessler, recessed the meeting. Time 3:00

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*Samuel Kessler*

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*Robert M. Morgan*

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MONTGOMERY COUNTY DRAINAGE BOARD  
May 7, 1990, 1:30 P.M.

The Montgomery County Drainage Board met Monday, May 7, 1990, 1:30 p.m., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Second Deputy to the Surveyor, Nancy Jones; and the following property owners; Horace Tomey, Lucile Gilstrap, Durbin Mitchell, and Melvin Howell.

Chairman James Kirtley called the meeting to order. Melvin Howell, who lives off of Interstate Highway 74 and old state road 55, was there to discuss water problems with his duct work. He said he has water in the duct work and that his foundation is also damaged.

Sam Kessler told Mr. Howell we have been there before to check out his problem. Sam did not think it was a legal drain. Melvin stated that he pays on the Sanders Drain, so he wants to know why he pays on this drain if he is not going to benefit from it. Sam said if he is indeed on the Sanders Drain he should benefit from it. Melvin said a law suit is next if he can not work this problem out with us.

Durbin Mitchell next reported that he thinks his ditch is either Raymond Weliever or Glennard Miller, which is  $\frac{1}{2}$  mile west of Interstate 74. He said he spoke to Larry Utz and Larry told him to be at this meeting today. Sam set up a meeting for Monday, May 14, at 1:30 p.m., for Mr. Howell and Mr. Mitchell.

Horace Tomey, who resides at #8 Eastgate Drive, Crawfordsville and Lucile Gilstrap were there to discuss the Shelly Drain. Mr. Tomey said that he and Lucile are on the Shelly Drain and are having lots of water problems ever since the Condominiums were built. The Montgomery Savings Association did not notify them about work around their area on the drain. He said five people were against the work, but no one would listen to them. He also said that Tammy Baretto said that no plat maps on drainage had to be filed. Shelly Drain is now plugged up behind the Condo's. Tomey further stated that he has talked to some of the landowners on Eastern Acres and the ones he talked to said they wouldn't mind being assessed on the Shelly Drain if they would benefit from it.

Sam told Mr. Tomey that we need to set up a meeting with lawyer Don Schmidt to see if an ordinance may be planned. Bob Thayer asked Mr. Tomey if Don Schmidt talked to him about a temporary injunction. Mr. Tomey said that Don Schmidt said he thought he could get one. He also said if he had to do that he would get a lawyer out of town and that he was not going to back off on this problem.

Sam then set up a meeting on Tuesday, May 29 at 1:30 p.m. with the Shelly landowners and Lawyer Don Schmidt. He stated that we need to check the statute on the legal part to see if anything can be done with this problem on the Shelly Drain. Mr. Tomey added that part of the problem involved the Cloverdale Heights Add.

The meeting concluded at 3:30 p.m., there being no further business, the meeting was adjourned.

James W. Kirtley  
Samuel Kessler  
Robert M. Thayer

MONTGOMERY COUNTY DRAINAGE BOARD  
May 14, 1990

The Montgomery County Drainage Board met Monday, May 14, at 1:30 p.m. in Room 103 of the Courthouse Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller; First Deputy, Larry Utz; and the following property owners: Melvin Howell and Durbin Mitchell.

Chairman, James Kirtley, called the meeting to order.

The JAMES SANDERS Drain was discussed first. Harvey showed a map to landowner, Melvin Howell, who discovered water in his area. Mr. Howell stated there is a hole in a tile. The damaged tile, however, is not part of the legal drain. The assessment pays only for the legal drain. A petition from landowners could make it a tributary, Harvey said. On the problem near the pond, Mr. Howell showed pictures of flooding. Mr. Howell stated he hired an attorney from Indianapolis concerning this matter, and he referred him to this board. According to the attorney, Mr. Howell said another 300 ft. on the ditch could take care of the problem or putting in a larger tile. Landowner, Charles Graves has flooding also, Howell said. Harvey said maybe when I-74 was built a tile was cut. Howell said one of Charles Grave's tiles is cut and that repairing this tile would also drain Graves. Harvey said this could be handled privately, since it is not part of the legal drain.

Howell said he has damage to his duct-work and foundation of his home. Howell said the ditch should be dug deeper and a pipe put in a side ditch. The Sanders Drain has a petition that has passed to rework the open ditch to Road 500 W. The Sanders tile is in good shape with exception of one area near I-74. (Water overflow from Howells area drains into the tile.) Mr. Kirtley asked if replacing the broken tile would solve the problem? Howell said yes, but further stated that landowner, Mr. Knowling, had plowed it over before. Sam Kessler stated that we aren't responsible for any tributaries unless they are marked part of the legal drain. Harvey said this is true. Mr. Howell said his attorney told him I-74 should have built an escape tile or ditch, but they did not. Harvey said the one who built I-74 are, therefore, responsible, and further stated that Mr. Lyon had us come out this winter. He had three private drains and I didn't work on any of these either.

Mr. Kirtley asked how then can Mr. Howell handle this? Mr. Howell answered that he would have to file a lawsuit. Harvey said his hands are tied because it is a private tile. Howell said, "I could damm it (the tile), and flood old state road 55." He then asked if we could put a tile on Charles Graves property, under the side ditch? He said this would solve everything and would be simple. Harvey said this is a County Highway Road. Sam Kessler then said we could put a sewer across the road, but not in the ground for privately owned properties. We have been asked by many property owners to do this--we can not.

Mr. Thayer asked if Harvey had dug out in this area before? Harvey said they flagged an area, dug, but never saw a tile. Russ Nelson looked for one along with Gordon Holloway. Mr. Howell said he saw a small one (6"), but it wasn't hooked into anything. Sam Kessler said that we can't legally solve this problem.

May 14, 1990

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Mr. Kirtley asked for a statement of what could be done. Sam Kessler said the state should put in a ditch from this to the James Sanders Drain because it isn't the county's responsibility. Harvey said that if Mr. Knowling is damaging private tile, that Mr. Howell could then take matters against him privately.

Harvey reported that the James Sanders Drain was built in 1903 and that it has never been reconstructed. There is a petition to extend it as an open drain--which would help Mr. Howell somewhat.

Mr. Kessler said for Mr. Howell to go back to his attorney. We cannot help him. Sam Kessler then asked Harvey to survey this whole area. Mr. Howell asked us to send him a letter of our findings. Harvey agreed. Harvey did say that the Sanders Ditch Fund cannot pay for this, however. Harvey told Mr. Howell he would get out there this week, but concerning the problem behind his house with the damaged tile, this is between he and Mr. Knowling. Mr. Thayer said we would get back with Mr. Howell.

Mr. Kirtley asked what other business was on the agenda. Property owner Durbin Mitchell was there to discuss the RAYMOND WELLIEVER DRAIN. Mr. Mitchell asked who came out and looked at it. Larry Utz said he did. Mr. Mitchell reported a tile hole and that water was washing his field and fence. Sam Kessler said that we could clean the side ditch, but can't interfere with the waterway. The Soil Conservation Service would have to do that. Mr. Mitchell said there was a waterway at one time, but that Pete Evans, a previous property owner, plowed it up. Harvey said he could talk to him (Evans) about it. Durbin Mitchell said he plowed up two waterways, in fact. Mrs. Mitchell showed Larry Utz photos of the area in question. Sam Kessler said even if we were to clean the ditch, that the next rain would wash it out again. Harvey and Larry discussed this.

Larry Utz asked if Mr. & Mrs. Mitchell had talked to Wayne McCutcheon? Mr. Mitchell said his son, David, had. Larry and Harvey agreed to contact Wayne McCutcheon, the Soil Conservation Service, and David Mitchell regarding this matter. Larry showed the photos to Harvey.

Harvey said that there is a breather that is part of the County Tile. If it is eroded, we could repair that. After looking at the photos, he reported that it is considerably worse than since they had been there last.

James Kirtley asked what other business was next on the agenda.

Surveyor, Harvey Keller, requested that he and attorney Don Schmidt meet to draw up a new maintenance contract for drains, which would include estimates on backhoe & labor, hours worked, itemizing materials, and having contractors call the Surveyors Office on days they are to work. Harvey said the existing contract is too vague, that contractors bills are becoming too expensive and that they are inconsistent on charges. Sam Kessler agreed with the need to do this.

Harvey said he would like to have a contract that would be fair to both parties. He said that while some contractors are fair, some are not. We have looked at some other county's contracts and may be able to adopt one that is workable for us.

May 14, 1990

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Harvey then reported on drains that are up for Reconstruction. The ALBERT HYSONG DRAIN was first up for discussion. There is a problem about the money being collected on this drain. Some landowners have never paid on this drain. Sam Kessler said it is up to the county officials to collect it. We will investigate this matter further. The LEVI HAWKINS DRAIN, north of Waveland was discussed next. We have taken all the shots on tile of 1300 feet and new outlet 15 and 18 inch tile. We will continue to draw up plans. There is no status change on the WILLIAM J. YELTON DRAIN. All of the shots have been taken. We can work on the Yelton as soon as plans are finished on the HAWKINS DRAIN. Harvey said we haven't heard anything from Clinton County on the JOHN MCLAUGHLIN DRAIN.

On the JAMES HOSE DITCH in Linden, we have a proposal in progress. We will start work on clearing trees and opening up the tile. At the outlet, water is backing up. At Robert Horneys house, on the upper end, Larry said the catch basin is full and backed up--that is the old town tile. Larry said it is over half full of dirt. It must be jetted out. Harvey said the assessment must be raised, there has been so much water and so much damage done. Larry Utz reported that some tree roots could be involved behind the tavern. We will keep an eye on it. Harvey said we would write to the Linden Town Board regarding this matter.

Harvey then reminded the board of presentation by ACCS. This presentation is about a new computer system for the Surveyors Office.

Ron Taylor has almost completed the reconstruction of the WILLIAM EPPERSON DRAIN. Harvey added that we did have to clean out 300 more feet on this drain. He showed photos of this problem. There is almost a waterfall about 200 feet above where they worked last year. Harvey made a change order form on this matter. Sam Kessler then asked Auditor Nelda Hester how much money was left for this drain. She did not know, but Kessler thought it was about \$5,000. He said that down by Dennis Strasburgers property, there is too steep a slope. Nucor flushes overflow water into this drain and the water rises almost one foot as a result.

There being no further business, the meeting was adjourned at 3:30 p.m.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

MONTGOMERY COUNTY DRAINAGE BOARD  
May 21, 1990

Members of the Montgomery County Drainage Board, Auditor, Nelda Hester; members of the Montgomery County Council, Stoney McGaughey, and Surveyor, Harvey Keller met on Monday, May 21, 1990, at 1:30 p.m. to witness a demonstration from ACCS in Frankfort, Indiana, about a new computer system.

After completion of the demonstration, the members of the Montgomery County Council asked Mike Kirby from ACCS, for an estimate of the cost of payments on leasing such a system.

Surveyor, Harvey Keller, needs to present a letter to the Council asking them for permission to lease with an option to buy a computer system worth in excess of \$22,000.00 over a 3-5 year period. ACCS agreed to send Harvey the detailed figures on such a plan.

After the demonstration, the Montgomery County Drainage Board conducted some business. First discussed, was the JAMES HOSE DITCH. Harvey said they are starting work on the north side of the Railroad tracks. The tile there was at least three fourths full of water, the water coming out of the tile was just a matter of inches. There were two bids sent out concerning this problem. One to Watkins Construction and one to Cain Brothers, with Watkins Construction winning, with the lowest bid of \$2,380.00.

The approximate length of the tile is 330 ft. Harvey stated that they would be clearing trees and brush on the north and south side up to the Northfield Addition. He said they would open it in several spots and inspect it. He suspects some tiles were cut when the sewage system was put in, and said it would be necessary to open it to see.

Mrs. Parker from Linden has contacted the Surveyor and Commissioners about a problem on her property in Linden. There is a hole under her garage floor. It is caused from a tile hole in the Hose Drain. The home was built over the tile.

Sam Kessler asked Harvey to get a bid on how much it would take to fix this problem. He stated, however, that a landowner cannot build on or over a tile and that the County cannot be liable if the garage does cave in.

Bob Thayer suggested that Harvey go around the garage with the new tile. Sam Kessler said to fill the old tile with gravel and reroute the new tile around the garage. Bob Thayer asked Harvey to call Mrs. Parker and inform her of these plans.

The next problem discussed is in Big Four Arch sub-division at #1705, where Mr. Elmore, who resides there, reported a drainage problem. Bob Thayer said there is an underground spring out there, that perpetuates the drainage problem, and that there has been a problem there before. Harvey said he would go out and take a look at it and that he would investigate any past problems in this area. Sam said that we should have an ordinance passed that any sub-division should be inspected by the surveyor. Bob Thayer agreed that these laws should be upgraded.

There being no further business, the meeting was adjourned at 4:00 p.m.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

MONTGOMERY COUNTY DRAINAGE BOARD  
May 29, 1990 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, May 29, 1990, 1:30 P.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were as follows:

James Kirtley, Chairman; Sam Kessler, Vice-Chairman; Bob Thayer, Member; Don Schmidt, Board Attorney; Harvey Keller, Surveyor; Honorable Phil Michaels, Mayor(2:10 P.M.); Sue Miller, City of Crawfordsville; Horace Tomey, Robert Shaw, Roberta Snyder, Guy McCance, Sanford Boraker, Eddie Morpew, Lucile Gilstrap, Charlie Saylor and Mike Whitecotten; Mark Runkal, Woolpert Consultants of Indianapolis and Pat Cline, reporter for Journal Review.

Chairman, James Kirtley, called the meeting to order.

Landowners were here to discuss the William T. Shelley Drain.

Surveyor, Harvey Keller, reported the following:

Shelley Drain was constructed in 1909.

Consists of 543 acres.

Length is 23,070 feet of tile.

This drain has been classified as a legal drain.

Drain begins approximately at Elmore Street and 200 East.

Drain eventually outlets behind Raymark as an open drain at the Railroad tracks.

A petition was carried by Mr. Mead, but landowners voted against this.

There are structures built over this drain, also trees & shrubs.

The county approached the city to take over this drain, and the City has refused.

A legal drain can be located inside the city limits, without the City taking responsibility to keep it in good repair.

Vice-Chairman, Sam Kessler, reported that a petition can be filed with the Drainage Board if it contains the signatures of 10% of the acres in the involved watershed.

But to be reconstructed a drain petition must have 51% of the acres in agreement.

Other items discussed were:

(a) Building a storm sewer line from Traction Road to 32 East.

(b) The drainage problems get greater as more buildings are being constructed. When this drain was originally built it served its purpose which was to drain farmland. But with the growth of the city of Crawfordsville, the drain is not large enough to serve as a storm water system and farm drainage.

(c) Building done without authorization. In particular Montgomery Place Condominiums. (owned by Montgomery Savings Association). M.S.A. did approach the drainage board before the building started. They ask the Drainage Board to reduce the drain right-of-way from 75 feet to 10 feet. The Board denied this request. Both parties agreed to a 25 foot right-of-way. The Shelley Drain was rerouted from the woods behind the First Baptist Church, located on 32 East, in a northerly direction to 32 East.

Attorney, Don Schmidt, reminded Mr. Tomey, of his previous legal opinion which was:

May 29, 1990

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- (1) get a temporary injunction against M.S.A.
- (2) hire an engineer to study the water problem, then take the case to court and the county could be made co-defendants.
- (d) Harvey reminded landowners that our Office deals with legal drains that are on assessment. Work done on legal drains is with money that landowners pay to maintain a specific drain.
- (e) The work the city did on this drain was discussed. The Shelley was cleaned (water jetted) from Eastern Acres to State Road 32 East.
- (f) In dry weather the Shelley tile runs 1/2 full of water.
- (g) Landowners remarked that they need the Shelley Drain plus a storm water drain. They also ask if some water from (behind B & D Lumber & Shop Wright Grocery) could be re-routed in the side ditch of Traction Road to Walnut Creek (near Traction Auto Parts). The Surveyor reported that the side ditches are the responsibility of the County Highway Department.
- (h) Mr. Michaels stated that from Traction Road to State Road 32, the tile is too small. The tile should be at least 24 inch, maybe a 36 inch. Bob Thayer reported the tile in this area is a 15 inch tile and approximately 1/2 mile long.
- (i) Mr. Tomey ask if a retention pond would help relieve some of the problems. Attorney replied that an engineer should be consulted to answer this.

Mr. Tomey reported he would carry a petition. The Surveyors Office will provide a petition, a drainage map and a list of landowners. The Surveyor reported the list of landowners will take some time to put together.

2:40 P.M.

Mike Whitecotten was here to discuss an addition to the east side of Twin Oaks Subdivision. The addition consists of approximately 4.5 acres or 9 building lots. This area is drained by a 15 inch tile. The subdivision will install the drain tile.

The Board requested the Surveyor to do a site inspection. The Surveyor agreed, but ask to review the plans and specification. The City Plan Commission Office has approved the plans.

Mr. Whitecotten will meet with the Board at 2:00 P.M., June 4 (Monday), 1990.

#### Melvin Howell Property

The Surveyor discussed the Melvin Howell property located on Old 55 North and Interstate 74. The Board requested the Surveyor to do a thorough field inspection and report on this water problem.

Attorney, Don Schmidt, will help the Surveyor to rewrite the contractor maintenance contract.

#### Epperson Drain

The Surveyor reported on the Epperson Drain. The reconstruction is finished. Ron Taylor is the contractor. Photos of the project was reviewed by the Board.

Due to heavy rains, the banks were reshaped and reseeded. The Surveyor, ask the Board to do a final inspection of this drain. A time and date was not set at this meeting.

A change order for \$3,000.00 was presented to the Board for approval. Board did not sign said change order at this time.

#### Jennings Bryan Miller Drain

The J.B. Miller Drain outlet was blocked and rerouted.

#### John McLaughlin Drain

Clinton County Surveyor, Neil Conner, called the



May 29, 1990

-conti-

Surveyors Office regarding the John McLaughlin Drain.

James Hose Drain

A tile hole was reported at the Parker residence in Linden. Said hole was at the edge of the foundation of the garage. Harvey opened the tile at the grate. After digging North, 3 active tributaries were found. The contractor, Chuck Watkins, dug to the South and found the Hose drain. The Hose Drain runs directly under the house. The contractor has rerouted the tile line in this area.

The Board stated we will not reroute any more tiles in Linden and pay from the drainage maintenance fund. Attorney, Don Schmidt, will research this further.

There being no further business, Bob Thayer moved and Sam Kessler seconded a motion to recess. Motion unanimous.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary

Montgomery County Drainage Board  
June 4, 1990, 2:00 P.M.

The Montgomery County Drainage Board met Monday, June 4, 1990, 2:00 P.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were as follows: Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller; Mike Kirby, Sales Rep from A.C.C.S, Frankfort, Indiana and Mike Whitecotten, of Twin Oaks Sub-division.

Surveyor, Harvey Keller, presented a site inspection report and a cross section map regarding the Melvin Howell property to the Board. Mr. Howells problem with water has nothing to do with a legal drain. Therefore there is nothing the Board can do. Harvey will be forwarding said report and map to Mr. Howell.

Surveyor, Harvey Keller, presented a written report to the Board re: Big-Four Arch Road Sub-Division. The Board has agreed to the following:

- (a) Place a pipe under the road (at an angle)
- (b) Dig out the side ditch on the North side of the road.
- (c) Highway Superintendent ask that Harvey be there when the work is being done.

Harvey presented a written report to the Board re: Twin Oaks VIII. Harvey ask that the Board concur with his findings, that there should be no major drainage problems in Twin Oaks VIII.

Bob Thayer moved and Sam Kessler seconded a motion to accept said report. Motion unanimous.

Mike whitecotten ask the Board for specifications for county roads. This is part of the county sub-division ordinance. County Auditor, Nell Hester, gave Mr. Whitecotten said ordinance.

Harvey ask Attorney, Don Schmidt, to contact him, as soon as possible, to review the maintenance contract forms.

JAMES HOSE DRAIN

Harvey presented photos to the Board, showing the town tile exposed, and the work performed.

Harvey reported when they went to connect the tile (from under Parkers house) the tile went uphill 9 inches. Contractor, Daryl Birge stated former surveyor, Russ Nelson, instructed him to tie in the tile line anyway. Board found it hard to believe that Mr. Nelson would do this. Harvey went on to report, he ran dye tablets (in the town tile) but could not find where it outletted. By this 9 inch rise in the tile line, water was backing up and boiling out on top of the ground, back 1 block.

Further digging found that under Parkers residence, it was not a legal drain but an old cistern. The legal portion of the drain is in the front yard.

Harvey ask who will be responsible for payment of this work? The County will pay for this one job only.

The Board recommended that if this problem occurs again, landowners will be instructed to remove the structure then we will fix the drain.

COMPUTER SYSTEM

The board ask several questions about the letter (regarding the computer) Harvey had written to the Commissioners and Council members. The Board wanted to review the figures.

Mike Kirby, ACCS representative, explained the following:

Total package is \$29,989.00

Security Abstract Company is willing to purchase \$7,000.00 of equipment. Leaving a balance of \$22,989.00

Lease plan with option to purchase: (lease based on 22,989.00). No Money down.

3 years	4 years	5 years
\$819.65/mo	\$654.50/mo	\$562.07/mo

If the first and last payment is made in advance the following figures apply:

3 years	4 years	5 years
\$797.26/mo	\$637.26/mo	\$547.37/mo

The Auditor, Nell Hester, reminded Harvey that he needs another letter making the figures more clear and simple to understand. Letter needs to be no latter than Monday, June 11, 1990 or before.

There being no further business, Bob Thayer moved and Sam Kessler seconded a motion to recess.

Time 2:28 P.M

Samuel Kessler  
Robert M Thayer

Lee Carl Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
June 25, 1990, 1:40 P.M.

The Montgomery County Drainage Board met Monday, June 25, 1990, 1:40 P.M., in the Commissioners Office, Room 103 Court House, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt and Surveyor, Harvey Keller.

County Surveyor, Harvey Keller, reported on the following:

(a) JOHN GOBIN DRAIN

Located at the railroad and North of the overpass on 43 North. A contractor had been hired to put in a breather. It was discovered that the tile is completely filled in. The contractor did not follow thru with the planned work. It was discovered that 40 feet of tile is missing. Harvey is to ask the State Highway if this line was rerouted when work was done on the highway. Landowner, Leland Faust, needs 1,000 feet of tile placed, tile is believed to be a private line, not a part of the legal tile system. The Surveyor will check further on the history of this drain.

(b) WILLIAM EPPERSON DRAIN

Harvey reported he had walked and inspected the entire ditch.

There are five areas needing rip-rap, approximately 483 feet, estimating 15 to 20 tons @\$1750.00. The Board discussed contract modification #3 needs to be drafted.

Bob Thayer moved and Sam Kessler seconded a motion to draft modification #3 and place the rip rap on Epperson Drain. Motion carried.

(c) LEVI HAWKINS DRAIN

A reconstruction hearing will be held, August 6, 1990, 1:30 P.M.

Location of the drain is 900 West and 850 South.

The estimated cost is \$41,104.86. The Board instructed Harvey to refigure the drain, leaving out incidental fees and the ditch spraying. Ditch spraying is a maintenance item.

(d) LYE CREEK

The brush removal is being done by E.B. Foster. Harvey reported he is doing an excellent job on this drain.

(e) WM. McCLAMROCK DRAIN

This is a tile drain to the road, then it is an open drain (500 ft in length) at the side ditch. E.B. Foster will start maintenance work as soon as he finishes on Lye Creek.

(e) EBENEZER McCLASKEY DRAIN

This drain has 1,450 feet of open part that Bob Hole would like cleaned. (no monies in the drain maintenance fund). Cains have offered to do the work (\$2,900.00) and wait on payment. Board Attorney, Don Schmidt, recommended work can not be done until money is in the fund.

The Surveyor discussed that we need money in the E. McClaskey and James Hose Drain. The Board discussed a bank loan for these two drain. The Board instructed the Secretary to prepare a report on these two drains. The bank loan will have to designate each drain (by name), monies anticipated to come in spring and fall settlements and length of time involved to pay off date.

(f) JAMES HOSE DRAIN

The Surveyor discussed clean out of this drains outlet. Willows are very thick at the outlet behind and Southeast of Northfield Sub-division.

Harvey recommended the following:

- (1) Have Watkins Construction clean out at the outlet.
- (2) Check septic lines and see if the legal drain has been tampered with.

(3) Trouble usually lies with the tile line known as the town tile.

The Surveyor discussed drains that need the maintenance assessments increased. Vice-Chairman, Sam Kessler, ask that Harvey prepare a list of such drains and begin procedures to do same.

The Board requested the Surveyor to set boundary markers at Breaks Cemetery.

(g) Big Four Arch Sub-division was discussed with Harvey reporting the following:

(1) Road r-o-w is 39 feet.

(2) Power poles are set 1 foot to right of line.

(3) side ditch is 6 feet on r-o-w.

(4) Going East to West the true center is 2.5 feet on center.

(5) The side ditch on North could make it work with 11 feet but Surveyor recommended 16 feet.

(6) Recommended recutting South side from 2 to 3 feet.

(7) Leave North side ditch alone.

(8) Harvey & crew shot 1/2 mile in length: recommended .5 cut every 200 feet.

(9) Sam Kessler ask if this road was recorded? Reply: r-o-w is 39 feet and this information came from County Highway Dept.

(10) Harvey reported he needs to figure the size of pipes for the driveway entrances.

(h) SHELLY DRAIN

The Shelly Drain and Montgomery Place Condominiums were discussed. Harvey presented pictures to the Board.

He reported that this drain would cost from \$200,000 to \$500,000.00.

(i) JOHN V. GALEY DRAIN

Harvey presented photos to the Board regarding the Galey Drain and Stevens property. Water runs from South to North and into Mr. Stevens field. There is no side ditch on North side of this road.

But Mr. Stevens is concerned about the south side of the road. After investigating Harvey found one driveway pipe that needs cleaning out. (South side of road is out of the drainage area.)

The Board approved the minutes of the meeting.

There being no further business, Bob Thayer moved and Sam Kessler seconded a motion to recess. Motion carried.

James M. Kirtley  
Robert M. Thayer  
Samuel Kessler

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

July 30, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, July 30, 1990, 1:30 P.M., Commissioners Room, Courthouse, Crawfordsville, Indiana. Those present were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; and Surveyor, Harvey Keller.

James Hose Drain

The Board discussed borrowing funds for repairs of the James Hose and Ebenezer McClaskey Drains. The total amount to borrow will be \$9,700.00. Hose Drain \$7,000.00 and the McClaskey Drain \$2,700.00. If their schedule permits, they will be finalizing this action this week.

Sam Kessler moved and Bob Thayer seconded a motion to secure loans in the aforesaid mentioned amounts. Motion carried.

Harvey reported there are 3 problem areas on the Hose Drain.

- 1) Area North of the railroad tracks - Watkins have quoted a price of \$2,380.00 and he can begin in 10 - 14 days.
- 2) Area near Vollmers & Hart property.
- 3) Area near the South side tavern.

The Civil Defense director, Dave Kadinger, offered the Surveyors Office the use of a camera, to help find blockage of the Hose tile. Mr. Kadinger stated that at this time he is in the process of training some volunteers to use this piece of equipment and this would be good practice.

John McLaughlin Drain

Tippecanoe County Commissioner, Bruce Osborn, called the Surveyors Office last week to discuss the McLaughlin Drain. Mr. Osborn reported that Clinton County's meeting to declare a portion of this drain a legal drain has been changed to mid August.

Harvey reported that he has all property owners updated and ready to go for Montgomery County.

William McClamroch Drain

Harvey reported, Contractor, E.B. Foster, has finished this project and moved on to the George Hutchinson Drain.

Board ask what E.B. charged. Charges range from 30 to 80 cents per foot.

Harvey reported that he is going to have E.B. go in on the open drains, clean out trees and brush, then the Surveyors Office will follow up with ditch spraying. We have a tentative contract with Chemi-Trol for 5,000 gallons of chemicals.

Oscar Stevenson Drain (Joint with Hendricks County)

The Hendricks County Deputy Surveyor called our Office and stated they were removing beaver dams. After further inspection, Montgomery County has beaver dams to be removed also. Larry Utz, talked to the Hendricks Co. Deputy Surveyor and stated that since Hendricks County has controlling interest to go ahead and do as they think necessary. Montgomery County portion is \$32.00 per year maintenance assessment.

Harvey reported that starting October 1, John V. Galey, Margaret Remley, Kenneth Hudson and Alfred & Thomas Taylor Drains will have a hearing to revise maintenance assessments.

October 15, a hearing will be held to revise maintenance assessments on James Hose, George Kendall, Rebecca Miller-Brent White and Joseph Hall Drains.

November 5, hearing to reconstruct the William Yelton Drain and revise maintenance assessments on James Sanders and Phillip Dewey Drains.

Morris Berry and Jim McCutchan are asking that the Clarence Widener Drain be extended.

The board discussed the water problems on Big Four Arch Road Addition. Mr. Kessler discussed it would be far better if there was a legal drain installed. Using any where from 24 to 30 inch tile. Run the tile line across the back of the housing addition on the South side of road then direct water via large culvert under the road to the North.

Harvey reported with more and more housing developments being constructed, he would like to attend classes and seminars dealing with this. Board concurred with this idea.

Bob Thayer moved and Sam Kessler seconded a motion to recess the meeting. Meeting recessed 3:18 P.M.

James M. Kestley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
July 16, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, July 16, 1990, 1:30 P.M., in the Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Member, Bob Thayer; 1st Deputy Surveyor, Larry Utz and landowner, William L. Vollmer and reporter from Journal Review, Glen Cumbarelis.

Chairman, James Kirtley, called the meeting to order.

JAMES HOSE DRAIN

Mr. Vollmer was here to discuss the Hose Drain. Vollmer lives at Water & Meridian Street, in Linden. Water has been standing on 3 sides of Vollmer's home. The crawl space also has standing water, approximately 2 inches. Larry reported the Hose tile is located at the corner of Vollmers house.

Mr. Vollmer went on to discuss the following:

1) Ask if something had changed in the tile line as water is getting away slower? Board reported not to their knowledge.

2) Discussed the perforated tile that had been put in on Harts property (located behind Vollmers) Vollmer thinks water is getting away slower, since this pipe has been installed. Board replied an obstruction could be further up the line. The Chairman instructed Larry to investigate and report back to them. Larry will go to Linden Tuesday (July 17).

3) Vollmer reported that at the outlet one of the 18 inch tiles is running only about 1/2.

4) Mr. Vollmer presented a drainage map that Harvey, Montgoemry County Surveyor, had sent him.

5) It was suggested that Mr. Hawkins, an environmentalist from Lafayette, do a study of this. Problem is who would pay his fee.

6) Mr. Hart wants to place fill dirt and build his lawn up but is afraid of making his neighbors angry, knowing this would divert the water on to adjoining properties.

7) Member, Bob Thayer, reported that probably the only way to solve Lindens problems once and for all would be to lay a new tile line and property owners would not be happy as this would be a very costly project. Bob also stated he is very concerned with the spongy lawn (at Vollmers) near the side walk.

EPPERSON DRAIN

The board signed the contract modifications on the Epperson Drain. Ron Taylor was the contractor.

This money is coming from the Nucor Fund.

There is a drainage problem involving, Nucor, Estel McCloud and Louis Fellows. Mr. McCloud doesn't want anything done. Larry is to meet with Dave Sulc & Joe Cox to discuss if a new tile line would be beneficial. Then Larry will discuss options with the Drainage Board.

LEVI HAWKINS DRAIN

Larry reported a reconstruction hearing is to be held August 6th, 1:30 P.M. Harvey has been contacted by Mr. Rosentreter. Rosentreter says their acres drain another direction. A field check will be done to verify this.

WM. McCLAMROCH DRAIN

E.B. Foster is doing some work on this and drain looks very good. E.B. is using his new machine.

In October Harvey is planning to call hearings to raise drainage assessments on 26 drains.



Cargill of Linden is wanting to clear an open drain that eventually goes to the John Gobin Drain. First they are going to test the water for harmful chemicals. If none are found then they will proceed with the cleaning project and they ask if the county would provide a place for the dirt to be hauled. Mr. Kirtley stated we could surely find someone to take the fill, someplace close to the area would cut down on the haul bill.

The Secretary presented a financial report on the James Hose and Ebenezer McClaskey Drains. The Board discussed this report:

<u>James Hose Drain:</u>	current balance	\$ - 786.19
	thrifys bill	1105.16
	contractors est.	<u>3500.00</u>
	Amount needed	5391.35

Proposed to borrow \$5,500.00 (pay back in 5 years)

Annual assessment is \$1,670.00 per year

<u>Ebenezer McClaskey Drain:</u>	current balance	975.42
	contractors est	<u>3600.00</u>
	Amount needed	2700.00

Proposed to borrow \$2700.00 (pay back in 5 years)

Annual assessment is \$700.00 per year.

Bob Thayer discussed making the following changes: to borrow for Hose Drain \$6,000.00 not \$5,500.00 and for McClaskey Drain \$3,000.00 not \$2,700.00. After much discussion the board tabled any action until all members were present.

Larry reported that the Surveyors Office would like to transfer the amount of \$300.00 from account # 252 to account #313. County Auditor, Nell Hester, reported this needed to be in today. Nel reported she would type this for Larry.

JOHN GOBIN DRAIN

Contractor, Rex Wills, was working on this drain and after discovering that 40 feet of tile was missing, he stopped all work. Larry reported he would check with State Highway Department, asking if for some reason they rerouted a tile line and would request any other records showing tiles and drainage.

The Board reported they had received Harveys letter requesting a computer for the Surveyors Office.

Bob Thayer moved and James Kirtley seconded a motion to recess. Motion carried.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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 Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
August 6, 1990 1:38 P.M.

The Montgomery County Drainage Board met Monday, August 6, 1990, 1:38 P.M., in the Commissioners Office, Courthouse Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller; 1st Deputy Surveyor, Larry Utz; and the following landowners: Leon Weber, Farm Manager for Ronald Patton, Robert D. Rosentreter of Rosentreter Farms, Inc., Roger Rosentreter, O.C. Bennett, Carl A. Litten for R.A. Campbell Farms, Inc., Julia Beeson VanNess, Warren Basting, Farm Manager for VanNess Farms, Inc., and Richard Klepfer, tenant of Campbell Farms.

Chairman, James Kirtley, called the meeting to order.

This meeting is the hearing date for reconstruction of the Levi Hawkins Drain.

The Chairman ask the Surveyor to take the floor and conduct the meeting.

Harvey reported the following items:

Original construction was 1905.

Length is 750 feet of open drain, 3,210 feet tile in the main line, and one main tributary with 1,950 feet of tile. Sizes of tile vary from 14 to 22 inch.

Acres in watershed is 861.18.

Located in the Southwest part of the County, approximately 1 mile South of the entrance of the Shades State Park.

9 landowners in the watershed.

The following items were discussed:

- a) Several landowners wrote objections to the project.
- b) On the Campbell Farm there are 10 - 11 very large holes in the tile line.
- c) The Surveyors Office has had no report of broken tiles until three years ago.
- d) Current balance in the drainage fund is \$879.96.

The Assessment was \$400.00 per year established December 11, 1972.

Assessment was revised October 23, 1989 to \$1,600.00 per year.

e) The petition to reconstruct was received March 30, 1990.

f) After thorough field study the engineers estimated project cost is \$35,068.45 add in the 10% and the total cost is \$38,575.30.

g) Rosentreters object to being in the watershed. Stating due to a hill his water drains the opposite direction.

h) Larry reported he did a site inspection with George Reger, Joe Phelps and Gordon Holloway, on Rosentreters property. They found the following items:

- 1) surface water drains to this open ditch
- 2) the open ditch was at one time a waterway (now long neglected)

3) at the road the culvert is almost washed out.

4) will check when crops are out.

i) Harvey stated that Rosentreters sub surface water drains to the West (thus using the Hawkins Drain).

Rosentreter responded that due to a retaining wall the water can not run west. He was not in agreement with Harvey & Larrys findings.

Vice-Chairman, Sam Kessler, stated that the determining factor is which way the surface water runs.

- j) The Surveyor presented photos to the landowners.
- k) Drainage maps and profiles of the drain were presented to the Board and landowners for inspection and review.
- l) The reconstruction plans include some of the following:
  - a) remove existing headwall
  - b) lay a new 24 inch plastic tile line.
  - c) outlet will be a 27" corrugated steel pipe with a rock shute.
  - d) fence off the outlet for protection from cattle etc.

Campbell Farms, Farm Manager, Carl Litten reported that for the past 15 years they have at their own expense kept the tile in good repair.

O.C. Bennett ask who was suppose to check on the legal drain. Vice-chairman, Sam Kessler, reported it is the landowners duty to report problems to the county Surveyor or the County Commissioners.

Mr. Weber reported that from 1959 to 1975 he ask for approximately \$100.00 per year he kept the Campbell Farms tile in good repair. Then rules changed and county had to oversee the contractors (due to liability insurance). One contractor billed the County for \$1,100.00 and did very shabby work.

County Attorney, Don Schmidt, reported if landowners could agree among themselves they could have work done and not go thru any county office. But once the county is involved, costs do rise as more people and more paper work gets involved.

Landowners ask who signed petition: Harvey reported Clore and Campbell Farms.

The Attorney reviewed the letters of remonstrance listed as follows with their acres:

Leon Weber for Ronald C. Patton	87.70 acres
O.C. Bennett	74.00
Rosentreter Farms, Inc.	80.00
Richard Brown	1.31
Van Ness Farms, Inc.	252.97

A letter was received from Mr. Donald Willett, but letter was postmarked too late to be taken into consideration. Deadline is five days prior to date of the hearing.

Acres objectiong total 495.98 acres or 58%.

Mr. Richard Klepfer ask what happens now? What about the large holes thru Campbell Farms, Inc. and ask if anyone wanted to change their minds?

Vice-Chairman, Sam Kessler, reported to use the \$1600.00 per year (monies from the maintenance fund) to start at the lower end and work up doing a small portion of repairs every year.

Mr. Klepfer went on to report the outlet was in poor shape and the drain needs to be extended.

Mr. Litten ask why the landowners were opposed?

Leon Weber, reported that in the past no one cared if drain was repaired properly or not and it would probably be that way again. O.C. Bennett was still angry for the fact, that Campbells did not want him to tie into the tile line (some years back) but did finally agree to it. He went on to inquire as to the cost and length of the tiles. Harvey replied that the price he was quoted from Hancor Company was

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August 6, 1990

\$8.75 per foot for 24 inch plastic tile and it comes in 20 foot sections. A good estimate for installing tile is to double the price per foot. As a rule this averages out to be a very close final cost.

Harvey reported he will meet with Rosentreter again to evaluate his drainage area.

Chairman, James Kirtley, ask for further discussion?

Harvey concluded that the following steps will be taken:

- 1) Begin at the outlet and work toward the upper end as funds will permit.
- 2) If assessments come in in November work can begin then.
- 3) Approximately \$1,600.00 per year is what this drain is assessed.

Bob Thayer moved and Sam Kessler seconded a motion to recess. Motion carried. Time 2:54 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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MONTGOMERY COUNTY DRAINAGE BOARD

August 27, 1990, 1:40 P.M.

The Montgomery County Drainage Board met Monday, August 27, 1990, 1:40 P.M., in the Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller and Contractors, Bob and Chuck Watkins, dba Watkins Construction Co., Inc.

Chairman, James Kirtley, called the meeting to order.

Harvey Keller discussed the James Hose Drain at great length and reported the following items:

1) Mr. Watkins bid for repairs and tree removal around the outlet (near the railroad tracks) was \$2,380.00. He has repaired 3 tile holes and redid some very large cracks in the tile. Harvey presented photos for the Board to review.

2) Watkins then moved on to Vollmer's property. After uncovering this tile it was discovered that extensive work could be involved.

Harvey then reported that we are at our limit of the money we borrowed. Harvey approximated it would take \$2,000.00 to finish the job. We need to get this work done ASAP. The Board agreed and instructed Harvey & Watkins to finish the work. Bob Thayer stated we would need to borrow more money. Chuck Watkins replied he would wait on his money.

(3) Work on this drain is difficult as the Hose and Town tile are located directly on top of one another. In the vicinity of Brett Pennington's property, a total of 80 feet of tile have been placed, 40 feet on each drain. The new tile is solid plastic.

At Pennington's property a garage is placed directly over the tile and a large tree is growing there also.

The Board recommended removing the tree.

4) Harvey reported he has found 47 obstacles located within 25 feet of the drain easement and some located directly over the tile listed as follows : 9 large trees, 13 medium trees, 9 small trees, 4 bushes, 4 garages, 5 homes and 3 mobile homes.

The Board discussed at great length the removal of the tree and garage at Pennington's property. But later decided to not make any firm decision until the Attorney could be consulted.

The Board set Friday, August 31, 1:00 P.M. to review the Hose Drain.

William Epperson Drain

Harvey reported Ron Taylor is working on the Epperson Drain. There is a total of \$9,313.00 to be used on this drain.

The lower end is sandy and eroding. Harvey proposes to rip-rap 1100 feet and Ron Raylor has agreed to do the work. Harvey was instructed to prepare a contract to this effect. Work will start at the railroad and go up 1,100 feet.

Nucor Steel has suggested tying some laterals into the 24 inch tile. The Board ask who's tile this is? It is the County tile. Harvey reported the tile is under water and land is swampy and willows are starting to grow.

The tile on McClouds is the Joel Tobin Drain. Harvey is to ask Nucor to contact the railroad, run the water under the railroad and tile under McClouds to the open portion of Joel Tobin with a 15 or 18 inch tile.

-conti-  
August 27, 1990

WILLIAM McCLAMROCH DRAIN

The Board reviewed photos of this drain. Harvey reported there are no banks, willows are taking over and some trees need burying.

JOSEPH HALL DRAIN

The Board reviewed photos of the drain.  
Harvey discussed revising the maintenance assessments.  
In 5 years the banks have heavy growth.  
\$22,000.00 would redip 4-5 miles of the channel.  
The banks also need spraying.

GEORGE HUTCHINSON DRAIN

The Board reviewed photos.  
The banks have been cleared of brush and small trees.  
The bark and wood chips went into the ditch bottom and was restricting the water flow.  
Harvey discussed this with Contractor, E.B. Foster and E.B. wants more money to clean up the wood chips.  
Harvey also noted that E.B. had charged \$120.00 to move his equipment when the agreed price was \$100.00. This error was noted before claims were turned into the Auditor's Office.

A.F. WARD DRAIN

Water damage is occurring in this area as a levee has been constructed on the Anderson property. Water is going over County Road 1,000 East, eroding the roadway and ponding on William Crowe property.

The S.C.S. Office has been contacted and they state that the levee was built and installed to their specifications and plans. Harvey reported that a surface pipe should be installed (under the county road) to channel water to this Ward Drain.

First Deputy Larry Utz is going out this afternoon to do an in depth study of this problem.

William Yelton Drain

Harvey reported he is preparing plans on this drain.

Sam Kessler moved and Bob Thayer seconded a motion to recess. Motion unanimous.

Time: 3:05 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
August 31, 1990, 1:00 P.M.

The Montgomery County Drainage Board met Friday, August 31, 1990, 1:00 P.M., Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller; Jim Hamilton of Butler-Fairman & Siefert and Landowner, Boyd Hudson arriving at 1:30 P.M.

Chairman, James Kirtley, called the meeting to order.

Harvey reported several items needing immediate attention of the Board.

1) Harvey presented a letter to the Board that was sent to Mr. Pennington and surrounding landowners.

2) Balance in the Hose Drain is \$47.13. Harvey ask if we were to wait until after the hearing (which is set for October 15, 1990 1:30 P.M.) before we proceed with doing any more work on this Hose Drain? Board recommended proceeding with replacing a total of 80 feet of tile (this will be 40 feet on the Hose and 40 feet on the old town tile). Watkins has agreed to wait until after settlements for payment of their work and the Board concurred with this.

3) Harvey explained his method of calculations on the drain. Sixty percent of the acres are located outside Linden city limits. The drain is not figured on a benefit basis. Anything under 1 acre will be charged \$15.00 and agricultural property is figured at \$15.00 per acre. If landowners accept this proposal the maintenance fund will go from \$1,670.00 to \$9,700.00 per year.

4) The Board ask if any trees had been removed? Harvey responded no, but the roots have been severed 5 feet from the tile and solid plastic tile has replaced the old bell tile.

Harvey again reported that 47 obstacles are directly on the tile line. North of Parker's property there is a garage on the tile line.

The Board instructed Harvey in the following items:

1) Landowners need to remove the garage at their own expense. If the landowners opt to they can pay back in installments if the county has the structure removed.

2) Harvey is to prepare a letter to Penningtons with the name of landowner-legal description-name of the drain-and to state there is no feasible way to resolve the water problems without repairing the tile and stating the building is in the way of doing the repairs.

3) Ask landowners to dedicate 5 feet on either side of the legal drain (Hose) to the county for the purpose of future tile repairs if needed.

4) State a reasonable deadline (for removal of the structure) Board decided on 10 days.

5) The attorney will notify Mr. Pennington via certified letter. The Attorney also stated that the Board will handle all problems on drains on a one to one basis.

The Board set October 15th, 1990 for the Hose Drain hearing date. Due to the size of the watershed the hearing will be held in the Superior Courtroom on Third Floor.

CHARLES NEWKIRK DRAIN

Boyd Hudson ask the Board to concur with separating the Newkirk & Hall Drainage area. Harvey reported he has redefined the Newkirk watershed. The watershed will now consist of 597.3 acres. (349.5 acres will be omitted)

Boyd stated that the Newkirk should consist of the East and West tile lines only and North of County Road 700. He went on to state that when the Hall was reconstructed it included the Newkirk in its reconstruction.

Boyd has been researching the drainage minutes (reference Book 4-page 124) Minutes state \$2,500.00 should be transferred to the Newkirk Drain from the Joseph Hall Drain. Because the repairs were actually done on the Hall Drain. This transfer was never done. Board instructed the Secretary to make said transfer after October 15 (hearing date). But after further research Mr. Hudson says the transfer should be only \$1,600.00.

Yearly assessment now is \$742.00 and we have been repairing at the rate of \$1,000.00 per year.

Mr. Hudson stated that he has been double assessed since 1983. And we need to straighten out a bad situation. Boyd also stated that the Newkirk is in need of reconstruction but there is no talk of that now.

Mr. Hudsons revised acres will be 44.08 .

The Attorney stated that we will need to advertise and hold a public hearing on the matter of changing the watershed acres and dollar amounts.

The Board set October 15, 1990 for hearing date on the Charles Newkirk Drain.

WILLIAM EPPERSON DRAIN

The money to spend on this drain totals \$9,314.00. Harvey reported this will be used entirely for rip-rap on the lower end. 530 tons will be placed 5 feet high (along both banks) and at a depth of 1 foot. This drain has a lot of fall. When Nucor flushes the holding pond the water in the drain rises 1 foot.

Harvey presented the contract modification to the Board. The Board will do a final inspection of this drain. No date for inspection was set at this meeting.

JOHN GALEY DRAIN

380 feet of 8 inch tile on tributary # 2 has been replaced. Around the area of 150 South and 250 East.

There has been a problem there with water standing on property owned by Walt Nelson.

Mr. Nelson wanted to place another tributary into the main line.

Harvey had some difficulty in locating the ditch in the road r-o-w. But after finding said tile he also discovered raw sewerage in the tile line.



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August 31, 1990

They tried a roto roter but there was not enough pressure to do any good. So Contractor, Chuck Watkins was called in. Watkins quoted \$800.00 to do repairs. Mr. Watkins has started on this drain now, grade shots have been taken, and the tile line has been re-routed approximately 25 feet beyond the county road r-o-w to the north. (runs from northeast 600 feet to the side ditch and runs 100 feet to the tile .

The drainage map shows tile along the road but does not show any measurements.

The County Health Officer, Bob Walters, has been contacted. He will pursue this problem. The homeowner just recently purchased the property (30 days ago). Mr. Walters has used dye tablets and the water was in fact emptying into the legal drain.

Bob Thayer moved and Sam Kessler seconded a motion to recess. Motion unanimous.

Time: 2:25 P.M.

James M. Kestley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
September 4, 1990 2:20 P.M.

The Montgomery County Drainage Board met Tuesday, September 4, 1990, 2:20 P.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt and Surveyor, Harvey Keller.

Chairman, James Kirtley, called the meeting to order.

The Board discussed the James Hose Drain.

Sam Kessler moved and Bob Thayer seconded a motion to increase the maintenance assessments of the Hose Drain 25% effective immediately to be collected in 1991. Motion unanimous.

The Board reviewed the proposed \$15.00 per acre charge for both agricultural acres and lots in Linden. The Board then decided to have the Surveyor to re-figure the costs based on how the land was used.

Sam Kessler suggested that all lots and partial lots be charged \$15.00 each and all agricultural acres be set at \$6.00 per acre. Harvey then ask if land located outside of town but not set in crops be charged more than \$6.00, but less than \$15.00. The Board agreed on \$10.00 per acre and instructed the Surveyor to re-figure the amounts under Proposed Plan # 1. Plan # 2 is the 25% increase allowed by law.

The Attorney, Don Schmidt, ask the Surveyor to figure an accurate sum to finish this job.

The Board instructed the Surveyor to figure the amount of dollars to borrow for repairs of this drain. Allowing for interest and keeping in mind the 25% increase. To figure at 8% over 5 years.

The Secretary was instructed to draft a letter (re: said bank loan) copies to go to the bank and the Drainage Board.

Bob Thayer moved and Sam Kessler seconded a motion to recess. Motion unanimous.

Time: (not recorded)

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
September 13, 1990, 9:45 P.M.

The Montgomery County Drainage Board met Thursday, September 13, 1990, 9:45 P.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley (arriving 10:05); Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller and Landowner, Boyd Hudson.

Vice-Chairman, Sam Kessler, called the meeting to order.

Boyd Hudson attended to discuss the Charles Newkirk Drain.

The Secretary read the following report:  
Reference Book 4, page 10, drainage board minutes.  
Date: May 16, 1983

" Boyd Hudson ask about interest on drainage funds. He also ask that the Newkirk Drain be separated from the Joseph Hall Drain. He wanted the maintenance assessment funds in separate accounts.

Reference Book 4, page 16  
Date: August 1, 1983

The Surveyor, Russ Nelson, and Boyd Hudson felt landowners were being double assessed on the Newkirk and Hall Drains. The Board stated they were paying for an outlet.

Bob Thayer moved and Sam Boots seconded a motion to leave the Newkirk drainage assessments as is. Motion unanimous.

Reference Book 4, page 21  
Date: September 19, 1983

Mr. Hudson was in attendance to discuss the Newkirk and Hall drainage assessments. Landowners in the Newkirk are paying a double assessment.

Sam Boots moved and Bob Thayer seconded a motion instructing the Surveyor, Russ Nelson to refigure the Hall Drain maintenance assessments. Landowners in the Newkirk watershed will pay 75 cents per acre in the Newkirk Drainage

Book 4 page 124  
Date: May 30, 1989

Mr. Boyd Hudson was here to discuss the Charles Newkirk and Joseph Hall Drains.

Mr. Hudson ask that the Board correct the following items:

- (a) acres and assessment amounts for the Newkirk and Hall. The September 19, 1983 drainage minutes set the maintenance assess of the Hall Drain at \$.75 per acre (Newkirk assessment is the same amount)
- (b) to redefine the watershed of the Newkirk Drain.
- (c) \$2500.00 should be transferred to the Newkirk maintenance fund. (this money should have come from the Hall Drain)

When the Joseph Hall Drain was reconstructed in 1982 it encroached on the Charles Newkirk Drain. In some locations the Newkirk and Hall are the same ditch.

Old records state that the Newkirk Drain starts 958 feet East of the center of Section 29, Township 19 North, Range 4 West, and runs due North. Mr. Hudson states the

-conti-  
September 13, 1990

Newkirk now consists of 2 tile line running East and West and all located North of County Road 800 north.

The Board was in agreement with Mr. Hudson and requested the Surveyor to do a field check and report back with Mr. Hudson."

The Board felt that this is the point where we are now.

The Board and Mr. Hudson reviewed the drainage map very thoroughly.

Auditor, Nell Hester, was ask to the meeting to review the drainage assessment statements.

Mr. Hudson actual assessments are as follows:

Boyd will pay full amount owed on tax statements except the penalty charges. The Auditor will send re-vised statements on the Joseph Hall Drain.

All Charles Newkirk amounts for Boyd Hudson were cancelled for 1989 payments. Copies of all statements are attached.

Chairman, James Kirtley, recessed the meeting.

Time: not recorded

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
September 24, 1990 10:12 A.M.

The Montgomery County Drainage Board met Monday, September, 24, 1990, 10:12 A.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler (10:23); Member, Bob Thayer; Surveyor, Harvey Keller; 1st Deputy Surveyor, Larry Utz; Pat Cline, Journal Review; Tom Ackman, WCVL Radio and the following South Montgomery High School students, Kelly Achtabowski, Travis Winford and Jason Cottrell.

Chairman, James Kirtley, called the meeting to order.

The Surveyor, has been contacted by Roy Leaders. (Allen Lewis Drain).

Mr. Leaders states that ever since the County Highway has replaced a culvert pipe, he has had water problems.

Harvey reported water comes in at one angle and pipes are at another (off 30 degrees) causing water to go to the side ditch. The problem is with surface water run off.

Larry reported he had talked to Contractors, Dennis and Rex Phillips, (no one is sure who hired the contractor to do the work) but a portion of tile have been re-routed due to buried telephone cable at the culvert.

Harvey has researched the records and cannot find the tile repairs done thru this office.

Harvey stated he didn't know how costly it would be to change the culvert pipes - to turn them South 45 degrees or to place an extension on the ends.

Harvey recommended both landowners, Roy Leaders and Dave Nesbitt talk to S.C.S. Office. If a grass waterway is the best solution, the S.C.S. Office will cost share the project.

Harvey went on to state that the land needs to be reshaped on both sides of the road. But will need for the crops to be out to make a valid assessment of the situation.

Bob Thayer reported the Commissioners have been to this site several times. When the pipes were put in 2 culvert pipes replaced the existing one and the roadway and pipes were lowered. Dave Deckard has worked for Mr. Leaders but Deckard has not gotten back with The Board on his findings.

10:23 A.M., Sam Kessler and the three South Montgomery students attended the meeting. Chairman, James Kirtley, briefly explained the duties of the Drainage Board and explained we take care of maintenance of approximately 220 legal drains.

First Deputy, Larry Utz, reported Leaders had contacted him reporting water had taken out his fence and he would not replace it until this problem was resolved, and he has planted crops three times due to high water.

Harvey reported the pipes should be placed in a southwesterly direction and are already 1/2 full of silt. There are 400 acres draining to the culvert. Harvey recommended an extension on the pipes under the road, a grass waterway on the East side of road, and a box culvert.

The Board stated that surface water is not a problem of legal drains.

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September 24, 1990

Chairman, James Kirtley, instructed the Surveyor to investigate further, and report back to the Board.

Larry reported on the Clifton J. Coon Drain. Located 1,000 West and 700 North. This is a joint drain with Fountain County. The problem area lies in Montgomery County. The tile makes 3 sharp turns before going into the road culvert. A portion of the side ditch has been filled in and a landowner has planted trees and flowers in that filled in portion.

Kessler ask the account balance - we did not have that information with us.

Bernard Johnson had contacted Mr. Kessler, and he stated that the side ditches need to be cleaned, as water runs over the road.

Sam Kessler stated he would contact Fountain County Commissioner, Fern Cooper, and discuss this matter.

Larry reported that if we have the money, he will look into straightening the tile line. I feel reasonably sure the tile is not plugged.

Harvey reminded the Board we will begin drain hearings October 1. We are getting many responses from landowners on the James Hose Drain, hearing October 22, public opinion is that \$15.00 per lot is an excessive amount.

Bob Thayer moved and James Kirtley seconded a motion to recess. Motion unanimous.

Time: 10:47 A.M

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
October 1, 1990, 1:30 P.M.

The Montgomery County Drainage Board met Monday, October 1, 1990, 1:30 P.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller and the following landowners: John Galey Drain Hearing, Morris Davis, Richard A. Stevens, Ramona Hinesley; Margaret Remley Drain Hearing, Kenneth R. Pearson, Morris Davis, Ethel Reeves, Harold Reeves and Paul K. Johnson; Kenneth Hudson Drain Hearing, Gene C. Stribling; Alfred & Thomas Taylor Drain Hearing, John D. Cowan, Forest Patton and Paul Fuller.

Chairman, James Kirtley, called the meeting to order at 1:30 P.M.

1:30 P.M. John V. Galey Drain Hearing

Hearing to revise maintenance assessments.

The Surveyor, Harvey Keller, gave a history of the Galey Drain.

Constructed 1903 - partially reconstructed in 1972 & 1973.

Located - 200 S-275 S & 250 E.

Outlets Crawfordsville Municipal Golf Course.

38 landowners

Consists of a main line and 6 tributaries 30,328 feet is the total length.

1,492.25 acres in the watershed.

Maintenance assessment \$1,250.00 per year.

Proposed main. assessment is \$5,000.00 per year.

The average cost to maintain is .20 per foot.

Tributary #2 was replaced requiring 420 feet of plastic tile. We partially rerouted 30 to 35 feet into a field.

An average of \$3,000.00 is being spent per year on repairs. I feel that the lower end will need extensive work over the next 3 years. The golf course request to tie into this tile with a 6 inch line was denied, due to this line being higher (in elevation) than the outlet.

The Chairman ask for correspondence regarding this drain. Listed as follows:

Objecting were:

Walt & Bonnie Nelson	56 acres
Harold & Mary Williams	30 acres
Morris Davis	134 acres

A letter was also received from Caroline Shuler (26 acres) but was received after the deadline.

Those objecting totaled 220 acres or 15%.

After further discussion, the Surveyor recommended refiguring the total assessment per year at \$4,000.00.

Sam Kessler moved and Bob Thayer seconded a motion setting yearly maintenance assessment at \$4,000.00 per year on the John V. Galey Drain. Motion unanimous.

Kenneth Hudson Drain Hearing 2:15 P.M.

Harvey reported the following items:

Current assessment: \$1,000.00 per year

Proposed assessment: \$2,000.00 per year.

Constructed in 1951.

Landowners number 16

October 1, 1990

-conti-

Acres in watershed 119.

Length of the main line is 2,500 feet.

2 tributaries totaling 1,452 feet.

Tributary was new constructed.

Current balance is \$2,634.00

This drain has a lot of major problems.

- a) this drain handles a tremendous amount of surface water.
- b) there are no side ditches on old 55. Landowners do not want one.
- c) Surveyor feels watershed needs to be redefined.
- d) a tile is broken south of Elmdale.
- e) there are several (4) large trees located either on or near the tile system. And from this you can assume the tile in these areas are full of roots.

Harvey proposed the following work:

- a) re-route 2500 feet of tile with a new line.
- b) lay new line away from highway old 55.
- c) do away with the trees on the tile right-of-way.

Earl Smith ask that the Board table any action until Harvey could do a complete field check.

Bob Thayer moved and Sam Kessler seconded a motion to set the maintenance assessment at \$2,000.00 per year. Motion unanimous.

2:30 P.M. Margaret Remley Drain Hearing.

Located 1 mile south and west of New Market.

Present yearly assessment is \$609.00 per year.

Proposed to revise to \$3,400.00 per year.

Present balance is \$582.00

Landowners total 25.

Acres in watershed 1,247

Total length is 14,030 feet or 2.66 miles.

Tile is 1,920 feet and open is 12,010 feet.

Harvey recommended the following:

- a) straighten and clean the northern end.
- b) dip out the bottom of the open channel
- c) build a maintenance lane.
- d) would like to clean 100 to 200 feet further to help the outlet.

Bob Thayer moved and James Kirtley seconded a motion to accept the revised maintenance assessment of \$3,400.00 per year.

Alfred & Thomas Taylor Drain Hearing 3:00 P.M.

Harvey reported the following:

- 1) Thomas Taylor constructed 1885.
- 2) Alfred Taylor constructed in 1899.
- 3) Drains were combined in 1975 after reconstruction.

April 1989 a hearing was held to extend the legal drain, and landowners voted no to this action.

This drain was sprayed in 1989 and will be sprayed again this year.

Silting is beginning to be a problem.

Drain is a total length of 13,550 feet

5,100 feet of tile

8,450 feet of open

Drain consists of 752 acres.

Landowners number 18.

Present yearly assessment is \$500.00 per year.

Proposed assessment is \$1,825.00 per year.



October 1, 1990  
-conti-

Current balance is \$2,058.00.

With this current balance we could repair 1500 feet of the drain.

Contractors are charging .75 per foot to dip out open channels and \$600.00 per acre to clear the banks.

The real problem is the outlet on Ed Patton property.

In April of 1989 a hearing was held to revise maintenance assessments to \$805.00 per year. Landowners opposed this.

The drain is now in need of the following:

- a) willows need sprayed
- b) erosion needs to be checked
- c) 8,450 feet of channel needs to be dipped.

Mr. Cowan ask how could he get the drain outlet moved? Harvey reported by petition.

Mr. Cowan ask to go for an assessment of \$1,000.00 per year now and go for the remainder at a later date.

Sam Kessler moved and Bob Thayer seconded a motion setting the yearly maintenance assessment at \$1,000.00 per year on the Alfred and Thomas Taylor Drain. Motion unanimous.

The Secretary reported Mr. Carl Toney's problem of being land locked on property located on the James Hose Drain.

Chairman, James Kirtley, recessed the meeting.

Time: 4:00 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
October 15, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, October 15, 1990, 1:30 P.M., Commissioners Room #103, Courthouse, Crawfordsville, Indiana.

Those attending were: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller; 1st Deputy Surveyor, Larry Utz; Landowners, Randy Denhart (for Charles Newkirk Drain); Charles R. Martin, Jack D. Fifer (Richard Thomas Drain).

Vice-Chairman, Sam Kessler, called the meeting to order.

Hearing on Charles Newkirk Drain 1:30 P.M.

Harvey gave a complete history of the drain (see exhibit "A").

The Newkirk and Joseph Hall Drains were discussed at great length. (these watersheds overlap).

The watershed consists of 947 acres (as shown in our files). If the suggested changes are made the acres would change to 598. This would also change the maintenance assessment amounts from \$1,000.00 to \$724.00 per year. This change would also mean maintaining the 2 tile lines running east and west. (shown in purple on exhibit "A").

Sam Kessler stated that the 2 legal drains (the Newkirk and Hall Drains) should be separated.

A letter of remonstrance from Boyd Hudson was read. The Board further agreed that a petition would need to be presented to the Board to separate the acres of Joseph Hall and Charles Newkirk Drains. Harvey stated he will contact Mr. Hudson with this information.

Mr. Denhart discussed that he has problems all the time with trash and silting under the railroad tracks.

Harvey and Mr. Denhart discussed installing a stand pipe with a steel grate.

A letter of opposition was read from Mrs. Ruby Oswalt - disagreeing with the dollar amount and the service she gets.

Sam Kessler moved and Bob Thayer seconded a motion to table any action on this drain. Motion unanimous.

Rebecca Miller-Brint White Drain Hearing

Hearing to revise maintenance assessments.

Located North and East of Linden 3/4 mile.

Brint White constructed in 1894.

Rebecca Miller constructed in 1905.

Length 13,016 feet or 2.58 miles.

Tile sizes range from 12 to 24 inch.

Outlets in Shumaker-White Drain.

Current assessment is \$300.00 per year.

Proposed assessment is \$1,500.00 per year.

Current balance is \$1,310.00.

Overall condition now is good to fair.

Sam Kessler moved and Bob Thayer seconded a motion to set maintenance assessment at \$1,500.00 per year. Motion unanimous.

George Kendall Drain Hearing

Constructed 1870.

Reconstruction 1882-1936 and 1976.

October 15, 1990

-conti-

Length is 8,540 feet of tile  
4,360 feet of open.

One tributary is 567 feet of tile.

Total length 13,467 feet or 2.55 miles.

Watershed acres 692.

Current assessment is \$600.00 per year.

Proposed assessment is \$3,000.00 per year.

Current balance is \$3,393.00.

Tile sizes range from 8 to 18 inches.

\$1,875.00 has been spent for spraying. This drain has very heavy brush behind Forest Whites property to the start of the drain.

The tile portion is in good condition.

The open portion needs a lot of maintenance work.

First Deputy, Larry Utz, reported there is no path into this drain when the crops are in. He is going to ask permission from Mr. White to gain entry to this drain.

Sam Kessler moved and Bob Thayer seconded a motion to set the maintenance assessment at \$3,000.00 per year.

Richard Thomas Drain Hearing 2:30 P.M.

Landowners attending were Charles R. Martin and Jack D. Fifer.

Drain was constructed in 1913.

Length is 5,014 feet of tile.

Watershed consists of 586 acres.

Current assessment is \$203.00 per year.

Proposing \$1,000.00 per year.

Overall condition is good to fair.

Current balance is \$836.00 (negative figure).

Recently 60 feet of tile on the lower end have been replaced and one beaver dam removed.

Harvey reported he plans to check the fall in the lower 500 feet and build a new outlet. Now the creek is higher than the outlet. If we don't do something I'm afraid the back pressure will cause tiles to blow further back the line.

Mr. Martin stated he thinks the trouble is with Coal Creek. The creek needs to be cleaned.

Harvey stated a petition is needed to do this. Then clean from the headwalls of the George Washburn to Richard Thomas Drains (this is a portion of Coal Creek). After the petition is filed with the Surveyors Office we can set a hearing date. Harvey will meet with Mr. Fifer and Mr. Martin to further discuss this. Sam Kessler stated to keep these as two separate watersheds.

Sam Kessler moved and Bob Thayer seconded a motion to set the maintenance assessment at \$1,000.00 per year. Motion unanimous.

Attorney, Don Schmidt and Harvey discussed the Epperson Drain.

The set amount to spend has gone over the dollar amount by \$90.03.

Harvey was requested to prepare an addendum to the contract in the amount of \$7,525.00. Contact contractor, Ron Taylor and ask Ron if he wants to pay Kentucky Stone Company. If we pay Kentucky Stone then there will be two change orders to the contract.

Chairman, James Kirtley, recessed the meeting at 3:07 P.M.

James M. Kirtley  
Samuel Kessler  
Robert Thayer

\_\_\_\_\_  
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
October 22, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, October 28, 1990, 1:30 P.M., Superior Courtroom, 3rd Floor, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller; 1st Deputy Surveyor, Larry Utz; Reporter from Journal Review, Pat Cline; and landowners, Marilyn Carlson and Steven M. Hillman.

James Hose Drain Hearing 1:30 P.M.

Chairman, James Kirtley, called the meeting to order.

Surveyor, Harvey Keller, reported the following history of this drain.

Drain begins 1/2 Mile south of Linden goes thru the town and outlet on the North side of Linden and outlets into the Shumaker-White Drain.

- a. Constructed 1898.
- b. Town tile constructed in 1904.
- c. Drain consists of 8,350 feet tile in the main line  
1,030 feet of tributary  
Town tile 3,000 feet of tile.
- d. Watershed consists of 420 acres.
- e. Maintenance assessment established in 1966 at \$825.00 per year.
- f. Present assessment \$1,669.00 per year.
- g. Proposed assessment is \$6,912.80 per year.

December 7, 1981, a petition to reconstruct the main line (Hose drain only) was rejected by the landowners.

h. June of 1985 this Drainage Board accepted the Linden Town tile as a part of the legal Hose Drain and maintenance assessments were increased to \$1,669.00 per year.

The agreement was for Linden to maintain all tributaries (in the town tile and Hose Drain) and keep debris and ice cleaned from the storm grates.

Since June of 1985 thru present, \$6,270.00 has been spent to maintain this drain system.

i. Spring settlement 1990 was \$1,388.00.

A field check of the drain was reported as follows:

(1) At the outlet one of the 18" tiles was not running much water. The only problem found at this site was, some willows growing and 1 broken tile. The town tile should run water only after a rain fall.

(2) A sink hole had started in Betty Parkers driveway. Property located 217 East Walnut Street. The Surveyor and 1st Deputy started checking behind the house and rerouted the tile (part of the town tile system). When the tile was ready to be reconnected. Tile was off grade. This problem was corrected.

Then they moved on to Brett Penningtons property. (described as Lot 2 James Stoddards Addition). The tile ran directly under Penningtons garage. Mr. Pennington moved this garage. In this area 80 feet of tile was jet sprayed and several large root balls were removed. The tile was replaced with perforated tile with the exception of the tile on Pennington property, this section was solid tile due to a large & very old tree that Mr. Pennington wanted to save.

The legal portion of tile ends at the Tavern on the South edge of Linden.

October 22, 1990  
-conti-

There is a problem with the tile that is located west of the railroad tracks and New Richmond blacktop road. The tile line ties into the town tile

The Board has already borrowed \$7,000.00 to repair this drain. There are outstanding bills currently in the amount of \$3,164.51. Spring settlement (1990) was \$1,035.75 and anticipated amount for fall is \$194.00. Harvey is going to ask the Board to borrow again in the amount of \$2,500.00.

Other anticipated problem areas are 49 obstacles located within 25 feet of or directly over the tile line.

Harvey reported that in figuring this revised assessment he took into consideration the length and age of the tile.

Letter of remonstrance were presented to the Board as follows:

Objecting were:

Dan & Gloria Traylor	.26 acres
Joseph Molner	.50
Clayton Kendall	.26
James Oswalt	1.00
Russell Payne	.25
George Albert	.28

Total acres objecting 2.55 acres or .0060714 per cent.

Other letters received were:

Bernice King	.26 Acres
Ermil Spurgeon	.26
Hazel Coffman	.26

In these letters the objections were not of the cost but the description of their property.

Mrs. Marilyn Carlson discussed water problems on the property she owns. (Lot 1 James Stoddard Addition). The problem lies with a tributary which is the towns problem. The Board instruted Harvey to check this area out and write to the Linden Town Board members with his findings. Mrs. Carlson left the Surveyor a copy of her correspondence (from the Town Board).

Sam Kessler moved and Bob Thayer seconded a motion to accept the revised maintenance assessment of \$6,912.80 per year. Motion unanimous.

Bob Thayer moved and Sam Kessler seconded a motion to recess. Motion unanimous.

Time: 2:35 P.M.

James M. Kitley  
Samuel Kessler  
Robert M. Thayer

\_\_\_\_\_  
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
November 13, 1990 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, November 13, 1990, 1:30 P.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were: Chairman, James Kirtley; Member, Bob Thayer; Surveyor, Harvey Keller; and the following landowners (listed with the appropriate drain):

1:30 P.M. Timothy Lane Drain Hearing.

Landowners present were: Charles H. Radford, Ralph C. Miller, Larry D. Walters, William E. Henry, Jim Jones, Lewis Fellows, Carolyn Cornett, John Bronaugh, Ethel J. Wright Farms, Inc. Charles & Helen Bronaugh, Dorman Harris, Naomi Cline, Donald L. Bayless and Louise Bayless.

2:00 P.M. Ebenezer McClaskey Drain Hearing.

Landowners present were: Jim Smith for Ward Flaningam and Joe McClaskey.

2:15 P.M. Rankin Walkup Drain Hearing.

No landowners present.

2:30 P.M. Joseph Schmeltzer Drain Hearing.

Landowners present were: Daniel E. Johnson, Marian Johnson, Gordon H. Ingalsbe, and James H. Richardson.

Chairman, James Kirtley, called the meeting to order. Chairman ask the Surveyor to preside over the drain hearings.

Timothy Lane Drain Hearing.

Hearing to revise maintenance assessments.

Drain was constructed 1928.

Reconstructed 1948 and 1985.

Located North & West of New Ross. County Roads 550 East and 600 South.

Acres in watershed 4,263.

Length is 5.1 miles of open and 1.26 miles of tributary.

This drain encompasses 5 tributaries in its watershed: Howard Cline, George Hinkle, Alvin Sparks, Isaac Linn and Glennard T. Miller Drains.

In 1985 the maintenance assessment was established at \$1.00 per acres.

Current assessment is \$4,310.00 per year.

Revised assessment is \$8,650.00 per year.

Current balance \$3,286.00.

Brush is getting out of control and silting is beginning to occur.

Recently \$9,873.00 has been spent on repairs.

Harvey explained further that he now figures landowners assessment on the usage of the drain. Landowners on the upper end of a drain will pay a greater assessment as they use more of the drain as opposed to acres located on the lower end.

Harvey ask for discussion from the floor.

Harvey went on to state that landowners have 3 options:

- (1) leave at present assessment.
- (2) increase the rates (purpose of todays hearing)
- (3) abandon the drain.

Mr. Ron Cornett moved and Charles Bronaugh seconded a motion to leave assessments as is (\$4,310.00). Motion unanimous.

Ebenezer McClaskey Drain Hearing.

Hearing to revise maintenance assessments.

Harvey presented letters of objection from:

Jean Grimes - objecting that cost is most unreasonable.

Joe McClaskey - objecting to paying.

Mary H. McClaskey - objected to the assessments.

Harvey gave a report of the drain as follows:

Located 600 North & 675 East.

Constructed 1903.

Current assessment is \$700.00 per year.

Proposing \$1,400.00 per year.

Current balance \$427.52.

After much discussion by landowners. Jim Smith moved and Joe McClaskey seconded a motion to leave maintenance assessments at \$700.00 per year. Motion unanimous.

Rankin Walkup Drain Hearing.

Hearing to revise maintenance assessments.

Constructed 1902.

Located 200 East and State Highway 234 three miles West of Ladoga.

Acres in watershed total 850.

Length is 3,250 feet of open drain and 4,450 feet of tile for a total length of 7,700 feet.

Current assessment is \$300.00 per year.

Proposing \$1,200.00 per year.

Current balance \$864.72

Harvey reported there are several large holes in the tile and he proposes spraying 3,250 feet of the open portion for brush.

Bob Thayer moved and James Kirtley seconded a motion to accept the revised assessment of \$1,200.00 per year. Motion unanimous.

Joseph Schmeltzer Drain Hearing.

Hearing to revise the maintenance assessments.

Constructed 1938.

Located 350 North & 275 East.

Drainage area is 246 acres.

Total length is 7,900 feet.

Main line 5.050 feet tile

Tributary is 2,850 feet tile.

Present maintenance assessment is \$100.00 per year.

Proposing \$800.00 per year.

Current balance is \$466.48

Harvey presented photos to the Board and landowners. Harvey went on to report that this drain has many problems one in particular being the drain has very little fall and with the other problems reconstruction would be the best method for repairing this drain.

Landowners ask if the balance (\$466.48) could be placed in the Richard Faust Drain? Harvey reported he would consult with the County Attorney and the Indiana Statue Books. Later findings were that the money is to be placed in the Drain Improvement Fund. After much discussion, Mr. Daniel Johnson moved and Mr. James H. Richardson seconded a motion to abandon this Joseph Schmeltzer Drain. Motion unanimous.

-conti-  
November 13, 1990

Mr. Richardson ask what was going to be done about the Richard Faust Drain.

Harvey stated the following:

- a) Run levels from the outlet to the upper end.
- b) Dip out bottom of the channel and rework 2,000 feet of ditch banks. (estimated cost of \$1.25 per foot or \$2,500.00).
- c) I need to draft plans, specifications and let for bids.

Harvey discussed with the Board the Charles Warren Drain. Landowners were objecting to the way assessments were figured on this drain. Acres in the watershed were not correct. This has been corrected. A hearing will be called in February 1991.

The Chairman recessed the meeting.

Time 3:35 P.M.

James M. Kintley  
Samuel Bussler  
Richard M. Thayer

\_\_\_\_\_  
Secretary



Montgomery County Drainage Board  
November 19, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, November 19, 1990, 1:30 P.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler/James McCutchan; Member, Bob Thayer; Surveyor, Harvey Keller; First Deputy Surveyor, Larry Utz and the following landowners:

William Yelton Drain: Wayne McCutchan.

Fred Maxwell Drain: Velma Wilkinson and Allen Dusek.

Joseph Ludlow Drain: Willis Surface, Jesse Howard, Charlie Wilkinson, Mary D. Runyon and Shirley Fulwider.

Charles Schoen #2 Drain: Della Irvin and Bob Hodgen.

Chairman, James Kirtley, called the meeting to order.

Mr. Sam Kessler stated he could not serve on the Board during the hearing of the William Yelton Drain Hearing as he is directly affected by this drain. He recommended to the Board that Jim McCutchan be named to the Board for the portion of the meeting concerning the William Yelton Drain. Mr. James McCutchan and the Board concurred with said action.

William Yelton Drain Hearing.

Hearing to reconstruct, maintain and extend said drain.

This drain was constructed 1883.

Acres in watershed is 319.

Location: 925 East and 900 South.

Harvey is proposing the following reconstruction work:

- a) laying 5,850 feet tile
- b) install 1 breather
- c) cut thru 2 county roads.

The estimated reconstruction cost is \$35,211.40.

Maintenance assessment to be \$1,000.00 per year.

Sam Kessler requested Harvey to check the acres in the name of Kessler. Harvey agreed that he would double check. Sam thought that too many acres had been assessed in this watershed.

Bob Thayer moved and James Kirtley seconded a motion to proceed with reconstruction plans and set the maintenance assessment at \$1,000.00 per year. Motion unanimous.

Fred Maxwell Drain Hearing

Hearing to revise maintenance assessments.

Drain was constructed 1905 and reconstructed in 1982.

Located 32 West and 600 West.

Main line consist of 3,450 feet open drain.

7,910 feet tile

2,130 feet in the tributary

Acres in watershed 672.

Present assessment \$667.00 per year.

Proposing \$1,605.29.

Current balance is \$716.18.

Landowners number 21.

Harvey reported that the open drain needs dipped out.

First Deputy, Larry Utz discussed the following items:

- a) Cattle need to be fenced out of the open drain.
- b) Several tile holes need to be repaired.

- c) Several feet of tile is exposed and needs cover.
- d) There is a lot fall in this drain.

Mr. Elmer Wilbur stopped by the Surveyors Office to discuss this drain and talked of the following items:

- a) There is water that stands in his field. This water is standing over a tile. He went on to report that perhaps there is a tile going thru this property that is not on the drainage map. Harvey stated he needs to investigate this further, check where the tile line runs and if there is a blockage.
- b) rebuild the breather on 600 West.
- c) Clean out the open portion of the drain.
- d) Need more cover on the tile.

One letter of remonstrance was read from Allen Dusek. Mr. Dusek stated he would not get any benefit from the proposed repairs.

Sam Kessler moved and Bob Thayer seconded a motion to accept the revised maintenance assessment of \$1,605.29 per year. Motion unanimous.

#### Joseph Ludlow Drain Hearing

Hearing to revise maintenance assessments.

Location of drain South & East of Wingate.

843 acres in the watershed.

Present assessment is \$862.00 per year.

Proposed assessment is \$2,000.00 per year.

Current balance is \$620.32.

Tributaries are 1,060 feet, 1100 feet, 4675 feet, and 1,080 feet.

Harvey reported the following field notes:

- a) not much problem with the tile as tiles are fairly new.
- b) problem area is the open portion.
- c) work needs to be done at the outlet.

Three letters of remonstrance were read to the Board.

Greg Myers: 74 acres

Jacalyn Irvin: 62 acres

Mary D. Runyon: 12 acres

Landowners present and objecting were:

Jessie Howard 77.50 acres

Willis & Mary J. Surface 103.47 acres

Jim Fulwider 22.50 acres

Total acres opposing were 351.47. For a vote to carry by 51% - 429.93 acres are needed.

After much discussion the landowners and the Board agreed on \$1,200.00 per year.

Sam Kessler moved and Bob Thayer seconded a motion setting the maintenance assessment at \$1,200.00 per year. Motion unanimous.

#### Charles Schoen #2 Drain

Landowners attending were Della Irvin and Bob Hodgen.

Drain was constructed 1886.

Drain has not been reconstructed.

Location 800 East and 850 (Bowers area)

Watershed acres total 533.

Current assessment \$300.00

Proposed assessment \$800.00

Current balance \$629.00

Main line consists of 8,070 feet of tile.

One tributary consists of 6,860 feet of tile.

Total length 14,930 feet or 2.83 miles.

Outlets into Potato Creek. Outlet is in good condition.

-conti-  
November 19, 1990

Bob Hodgen discussed with the Board that the drainage minutes need to document "that there is a natural waterway running parallel and over an existing tile." The Surveyor reported he will draft a map as Exhibit A to these minutes.

Bob Thayer moved and Sam Kessler seconded a motion to accept the revised maintenance assessment roll of \$800.00 per year. Motion unanimous.

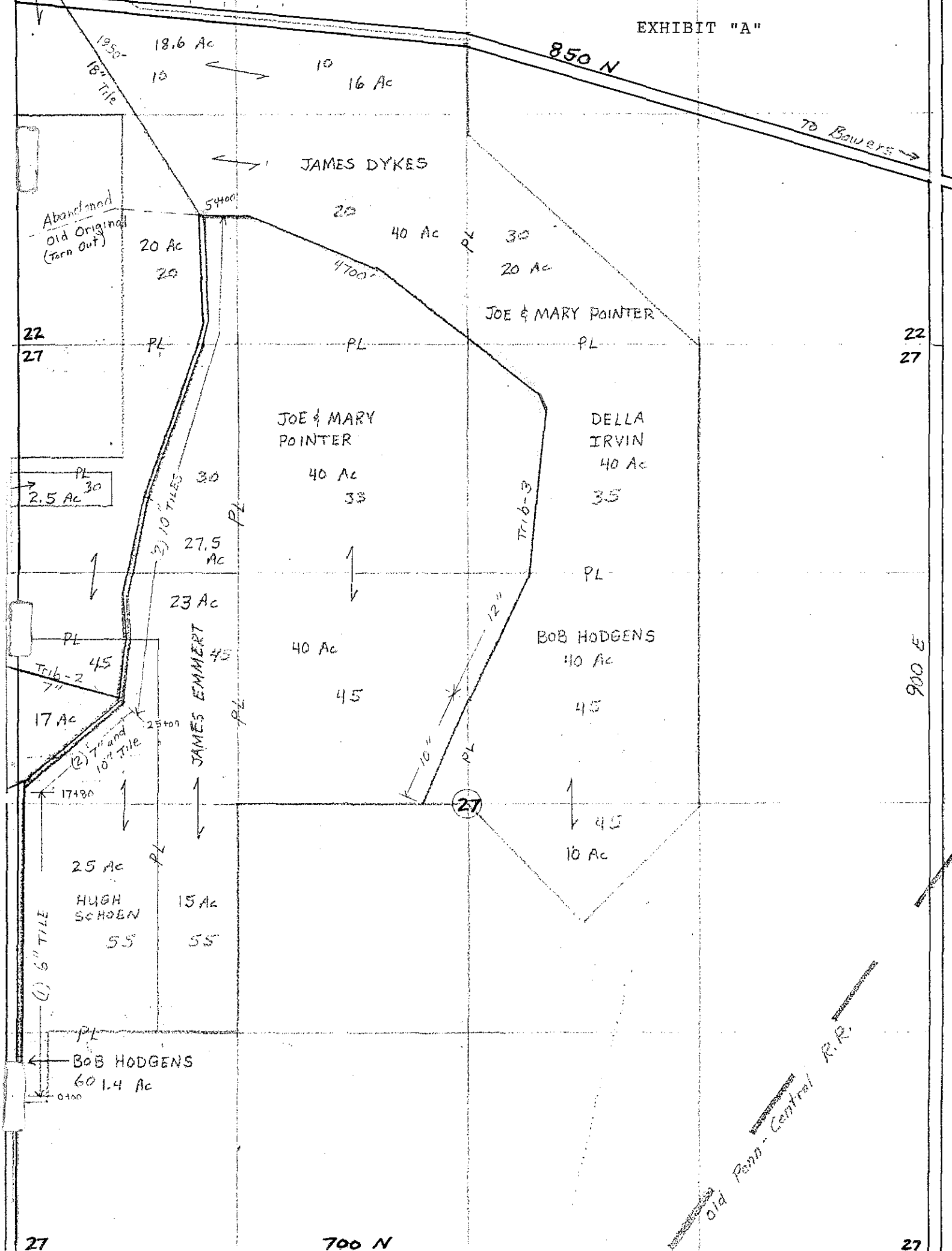
Harvey discussed with the Board landowners on Joseph Schmeltzer Drain (now abandon) wanting to transfer the maintenance monies of \$466.48 to the Richard Faust Drain. Board did not concur referring to Indiana Statute (36-9-27-37).

Chairman, James Kirtley moved and Bob Thayer seconded a motion to recess. Motion unanimous.

Time: 3:45 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

Dee Earl  
Secretary



18.6 Ac

16 Ac

850 N

TO Bowers

JAMES DYKES

Abandoned  
old Original  
(Torn out)

20 Ac  
20

40 Ac  
20

20 Ac  
30

JOE & MARY POINTER

22  
27

22  
27

JOE & MARY POINTER

DELLA IRVIN  
40 Ac

PL  
2.5 Ac  
30

20 Ac  
30  
27.5 Ac

40 Ac  
33

35

↑  
↓

↑  
↓

23 Ac

40 Ac

BOB HODGENS  
40 Ac

PL  
45

17 Ac

45

45

45

25 Ac

15 Ac

10 Ac

HUGH SCHOEN  
55

55

(1) 6" TILE

BOB HODGENS  
60.4 Ac

Old Penn-Central R.R.

27

700 N

27

MONTGOMERY COUNTY DRAINAGE BOARD  
November 26, 1990 1:30 P.M.

The Montgomery County Drainage Board met Monday, November 26, 1990, 1:30 P.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Member, Bob Thayer and Surveyor, Harvey Keller.

Chairman, James Kirtley, called the meeting to order.

Harvey discussed the work he proposes on the Levi Hawkins Drain.

He presented a letter re: letting the maintenance contract for this work.

At the site showing one contractor attended: Rex Wills.

Deadline on bids was 12:00 A.M. today.

2 bids were received:

Wills Fencing: \$1,000.00 plus tile or \$1,920.00.

Chuck Watkins \$2,991.00

Current Balance is \$2,000.00

Work will consist of the following:

- a) Repair the headwall
- b) Clean out 150 feet
- c) Replace 100 feet of tile

Bob Thayer moved and James Kirtley seconded a motion to proceed with the work on Levi Hawkins Drain. Motion unanimous.

Harvey discussed Breaks Cemetery located old 55 and 275 North.

- a) Cemetery is 100 yards off of County Road 275 North
- b) Cemetery is land locked
- c) Old records are very vague
- d) County has no records. Info collected has come from the City Library.

Harshbargers are encroaching on the grave sites.

Harvey reported the work is more involved than he originally thought. He will look for a section stone in that immediate area and resurvey from that point.

Harvey reported he will be meeting with Emmett Bowman (General Contractor for Terra Products) and Surveyor, Dave Deckard (11-27-90) to discuss the drainage at the new building site of Terra Products located on 32 East..

Bob Thayer reported the county engineer will be Mr. Larry Scott, he will begin working December 4, 1990.

Harvey ask the Board if the Surveyors Office could move its offices to the front of the building where it is now located. Mr. Kirtley called owner of the building, Mr. Earl Elliot. Mr. Elliot was out but will return the call. Commissionrs will report back.

Harvey discussed the Wal-Mart Retail Store drainage plans. Harvey is waiting on a final report from Engineer, Bob Luce of Butler, Fairman & Seufert.

The Board signed four work order contracts.

Cain Brothers September 14, 1989.

E.B. Foster (2) December 5, 1989 and April 19, 1990.

Watkins Construction Co., Inc. dated May 1, 1990.

Chairman Kirtley moved and Bob Thayer seconded a motion to recess. Motion unanimous.

Time: 2:30 P.M.

James M. Kirtley  
Samuel Kissler  
Richard Thayer

\_\_\_\_\_  
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
January 7, 1991, 1:30 P.M.

The Montgomery County Drainage Board met Monday, January 7, 1991, 1:30 P.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; County Engineer, Larry Scott and Surveyor, Harvey Keller.

Landowners are listed with the corresponding drains:

1:30 P.M. Boswell Clough Drain; Leon Weber.

1:45 P.M. Carper Crowder Drain; Donald L. Fyffe, Terry Cain, Dick Tulley for Robert Wilcox and Robert Anderson.

2:00 P.M. Benjamin Crabbs Drain; Russell & Lula Miles, Bob Meeks - Nori (Heritage Products) Jannice Tribbett (Days Inn), Edward C. Patton (Cuba & Forest Patton) and Charles Devore.

2:15 P.M. James Fleming Drain; Edward C. Patton (Cuba & Forest Patton), Keith Sayler, Charles DeVore and Bob Stwalley.

2:30 P.M. George Hutchinson Drain; Leroy Bunnell (Eula Humphreys) and Earl Smith, Jr.

Chairman, James Kirtley, called the meeting to order.

Boswell Clough Drain Hearing

Purpose of hearing is to revise the maintenance assessments from \$454.50 per year to \$1,572.31.

Harvey gave a short history of the drain.

Reporting the current condition of the drain is as follows:

- a) The outlet into Coal Creek has been changed.
- b) Tile is standing full of water.
- c) Tile condition is very poor.
- d) There is 16,000 feet of tile in the tributaries.

Letters of remonstrance were read to the Board as follows:

Wellington Moore - objecting to the assessment dollar amount. from \$3.00 to \$30.00.

Maynard & Vivian Spencer - questioning their acres.

Bob Thayer ask if the Surveyor had answered the questions by Jerry Clark on the description and amount of acres. Harvey reported, Yes.

Bob Thayer moved and Sam Kessler seconded a motion to accept the revised maintenance assessment of \$1,500.00 per year. Motion unanimous.

Carper Crowder Drain Hearing

Harvey gave a short history of the drain.

Present assessment is \$1,224.00 per year.

Proposing \$3,000.00 per year.

Harvey reported he is changing the total to \$1,700.00 per year.

This drain consists of 24 inch plastic tile and the tile is separating.

Harvey discussed how drainage assessments are figured.

January 7, 1991 1:30 P.M.

- a) length of drain used
- b) usage of the land (commercial or agriculture)

Sam Kessler stated to pay by usage of the length of the drain is the most fair way.

Terry Cain stated everyone mentions usage and no one discusses benefits.

Attorney, Dick Tulley (representing Robert Wilcox) objects to the changing of the method of figuring the maintenance assessments. Further stating that the landowners on the lower end get more benefit but pays less. Benefit goes down the line not up.

Board Attorney, Don Schmidt, talked about a court case, wherein property was figured on a dollar amount per acre. In order to keep a case from going to court he advises to do on a usage basis.

Terry Cain (110 acres) did not object to the dollar amount, but is objecting to the method of assessment.

Bob Anderson (375.70 acres) is objecting to the money amount.

Sam Kessler moved and Bob Thayer seconded a motion setting the maintenance assessment at \$1,700.00 per year and go back to the former method of figuring the drainage assessments. Motion carried.

#### Benjamin Crabbs Drain Hearing

The hearing is to propose revising assessments from \$600.00 to \$1,815.45 per year.

Harvey reported the following:

- a) He had increased the watershed due to some parts now being used for commercial use.
- b) Water travels northerly and westerly along interstate 74 and outlets into Black Creek.
- c) Harvey displayed a drainage map.
- d) Discussed the heavy silting and brush growth.

Letters of remonstrance were reviewed by the Board: Charles DeVore (387.37 acres) objected to the increase in cost.

Bill Corey (14.709 acres) ask Harvey to check the acres. Bob Stwalley presented a photo to the Board. Mr. Stwalley discussed that the water in this area flows North. With the development of Park 74, this has stopped this flow. He recommended the following: a) go under the Railroad tracks then east to Sugar Creek, then continue South to the Disability Service Building. Water can not go North as the land is too flat.

Bob Meers, of Heritage Industries, stated he thought the water should be channeled under the railroad tracks then into Sugar Creek. Harvey stated if the water is taken under the Railroad then this property will be taken out of this particular watershed.

Don Schmidt ask if this is affecting a legal drain? Either entering or exiting. Harvey stated the water entering.

Harvey went on to discuss that 3,300 feet of tile need to be cleared and dipped out.

Water in the area of Days Inn was discussed. Harvey feels this a State Highway problem as there is no side ditch on the Inns property.

Landowners in the Park 74 were instructed to carry a petition to form a new legal drain. Southeast corner of the truck stop, Heritage Products and Bob Stwalley would benefit greatly from this.



January 7, 1991 1:30 P.M.

Bob Thayer moved and Sam Kessler seconded a motion to let the present assessment of \$600.00 per year stand. Motion unanimous.

James Fleming Drain Hearing

Hearing is to propose revising maintenance assessments from \$750.00 to \$1400.00 per year.

Harvey reported that even though the Matrin Liter Drain is not on assessment, it directly feeds the Fleming Drain so he included this in the watershed. Sam Kessler reported a petition would be needed to do this. Kessler further stated we need more information on the Martin Liter Drain. Sam Kessler moved and Bob Thayer seconded a motion to table any action on this drain until a later date. Motion unanimous.

George Hutchinson Drain Hearing

Hearing to revise the maintenance assessment from \$1,400.00 to \$2,300.00 per year.

Harvey gave a short history of the drain.

Harvey recommended that this watershed be figured on a set charge per acre. He also went on to state he will do more field work on this. He proposes to figure the fall on the lower end and figure the silt build up. He proposed to figure \$1.50 per acre for agricultural and \$5.00 per lots in Elmdale.

Sam Kessler moved and Bob Thayer seconded a motion to accept the maintenance assessment of \$2,300.00 per year. Motion unanimous.

The Board instructed the Secretary to correspond with James McCutchen asking him to serve on the Montgomery County Drainage Board for William Yelton Drain. Meeting date January 29, 1991, 1:30 P.M.

There being no further business, the Board recessed.  
Time 3:38 P.M.

James M. Kirtley  
Samuel Kessler  
Robert Thayer

\_\_\_\_\_  
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
January 29, 1991, 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, January 29, 1991, 1:30 P.M., Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, James McCutchan; Attorney, Don Schmidt; Surveyor, Harvey Keller; 1st Deputy Surveyor, Larry Utz; and the following: Chuck Watkins, Bob Watkins, Tom Crowe, Gary Bullock of ADS, Wayne McCutchan, Sam Kessler, Emma Peebles, League Observer, and Ben C. Kessler.

Chairman, James Kirtley, called the meeting to order at 1:30 P.M.

This meeting was to open contractor bids on William J. Yelton Drain.

The Surveyor presented 4 sealed bids to Attorney, Don Schmidt.

Mr. Schmidt opened and read aloud the following:

Guernsey Tile Service	\$16,050.00
Watkins Construction Co., Inc.	11,505.00
Limedale Ditching	22,925.00
John G. Wetli	12,985.00

Engineers estimate is \$35,211.40 (tile included).

It was noted that Mr. Wetli's bid was not accompanied by a bid bond or cashiers check.

Tile company bids were read as follows:

Hancor Tile Co.	\$14,988.66.
Francesville (Fratco)	14,834.35 (taxes included)
"	"
"	14,127.95

Advanced Drainage Systems 12,406.95

James McCutchan moved and James Kirtley seconded a motion to take all bids under advisement. Motion unanimous.

The Board instructed Harvey to check all bids for accuracy.

Harvey stated the contractors were asking for a copy of the bid prices showing what each contractor had bid.

Harvey went on to discuss

- A 10% overrun cost has been figured in.
- 15% retainage fee will be withheld until the project is completed and a final inspection is done.
- No payments will be made without the work being done.

The Board stated bids will possibly be let February 4, 1991, 1:30 P.M.

Chairman, James Kirtley, moved and James McCutchan seconded a motion to recess. Motion unanimous.

Time: 1:45 P.M.

Note: Due to conflict of interest, Mr. James McCutchan replaced Vice-Chairman, Sam Kessler at this meeting.

James M. Kirtley  
Chairman

Samuel Kessler

Richard Thayer

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Secretary

Montgomery County Drainage Board  
February 4, 1991, 1:30 P.M.

The Montgomery County Drainage Board met, Monday February 4, 1991, 1:36 P.M., in the Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Member, Bob Thayer; Surveyor, Harvey Keller and the following, Sam Kessler, Al Cumming with Prudential Insurance Company, Ben Kessler and Wayne McCutchan.

Chairman, James Kirtley, called the meeting to order.

Sam Kessler removed himself from the Board for this meeting. Mr. Kessler is a landowner on the William Yelton Drain.

The Yelton Drain was discussed at great length.

All sealed bids for this drain were rejected by the Drainage Board. It was decided by two landowners (Sam Kessler and Al Cummings) that they would install a tile drain privately and together. Therefore, a petition to vacate the Yelton Drain as it is currently described was circulated to the two landowners mentioned. Also, a petition was circulated to re-establish part of the Yelton Drain on maintenance.

Harvey discussed drainage problems on the Heritage Products property.

Bob Meeks has a petition to construct a legal drain. General plans are to drain the water South and East, under the railroad tracks and continue on to Grefco property. Harvey stated he would like to have County Engineer, Larry Scott involved in this project.

Harvey reported he had a lengthy discussion with Tippecanoe County Surveyor, Mike Spencer, regarding joint drains and funds which need to be transferred to Tippecanoe County. (Mr. Spencer was in the Office, February 1, 1991). Drainage funds to be transferred are as follows:

<u>Elijah Fugate</u> .....	\$344.24
<u>Martin P. Gray</u> .....	1655.55
<u>Rebecca Grimes</u> .....	44.00
<u>Jenkins Drain</u> .....	145.00
<u>Frank Kirkpatrick</u> .....	492.50
<u>Kirkpatrick One</u> .....	4357.87
<u>Shawnee Creek</u> .....	794.32

Clinton County:

Martin V. Young Drain .... \$834.50

Hendricks County

Oscar Stevenson Drain .... \$201.83

Boone County

Ziegler Drain ..... \$ 68.00

Harvey discussed purchasing a blue line machine. Cost will be \$1420.00. The County engineer will cost share this item. The board concurred in proceeding with the purchase.

Harvey discussed further an answering machine for the office. Contractors have been instructed to notify the Surveyors Office every day before proceeding work on legal drains. As the Office does not officially open until 8:00 A.M., most contractors are already in the field working.

February 4, 1991  
-conti-

Harvey ask the Board if the County Highway Department had an extra 2-way radio. Reply was no.

The Auditor reported that Butler, Fairman, Seufert, Inc. had been paid \$395.86 check number 2378 for reviewing drainage plans on Big Four Arch Sub-Division.

Infra-red photos was discussed. Mr. Kessler showed great interest in this. Harvey replied he will ask the charge for doing one property (Kessler Farms).

There being no further business, Bob Thayer moved and James Kirtley seconded a motion to recess. Motion unanimous.

James M. Kirtley  
Chairman

Samuel Kessler

Robert M. Thayer

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
February 19, 1991 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, February 19, 1991, 1:30 P.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; and Surveyor, Harvey Keller.

Chairman, James Kirtley, called the meeting to order at 1:42 P.M.

The John Gobin #2 Drain was discussed. Harvey Keller read a short history of the drain and displayed a drainage map. Discussion of U.S. Army Permits were discussed as this area is a wetland. Approximately \$1,200.00 is needed to replace existing tile. Harvey Keller proposed a maintenance fund be set at \$3,000.00 Sam Kessler moved and James Kirtley seconded a motion to set the maintenance fund at \$3,000.00 per year. Motion unanimous. No remonstrances were submitted.

The Joel Tobin Drain was discussed. Landowners who were present at the hearing were as follows: Harold & Ethel Reeves, Larry Bullerdick and Dale Bullerdick. Harvey Keller presented a short history and presented a drainage map to the landowners and the Board. Dale Bullerdick showed Harvey and the Board problem areas on this drain. Discussion was of clearing and dipping the channel. One remonstrance was submitted by Estel McCloud. He has 63.52 acres, he stated he would not pay any more money towards this Drain. They discussed a study to be done on changing the direction of the water. Discussed the possibility of doing some work this summer with the money in the fund. Harvey proposed a \$3,000.00 maintenance fund. Sam Kessler moved and Bob Thayer seconded a motion to accept the maintenance fund of \$3,000.00 per year. Motion unanimous.

The George Hinkle Drain was discussed. Landowners who were present at the hearing were as follows: Ralph Miller, Lewis Fellows, and Stanley Harris. Harvey read a short history of the drain and presented a drainage map. Harvey stated it takes an average of \$285.00 to fix tile holes. There was a discussion of the interest money that is accrued from each drain account. Landowners wanted to know what was done with the interest. Sam Kessler said it was put in the County Drain Improvement Fund. Stan Harris said he fixed the big tile last year and cost of said repairs was \$75.00, he stated he didn't want to pay more to the fund when he could fix it for less. Harvey put to the landowners and Board three options:

- 1/ Raise Maintenance Fund.
- 2/ Keep it the same
- 3/ Vacate the drain and let landowners take care of all repairs.

Sam Kessler moved and Bob Thayer seconded a motion to keep the maintenance fund as is. Motion unanimous.

Stanley Harris and Lewis Fellows wanted to know if they were to get reimbursed for what they paid to be done on the tile? Harvey said to go ahead and reimburse these two gentlemen. Lewis Fellows produced his two cancelled checks in the amount of \$37.90 and he is to receive \$30.00 more for 3 hours of labor. Stanley Harris is to bring his proof of payment to the Surveyors Office.

Harvey discussed the William Epperson Drain. Don Schmidt took care of the Kentucky Stone bill, Ron Taylor is to get a loan. Don Schmidt and Ron Taylor said County will pay the interest.

Harvey presented a contract for Maintenance Agreement between E.B. Foster and the Drainage Board for their recommendations. It was signed by all at the agreed price of 55¢ per foot.

February 19, 1991

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The James Fleming Drain, which was tabled from an earlier date was brought up in regards to 2/3 of the people on the watershed were not paying. Harvey suggested they need to be. Sam Kessler stated to hold a hearing in regards to this Drain.

The Hysong Drain was brought to discussion. Harvey reported Hendricks County wants to meet before the hearing date. Those to attend the meeting are Kevin Ott, Hendricks County Surveyor; Patsy Wynn, Hendricks County Drainage Board Secretary; Hendricks County Attorney; Harvey Keller, Montgomery County Surveyor; Lee Earl, Montgomery County Drainage Board Secretary and Attorney, Don Schmidt. Sam Kessler stated this drain needs to be an open drain from Haven's property to 1000 South. He also requested Harvey have Engineer, Larry Scott, do a site inspection and give a written report and evaluation of this drainage project.

Harvey presented photos of the Joseph Hall Drain and Linn-Himes Drain. Photos were of the beaver dams being removed with dynamite. Also, photos of Heritage Products water problems were reviewed by the Board. Heritage is in the process of petitioning to establish a new drain.

Harvey discussed the price of the computer system. Cost has been quoted at \$23,707.00. Stoney McGaughey is requesting to place \$6,500.00 towards the purchase of this equipment. Board gave its approval of said action.

Harvey reported he will be attending a conference at Warsaw, In. Said conference will be with Rex Dalton, March 6, 1991.

Harvey reported he will also be attending the Gulf Central Pipeline meeting, February 20, 1991, Covington Beef House. Harvey is going to discuss the Joel Tobin Drain and give them maps in regards to their pipes in this drainage area.

Chairman, James Kirtley, recessed the meeting.

Time: 3:30 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Shroy

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Secretary

Montgomery County Drainage Board  
February 25, 1991 1:30 P.M.

The Montgomery County Drainage Board met Monday, February 25, 1991, 1:30 P.M., Commissioners Room, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller and the following landowners: Hobe Mennen, Ted Devore, Dale Crum, Lisa & James Foxworthy, Marcella Denhart, Sarah Simpson, R.G. Tulley (Attorney for Sarah Simpson), Dr. Maurice P. Lord II, Keith Sayler and Hobart Mennen.

Chairman, James Kirtley, called the meeting to order.

Hearing to revise maintenance assessments on the Joseph Hall Drain.

Harvey gave a short history of the drain.

Drain was originally constructed 1883.

Reconstructed 1948-1952 and 1982.

Drain is 9.86 miles in length.

Consists of 2 tributaries and encompasses 4 legal drains: Odis Thompson, Charles Newkirk, John Cochran and Moses Allen Drain.

Watershed is 8,057 acres; land is largely farm tillable, soil is mostly sandy.

Drainage area is made up of 80 landowners.

Maintenance is now 75¢ per acre.

Today's proposal is \$1.30 per acre.

Some repairs needing attention are:

- 1/ half of the main line needs dredging.
- 2/ replace pipes and rock shutes.
- 3/ spray the ditch banks.

Photos were circulated showing several problem areas.

In 1988, \$22,000.00 was spent to dredge a portion of the drain (Steve Ehrie, Contractor). Area of the work was done from Cherry Grove Elevator to County Road 150 East.

The proposed increase is 57% (or \$1.30 per acre). This yearly total would then be \$10,474.10.

Harvey reported he is proposing the following:

- 1/ Repair some pipes
- 2/ Dip our approx. 4,000 feet.
- 3/ Repair some tile holes.
- 4/ Spray ditch banks this fall.
- 5/ Place some rip-rap.
- 6/ Do some spot seeding of the banks.

Ditch spraying was discussed. Harvey approximated spraying for 2 years will control brush for 6 years.

\$1,350.00 should cover the cost to spray this drain. The cost is \$2.00 per gallon (includes chemical & labor).

This drain has not been sprayed.

Mr. Foxworthy reported that he and Ross Martin spray their portion of the drain.

It is the East leg of the drain that needs the majority of work. The north and west portion is in fair condition.

Present maintenance assessment on each section is as follows:

Section A	\$ 624.00
Section B	2434.00
Section C	2456.00
Section D	<u>2366.00</u>
Total	\$ 7880.00 (figures based of \$.75/acre)

Mr. DeVore and Sarah Simpson stated they were opposed to using the maintenance fund money from one Section of ditch to another Section.

Harvey stated he may have to request landowners to remove crops 15 to 20 feet back from the top of the ditch banks in order for the sprayers to do their job.

Harvey also stated he has estimated \$7,810.00 per year to maintain this drain or \$.15/foot.

February 25, 1991

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Spraying is done in September and October.

Landowners ask if Tributary #2 (an open drain south of 700 North) could be cleaned out also. Harvey stated no. Not unless it is petitioned, presently it is not part of the main tributary.

Dr. Lord stated he would rather have the rate increased enough to cover doing all the proposed work rather than do only partial work and review the drain in 2 years. Also he ask to be contacted before the ditch spraying begins as he has some private spraying to be done.

One letter of remonstrance was read from Samuel Asa Remster. Mr. Remster owns 4 acres.

Sam Kessler moved and Bob Thayer seconded a motion to set the maintenance assessment at \$1.20 per acre. and to review the drain in 2 years. Motion unanimous.

Bob Thayer moved and James Kirtley seconded a motion to recess. Motion unanimous.

Time: 2:15 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary



MONTGOMERY COUNTY DRAINAGE BOARD  
March 18, 1991 8:35 A.M.

A drainage meeting was held Monday, March 18, 1991, 8:35 A.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Auditor, Nell Hester; Surveyor, Harvey Keller and landowner, Marvin McBee.

Harvey discussed with the Board a drainage problem on Lye Creek (Jess Andrews property).

Harvey stated a rock shute needs to be installed.

Mr. McBee reported that the pipes were too far apart in this area and the water ponds on 20 - 25 acres. He also stated he would like the work started immediately.

Vice Chairman, Sam Kessler, ask if this was on a legal drain? Harvey: yes.

Sam Kessler ask if there was money in the fund to cover the costs? Harvey: yes.

Sam Kessler recommended to proceed with said surface drain and rock shute. Board concurred unanimously.

Harvey went on to discuss that he did not like the S.C.S. Office intervening (as they did on the A.F. Ward Drain) with plans for a levee and expect the Surveyors Office to cost share in their projects.

Harvey also reported a problem in the Smartsburg area. Hobe Mennen and Mr. Dice have a dispute over a water problem. Mr. Dice's farm travel path causes water to stand on Mennens property. Mr. Dice has gravel and stone placed on the path and rains wash the same into the waterway on Mennens.

Harvey explained this is a civil matter as there are no legal drains in this area.

Mennens stated they would be coming to the Commissioners meeting this morning to discuss the matter.

There being no further business, meeting recessed.

*James M. Kirtley*

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD

March 25, 1991 9:25 A.M.

The Montgomery County Drainage Board met Monday, March 25, 1991, 9:25 A.M., in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller; County Engineer, Larry Scott; County Highway Superintendent, Gordon (Bud) Holloway; Assistant County Highway Superintendent, Keith Brewer.

The Ebenezer McClaskey Drain was discussed. This drain cross' under County Road 625 East and between 400 North and 300 North, the tile broke and has caused a hole large enough in the road (west lane) to close the road. The hole is approximately 60 feet South of an existing bridge.

Harvey and Larry Scott reviewed the drainage map and photos. They discussed the following items:

- a) Acres in watershed 680 acres
- b) Tile sizes. The one under the road is an 18 inch.
- c) Angle of the pipe under the road.
- d) Harvey & Larry S. both agreed an 18 inch metal pipe or tongue & groove or corrugated plastic could be used. There is 7 feet of cover on the pipe.
- e) Mr. Scott recommended leaving plenty of length on each end of the pipe and also he stated the contractor will need to install the pipe according to state specifications - which includes compacting the backfill. The contractor can pick up a copy of the specs from the County Highway Garage.

Harvey reported the balance in the maintenance fund is \$441.00 (McClaskey Drain) and this is not enough to cover the cost of the above mentioned repairs. Bob Thayer ask approximately how much to do the necessary repairs. Harvey stated \$2,000.00 . Harvey also stated he wanted Jack Jones to do the job.

Harvey ask for the balance in the improvement fund. Auditor, Nell Hester, reported \$9,522.11. It was concluded the work will be done, with payment to come from the improvement fund. (done by an encumbrance).

The Board instructed Harvey to proceed with replacing the pipe under County Road 625 East as soon as possible.

There being no further business, the meeting recessed.

James M. Kirtley  
Samuel Kessler  
Robert Thayer

MONTGOMERY COUNTY DRAINAGE BOARD

May 6, 1991 8:55 A.M.

The Montgomery County Drainage Board met Monday, May 6, 1991, 8:55 A.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were as follows: Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller; Attorney, Don Schmidt; County Engineer, Larry Scott; Assistant Highway Superintendent, Keith Brewer; Reporter, Pat Cline; League of Women Voters Representative, Emmy Peebles; and Contractor, Jack Jones.

Attorney, Don Schmidt, requested the Surveyor to do a survey on a small parcel of land located on County Road 400, North of Leland Stark. Present owner is Gary Anderson. Harvey was instructed to define 10 feet over the usual right of way.

Harvey discussed Ron Taylors bill regarding the Wm. Epperson Drain. Mr. Taylor has been sent contract modification number 4 to be signed and returned to our office. (this was received in our office at approximately 10:15 today).

U.B. Cross was discussed. Cains Homelike Farms want to reroute a part of this drain. They ask to rechannel water 200 feet in a new constructed side ditch. The Board requested County Engineer, Larry Scott, to review this action.

Phillip Dewey Drain. Harvey reported he has shot levels and prepared field notes to within 1/2 mile of the Tippecanoe County line. The hearings will begin late this summer. (1991).

A transfer of funds has been sent to the Auditors Office. A total of \$3,088.25 is being transferred from the Maintenance fund to the Improvement fund. A total of eight drains are listed on this fund transfer.

The Board instructed the Surveyor to put in writing correspondence to the County Council requesting an additional \$20,000.00 to be placed in the General Drain Improvement Fund.

Harvey discussed the new county drainage ordinance. Harvey suggested some minor changes. The ordinance now states the County Surveyor will manage all water problems in the County. This would include the city of Crawfordsville. In the past he stated his jurisdiction was in regards to legal drain.

He is receiving several calls daily from city residents with water problems. Many calls regarding the Shelly Drain area.

The Shelly has a reconstruction and maintenance petition out, being carried by Mr. Horace Tomey. This petition has not been filed with the Surveyors Office. This drain would encompass the eastern 1/3 of Crawfordsville plus 500 to 700 acres of farmland.

The computer system was discussed. Harvey stated that Beam, Longest & Neff do not have the program (drain master) that the Surveyors Office needs. The money will be available in 45 to 60 days. The Board instructed Harvey to put the figures together. Get all equipment itemized and priced separately.

The Attorney stated that May 14, 1:30 P.M. he would like to do a site inspection on Watermelon Road (275 East) with Engineer, Larry Scott and Surveyor, Harvey. The Corp of Army Engineers are proposing to construct a levee. This is to prevent Sugar Creek from eroding the banks.

-conti-  
May 6, 1991 8:55 A.M.

Harvey reported that he has inspected 23 drains requiring work this fall. Most are located in the Northern part of the county.

Contractor, Darrell Birge, and landowners on the Thomas Wilkins Drain have approached the Surveyors Office asking if they can remove a portion of the abandoned railway to clean and repair the headwall. After discussing this with the Attorney and the Board, Harvey has written the Norfolk and Western Railway for permission to do said removal. As of todays date a reply has not been received. Mr. Schmidt reported if we do not have a reply in a week he would contact the railroads attorney in Lafayette.

There being no further business, meeting recessed 9:26 A.M

James M. Kirtley  
Samuel Kasper  
Richard Shayer

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Montgomery County Drainage Board  
June 25, 1991 1:35 P.M.

The Montgomery County Drainage Board met Tuesday, June 25, 1991, 1:35 P.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller; and Attorney, Don Schmidt. Mr. Schmidt did not stay for the entire meeting.

Chairman, James Kirtley, called the meeting to order.

Sam Kessler ask about the drain located on Highway 234 and County Road 200 East. Harvey reported this is the Rankin Walkup Drain. The Board reviewed photos of the drain. Contractor, Gary Layne, repaired this drain. There were 6 tile holes in 60 feet of the tile line. Several places were repaired and patched in the same place numerous times. Mr. Layne replaced 60 feet with plastic tile, removing all the old smaller repairs.

Attorney, Don Schmidt, reviewed a letter to Mr. Ken Neuhouser of Nucor Steel. This correspondence was for final approval of the William Epperson Drain work. A reply has not been received.

The Board reviewed a letter to S.C.S. Office regarding Thomas Wilkens - Sarah Kincaid Drains. Landowners are requesting to remove a section of the railway bed to clean and repair the tile outlet. Said railroad is now abandon. Darrell Birge, contractor, will be doing the repairs. Work has not started.

Harvey reported on the John McLaughlin Drain. Landowner, Mike Emmert, requested to straighten 1100 feet of this drain (open). S.C.S. Office states this is a wetland. Army Corp of Engineers requested further information be faxed to their office. Then they will make the final determination of a wetland or not.

A few landowners have shown interest in further hearings on the McLaughlin Drain for maintenance.

Ebenezer McClaskey Drain

A large tile hole was found 200 feet East of the County Road. An outlet was made at this point. (moving the original outlet). Jack Jones was the contractor. Outlet appears to be working very satisfactorily. Mr. Kessler stated he feels the rip-rap should be larger, so washouts will not occur.

James Fleming Drain

Forest Patton reported that storm damage has caused trees to fall on this drain. After a field inspection - damage is south of the outlet (in Black Creek) not in the maintained portion of the legal drain. Mr. Patton does not agree with these findings. Harvey wrote Mr. Patton a letter stating county cannot remove the trees.

Levi Hawkins Drain

Contractor, Rex Wills, found a serious problem with this drain. Problem stems from wrapping tile joints with plastic trash bags. Harvey reported this is a practice no longer recommended or used by this office.

Benjamin Crabbs Drain

Contractor, E.B. Foster, is trimming and cutting brush on this drain. Harvey has requested Ed Barclay to remove the fence he has dumped in the drain or it will be removed at his expense. No reply has been received. Board agrees with the Surveyor.

Linn-Himes Drain

Harvey stated that he has observed that when drains are sprayed, beavers tend to move. Two landowners on the Linn-Himes do not want the beavers or beaver lodges blasted or destroyed. They are involved in EPA.

Joseph Hall Drain

Harvey reported there is heavy growth on this drain. Landowners would like for some dredging to be done, but the money this year will be used to spray the banks. The Board requested Harvey to get prices on aerial spraying. Harvey reported that Rodeo is the only aquatic herbicide that can be applied.

Hobart Mennen reported that the banks were eroding and after further checking this is due to beaver lodges in banks fall in.

Mr. Kessler ask if the beaver lodge could be removed by excavating instead of blasting? Harvey reported in some cases, yes.

Lye Creek Drain

Marvin McBee requested an 18 inch x 100 foot pipe be installed. Harvey reported this seems to be doing a satisfactory job. Harvey also ask Mr. McBee to not farm too close to this area. Pipe installed by Chuck Watkins.

John V. Galey Drain

Located South and East of the City, includes part of the City Golf Course. Harvey reported behind Hi-Tek this drain is in bad condition. About 1,000 feet of 24 inch tile needs repaired. This is located on the northwest end of the drain.

Alvin Sparks Drain

Located 550 South, 1½ miles east of Whitesville. An 18 inch tile is collapsing on Joed Linn property. This tile is approximately 90 years old.

Charles Schoen #2 Drain

Harvey presented photos showing its outlet into Potato Creek.

Mr. Emmert and Mr. Dykes were concerned about the outlet due to bridge reconstruction. At the outlet 12 feet of tile have been replaced with plastic tile by bridge crews and new outlet placed.

Martin Liter Drain

This is the upper end of the James Fleming Drain. Jeff Myers ask if some cleaning could be done on this drain. Mr. Myers will (at his own expense) clean out approximately 800 feet of the open part.

Joseph Ludlow Drain

Willis Surface reported a tile hole in the side ditch. It was reported the County Highway Department had broken the tile when doing other work in this area. This is a private tile line. Map shows it to be Tributary #3 of the Joseph Ludlow Drain.

If this is repaired Mr. Surface will do it at his expense.

Harvey reported he had inspected 32 drains. of these 4 need to be dipped out: 4 need heavy brush cleared: and 24 need sprayed.

Harvey discussed the James Hose Drain. The Board reported the loan is a 5 year note with payments due twice a year.

Nancy Hollingsworth Drain

Harvey reported that the maintenance assessments had been increased from \$100.00 to \$200.00 per year. Drain has a minus balance of \$6,251.76 in the Improvement Fund. Sam Kessler moved and Bob Thayer seconded a motion to increase the maintenance assessment 25% (this can be done without a

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June 25, 1991

hearing according to Burns Statue). Motion unanimous. The Hollingworth is the lower end of a creek and does not benefit anyone. Harvey recommends that when debt is paid off, a hearing be held to vacate this drain.

The Board signed 9 encumbrances:

Benjamin Crabbs Drain	663.80
Arthur Fraley Drain	2,152.53
John V. Galey Drain	1,314.14
Joseph Gray Drain	160.09
Levi Hawkins Drain	115.14
Joseph Ludlow Drain	226.96
Ebenezer McClaskey Drain	71.63
Stanford-Elmore Drain	151.74
Richard Virts Drain	210.85

The Board approved the minutes of May 6, 1991 meeting as read.

The Auditor, Nell Hester, requested the Surveyor to itemize a list of the computer equipment he is requesting for his office. Harvey agreed.

There being no further business the meeting recessed.  
Time 3:00 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Harper

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
July 8, 1991 8:24 A.M.

The Montgomery County Drainage Board met Monday, July 8, 1991, 8:24 A.M., in the Commissioners Office, Room 103, Courthouse, Crawfordsville, Indiana.

Those present were: Vice-Chairman, Sam Kessler; Member, Bob Thayer; Auditor, Nell Hester and Surveyor, Harvey Keller.

Vice-Chairman, Sam Kessler, called the meeting to order.

The Board reviewed the letter from the Surveyor, re the itemized list of computer equipment and prices. Board stated they would forward this to the County Council Harvey ask that the Council be reminded that the Countys share would be \$23,000.00 Stoney McGaughey will pay \$5,000.00.

The Moses Allen Drain, has 160 feet of 12 inch tile that need to be replaced. Ross Foxworthy property at the fence line. The price of replacement is approximately \$3.50 per foot or \$560.00. Harvey ask if the repairs could be scheduled and repairs paid from the improvement fund. Board replied "yes but improvement fund will need to be repaid as funds are available." Maintenance account balance is \$567.60. Yearly assessment is \$102.72.

Harvey also reported that since assessments are so low - he is proposing to revise the maintenance assessments.

Harvey discussed the home by Habitat for Humanity being built in Linden. Contractor ask about installing the sanitary sewer line, should line go over or under the tile line. Harvey stated to go over the drainage tile was the best plan. Board agreed. Harvey stated later today he will do a thorough site inspection.

Harvey discussed the John McLaughlin Drain. Landowner, Mike Emmert, wants to straighten 1100 feet of the this open channel. The Army Corp of Engineers have jurisdiction on levees and straightening channels. Several departments are involved, Dept. of Natural Resources, Dept. of Fish and Wildlife, and the Soil and Water Conservation Office.

Harvey has contacted the Army Corp. of Engineers and they have ask for 8 additional items to be done before they make a decision as to a wetland or not. Harvey stated the McLaughlin is a private drain and his work load is to great to do this on company time. Board was in agreement with this.

The Corp of Army Engineers have requested the following:

- 1) Cross sections
- 2) cubic yds estimate to backfill the old channel.
- 3) estimated area within the wetland that will be affected.
- 4) proposed cut on new channel
- 5) average annual flow of water in cubic feet.
- 6) adjoining landowners names & addresses.



-conti-  
July 8, 1991

7) also need to incorporate where they would have fish habitat.

8) all information on 8½ x 11 size paper.

After receipt of this info they will publicize a 30 day notice. Then a decision will be made by the A.C. of Engineers.

Harvey stated this would be submitted only after Mike Emmerts appeal is processed.

There being no further business, the meeting recessed.

Time: 8:40 A.M.

James W. Kirtley  
Samuel Kessler  
Robert Hays

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
July 9, 1991 8:58 A.M.

The Montgomery County Drainage Board met Tuesday, July 9, 1991, 8:58 A.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley, Vice-Chairman, Sam Kessler; Member, Bob Thayer; Auditor, Nell Hester; Attorney, Don Schmidt; Surveyor, Harvey Keller; Mr. Jay Carter and Reporter, Pat Cline.

Surveyor, Harvey Keller, discussed the following:

James Hose Drain: In Linden Habitat for Humanity is building a house on the James Hose Tile line. This is on Lot Number 2, Block Number 1 of the Original Plat. The lot has been built up with fill dirt. The foreman of the job mentioned there is a basin in this vicinity he will be filling in. Harvey will check this out further. The southeast corner of the structure is directly on the tile line (if the line runs in a reasonably straight line).

Epperson Drain

Harvey met with Mr. Kenny Neuhouser at Nucor Steel Monday afternoon and did a site inspection of the Epperson Drain. Mr. Neuhouser will write a final approval before July 15th.

Charles Newkirk Drain

The petition was discussed. The last paragraph on the petition is to stay. If landowners want this watershed changed - they need to stand as sureties in case the project is rejected and legal action follows.

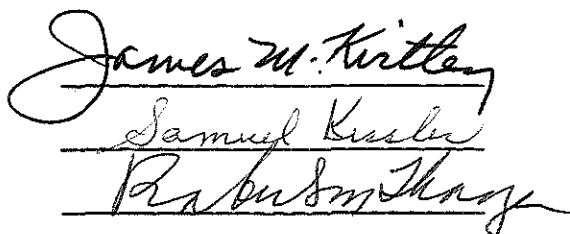
Harvey and Attorney, Don Schmidt, reviewed the letter (from Harvey) to the County Council re: the computer system for the Surveyors Office. Mr. Schmidt wanted an actual count of the physical equipment.

After the Councils approval money will be put into the budget then paid from the individual accounts.

John McLaughlin Drain was discussed. Mike Emmert is wanting to clean and straighten 1100 feet of McLaughlin Drain channel. But some problems are arising out of this as this land has been designated "wetland" area.

Harvey discussed the detailed plans the Army Corp of Engineers has requested. This would be very time consuming, plus the McLaughlin is not classified a legal drain. Board agreed Mr. Emmert needs to hire an engineer to draft detailed plans.

There being no further business, Bob Thayer moved and Sam Kessler seconded a motion to recess.



\_\_\_\_\_  
Secretary

Montgomery County Drainage Board  
August 5, 1991, 1:30 P.M.

The Montgomery County Drainage Board met August, 5, 1991, 1:30 P.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley ; Vice-Chairman, Sam Kessler; Member Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller and the following landowners: Gerald Snyder, Russell Fruits, Mark Barclay, Nathan P. Drollinger, Anna Myers, Don Myers, Mike Suiters, Kenneth Moore, Charles Hall and Shirley Faubion.

Chairman, James Kirtley, called the meeting to order.

The Surveyor, Harvey Keller, reported on the proposed drain, tentatively called the Snyder Drain. <sup>Gerald</sup>

- a) At this point this is a proposed project.
- b) First step is to petition to establish as a legal drain.
- c) Drain is located in Section 1,2, Twp 18 North, Range 6 West.
- d) The figures presented to landowners was a basis to make their decision on. The estimated cost is \$2.98 per acre to maintain this drain.
- e) A letter from J.W. Norman, Venice, Florida was opposed to this project. Normans have 48.52 acres.
- f) To reconstruct the entire drain would be approximately 25 to 30 thousand dollars.
- g) Watershed is 840 acres.

There is 1400 feet of 20 inch tile. Tile prices now are 20' of 18" - \$160.00.

The figures landowners now have do not include the tile prices.

Mr. Snyder ask if landowners do this as a private project where would they start? It was recommended they hire a private surveyor. Place all monies collected in an escrow account.

Board recessed because landowners could not reach a decision. Landowners will have to meet and decide on their own on what to do.

Board re-convened and went on to discuss the following: William Yelton Drain. The secretary was instructed to place on the agenda a date for the hearing of the revised watershed and maintenance assessments. Mr. James McCutchan will serve on this Board in lieu of Mr. Sam Kessler due to conflict of interest. (Mr. Kessler owns land with in this watershed.)

The proposed drain located South and East of intersection of Interstate 74 and U.S. 231 North was discussed. This involves property owned by Heritage Products. Heritage has informed, Harvey, they will pay for the total construction project. The Surveyor, Harvey Keller, Heritage Products rep., Bob Meeks, and County Engineer, Larry Scott are to approve the plans. August 16, 1991, 1:00 is the scheduled meeting date.

A maintenance assessment should be set up on this drain.

Harvey reported no work is being done on drains at this time.

There are 4 open drains (3,000 feet or less in length) need dipped out.

- 4 longer drains need dipped and heavy brush removed.
- 3 drains to be reconstructed.

- conti -

August 5, 1991 1:30 P.M.

24 drains to be sprayed starting September 6th.

2 ditch spraying companies will be doing the work. Chemitrol of Gibsonburg, Ohio and Lawn Rangers, Warsaw, Indiana.

Harvey has mailed letters to landowners requesting they remove crops 15 feet from the open drains to allow a travel path. Bean crop rows can be straddled for work.

Harvey reminded the Board of the ditch hearing scheduled September 17, 1991, 1:30 P.M. on the Charles Newkirk Drain.

The Chairman, James Kirtley recessed the meeting. Time 3:00 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Shroyer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
August 13, 1991 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, August 13, 1991, 1:30 P.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Attorney, Don Schmidt; 1st Deputy Surveyor, Larry Utz; Mike Kirby, Sales Representative with A.C.C.S. and Landowner, Horace Tomey.

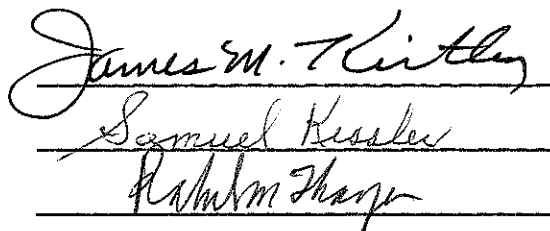
Chairman, James Kirtley, called the meeting to order. Mr. Tomey discussed Montgomery Place Condominium's and the water run off created by this development. He also presented photographs. Location is 32 East and 1/4 mile East of intersection 47 and 32. Davis Realty is extending this addition to the south and this portions elevation is higher than the existing condominium's . The Davis Addition units are 6 feet above the street level. This is forcing more water onto Mr. Tomey's property. Mr. Tomey suggested that a holding pond be built on the site of a gravel pit owned by the Baptist Church.

There have been no provisions made to control the water run off. Mr. Davis has not applied to the Board for any permits regarding drainage or sub-division rules.

Attorney, Don Schmidt, suggested the Surveyor and City Engineer, Don Yount, meet to discuss this problem and make some decisions as to what can be done. This water problem will only continue to get worse. The Board agreed that this area needs a storm water system.

Mr. Tomey discussed the culvert the State Highway installed in this same vicinity. Mr. Tomey thinks this will never work. The side slopes are not cut right and the pipe is too small.

There being no further business the meeting recessed. Time 2:00.

  
James M. Kirtley  
Samuel Kessler  
Robert M. Sharp

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Lee Earl, Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
August 30, 1991, 8:15 A.M.

The Montgomery County Drainage Board met Friday, August 30, 1991, 8:15 A.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Auditor, Nell Hester; and First Deputy Surveyor, Larry Utz.

Chairman, James Kirtley, called the meeting to order.

The Board met to discuss the spraying of legal drain. Vice-Chairman, Sam Kessler, stated he felt it was the Boards responsibility to maintain these drains.

Larry Utz reported that it has been planned to spray 24 drains.

Sam Kessler moved and Bob Thayer seconded a motion to proceed with spraying the drains. Motion unanimous.

There being no further business, the meeting recessed.

Time: 8:30 A.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

\_\_\_\_\_  
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
September 9, 1991 1:30 P.M.

The Montgomery County Drainage Board met Monday, September 9, 1991, 1:30 P.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller and the following landowners, Dean Rush, Homer W. Coats, Harry Hughes, Ruth E. Coats, Cecil Dunlap, Edith Rush, Beulah Spragg, Edith M. Gray, Geraldine A. Smith and Richard E. Myers for Herman & Dora Myers.

Chairman, James Kirtley, called the meeting to order.

Surveyor, Harvey Keller, gave the following report: March 29, 1991 a petition was requested to place the James B. Elmore - Daniel Smith Drain on maintenance assessment.

July 25, 1991 the petition was filed with the Surveyors Office.

Daniel Smith Drain was constructed in 1883. Located in Sections 10-11-14 & 15, Township 18 North, Range 6 West. Ripley Township. County Roads 150 South and 925 West.

James B. Elmore Drain was constructed 1927. Located in Section 15, Township 18 North, Range 6 West, Ripley Township.

In 1967, former County Surveyor, Carroll Beeson, stated watershed consisted of 468 acres and recommended a 30 inch tile be used in Section 14 on Rush's property.

A portion of this is an open drain (thru Hughes & Drollinger property) then goes into a 16 inch tile for approximately 3/4 mile then back to an open drain and outlets at the Montgomery and Fountain County line.

The combining of these drains make a total of 1,160.50 acre watershed.

Harvey stated that in order to do any major work this drain will need to accumulate \$2,000.00 per year for at least 2 to 3 years then do some tile repair.

Mr. Hughes stated that for the past several years - privately- landowners have been cost sharing major repairs. 1,000 feet have been dredged and cleared from Coats to Myers Farms. They have already made plans to repair tile on these properties. Landowners went on to discuss placing this drain on maintenance in 1993.

Harvey outlined the following as major items:

- a) Lower 1/2 mile needs dredged and cleaned.
- b) Repair all outlets into the main line.
- c) all tile (the main line) needs replaced -- could perhaps parallel the old tile line.
- d) build a retention pond.
- e) this drain does not have much fall in the total length.

Landowners discussed the method of figuring assessments. Harvey explained the formula is based on usage of drain, benefits and damages. Twenty-three counties in Indiana use this method of calculation.

Twenty-two percent of the landowners did not attend this

meeting.

Chairman, James Kirtley, moved and Bob Thayer seconded a motion to make the James Elmore-Daniel Smith Drain a legal drain. Motion unanimous.

Landowners attending have the following acreage:

Dean & Edith Rush	160	acres
Homer & Ruth Coats	80	"
Harry Hughes	120	"
Cecil Dunlap	52.48	"
Beulah Spragg	154.08	"
Edith Gray	55.10	"
Herman Myers	148.65	"

Harvey concluded with the following:

- a) Surveyor will do a field check at which time number of acres in watershed could change.
- b) It could possibly be 10 years before this project is completed.
- c) Maintenance Assessments will be collected in 1993.
- d) Landowners will continue this year (1991) as private action to proceed with the drain repairs as per their plans. As maintenance assessments accumulate work will be done and will start on Rush and Dunlaps property.
- e) Costs will be figured on a benefit basis.
- f) After the Surveyors report is completed, another meeting will be held. At this meeting firm acres and assessment fees will be presented.
- g) Surveyor will meet with landowners to plat private tile lines and outlets into the main tributary.
- h) Landowners have 30 days to remonstrate against this project.

There being no further business, the Chairman recessed the meeting.

Time: 2:35 P.M.

James M. Kirtley  
Samuel Kusler  
Robert Thayer

Lee Carl  
Secretary



MONTGOMERY COUNTY DRAINAGE BOARD

September 17, 1991 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, September 17, 1991, 1:30 P.M., Commissioners Office, Courthouse Room 103, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt; Surveyor, Harvey Keller; Landowners, Boyd Hudson and Marcella Denhart for the Charles Newkirk Drain Hearing and Forrest and Edward Patton to discuss the James Fleming Drain.

Chairman, James Kirtley, called the meeting to order.

The Surveyor gave the following report on the Charles Newkirk Drain:

Drain consists of 948 acres.

4,414 feet of open drain.

11,237 feet of tile (3 tile lines).

In 1983 maintenance was set at \$.75 per acre or \$725.00 per annum collected.

No one really knows when the Newkirk became being called Newkirk - another name was Prosser Lingerman Drain. But when the Joseph Hall Drain was reconstructed the open portion of the Charles Newkirk was dredged and included in the Joseph Hall watershed.

The hearing today will determine the watershed as 597 acres (all other acres will be in the Joseph Hall Watershed Tributary #1.)

Balance of Newkirk Drain is \$2,882.86 (9-17-91).

Balance of Hall Drain is \$9,394.91 (9-17-91).

Boy Hudson stated at one time he discussed that the Drainage Board should transfer funds (from Hall to Newkirk Drains) in the amount of \$2,500.00. This transfer was never done. Now he stated a more reasonable amount would be \$500.00 to \$1,000.00.

Mrs. Denhart asked that now that the open ditch is no longer a part of the Newkirk Drain, shouldn't everyone's yearly assessment go down? Harvey replied, "Yes, now that there is only 597 acres, everyone's assessment will drop. However, the \$.75 per acre charge will remain the same. You just will not be paying on as many acres."

Bob Thayer moved and Sam Kessler seconded a motion to designate the Newkirk Drain as consisting of 3 tile lines and setting the maintenance assessment at \$.75 per acre. Motion unanimous.

Mrs. Denhart discussed repairs needing done at the railroad tracks. She also gave the Surveyor several photos showing the area.

The James Fleming Drain and Black Creek area was discussed. Forrest and Edward Patton ask if the county would pay to have several trees removed from Black Creek? Contractor, Aaron Wills has quoted a price of \$600.00 to

-conti-  
September 17, 1991

remove said trees. The Surveyor questioned this as Black Creek is not a legal drain. Several drains outlet into Black Creek. But it is not a legal drain and the Pattons could not be reimbursed for hiring such work done.

Maintenance balance of James Fleming Drain is \$2,882.68. The Board ask if any work is scheduled? Harvey reported yes, later this fall he plans to clear brush and dip the bottom.

Harvey discussed the Needham-Booher Drain. After further inspection the Ed Morehouse property is to be omitted from this watershed.

There being no further business, Chairman, James Kirtley, recessed the meeting.

\*\* Note: After a field inspection was done, the county will not clear Patton's trees below the James Fleming outlet.

*Robert M. Shays*  
*Samuel Kessler*

MONTGOMERY COUNTY DRAINAGE BOARD  
September 30, 1991, 1:30 P.M.

The Montgomery County Drainage Board met Monday, September 30, 1991, 1:30 P.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Surveyor, Harvey Keller and the following landowners: Kathryn Branstetter, James Branstetter, John E. Booher, Willis Horn, Carolyn Wiley, Joseph G. Wiley, Wayne S. Wiley, William Crowe, Max Lough, and Attorney, Patricia McGaughey.

Today's hearing is to place on maintenance the Lee Needham-Elkana Booher Drain.

Chairman, James Kirtley, called the meeting to order.

Surveyor, Harvey Keller, gave the following report:

- a) The petition was received in the Surveyors Office, June 29, 1990.
- b) Drain is located in Franklin Township.
- c) Drain includes the following watersheds: Elkana Booher, Joseph H. Gray, George W. Jewell, Samuel J. Lough, William C. Lough and Lee Needham Drains.
- d) Lee Needham Drain was constructed 1881 and reconstructed 1958.  
Consists of 16,926 feet of open and 1200 feet tiled. Acres in watershed, 2,580.83.
- e) Elkana Booher Drain constructed in 1892 and consists of 3,237 feet tiled. Acres in watershed 400.96.
- f) Cost to maintain is \$4,897.00 per year.
- g) Number of landowners is 84.
- h) Read aloud correspondence from landowners as follows:

Joseph & Carolyn Wiley	opposed.
Inell (Raymond) Anderson	opposed.
John Booher	opposed.
Willis Horn	opposed.
Hugh & Judith Pence	In favor.

If this hearing is voted in today, it will be at least 2 years before any serious work can be done. This waiting will let money collect into the maintenance fund.

The County Surveyor, Harvey Keller, suggested tabling any action for 60 days.

Landowners expressed many concerns and views on this project.

- a) Probe the tile line thru William Crowe property. Could possibly be laid at the wrong grade. Mr. Crowe stated the tile does run water, only very slowly.
- b) There is a large gravel deposit in this area, thru Horn & Lough property. Harvey reported after a field check the C.A.S.I. Company is not causing any problems on this drain.
- c) All open portion has a good stand of grass and brush if at all possible it would be best not to disturb this. The banks are sandy and bottom is gravel.
- d) Put back into individual watersheds (separate the watersheds). Landowners on lower end (Needham Drain) do not feel they should pay for tile repairs on far upper end as in George Jewell and Elkana Booher Drains.

Harvey stated that to make any of the above changes would require a new petition. The hearing today is for items mentioned in this petition only.

Attorney, Patricia McGaughey, ask the Surveyor to define the differences of the Improvement and Maintenance Funds.

Harvey explained how he figured the maintenance costs of this drain, which is on a benefit basis.

The property of Ed and Sandy Morehouse (63 acres) is to be removed from this watershed. Bringing the total watershed to 4,002.88 acres.

The Chairman called for a vote. "Do landowners want the Needham-Booher Drain placed on maintenance assessment?"

Voting is as follows:

James & Kathryn Branstetter	200	acres	Opposed
John E. Booher	391	acres	Opposed
Willis Horn	89	acres	Opposed
Carolyn & Joseph Wiley	29	acres	Opposed
Wayne Wiley	132	acres	Opposed
Inell Anderson	259	acres	Opposed
Wm. Crowe	100	acres	In Favor
Andrew & Dorothy Crowe	92	acres	In Favor
Dorothy Crowe	39.50	acres	In Favor
Max (Maynard) Lough	99	acres	In Favor
Total Opposed	1,100	Acres	
Total in Favor	2,902.88	Acres	

-conti-  
September 30, 1991

This is 27% opposed and 73% in favor. To place this drain on maintenance assessment passed by 73%. Motion carried.

Chairman, James Kirtley, recessed the meeting.

Time: 3:06 P.M.

The Board reconvened 3:15 P.M.

Those attending were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Surveyor, Harvey Keller and Contractor, Jack Jones.

The Surveyor is to check the A.F. Ward Drain with Mr. Max Lough. Area is on Boone-Montgomery county line then south to the second house on west side of road.

The Surveyor discussed the James Fleming Drain. The Board reviewed several photographs of this area. The trees down (reported by Forrest & Edward Patton) are in Black Creek. Said trees are 600 feet from the outlet and are not threatening the outlet. Sam Kessler moved and James Kirtley seconded a motion to not pay to have trees removed from Black Creek. Motion unanimous.

The Surveyor discussed the ditch spraying. Spraying is finished and total bill is approximately \$40,000.00. Joseph Hall Drain alone was \$8,800.00.

Charles McFarland Drain was discussed. Drain is located on 32 West and 25 South. Harvey proposes to repair the entire tile line. Contractor, Jack Jones, will be doing the work. The tile will be stored on Bennett / Gerald Snyder Farms.

Chairman, James Kirtley, recessed the meeting.

Time: 3:26 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
October 29, 1991, 9:05 A.M.

The Montgomery County Drainage Board met Tuesday, October 29, 1991, 9:05 A.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Attorney, Don Schmidt, Auditor, Nell Hester; Surveyor, Harvey Keller and Reporter, Pat Cline.

Chairman, James Kirtley, called the meeting to order.

a) John Gobin Drain - located just south of Linden off of 231 North. This drain crosses under the railroad. This same pipe was repaired in 1958.

b) Mid-West Mole Company (a boring company) gave a proposal to Surveyor, Harvey Keller.

- 1) maximum length of pipe to be placed is 120 feet.
- 2) price is \$116.00 per foot or \$13,920.00.
- 3) balance of Gobin Drain is \$4,824.00.
- 4) pipe will be placed 2 feet south of its present location.
- 5) Sam Kessler suggested using the improvement fund monies.

c) The Surveyor was instructed to contact the State Highway Department, CSX Railroad and Mr. Charles Bennett as to the schedule of replacing the pipe. Mr. Bennett needs to be contacted for a temporary easement to move equipment in and out of the job site.

Sam Kessler moved and Bob Thayer seconded a motion to proceed with Mid-West Mole Company doing the pipe work on John Gobin Drain. With the stipulation that work is not to exceed \$116.00 per foot. Motion unanimous.

Attorney, Don Schmidt, and Harvey will meet later to review the railroad contract. Harvey stated this is the CSX Railroad. Mr. Schmidt stated he corresponds with Mr. Earl Daniels of Riverdale, IL.

d) Harvey reported that he is continuing with work on Phillip Dewey Drain. He stated he will call a joint board meeting either early November or December.

e) The Smith-Elmore Drain. Harvey has scheduled a meeting with landowners. (Those located on the upper end of the drain). To discuss wetlands. There may be a problem with this as no work has been done in this area for 20 years.

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October 29, 1991

f) Charles McFarland Drain. Located on 25 South and 32 West. Contractor, Jack Jones, has been doing tile work on this drain. The tile under 32 West has been laid at the wrong grade (off 7 tenths). Harvey has discussed this with the highway department and they have not replied as of this date. Tile was placed in 1971. After 20 years, it is doubtful if highway department will replace at their expense.

g) Early kill on the drain spraying looks very favorable.

h) There are three (3) beaver dams on Joseph Hall Drain. Harvey is going to inspect this then make plans to have them removed.

i) Mike Emmert is waiting to hear from Army Corp of Engineers, regarding straightening 1100 feet of open channel on the John McLaughlin Drain.

j) A.C.C.S., Frankfort, will be reviewing the invoice of the computer system, before final billing is turned over to Don Schmidt for payment from the state bond issue. Training of office personnel will be done in the Surveyors Office.

There being no further business, the meeting recessed.

Time 9:30 A.M.

James M. Kittle  
Samuel Kesler  
Robert M. Thayer

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Secretary

Montgomery County Drainage Board  
November 26, 1991, 8:50 A.M

The Montgomery County Drainage Board met Tuesday, November 26, 1991, 8:50 a.m. Commissioners office. Room 103 Courthouse, Crawfordsville, Indiana. Those present were Chairman, James Kirtley; Vice - Chairman, Sam Kessler; Member, Bob Thayer; Midwest Mole, Dave Gwaltney, Surveyor, Harvey Keller, Co. Attorney, Don Schmidt, Auditor, Nel Hester.

Today's Hearing is to decide to bore an underground tunnel under the Linden overpass.

Chairman, James Kirtley, called the meeting to order. Dave Gwaltney presented Midwest Mole on the best way to tunnel and by-pass the failed line. Satisfies State spec. 15" line now go to 20 " Line , will lay new pipe.They will allow at least 1 pipe diameter from original line, First time proposal under normal conditions of \$ 13,920.00. Don Schmidt advised Gwaltney to come back and talk to Commissioners if they encounter a problem then a new decision would be made on any additional cost.

CSX would start work around the first of 1992. Bob Thayer made a motion to instruct Keller to proceed, Sam Kessler seconded the motion. Motion unanimous.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary



Montgomery County Drainage Board  
November, 26, 1991 9:15 a.m.

The Montgomery County Drainage Board met Tuesday, November 26, 1991, 9:15 a.m. Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana. Those present were Chairman, James Kirtley; Vice - Chairman, Sam Kessler; Robert Thayer; County Attorney; Don Schmidt; Surveyor; Harvey Keller, Auditor; Nell Hester;

Today's hearing was on the drainage concern at Wal-Mart South. Chairman - James Kirtley called the meeting to order. Surveyor, Harvey Keller gave the following report: Owners of the Redwood Inn, B & L Engineering, & Lawrence Dye to the west are concerned about drainage. The original plans were approved by engineers from state not County surveyor. Keller stated that the design of the drainage should not pose a problem at this time. Keller contacted 4 engineers on these plans, they are not showing certain drainage information, but will send Keller a copy of everything. Schmidt suggested to Keller to find out who is approving these plans. The meeting was then recessed

Time 9:40

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
January 13, 1992 1:30 P.M.

The Montgomery County Drainage Board met Monday January 13, 1992, 1:30 P.M. Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

The Board reorganized as follows: Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler and Attorney, Don Schmidt. These were present along with Surveyor, Harvey Keller and Landowner, Dean Gaylor, Linden.

Chairman, James Kirtley, called the meeting to order.

Mr. Gaylor was here to discuss the George Nichols Drain. Drain is located east side of Linden. The tile is cut thru a hill - could be as deep as 17 feet. Harvey tried to locate the tile late last fall. Mr. Gaylor ask if the County Highway Dept would dump and level dirt in a low spot located off of road 1000 North. Approximately 2 acres is to wet to till. Ponding has occurred since the Nichols Drain was reconstructed. (1977-1978). Mr. Kessler reported Highway Dept. would deliver and dump fill dirt but usually does not level. Board recommended Mr. Gaylor discuss this with County Engineer, Larry Scott.

Mr. Gaylor reported he had attended a Drainage Board meeting July & October 1982 to discuss some of these problems. At the October meeting it was stated it would cost \$3,500.00 to repair the drain. Mr. Gaylor and other landowners felt they had spent enough money and opted to do no work at that time. Mr. Gaylor's reconstruction cost was \$10,000.00 plus \$200.00 per year maintenance assessment.

County Surveyor, Harvey Keller, reported and recommended the following:

- 1) Maintenance fund balance (George Nichols Drain) \$1230.00
- 2) Clear brush & trees on drain right of way (total of 150 feet in width).
- 3) As weather permits the tile line will be probed and documented.
- 4) Remove Mr. Gaylors name from the maintenance assessment roll for 1992 as he is receiving no benefits from this drain.

Sam Kessler moved and Bob Thayer seconded a motion to remove Mr. Dean Gaylors name from the assessment roll for the year of 1992, until such a time improvements are made and he starts receiving benefits from this drain. This matter will be reviewed for 1993. Motion unanimous.

Discussion of the George Nichols Drain continued as follows:

- 1) Approximately \$600.00 to clear brush and trees
- 2) Entire watershed is 400 acres.
- 3) There are no visible signs of sink holes or broken tiles.
- 4) Tile sizes range from 10" - 450 feet; 12" - 650 feet; tile continues to get larger until at the outlet at the railroad it is a 20" tile.

#### John Gobin Drain

The railroad has approved Midwest Mole Company as the boring company.

January 24th - open contract bids on digging the pits.

February 1st start work.

The open pits are to be 30' x 34' x 15' x 10'.

Harvey is to not give the contract to Midwest Mole Company yet.

#### WalMart Plaza

Harvey reported he is reviewing and watching the detention pond built by WalMart Plaza. The tile outlets on Mr. Dye's property. This is a 10" tile running 600 feet, then goes under County Road 150 South into the detention pond at the High School.

Drains to reconstruct this year:

Phillip Dewey Drain

Park I-74 Drain - this drain will be done privately but done under plans from the county surveyor.

Walter Schoen Drain - Darlington area.

#### Yearly report of 1991.

74 drains have been repaired.

102 maintenance jobs.

\$95,359.23 total spent (this includes ditch spraying)

Average cost per job \$935.00.

#### Lye Creek

The reviewed photos of Lye Creek Drain. Photos were of the mulching on the travel path.

#### Charles McFarland Drain

Work has been stopped on this drain due to the State Highway Department refusing to co-operate. The tile drain under the highway is on the wrong grade. Highway is refusing to allow a cut be made in Highway 32 West.

Even if they did co-operate 300 feet of new tile needs to be laid to get the tile back to the correct grade line.

Harvey ask the Board to concur in removing 2 landowner name from the maintenance assessment roll. Mike Suiter (15 acres) \$91.32/ year assessment and Homer Steele (10 acres) \$60.88/year assessment.

Sam Kessler moved and Bob Thayer seconded a motion to remove said names for 1992 and review for 1993. Motion unanimous.

Emmy Peebles, League of Women Voters, Don Schmidt, County Attorney, and Surveyor, Harvey Keller meet regarding, rewriting legal descriptions for various precincts. Harvey is to write legal descriptions on county precincts and city annexations.

Harvey reported he will be doing a survey on 400 East near Chigger Hollow Sub-Division as weather permits.

Harvey reported he has not been able to locate the finding and order approval letter to Mike Whitecotten. It gave approval for design and building a sub-division in Twin Oaks provided he runs drainage water as requested .

#### Kenneth Hudson Drain

Located in Elmdale.

Harvey reported he needs to locate the tile and replace whatever is necessary to get proper drainage. Tile may run under center of County Road 600 West. There are large trees near the tile and the surface side ditches are at road level and need to be cleaned by County Highway Department.

John McLaughlin Drain

Neil Conner, former Clinton County Surveyor, contacted our office wanting to know if we are going to continue to keep a Joint Drainage Board to decide the future of this drain.

Joseph Hall Drain

Entire drain was sprayed in 1991.

Two surface pipes need to be replaced; install a rock chute and repair bank in area where beavers caused damage.

Bill Todd has a petition to add 2,000 feet to Tributary # 2. This will not effect current maintenance cost of repairs.

Charles Ludlow #2 Drain

Dip bottom and spread spoil of 1,380 feet.

Joseph Gray Drain

There is heavy brush and tile holes to be repaired.

Fund balance is \$225.00

Richard Faust Drain

Need to shoot levels for dipping work.

Moses Allen Drain

We have replaced 100 feet of tile due to tree roots. Will be killing the roots but leave trees standing.

Warner Linn - Daniel Himes Drain

I will bid this job out to remove brush on lower end. If bids are too high we will spray with the balance in ditch fund. Balance is \$3,428.00.

Stanford Elmore Drain

Problems on Helen Rush property. We promised to lay new tile when money is available. Balance is \$877.29. This is not enough but the area is in trouble. Will keep a close watch on this area.

Nancy Hollingsworth Drain

This drain needs sprayed. In June 1991 the Board approved raising maintenance assessments 25%. Yearly total paid is \$250.00. Balance now is \$600.00. Improvement balance is minus \$6,251.76. At this rate pay back will be 25 years.

Harvey recommended vacating drain when improvement fund is paid back, but not before. Doing nothing in the way of repairs until such time as pay back is complete.

Sam Kessler moved and Bob Thayer seconded a motion to transfer \$600.00 (maintenance monies) to the improvement fund. Motion unanimous.

Albert Hysong Drain

We have not been able to collect reconstruction or maintenance assessments from Hendricks County. Montgomery County landowners have paid and continue to pay their assessments.

Hendricks County is not being co-operative.

Harvey ask if we need to keep a joint drainage board?

The Board ask if Attorney, Don Schmidt, would correspond with Mr. Herschel Gentry.

Reconstruction balance is minus \$12,144.74

Maintenance balance is \$1,078.47

Harvey reported he will do the survey on Watermelon Road when weather permits.

There are 17 drains collecting less than \$200.00 per year in maintenance assessments.

Harvey reported he will be calling hearings to revise the assessments. But felt he will be rather busy once he starts plans and specifications on the reconstruction work.

The Board recommended doing the ones in most need first and doing as many as we possibly can.

The Board signed 4 contractor agreements

Dave Foster 1

E.B. Foster 1

Watkins Construction 2

There being no further business, Chairman, James Kirtley, recess the meeting.

Time: 3:50 P.M.

James M. Kirtley  
Samuel Kepler  
Robert M. May

\_\_\_\_\_  
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
February 3, 1992 8:30 A.M.

The Montgomery County Drainage Board met Monday, February 3, 1992, 8:30 A.M., Commissioners Office, Room 103, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; Attorney, Don Schmidt; County Engineer, Larry Scott; Surveyor, Harvey Keller; Auditor, Nell Hester; League of Women Voters Representative, Marian Lindlow; Reporter, Pat Cline and Contractor, Jack Jones.

Harvey presented two bids on work to be done on John Gobin #2 Drain.

Jack Jones \$6568.00  
Watkins Const. 6040.90

The following items were discussed:

1. Bid prices may vary - due to anything unforeseen during actual construction. Work will consist of digging pits at each end of pipe (pits to be 10 feet deep). Then reconnecting any tile lines. Bid does not reflect the tile that may be needed.
2. Midwest Mole Company has a firm bid of \$13,920.00.
3. Attorney, Don Schmidt and Mike McCormick are working on certificate of insurance from Midwest Mole Company (which will be boring under CSX Railroad). A copy of certificate is to be on file before work is started. Liability is to be at least 2 million dollars.
4. State Highway has granted permission for entry onto right-of-way during construction.
5. Railroad has granted right-of-way entry until February 29. In all probability they would extend this deadline. But this calls for a lot of paper work, phone calls, etc. Railroad officials have requested sloped banks within 4 feet of pipe ends.
6. There are several underground utilities in this area. Some have expressed they would arrange the uncovering of their own utilities in lieu of work done thru the Drainage Board.
7. Harvey reported money will be very tight.  
Gobin maintenance funds is \$4,400.00 actual \$6,651.00  
Improvement fund is 19,535.95  
Total to work with is 23,935.95  
Insufficient funds was discussed. The board expressed their cooperation in obtaining a bank loan if needed.
8. Harvey stated the tile that goes in a southeasterly direction needs to be replaced.

Bob Thayer moved and Sam Kessler seconded a motion to take both bids under advisement and award bids Wednesday morning 8 to 8:30 A.M. Motion unanimous.

Joseph Hall Drain.

Soil Conservation Service has ask the Drainage Board to cost share the construction of two waterways and two headwalls on this drain.

The Board concurred that waterways and headwalls are not part of drain maintenance on the overall maintenance of a drain.

Sam Kessler moved and Bob Thayer seconded a motion to not help monetarily with said waterways and headwalls. Motion unanimous.

George Nichols Drain

Contractor, E.B. Foster, has cleaned brush and trees from said drain (Dean Gaylor property). Several holes were dug at random to locate the tile. Tile is 1/2 full of dirt. The holes

MCDB  
February 3, 1992

have been left uncovered a total length of 110 feet.

The money on the drain is in short supply. Maintenance fund balance is \$1,229.99. Harvey and the Board discussed the waiting on money to finish the job (from the maintenance assessment).

a/ farm around the tile holes.

b/ abandon the drain.

c/ re evaluate the drain at a later date to increase the yearly maintenance assessment.

Bob Thayer moved and Sam Kessler seconded a motion to re-evaluate this drain this summer. Motion unanimous.

Meeting recessed.

Time 9:08 A.M.

James M. Little  
Robert Thayer  
Samuel Kessler

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
February 5, 1992 8:30 A.M.

~~John Gobin~~  
John Drain

The Montgomery County Drainage Board met Wednesday, February 5, 1992, 8:30 A.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler and Surveyor, Harvey Keller.

Harvey reported Midwest Mole Company is sending a copy of their certificate of insurance today. They stated they could start to work in 2 to 3 weeks;

Railroad rite-of-way access is good only until February 29. If work is started late in the month, we will have to request for a time extension.

Bob Thayer moved and Sam Kessler seconded a motion to accept the bid of Watkins Construction Company, Inc. Motion unanimous.

Harvey will need to contact all utility companies with the starting date.

Bob Thayer moved and Sam Kessler seconded a motion to accept Midwest Mole Company's bid of \$116.00 per lineal foot. (for boring under the railroad). Bid is awarded provided they furnish a certificate of insurance with liability of at least two million dollars. Motion unanimous.

There being no further business, Chairman, James Kirtley, recessed the meeting.

Time: 8:40 A.M.

James M. Kirtley  
Robert Thayer  
Samuel Kessler

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Secretary



MONTGOMERY COUNTY DRAINAGE BOARD  
February 6, 1991, 3:02 P.M.

The Montgomery County Drainage Board met Thursday, February 6, 1992, 3:02 p.m.. Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; Attorney, Don Schmidt; Surveyor, Harvey Keller and Don Sherwood of W.C.V.L. Radio Station.

Chairman, James Kirtley, called the meeting to order.

Bob Thayer and Harvey discussed a drainage problem on Bluford Clough Drain. Property is now owned by Bill Pruett. Contractor, Dave Foster, is doing tiling work on this drain. This drain is not an active drain at this time.

Sam Kessler gave Harvey correspondence from Shideler Spray Service, Eaton, Indiana.

The board signed 2 contract documents regarding the John Gobin #2 Drain listed as follows:

Midwest Mole Company (to bore under the railroad) for \$116.00 per foot.

CSX Railroad contract for right-of-way entry to bore under railroad property and entry on this property during construction.

These 2 contracts are to be held in the Surveyors Office until certificate of insurance is filed with the Drainage Board/Surveyors Office.

Attorney, Don Schmidt, reported Mr. Earl McDaniel is the person to contact regarding the CSX Railroad.

Later Harvey is to check with Mike McCormick, of McCormick Metsker Insurance Agency, to discuss a time extension (right-of-way entry) is granted only until February 29th.

There being no further business, Chairman, James Kirtley, recessed the meeting.

Time: 3:10 P.M.

James Kirtley  
Robert M. Thayer  
Samuel Kessler

\_\_\_\_\_  
Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
July 14, 1992, 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, July 14, 1992, 1:30 P.M., Room 103 Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; Auditor, Nell Hester; Surveyor, Harvey Keller; County engineer, Larry Scott and City Plan Director, Steve Niblick.

Chairman, James Kirtley, called the meeting to order 1:30 p.m.

Surveyor, Harvey Keller, discussed drainage at 32 East and 47 North, on Montgomery Place II.

The following was discussed:

- 1) The contractors intend to level the dirt and channel the surface water to the North.
- 2) Behind the parking lot of Shelly Square it is proposed to build a detention pond.
- 3) The Surveyor is to meet with First Baptist Church around August 1st., to further discuss drainage problems.
- 4) Harvey expressed concern over Shelly Drain. Shelly is a legal drain but is in the reconstruction file (not an active drain at this time).
- 5) Montgomery Place II (the third phase) consists of 5 duplex units.

Mr. Scott, County Engineer, stated that surface water run off has been channeled to the north and it is his opinion that Montgomery Place developers have planned the water run off now is the same as before the project was built.

The detention basin before development the run off was 14.67 cubic feet per second and was engineered at 15.06 cubic feet per second.

Elevation is 762.9 feet to 708.5 feet above sea level.

Vice-Chairman, Bob Thayer, moved and Sam Kessler seconded a motion to approve the drainage plans of Montgomery Place as presented at today's meeting. Motion unanimous.

Surveyor, Harvey Keller, reported on Grace Meadows Addition. This addition consists of 15 lots. Located at Grace Avenue and East of Park Lane.

Developers are Clark-Vance, of Lafayette, Indiana.

This fall we are scheduling 14 drain hearings for increasing maintenance assessments. These will start after Labor Day.

There will be four hearings for reconstruction projects: Phillip Dewey Drain - this is joint with Tippecanoe County, Benjamin Crabbs, Clarence Widener and I-74 Park Drains.

I-74 Park Drain - Heritage Products have purchased Bob Stwalley property. They have requested a huge underground drain. Harvey stated he plans to channel the water to the East. This will entail boring under the railroad and one county road.

The George Kendall and Linn-Himes Drains are to have brush removed. This will be done by bids.

July 14, 1992

" This fall I have scheduled 6 drains for spraying - included are the Joe Hall and Timothy Lane Drains," stated Keller.

Work is also planned on Kenneth Hudson Drain , located in Elmdale. We need to dig in the road to locate the tile. Water is boiling up at the surface inlets. There are 3 trees next to the tile and this could be part of the problem.

Moore's Heights Drain. The outlet needs some work. The pipe is damaged and approximately 50 feet of tile will be added. We will be removing some tile from the side ditch.

John Gobin Drain. Located on 231 North and north of the railroad overpass. The plans will be finished this fall.

Stanford-Elmore Drain. Needs 1,000 feet of new tile and 1,000 feet of open drain reconstructed.

The Board approved previous drainage board minutes.

The Board reviewed and signed the following encumbrances:

April 15, 1992	Joseph Ludlow Drain (Watkins Const \$ 634.50)
	(Thrifty \$ 70.88)
John Ward Drain	(Watkins Const \$ 958.50)
	(Thrifty \$ 157.88)
May 15, 1992	James Wilson Drain (E.B. Foster 1233.12)
	James Fleming Drain (Watkins Const 2277.33)
June 15, 1992	George McClain Drain (E.B. Foster 1123.42)
	A & T Taylor Drain (E.B. Foster 352.12)

There being no further business, the meeting adjourned.

Time 2:30 P.M.

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
February 25, 1992 1:25 P.M.

The Montgomery County Drainage Board met Tuesday, February 25, 1992, 1:25 P.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; 1st Deputy Surveyor, Larry Utz; Charles DeVore, Landowner (Benjamin Crabbs Drain), and Jim Hamilton, of Butler, Fairman and Seufert.

Chairman, James Kirtley, called the meeting to order.

Mr. DeVore was here to discuss the Benjamin Crabbs Drain.

Larry Utz gave the following report regarding the Crabbs Drain:

Balance in maintenance fund	\$281.00
Yearly total assessment	594.00
Drain consists of	5,927 feet of open channel
Acres in watershed	729.68

Mr. DeVore reported on the following:

He would like for the channel to be dipped out. Approximately 6,000 feet. He also does not want the maintenance assessments raised. He feels the work would not get done very quickly if they depend on the maintenance assessment fund to accumulate. Mr. Kessler stated the Drainage Board could raise the assessment 25% without holding a public hearing.

Mr. DeVore went on to state that he owns the majority of acres in the watershed. Mr. DeVore has 387.37 acres. He also stated he has not ask the other landowners how they feel about cleaning out this channel.

Deputy, Larry Utz, stated he did not figure the amount of dirt to be removed. Contractors are charging \$1.80 per foot for such work. Mr. DeVore roughly figured removing 2 feet from the channel bottom.

Larry suggested Mr. DeVore and other landowners have a mutual agreement to get this work done.

Sam Kessler, stated we would need to increase the maintenance assessments then borrow the money on the yearly pay back.

Again, Mr. DeVore stated "I don't want to see the assessments raised. I don't think it was done this way in the past. We just (the landowners) agreed, had the work done then paid."

Sam Kessler stated we need to have a meeting with County Surveyor, Harvey Keller and Attorney, Don Schmidt. Meeting will be in the middle of April and the Secretary was instructed to notify all landowners of the same.

Larry reported he had called Mid-West Mole Company and they are sending an extension contract for Mr. Kessler to sign.

Contractor, Chuck Watkins, is to start work Monday, March 2nd and MidWest Mole starts to work Tuesday, March 3rd on this drain (John Gobin). The Railroad has agreed to have a flagman on the job site everyday. The County is to pay the flagman.

Larry reported that the Surveyors Office is in a vicious circle. Landowners are paying more in assessments and in turn contractors are charging more to work on legal drains. Larry went on to state, "I feel we need to dictate the prices."

Mr. Kessler ask who were the most trusted and most reasonably priced contractors. Larry stated Watkins Construction and Cain's Homelike Farms. Mr. Kessler suggested using only one or two contractors to do all county work.

-conti-  
Feb. 25, 1992

The Board instructed the County Surveyor, to survey and write a legal description for a small parcel of land on Nucor Road between, Walden & Anderson properties. The Board also ask that the right-of-way be defined on the drawing and to double the right-of-way figure. (add 10 feet to the right-of-way).

The Chairman, James Kirtley, recessed the meeting.

Time: 2:05 P.M.

James M. Kirtley  
Rabunson Thayer  
Samuel Kusler

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
March 10, 1992 1:40 P.M.

The Montgomery County Drainage Board met Tuesday, March 10, 1992, 1:40 P.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Member, Sam Kessler; Attorney, Don Schmidt; Surveyor, Harvey Keller and 1st Deputy Surveyor, Larry Utz.

Chairman, James Kirtley, called the meeting to order.

The Surveyor discussed at great length the John Gobin II Drain.

Harvey presented a drawing to the Board showing the area where construction was being done and where work had been done in the past. The contractors have been removed from the job due to not being able to locate the tile on the east side of the railroad tracks. There is only eleven feet between the railroad and the State Highway 231 North. Also the soil is very unstable in this area.

Mr. Len Liotty (with Midwest Mole Co.) suggested abandoning a portion of tile (that on the east side of railroad) then boring under the railroad and the highway.

Harvey also presented a letter to the Board regarding permission for rite-of-entry until 1994 from the State Highway Department.

The Board reminded Harvey he will need to get permits extending the time from the following:

- a) The Railroad
- b) Midwest Mole Company
- c) County insurance company

Charges from Mid-West Mole Company now total	\$2,682.00
Watkins Construction Co., Inc.	2,000.00
Insurance	3,500.00

The total bill is approximately \$9,000.00.

Harvey reported he had talked to landowners, Charles Bennett and Boyd Hudson, Neither could pinpoint where the tile is located.

The Board discussed finishing the job as a reconstruction project and let out on bids. But a petition would be needed to do this.

Member, Sam Kessler, stated we should have Watkins Construction follow up and continue digging for the tile.

This drain has \$4,400.00 in the maintenance fund. Collections total \$1,500.00 per year. If we borrow the money to finish this job we need to pay back in five years.

The Board discussed finishing the job as a reconstruction project and let out on bid. But a petition would be needed to do this.

Park I-74 Drain

Harvey discussed a letter he had received from Attorney, Terry Harris, representing Heritage products. At first Heritage

March 10, 1992 1:40 P.M.

had wanted to pay the total cost, but now they do not.

Harvey is to meet with the engineer from Heritage to discuss this further.

If this project would be approved (by the landowners) it would involve boring under the railroad.

There are 40 acres in the watershed.

Heritage owns 22 acres.

Truck Stop owns 10 acres.

Area East of the railroad tracks will pick up 2 landowners. Water normally ran to the North until the construction of Interstate 74, now the water pockets on the truck stop and Heritage Products properties. Tentative plans call to channel the water into a ravine and outlet at Grefco. This will channel the water south and easterly.

Water from the truck stop will be contaminated.

Harvey reported that he and his staff will be attending classes at Purdue University March 24 and 25. Topic will be wetlands and storm water.

Harvey reported he has been comparing notes with Hamilton County regarding county maintenance contracts and contractors charges.

1) Contractors hourly wages are pretty competitive.

2) Surveyors Office needs to set the cost.

3) Harvey will be drafting a contract and Attorney, Don Schmidt, will review said contract.

First Deputy Surveyor, Larry Utz, discussed the Benjamin Crabbs Drain.

Landowner, Charles DeVore, wants the drain dipped without using monies from the maintenance fund. He would like for each landowner to be billed for their portion. In order to do this a petition will need to be carried to reconstruct said drain.

This drain was reconstructed 1975.

The cost will be approximately \$12,000.00.

It was discussed the landowners could have the work done as a private action. Harvey stated he would figure the cost per landowner, but the county will not be the banker and collect the assessments.

Harvey reported we have 3 drains in need of repairs, but no money in the maintenance fund to work with. Costs are 3 to 500.00 to repair one hole.

One is the Joseph Ludlow Drain. This is an 18 inch tile. Board replied they will borrow the money to repair and pay back is to be 12 to 18 months.

The Board instructed the First Deputy to contact contractors and get prices for repair work before assigning jobs.

There being no further business, the meeting recessed.

Time: 2:40 P.M.

*James M. Kitley*  
*Rakibon Shaye*  
*Samuel Kissler*

MONTGOMERY COUNTY DRAINAGE BOARD

March 30, 1992

The Montgomery County Drainage Board met March 30, 1992 at 1:30 p.m. in the Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those present were as follows: James Kirtley, Chairman; Sam Kessler, Vice Chairman; Bob Thayer, Member; Harvey Keller, Surveyor; Larry Utz and Nancy Jones, Deputy Surveyors.

Surveyor Harvey Keller stated he wanted to do a field study on drain assessments, examine every drain, land owners, by size, and do a check list for legal theory on the drains.

Harvey told the board he wants to send a contractor on the Kenneth Hudson drain on 600 W, where the big trees are, to find out what condition the drain is in.

Bob Thayer wanted to know what was done on the RR & Linden (John Gobin) ditch. Harvey said we still had to find the tile. Kessler wanted to know how much we spent and what area we had permissions to dig. Harvey stated we could dig to the side of the road, not in the road. We have spent \$9,200. on John Gobin. Thayer said that the John Gobin ditch needs to be done. Kessler wants to borrow money for the John Gobin ditch.

Harvey is to use the money in general improvement fund on various drains, which we have \$10 - \$12,000.00 left in the fund for maintenance repair work. The money from general improvement fund will be used on Joseph Ludlow, William Buchanan and John Ward drains, etc.

The Surveyors Office and the board will take sealed bids for maintenance work. Not for specific jobs, but for over all general improvement and contract, subject to study and review for 1992.

Harvey asked the board members to look at (2) ditches next week. He said it would take (1) hour. The board will meet Monday, April 6 at 1:30 p.m. They will all meet at the Surveyors office.

The board looked at the survey on 400 W to be sold. It was approved. The survey will be turned over to Don Schmidt and Nel to be advertised.

Harvey stated Lawrence Dye talked to him about the promise Wal-Mart made to him to put a tile in, which Wal-Mart has not done. Kirtley wanted to know if the school board had to put it in. Harvey said "no". Kessler wanted Don Schmidt to send a notice. Harvey said he and Don both could send notices.

Bob Thayer moved and James Kirtley seconded the motion to recess. Motion unanimous at 2:05 p.m.

James M. Kirtley  
Robert M. Thayer

Samuel Kessler



MONTGOMERY COUNTY DRAINAGE BOARD  
April 28, 1992 1:38 P.M.

The Montgomery County Drainage Board met Tuesday, April 28, 1992, 1:38 P.M., Commissioners Office, Room 103, Courthouse, Crawfordsville, Indiana.

Those present were as follows: Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; Attorney, Don Schmidt; Surveyor, Harvey Keller; and the following landowners, Horace Tomey, Jerry Cloncs and Lee Whitecotten.

Chairman, James Kirtley, called the meeting to order 1:38 P.M.

Mr. Horace Tomey was here to discuss the drainage problems in and around Montgomery Place Condominiums, located on State 32 East. Mr. Tomey is concerned as Montgomery Place is increasing to 9 more units. The water run off is rapidly increasing and Shelly Drain does not begin to carry this water.

This was discussed at great length. The Board and the Surveyor carefully reviewed photos presented by Mr. Tomey.

The following are at the Boards request:

- a) Request complete building and drainage plans before any new construction begins.
- b) Request Montgomery Place to construct a retention pond.
- c) If building continues, the drainage board will get an injunction to halt further construction.

Mr. Tomey stated he will get the Shelly Drain reconstruction petition and get more signatures. The Surveyor explained this would be an enormous undertaking and very costly. He went on to state he personally feels landowners will not agree to reconstructing this drain. Landowners will bear the total cost of the project.

Mr. Tomey presented Engineer, Dave Deckard, drainage plans of Montgomery Place. While it is true the plans take care of the immediate projects water, it does not take in the whole problem. The run off from Meadow Apartments, Cloverdale Apartments, Eastern Acres and First Baptist Church all are draining to Montgomery Place. (landowners left 2:10 P.M.)

Harvey discussed Wal-Mart retention pond. He presented a letter to the Board from Wal-Mart.

Harvey, County Engineer, Larry Scott and landowner, Lawrence Dye met at the site to discuss the problem.

Harvey suggested placing rip-rap to slow down water run off.

Mr. Dye ask if he should grant an easement to Wal-Mart (with Wal-Mart paying all legal fees.) County Attorney, Don Schmidt suggested granting a rite-of-entry for repairs and maintenance, not an easement.

While in the area the Surveyor and Engineer inspected the 3 retention ponds on the City High School property. Harvey reported they will need some maintenance, to control cat tails and the silting that will eventually occur.

The Surveyor reported he is presently working on reconstruction plans for Phillip Dewey (will be joint with Tippecanoe County) and Clarence Widener Drains.

-conti-  
April 28, 1992

Upcoming reconstruction petitions are as follows: Gerald Snyder, Bluford Clough, Trisha Pruett, Alisha Pruett and Benjamin Crabbs Drains.

Harvey ask that the Board obtain bank loans for the reconstruction projects with 5 year pay offs.

The Surveyor and County Attorney, Don Schmidt, discussed a new maintenance contract form. Item #10 was discussed and Board gave the following conclusions:

- 1) Pay upon completion of work.
- 2) Pay for time on the job only.
- 3) No mobilization fees will be paid.

Contractors job prices were discussed. The Board agreed to the following: 1) Backhoe \$45.00/hour.  
2) Labor \$12.00/hour.

Sam Kessler moved and Bob Thayer seconded a motion adopting the above charges. Motion unanimous.

Contractor, E.B. Foster, has cleaned up the job site on the 3 drains the Board made a site inspection on. Harvey stated he will take charge of the brush burning. This will alleviated the contractor from obtaining a burning permit.

Moore's Heights Drain was discussed. Mr. Alan Leonard reported there are drainage problems in the Brown Addition. This drain is located on 231 South and County Road 300 South, west side of Highway 231 South.

After a site inspection Harvey listed the following findings:

- a) numerous holes in the side ditch.
- b) dip the side ditch a length of 50 feet
- c) place an outlet in the fence line (on Smith property)
- d) remove brush at the breather and side ditches on State Highway right-of-way are silted in.

It was also noted there are no side ditches in the addition.

James Hose Drain

Harvey reported he had numerous calls from Linden with drainage problems. Five basements, located in northeast edge of Linden are full of water. It was noted this is a natural low spot.

Harvey reported he will jet spray 500 feet of the tile line entering on John Eads property. If Mr. Abney will open the drain at the alley, the surveyor will run a dye test. This is one block east and one block south of John Eads property. The tile is flowing and functioning good at the outlet at the railroad tracks on the northeast edge of town.

The Board signed two maintenance contracts:

- 1) Cain's Homelike Farms
- 2) E.B. Foster Excavating

There being no further business, Chairman, James Kirtley, recessed the meeting.

Time: 2:47 P.M.

*James M. Kirtley*  
*Robert Thayer*  
*Samuel Kessler*

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
July 14, 1992, 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, July 14, 1992, 1:30 P.M., Commissioners Room # 103, Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Bob Thayer, Member, Sam Kessler; Auditor, Nell Hester; Surveyor, Harvey Keller; County Engineer, Larry Scott and City Plan Director, Steve Niblick.

Chairman, James Kirtley, called the meeting to order 1:30 P.M.

Surveyor, Harvey Keller, discussed drainage at 32 East and 47 North, on Montgomery Place II.

The following was discussed:

- 1) The contractors intend to level the dirt and channel the surface water to the North.
- 2) Behind the parking lot of Shelly Square it is proposed to build a detention pond.
- 3) The Surveyor is to meet with First Baptist Church around August 1st, to further discuss drainage problems.
- 4) Harvey expressed concern over Shelly Drain. Shelly is a legal drain but is in the reconstruction file (not an active drain at this time).
- 5) Montgomery Place II (the third phase) consists of 5 duplex units.

Mr. Scott, County Engineer, stated that surface water run off has been channeled to the north and it is his opinion that Montgomery Place developers have planned the water run off now is the same as before the project was built.

The detention basin before development the run off was 14.67 cubic feet per second and was engineered at 15.06 cubic feet per second.

Elevation is 762.9 feet to 708.5 feet above sea level.

Vice-Chairman, Bob Thayer, moved and Sam Kessler seconded a motion to approve the drainage plans of Montgomery Place as presented at today's meeting. Motion unanimous.

Surveyor, Harvey Keller, reported on Grace Meadows Addition. This addition consists of 15 lots. Located at Grace Avenue and East of Park Lane. Developers are Clark-Vance, of Lafayette, Indiana.

This fall we are scheduling 14 drain hearings for increasing maintenance assessments. These will start after Labor Day.

There will be four hearings for reconstruction projects: Philip Dewey Drain - this is joint with Tippecanoe County, Benjamin Crabbs, Clarence Widener and I-74 Park Drains.

I-74 Park Drain - Heritage Products have purchased Bob Stwalley property. They have requested a huge underground drain. Harvey stated he plans to channel the water to the East This will entail boring under the railroad and one county road.

The George Kendall and Linn-Himes Drains are to have brush removed. This will be done by bids.

"This fall I have scheduled 8 drains for spraying - included are the Joseph Hall and Timothy Lane Drains." stated Harvey.

Work is also planned on Kenneth Hudson Drain, located in Elmdale. We need to dig in the road to locate the tile. Water is boiling up at the surface inlets. There are 3 trees next to the tile and this could be part of the problem.

Moore's Heights Drain. The outlet needs some work. The pipe is damaged and approximately 50 feet of tile will be added. We will be removing some tile from the side ditch.

John Gobin Drain. Located on 231 North and north of the railroad overpass. The plans will be finished this fall.

Stanford-Elmore Drain. Needs 1,000 feet of new tile and 1,000 feet of open drain reconstructed.

The Board approved previous drainage board minutes.

The Board reviewed and signed the following encumbrances:

April 15, 1992 Joseph Ludlow Drain:

Watkins Const. \$634.50

Thrifty 70.88

April 15, 1992 John Ward Drain:

Watkins Const. \$958.50

Thrifty 157.88

May 15, 1992 James Wilson Drain:

E.B. Foster 1233.12

James Fleming Drain:

Watkins Const. 2277.33

June 15, 1992    George McClain Drain:  
E.B. Foster    1123.42  
A & T Taylor Drain:  
E.B. Foster    352.12

There being no further business, the meeting recessed.

Time: 2:30 P.M.

James M. Kirtley  
Samuel Kissler  
Baker M. Thayer

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
September 15, 1992 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, September 15, 1992, 1:35 P.M., Commissioners Office, Courthouse, Crawfordsville, Indiana.

Those attending were: Chairman, James Kirtley; Vice-Chairman, Sam Kessler; Member, Bob Thayer; Surveyor, Harvey Keller; 2nd Deputy Surveyor, Ann Addler; and the following landowners, Mariko Knox, representing Heritage Products (B. Crabbs Drain); Lawrence Dye (Wal-Mart); James McCutchan and Morris Berry (C. Widener Drain).

Chairman, James Kirtley, called the meeting or order, 1:35 P.M.

A hearing for reconstruction and maintenance was held on the Benjamin Crabbs Drain.

The Surveyor, Harvey Keller, presented a map of the watershed and gave the following information:

- a) Acres in watershed - 831.
- b) Landowners number 24.
- c) One third of the watershed is industrial or business.
- d) Drain was construction 1905 and reconstructed 1936.
- e) Drain consists of 5,750 feet of open drain and 7,709 feet of tile. Tile consists of 3 tributaries.
- f) Drain is located north and east of Interstate 74 and Highway 231 North. Drain starts near Brick Yard Road then goes westerly and north emptying into Black Creek.
- g) Petition was carried by Mr. Charles DeVore.
- h) 72% (of acres involved) signed the petition.
- i) Cost of reconstruction is estimated to be \$18,486.67.
- j) Maintenance is proposed to be \$1940.00 per year.

Tentative plans include: placing rip-rap and dipping out the bottom of the channel (open drain).

Harvey reported there are 8 rolls of fence wire dumped in the open drain, plans are to bury the old fencing.

Mariko Knox, representing Heritage Products, and the Surveyor discussed and reviewed the drainage map at great length. Ms. Knox stated Heritage is really more concerned with a new drain going to be named Park 74 Drain. This drain will be ready for a public hearing in January of 1993.

Harvey reminded the Board that to proceed with this reconstruction a loan will be needed as the Improvement Fund does not have enough money to cover the project. Board agreed.

Sam Kessler moved and Bob Thayer seconded a motion to proceed with reconstruction of the Benjamin Crabbs Drain and make plans to prepare contractors bids. Harvey reported contractor bids will be ready the 3rd week of October (1992).

Harvey reported to the Board on the James Hose Drain. In Northfield Subdivision, Tipmont R.E.M.C. hit a tile in the James Hose Drain. Size of tile is 27". The depth is 3-1/2 to 4-1/2 feet. Tipmont will pay for the repairing of this. Tile did not break - but they set a pole in the tile. While investigating this problem, it was discovered Melody Homes ran a sewer line

into the Hose Drain. Harvey requested this be changed.

The Stanford-Elmore Drain was discussed. Harvey approximated \$11,000.00 to properly repair this drain.

Also, a hearing is not needed. On February 5, 1990 the maintenance assessment was revised from \$700.00 to \$1400.00. The Board and Harvey discussed several options to repair this drain.

- a) Raising maintenance assessments.
- b) Using yearly maintenance monies and do a small amount of work each year. Starting on the lower end and working to the upper end as money allows.
- c) Sam Kessler stated the trees should be killed first.
- d) Harvey stated he wanted the drain moved to another location. (to run parallel to the old line).
- e) Balance in the maintenance fund is \$1,277.00.
- f) Harvey stated he will do more research and report back to the Board.

2:30 P.M.

Hearing on Reconstruction and Maintenance of the Clarence Widener Drain.

Landowners Morris Berry and James McCutchan attended this hearing.

The following information was reported.

- a) Drain was constructed 1910.
- b) Drain consists of main line of tile 6,564 feet.  
One tile tributary is 1,276 feet.  
Open drain is 1/4 mile in length.  
Total length 9,100 feet.
- c) Acres in watershed 501.1
- d) Landowners number 15.
- e) Estimated reconstruction costs is \$10,719.24.
- f) Proposed maintenance is set at \$1,060.00 per year.
- g) 65% of the acres involved signed the petition.

The petition calls for rebuilding the outlet and incorporating the open drain as part of the legal drain. Harvey stated plan is to straighten a portion of the channel and fill in the old channel and also to extend the drain 200 feet west of Highway 231 South.

Mr. Berry reported he has cleared and straightened 300 feet of the channel. (This done at his expense).

Mr. McCutchen and Mr. Berry were both in favor of the reconstruction project.

Sam Kessler moved and Bob Thayer seconded a motion to proceed with the reconstruction of the Clarence Widener Drain and also to accept the increased maintenance assessment. Motion unanimous.

2:45 P.M.

Mr. Lawrence Dye was here to discuss his water problem. This

involves his property located on 150 South and Wal-Mart.

Harvey read correspondence from Cid Eskenazie, Engineer with Sandor Development. Correspondence stated that if Mr. Dye would provide the proper easements, Wal-Mart would pay the tile and labor costs to install an 8 inch plastic tile.

The Board, Mr. Dye and Harvey discussed at great length this drainage problem. Several photos were also reviewed. Plans of the highway side ditch were discussed and reviewed.

There was much discussion regarding the holding pond. Mr. Kessler felt the outlet pipe should be lowered as it is higher than the inlet pipes. The amount of water is the same as before (Wal-Mart construction) but the rate of run off is different. Also discussed, was laying a tile (364 feet) from the catch basin to County Road 150 South. Harvey is to contact Wal-Mart to correct this drainage problem.

Discussed was dates of drainage laws adopted and the date the building permit was issued. The County may be liable for the cost of solving this drainage problem. The County Attorney will be contacted regarding this. (Mr. Schmidt will be in his office the latter part of this week).

Harvey reported on ditch spraying. Twelve (12) drains are scheduled to be sprayed this fall.

With the type of spray being applied, the time to spray is September 15th to October 15th.

Landowners have been notified of this. Harvey requested a 15 foot (on either side of open drains) as a travel path.

Sam Kessler stated if beans are planted to wait until beans are harvested. Corn can be picked early.

There being no further business, the Chairman, James Kirtley recessed the meeting.

Time: 3:17 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Hays

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Lee Earl, Secretary



MONTGOMERY COUNTY DRAINAGE BOARD

October 19, 1992 1:30 P.M.

The Montgomery County Drainage Board met Monday, October 19, 1992, 1:30 P.M., Commissioners Room, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; Surveyor, Harvey Keller and the following landowners: Helen W. Rush, Sarah J. Wilber, John E. Wilber and Verda Mills.

Chairman, James Kirtley, called the meeting to order.

Surveyor, Harvey Keller, reported the following: Mr. Horace Tomey, originally wanted to attend this meeting, but changed his plans as a holding pond is being constructed at Montgomery Place. The pond is located north of the apartment units. Two thirds of the units will be affected by the pond. Harvey felt this pond is not going to help that much but will slow down the surface water drainage from Montgomery Place to Highway 32 East. Harvey stated that the pond is being built according to specs.

Harvey reported the Benjamin Crabbs and Clarence Widener Drains are up for reconstruction. Plans to show the drain to contractors was scheduled for Thursday, October 15 but was canceled due to rain. Member, Sam Kessler, instructed Harvey to re-show the projects - then contractors can be informed of what the job actually consists of.

Bids are to be in the Surveyors Office, October, 27th (Friday) before 4:00 P.M.

Harvey discussed the Phillip Dewey Drain - joint with Tippecanoe County. Harvey reported he thought Tippy was being unco-operative. Harvey ask that the Board draft a letter and move this project along.

Landowners were here to discuss the Stanford-Elmore Drain.

Member, Sam Kessler, stated he had contacted Tri-County Bank re: a loan to reconstruct this drain. Three weeks ago interest was 6%. Based on a reconstruction cost of \$17,419.00 interest first year will be \$1,045.00.

Drain was reconstructed 1906.

Yearly maintenance is \$1,400.00

Current Balance \$1,277.00

681 acres in watershed.

Drain consists of 11,000 feet of tile and 900 feet open drain.

Harvey stated if landowners wanted work done (under maintenance) now, assessments would need to be increased 2-1/2 to 3 times the present rate.

a) Harvey proposed removing the 18 inch tile and replacing with a 24". This would double the capacity of water carried.

b) Build an underground manhole where the 12" & 16" tile meet.

c) Place new tile thru Rush property, County Road 700 - 1400 to 1500 feet and reconstruct the open drain.

d) The list of landowners and dollar amounts were reviewed.

e) If work is done by small segments work would start on the lower end and work to the upper end.

f) Tile companies will give a better price if work is done as one project.

After much discussion, landowners agreed to hold and wait on figures of a total reconstruction project.

October 19, 1992

-conti-

Landowners are to be contacted with the new dollar amounts. Then they will decide if they want to go: for a complete reconstruction or partial maintenance project.

The Secretary was instructed to give copies of drainage maps to landowners at todays meeting. This is in regards to the Stanford-Elmore Drain.

There being no further business, Chairman, James Kirtley, recessed the meeting.

Time: 2:50 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Hayes

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
October 27, 1992 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, October 27, 1992, 1:30 P.M., Commissioner's Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those attending were: Chairman, James M. Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; and Surveyor, Harvey Keller.

Chairman, James Kirtley, called the meeting to order 1:30 P.M.

Sam Kessler confirmed that money for drainage projects could be borrowed for 6% interest.

Harvey discussed the Clarence Widener and Benjamin Crabbs Drains. The showing (scheduled for Thursday, October 15th Crabbs for 9:00 A.M. and Widener 10:30 A.M.) was canceled due to heavy rain. The bid opening is now canceled until further notice due to Mr. Harold Barclay wanting to wait until crops are out.

Harvey contacted Mr. Barclay and ask him to remove 5 rows of corn to be used as a travel path. Harvey drove by this morning and corn has not been removed. The Board instructed Harvey to contact Barclay again.

Contractors will have an opportunity to see the drains, then 7 to 10 days to turn bids in. Harvey has not rescheduled this as of todays date.

Six contractors have picked up bid packets: Mike Maxwell; Dave Foster, E.B. Foster; Cains Farms; Watkins Construction and Jack Jones.

It was stated the same bid packets will be valid only the date will change. (date of bid opening and date of showing will change)

Harvey and the Board discussed the Joseph Hall Drain.

Landowners have contacted Harvey proposing to add a tributary to this drain.

a) Tributary has no name - 3,000 feet of a small creek requesting to be added and maintained under the Joseph Hall Drain watershed.

b) Twelve (12) landowners will be affected.

Cooksey, Crum, H. Mennen and David Layton are some of the landowners.

c) Location is North of WCVL radio tower.

d) Landowner offered to pay \$.05 more per acre on maintenance assessments.

The Board made the following recommendations:

a) The tributary first needs to be named.

b) Harvey is to figure what each landowner should be charged.

c) A hearing will need to scheduled before any changes can be made.

The Edward Patton Drain was discussed:

Drain is located off of 300 West and 500 North.

Consists of 3 tributaries

Acres in watershed - 386.

Annual maintenance assessment is \$3026.00.

Current balance is \$12,561.00

Harvey suggested lowering landowners assessments 20 %.

Harvey read a letter he had mailed to all landowners. This lower

-cont1-  
October 27, 1992

assessment would go into effect for 1993.

Board disagreed, stating to leave as is. The drains is not on assessment now as 4 times yearly assessment has been reached.

Harvey discussed beaver dams on Joel Tobin Drain and Coal Creek.

There are 4 dams on the Tobin Drain.

Coal Creek is a creek not a legal drain and there is no money for removal of the dams.

Harvey reported on the building, Public Service, has constructed on Stanley Harris property. This is located in Linn-Himes drainage area. A swale has been constructed on 3 sides of this building. This does not cause more water bet water at a faster rate of run off. Harvey requested plans and spec of this project but could not foresee any immediate problems.

The Board signed 3 encumbrances listed as follows:

Raymond Weliever Drain - \$70.88 Thrifty Supply  
189.83 Watkins Construction

Benjamin Crabbs Drain 18.61 Journal Review, Inc.

Clarence Widener Drain 19.07 Journal Review, Inc.

There being no further business, Chairman, James Kirtley, recessed the meeting.

Time: 1:56 P.M.

James M. Kirtley  
Samuel Kusela  
Richard Shays

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Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
December 7, 1992 1:34 P.M.

The Montgomery County Drainage Board met Monday, December 7, 1992, 1:34 P.M., in the Commissioner's Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; Commissioner Elect, Paul Dickson; Attorney, Don Schmidt; Surveyor, Harvey Keller; 2nd Deputy Surveyor, Ann Addler and the following Contractors: David L. Foster (Foster Farm Drainage), Hubert Carey and Steve Jones (Jones & Son Construction, Inc.), C.R. and Bob Watkins (Watkins Construction Co., Inc.), James Harper (Cains Homelike Farms, Inc.).

Chairman, James M. Kirtley, called the meeting to order 1:34 P.M.

Today's meeting was bid opening on reconstruction of the Benjamin Crabbs and Clarence Widener Drains.

Attorney, Don Schmidt, opened and read aloud the following bids:

Clarence Widener Drain.

Engineers Estimate: \$12,146.68  
Foster Farm Drainage: 9,045.08  
Watkins Construction: 13,968.34  
Jones & Son: 14,206.59

Vice-Chairman, Bob Thayer, moved and Sam Kessler seconded a motion to take all bids under advisement. Motion unanimous.

Member, Sam Kessler, ask if any contractors wanted to examine any bids or if there were any questions. No response.

Surveyor, Harvey Keller, stated there were 31 drains that will have the maintenance assessments increased 25%. These will be ready to acted upon by this Board, December 15, 1992, 1:30 P.M.

Hearings will be held January 1993 for reconstruction of Phillip Dewey (an open drain), Joseph Conway (open drain) and I-74 Park Drain (tile).

Harvey went on to state he is reviewing the drains to be placed on maintenance assessment for 1993. The deadline for the list is February 1993.

The Board agreed to award the bids on Benjamin Crabbs and Clarence Widener Drains, Thursday, December 10, 1992, 1:30 p.M.

Bob Thayer ask about the John Gobin Drain. Harvey stated he had talked to Dan Carpenter, Bill Davis and Bruce Conrad.

There are two drains, Charles McFarland (32 West) and John Gobin (231 North) that will require either crossing the highways or boring under.

Harvey weighed the costs and inconveniences and it has been decided that boring was the most cost effective.

The State Highway Department stated they will waive permits (but will have a written agreement) if the job is bid.

John Gobin Drain - Highway Department will pay 50% of the cost of boring under highway 231 North. This was discussed with Bill Davis.

Both projects will be finished April of 1993.

There being no further business, the meeting recessed.

Time: 1:48 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
December 10, 1992, 1:35 P.M.

The Montgomery County Drainage Board met Thursday, December 10, 1992, 1:34 P.M., Commissioner's Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those attending were: Chairman, James M. Kirtley, Member, Sam Kessler; Surveyor, Harvey Keller, Contractors Dave and E.B. Foster; Montgomery County Sheriff, Dennis Rice; County Engineer, Larry Scott (attending later); Landowners, Suzanne Zadai (Traction Road) and Mr. Lawrence Dye (150 South).

Chairman, James Kirtley, called the meeting to order.

Harvey reviewed the findings on the bids of Clarence Widener Drain.

Engineers Cost Estimate \$12,146.68.

Contractor bids were as follows:

Watkins Construction Co., Inc. \$13,968.34 (no math errors and all papers were in order.

Jones & Son Construction Co. \$14,206.59 (no math errors and all papers were in order.

Foster Farm Drainage \$ 9,045.08 (one math error (short to Dave Foster) in the amount of \$138.38. All other forms were in order.

Member, Sam Kessler moved and Vice-Chairman, Bob Thayer, seconded a motion to accept the bid of Foster Farm Drainage. Motion unanimous.

Dave Foster discussed with the Board his bid bond. One bonding company will not accept bonding under \$20,000.00. He is in the process of applying through another company. He stated that to post a cash bond is no problem. Also, the time limit to begin work is 3 days after the contract has been let. Weather now is not going to allow this as more rain and snow is forecasted. The Board agreed to work with Mr. Foster on this.

Member, Sam Kessler, moved and Bob Thayer seconded a motion to cancel the former motion. Motion unanimous.

Bids are advisement until Tuesday, December 15, 1992, 1:30 P.M.

Benjamin Crabbs Drain:

There was one bid.

Engineers Estimate: \$22,024.46.

Jones & Son Construction \$19,783.90. Math was correct and all other forms were in order.

Sam Kessler, moved and James Kirtley seconded a motion placing bids under advisement until Tuesday, December 15, 1992, 1:30 P.M. Motion unanimous.

Harvey presented Mr. Dye with information regarding Wal-Mart Store (regarding drainage).

Harvey reported he had contacted Red Ball Moving Company to give an estimate for moving the Surveyors Office from ground floor to 3rd floor of its present location (Clements Roscher Building). They are to come to the office for an inventory at 4:00 P.M. today.

Mr. Earl Elliot stated he will provide someone to move the office Monday, December 14, 1992. Nothing was said about charging a fee.

Harvey reported he had discussed with Gary Miller of Sandor

-cont1-  
December 10, 1992, 1:35 P.M.

Development the possibility of Wal-Mart expanding. J.C. Penney and another department store of similar size and various small shops are planning to locate to the south of the present structure. Harvey emphasized to Mr. Miller that no construction is to start until the present drainage problems are resolved.

There was much discussion of water problems on Lawrence Dye property.

Wal-Mart stated they had not received any information from the Montgomery County Drainage Board and Harvey stated that Wal-Mart never presented detailed plans to the Drainage Board.

The Board instructed Harvey, Larry Scott and Don Schmidt to work together and contact Wal-Mart with plans to relieve the storm water drainage problems.

Mr. Scott questioned whose responsibility it is as a building permit was issued. The Building Department assumed all plans were approved.

Harvey stated to approach Wal-Mart first as these problems did not exist until Wal-Mart was built.

Harvey discussed the parking of the County vehicle in the county barn located on Whitlock Avenue. The Highway Department has not left room for the surveyors's vehicle. Mr. Homer Cox, Superintendent of County Highway Department was contacted and ask to come to this meeting. Mr. Cox stated he would rearrange some things from the storage shed to the county and see that room was left for the vehicle. Harvey expressed concern of vandalism if the vehicle was not locked in a building every evening.

Member, Sam Kessler, moved and James Kirtley seconded a motion to retain Don Schmidt as Drainage Board attorney for 1993. Motion unanimous.

There being no further business, the meeting recessed.

Time: 2:50 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Sharpe

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Secretary

Montgomery County Drainage Board  
December 15, 1992 2:34 P.M.

The Montgomery County Drainage Board met Monday, December 15, 1992, 2:34 P.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those attending were: Chairman, James M. Kirtley; Vice-Chairman, Bob Thayer; Member, Sam Kessler; Commissioner Elect, Paul Dickson; Attorney, Don Schmidt and Surveyor, Harvey Keller. Chairman, James Kirtley, called the meeting to order.

Member, Sam Kessler, stated he had talked to contractor, Jack Jones and Mr. Jones will be turning in his bid bond very soon. The Board were in agreement that they wanted this done by the end of this week or no later than Monday, December 21st.

The Board signed the contract documents on Benjamin Crabbs and Clarence Widener Drains. The secretary was instructed to mail each contractor (Jack Jones and Dave Foster) letters stating they had been awarded the bids and to proceed with the work. Secretary was also instructed to attest the contract documents and fill in the date blank.

Harvey reported to the Board there are 32 drains (list attached) that will have their maintenance assessments increased 25 percent. Of the 32 drains 23 have a yearly assessment of less than \$300.00. Eighteen (18) are Eleven (11) are projected to have extensive work done on them.

Sam Kessler moved and Bob Thayer seconded a motion to proceed with increasing the maintenance assessments. Motion unanimous.

There being no further business, the meeting recessed.

Time: 2:45 P.M.

James M. Kirtley  
Samuel Kessler  
Robert M. Thayer

\_\_\_\_\_  
Secretary



SUMMARY OF LEGAL DRAINS  
HEARINGS ON RE-ASSESSMENTS

On December 15, 1992, at 2:30 PM, the Surveyor presented the Drainage Board with a list of legal drains and their annual assessments that he proposed be raised the legal 25 per-cent without a public hearing according to the Indiana Code 36-9-27-42, page 800.

Here is the list with the new assessments beginning in 1993:

CODE	DRAIN NAME	CUR ANN ASS	NEW ASSESSMENT
500	ALLEN, MOSES	\$ 103.00	\$ 129.00
632	ARMSTRONG, THOMAS	76.00	95.00
501	BARLEY, PETER	300.00	375.00
502	BASTION, WILEY	200.00	250.00
504	BROWN, WILL	440.00	550.00
505	BUCHANAN, WILLIAM	500.00	625.00
507	CLARK, NANCY	100.00	125.00
508	CLINE, HOWARD	145.00	180.00
599	COYNER, JOHN	880.00	1100.00
512	CROSS, URSHULL	904.00	1130.00
633	DOWNING, GEORGE	106.00	132.50
617	DOYLE, HARRISON	1046.00	1307.50
514	EVANS, JESSE	702.00	877.50
515	FAUST, RICHARD	306.00	382.50
609	FLANINGAM, ALBERT	400.00	500.00
516	FLANINGAM, REBECCA	100.00	125.00
630	FLANINGAM, OSCAR	76.00	95.00
521	GRIMES, JAMES	150.00	187.50
592	HARPER, ROY	99.00	123.75
522	HAWKER, WILLIAM	350.00	437.50
524	HINKLE, GEORGE	300.00	375.00
528	HUTTON, GEORGE	257.00	321.25
635	KIRKPATRICK, WILLIAM	100.00	125.00
532	LEAS, CHARLES	100.00	125.00
578	LEWIS, ALLEN	769.00	961.25
534	LITTLE, GUY	800.00	1000.00
535	LYE CREEK	8000.00	10,000.00
607	MARTZ, JOHN	550.00	687.50
603	MAXWELL, MOSES	1411.00	1763.75
538	MILLER, GLENNARD	150.00	187.50
539	MINNICH, MISER, CORN	725.00	906.25
598	MORRES HEIGHTS	102.00	127.50
631	MURPHY, CLARENCE	120.00	150.00
540	McBEE, MARTIN	180.00	225.00
610	McBEE, WILLIAM	437.00	546.25
546	NICHOLS, GEORGE	501.00	625.25
637	NIVEN, ROBERT	150.00	187.50
549	PETERSON, ALLIE	1000.00	1250.00
628	POGUE, JOHN	250.00	312.50
629	POWERS, FRANCIS	300.00	375.00
597	REMLEY, BENJAMIN	400.00	500.00
552	SCHOEN, CHARLES #1	500.00	625.00
574	SHOTTS, ISAAC	355.00	443.75

553	SNODDY, JESSE	1000.00	1250.00
554	SPARKS, ALVIN	305.00	381.25
556	STINGLEY, ANTHONY	100.00	125.00
558	TEMPLETON, THEODORE	306.00	382.50
	THEWLIES, DAVID	303.00	378.75
576	TOBIN, JOEL	836.00	1045.00
559	VAN CLEAVE, BASIL	459.00	573.75
604	WALKUP, JOHN	515.00	643.75
562	WARD, JOHN	400.00	500.00
564	WELIEVER, RAYMOND	501.00	626.25

\* THESE DRAINS MUST BE RAISED AND TURNED IN TO THE COUNTY AUDITOR  
NO LATER THAN MARCH 1, 1993.

There 21 drains that have maintenance assessments of less than \$300.00 per year collection, listed as follows:

Moses Allen  
Thomas Armstrong  
Peter Barley  
Wiley Bastion  
Nancy Clark  
Howard Cline  
George Downing  
Rebecca Flaningam  
Oscar Flaningam  
James Grimes  
Roy Harper  
George Hutton  
William Kirkpatrick  
Charles Leas  
Glennard T. Miller  
Moore's Heights  
Clarence Murphy  
Martin Z. McBee  
Robert M. Nivens  
John H. Pogue  
Anthony Stingley

Listed as follows are 20 drains that are presently off assessment that will go on for the coming year.

Thomas Armstrong  
Will N. Brown  
Nancy Clark  
George Downing  
Albert Flaingam  
James Grimes  
Roy Harper  
George Hinkle  
William Kirkpatrick  
Martin Z. McBee  
Robert M. Niven  
Francis W. Powers  
Benjamin F. Remley  
Isaac P. Shotts  
Jesse D. Snoddy  
Anthony D. Stingley  
David Thewlies  
Joel Tobin  
Basil & Anna VanCleave  
John W. Walkup

Listed as follows are 4 drains off assessment that will remain off for 1993.

Wiley Bastion  
William Hawker  
Allie J. Peterson

Charles Schoen # 1

Listed as follows are 12 drains scheduled to have extensive work for 1993.

Moses Allen  
William Buchanan  
Urshull B. Cross  
Richard Faust  
Arthur Fraley  
George Hinkle  
Lye Creek  
John Martz  
Basil & Anna VanCleave  
John W. Ward  
Raymond Weliever  
Moses Maxwell

MONTGOMERY COUNTY DRAINAGE BOARD  
December 29, 1992 1:30 P.M.

The Montgomery County Drainage Board met Tuesday, December 29, 1992, 1:30 P.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Chairman, James Kirtley; Vice-Chairman, Bob Thayer; member, Sam Kessler; Attorney, Don Schmidt; County Engineer, Larry Scott Commissioner Elect, Paul Dickson; and Surveyor, Harvey Keller.

Chairman, James Kirtley, called the meeting to order, 1:30 P.M.

The Board signed minutes of meeting for July thru present date. The Board also signed encumbrances for November and December claims.

Harvey discussed the following items:

- a) Reminded the Board of the bank loan needed to pay for reconstruction of Clarence Widener and Benjamin Crabbs Drains. Harvey stated they should include 10% overrun fee as it will also be used. Sam Kessler requested Harvey to bring this before the January 1993 meeting as 2 board members will be replaced.
- b) Harvey presented a revised contract regarding E.B. Foster and use of his mulching machine. Contract approved and signed.
- c) Harvey discussed encumbering (office budget) monies for 1992 purchases (payment to be made in 1993).
- d) Harvey discussed, a letter and profile shots from Sandor Developers (Wal-Mart). Mr. Sid Eskenazi expressed his desire to be co-operative in all aspects. He also ask for a copy of an easement between Lawrence Dye and Wal-Mart. The Board felt this easement is a private matter and not connected with Drainage Board business. Harvey and Larry Scott will meet and review plans and contact both the Drainage Board and Mr. Eskenazi.

County Engineer, Larry Scott, reviewed a letter from Bill Hudson, R.L.S., regarding his clients, Emmett and Ruby Bowman. The Bowmans are requesting to be exempt from the County Drainage Ordinance. (location of property is Lots 3 & 4 Bowman Addition).

Mr. Scott presented figures to the Board calculating that peak water run off will be approximately the same as before construction of 2 dwellings.

Member, Sam Kessler moved and Chairman, James Kirtley seconded a motion to accept the Bowmans exemption from County Drainage Ordinance. Motion unanimous.

Mr. Scott stated he is in the process of reviewing a request from New Hope Christian Church regarding drainage. New Hope has plans to expand.

*Samuel*

-cont1-  
December 29, 1992

Harvey expressed his appreciation to Mr. Thayer and Mr. Kessler for their co-operation and he wished both best of luck and good health.

There being no further business, Vice-Chairman, Bob Thayer moved and Member, Sam Kessler seconded a motion to adjourn. Motion unanimous.

Time: 1:55 P.M.

James M. Kitley  
Samuel Kessler  
Robert Thayer

Secretary

MONTGOMERY COUNTY DRAINAGE BOARD  
January 19, 1993, 9:30 A.M.

The Montgomery County Drainage Board met Tuesday, January 19, 1993, 9:30 A.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those attending were as follows: Auditor, Nell Hester; James Kirtley; Paul Dickson; Alan Plunkett; County Attorney, Don Schmidt; County Engineer, Larry Scott; Don Barker, Landowners (A. Hysong Drain); Pat Cline, Reporter for the Journal Review and Diane Shook reporting for W.C.V.L. radio station.

The meeting was called to order.

James Kirtley moved and Alan Plunkett seconded a motion appointing Paul Dickson, Chairman. Motion unanimous.

James Kirtley moved and Paul Dickson seconded a motion appointing Alan Plunkett Vice-Chairman. Motion unanimous.

Surveyor, Harvey Keller, reported to the Board on Albert Hysong Drain.

- 1) The joint drainage board was formed 1985 and the last board meeting was 11/17/88.
- 2) Drain is located in southeast part of Montgomery County.
- 3) Montgomery County has controlling acres with 67% and Hendricks County 33%. Total acres is 845.07, Montgomery County 561.29 and Hendricks County 283.78.
- 4) Former Surveyors Russ Nelson (Mont. Co) and Al Huntsman (Hendricks County) worked together on reconstruction plans for this drain.
- 5) Drain is part open and part tile.
- 6) Hendricks County has not paid any reconstruction cost. They firmly state that construction was (1988) not properly done. And also they have no drainage problems.

After reviewing all drainage board minutes and contract documents, I found all work was done according to specifications. With the exception of 2 items. One being that a tile was capped off (located on the western end of the drain) and after brush was removed on (C. Boersma property) tile was so old a section of the old line collapsed.

Harvey recommended the following:

- 1) Replace entire tile line. Running a new line parallel to the existing line.
- 2) replace pipe and angle of the pipe under 1000 South. Present line has two 90° angles where pipe crosses under the road.
- 3) Install a grass waterway. Due to contour of the land, there is a tremendous amount of surface water drainage in this area.

The Board recommended Harvey try to work with Hendricks County Surveyor, Neal Ott.

Alan Plunkett moved and Paul Dickson seconded a motion requesting James Kirtley contact Hendricks County Drainage Board and set a date for a meeting of our two drainage boards. Also, to attend will be the surveyors and county engineers.

Harvey discussed Wal Mart Store (located 231 & 150 South). Mr. Scott, County engineer, stated he wants to review the plans, especially to check if the detention area is adequate.

Harvey reported that in the past 14 months \$18,000.00 has been repaid to the Improvement Fund (due to encumbrances).

Harvey also reminded the Board that contracts have been let and awarded on the Benjamin Crabbs and clarence Widener Drains and the Board will need to arrange a bank loan to cover the reconstruction cost of these two projects. Crabbs Drain \$22,024.46 and Widener Drain \$12,146.68, these figures include the 10% overrun costs. Also work will be completed in 90 days - starting date will depend on the weather conditions. Board stated they will go with the bank with lowest interest rate.

The following items were discussed:

- 1) Janitorial services for the Surveyors Office. This is not part of the lease agreement. Alan Plunkett stated he will check into this.
- 2) A cellular phone for the county surveyors vehicle. Answer was no - they will look into a hand held using - County Highway Dept dispatch radio.
- 3) Ask to activate another phone line - line is already installed. Answer No, place a split on present phone.
- 4) What is the designated date and time for regular drainage board meetings? Board stated First Tuesday of each month, time set for 10:30 A.M. Also the Surveyors Office is to call the Auditor with an agenda each month.

There being no further business, the meeting was recessed.

Time: 10:10 A.M.

Melissa A Spencer  
Secretary

Paul E. Diebson  
Chairman

Alan Plunkett  
Vice-chairman

James M. Kirtley  
Member



Montgomery County Drainage Board  
January 25, 1993, 9:34 A.M.

The Montgomery County Drainage Board met Tuesday, January 25, 1993, 9:34 A.M., Commissioners Office, Room 103 Courthouse, Crawfordsville, Indiana.

Those present were Chairman, Paul Dickson; Vice-Chairman, Alan Plunkett; Member, James Kirtley; Auditor, Nell Hester; Surveyor, Harvey Keller; Councilman, Les Ingersoll (arriving later); Reporter with Journal Review, Pat Cline; Reporting for W.C.V.L. Radio, Dianne Shook; League of Woman Voters Representative, Marian Lindow and Landowner, Nathan & Gwendolyn Drollinger. Drollingers are on the Smith-Elmore Drain.

Chairman, Paul Dickson, called the meeting to order.

Mr. Drollinger was here to discuss the Daniel Smith - James B. Elmore Drain. This drain is located near Alamo.

In the fall of 1991 a hearing was held. Mr. Drollinger could not attend due to health problems of Mrs. Drollinger. At this hearing the landowners requested the drainage board to place this drain on maintenance assessment. An annual report is to be compiled by the Surveyor and another meeting held to discuss acres in the watershed and maintenance assessments. Harvey is to meet with individual landowners and map out field tiles and outlets. This information is recorded in Drainage Book 5 page 90. Date of hearing was September 9, 1991, 1:30 P.M.

Total acres in James B. Elmore Drain 457 acres.

Total acres in Daniel Smith Drain 746 acres.

Total watershed is 1203 acres.

Landowners have as a private project always paid for their own repairs on this drain. In these matters Mr. Drollinger paid 21.50 percent of the costs. The following are some of the dates and bills:

1975 \$1,036.00 total bill: \$222.74 Mr. Drollingers share

1983 1,858.11 total bill: \$399.49

1986 1,773.00 total bill: \$381.20

Total Mr. Drollinger paid \$1003.43

Mr. Drollinger owns 396 acres.

Mr. Drollinger stated he pays too big a percent 21.5 %. He also stated he pays over \$5,000.00 in taxes. \$486.00 in drainage assessments. He stated he needs an outlet first then he wanted his drainage assessment percent adjusted.

Harvey stated that at the hearing (Sept 9, 1991) landowners had 3 choices of how the drain could be figured and landowners opted for the damages and benefit method. Landowners felt that this was the most fair way to cost share. The three choices were: a) per acre cost. b) per cent of total cost or c) benefit and damages.

Harvey went on to state that he figures reconstruction costs on a damages and benefit method. There really is no flat percent used to figure anybodies fee. Those on the upper end of a drain will pay more because they use more of the total length of the drain.

Chairman, Paul Dickson, ask<sup>d</sup> if Harvey could refigure this watershed. Harvey replied that he will re-evaluate the total

watershed.

Harvey went on to state when he meets with Mr. Drollinger he wants a Drainage Board member to accompany him. Mr. Dickson volunteered to go. Then another meeting will be called and all landowners notified.

Mr. Drollinger stated this drain needs to be an open drain with a tile line running parallel to the open drain. Mr. Drollinger stated he is home after 8:00 P.M. and his phone number is 866-0916.

Vice-Chairman, Alan Plunkett, requested Harvey to set a specific date and time to meet with Mr. Drollinger to do a site inspection, discuss and to review this drain in depth.

Member, James Kirtley, reported he had talked to Richard Himsel of Hendricks County. Mr. Himsel stated that Montgomery County should not have to bear the total reconstruction cost of Albert Hysong Drain. But he went on to state the tile was not put in properly. Hendricks County will discuss this at their next drainage board meeting then contact Mr. Kirtley.

The Board reviewed a letter from County Engineer, Larry Scott, regarding Hickory Hills Subdivision. James Kirtley moved and Alan Plunkett seconded a motion to accept the presented plans for Hickory Hills Subdivision. Motion unanimous.

Harvey stated Mr. Cummings was concerned with underground drainage. His concern was if his buried utilities would be affected. This will drain along the east end of Cummings parking lot.

There being no further business the meeting recessed.

Time: 10:10 A.M.

Melissa A. Spencer  
Secretary

Paul E. Dickson  
Chairman

Alan Plunkett  
Member

James M. Kirtley  
Member

MONTGOMERY COUNTY DRAINAGE BOARD  
February 2, 1993

The Montgomery County Drainage Board met Tuesday, Feb. 2, 1993, 10:30 AM, in the Commissioners Office, Room 103, Courthouse, Crawfordsville, Indiana.

Those present were: Paul Dickson, Chairman; Alan Plunkett, Vice-Chairman; James Kirtley, Member; Nel Hester, Auditor; Harvey Keller, Surveyor; Don Schmidt, Attorney; Dianne Shook, WCVL Radio; Dave Deckard, Engineer, representing the Heritage Group of Indianapolis; Brian Keim, landowner; Charles DeVore, landowner.

Paul Dickson called the meeting to order.

Brian Keim presented photos of his lot in the Moore's Heights Addition that gets under water during storms. He wants to install new septic system and he has a surface drainage problem. Keim will place a perimeter drain around his property but wants side ditches cut and a culvert pipe placed for surface water runoff. Board instructed Larry Scott (Co Engineer) and Homer Cox (Co Hwy Supert) to inspect this problem and work with Mr. Keim.

BENJAMIN CRABBS DRAIN: Harvey introduced Dave Deckard to Board. Then he showed map of area and outlined features of Heritage's intentions for a future gravel pit and asphalt plant. Harvey told Board that Lew Davis of Heritage Group was planning to build this operation across this drain, but not for 1-2 years. Heritage also wants the drain reconstructed according to the contract.

Heritage will build a lake from the gravel pit and provide an inlet for the drain and an outlet into Black Creek and to maintain proper water levels for the drain.

Deckard explained it will take 10-12 years before the boundary of the lake will be established. The excavation will be for a gravel pit. The water quality should be improved, water table should not be affected, and volume of water will increase and the lake should act as a large detention pond.

Deckard stated that he met with Larry Scott and he stated that according to the drainage ordinance we should not need a full drainage study to meet the requirements, but submit a letter of planned intent and water table runoffs that would suffice.

Keller stated that he believes landowners want the reconstruction to take place.

DeVore asked if Heritage had committed in writing what will happen. Answer - no.

Keller said that 1800 feet or so will remain after the pit is constructed.

DeVore wants everything down in writing.

Schmidt stated that we either go on with the reconstruction or County will stop here and have Heritage dredge it out.

Keller stated that contractor Jack Jones will start reconstruction work after he completes a bridge project in Fountain County.

Deckard will see to it that Heritage puts these requests in writing.

Keller requested to go ahead upon receiving written notice from Heritage of intent. Jones has the go-ahead for work when he is ready to begin.

The Board voted on this unanimously.

Schmidt reminded Heritage to abide by Law #5.

JAMES HOSE DRAIN: Keller stated that Senator Lugar's staff has arrange a meeting of officials to meet on this drain come Thursday, Feb. 11 at 11:00 AM at the Linden Town Hall. Keller and Commissioners will attend

ALBERT HYSONG DRAIN: Kirtley told Keller to telephone the Hendricks County Surveyor and arrange a meeting ASAP.

PHILLIP DEWEY DRAIN: Keller sent Mike Spencer (Tippecanoe County Surveyor) a letter asking to re-form the joint drainage board for the reconstruction of this drain. Board should form ASAP.

JOHN McLAUGHLIN DRAIN: Clinton County wants to place this on maintenance. Keller told them that some landowner in the water shed should carry a petition to do so.

CHARLES McFARLAND DRAIN: Keller gave specs to Larry Scott to draft plans for boring under State Highway 32 West and send to State Highway Office for approval.

Keller sent letters to two ditch spraying companies concerning taking bids for this year's work on 22 drains.

Keller wants more money for a new secretary. Plunkett stated maybe she needed more money for each department of the offices she serves (Surveyor, Drainage Board, Building Dept). Plunkett says to leave Building Dept with the Surveyors Office and hire a secretary for all three positions. Board will back Keller's request to the County Council at budget time to ask for more money for the secretary.

Meeting adjourned at 11:32 AM.

Melissa A. Spencer  
Secretary

Paul E. Dickson  
Chairman

Alan P. Hutto  
Vice-Chairman

James M. Kirtley  
Member

MONTGOMERY COUNTY DRAINAGE BOARD  
February 23, 1993 8:30 A.M.

The Montgomery County Drainage Board met Tuesday February 23, 1993 at 8:30A.M., Commissioners Office, Room 103, Courthouse, Crawfordsville, Indiana.

Those attending were: Chairman, Paul Dickson; Vice Chairman, Allen Plunkett; Member, James Kirtley; Attorney, Don Schmidt; Auditor, Nelda Hester; Surveyor, Harvey Keller; Secretary, Melissa Spencer; Engineer, Larry Scott; Journal Review Reporter, Pat Cline; W.C.V.L. Radio Reporter, Diane Shook; Contractor, Dave Foster; Landowners, Terry Cain for Urshull Cross Ditch & Mr. Bayless, Power of Attorney for Hazel Newkirk for Widener Ditch.

Chairman Paul Dickson called the meeting to order.

Clarence Widener Ditch: Mr. Bayless, representative for Hazel Newkirk, complained that they were never notified of reconstruction letter. He wanted to know why the ditch was reconstructed through her land without their knowing about it. He stated that a fence was removed and trees removed too.

Contractor Dave Foster stated that he received permission from farm tenant Dale Cottrell to enter across his land. The fence was old and already had holes in it. No valuable trees were removed. Homer Wilkinson is gathering firewood from fallen trees.

Harvey stated when locating landowners in the beginning, Rick Tanner's name was on card at owning the Newkirk land and that is why they were not notified.

Harvey asked the Board if law allows part of the reconstruction fee could be waived because of no notification letter. Board said "no." Cost of reconstruction charged to Newkirk is \$219.19 and annual maintenance is \$19.04.

Bayless objected to entire project but conceded - not enough land to object and make a difference.

Urshull Cross Ditch: Board discussed preliminary plans between County and Mr. Cain. Cain states waterway has been widened and a new channel built by them. They are willing to do own work but will need help with funding for culvert pipes (relocation of old and new.) Don Schmidt recommends Cains can do anything they want to their property and County will perform work on County property. Because of liability and insurance the two parties will coordinate their work efforts. Larry Scott stated that County Road 925 E. is in the Thoroughfare Plan.

George Hutchison Drain: Harvey read letter from Claude Ridge asking to be removed from drain assessment role. Assessment is \$111.00 per year on 69.5 acres. Plunkett makes motion to deny request to withdraw from assessment. Kirtley seconds motion. Paul Dickson informs that motion is unanimous and carried. Board will send Mr. Ridge a letter to this affect.

In another matter, Harvey stated that the 22 inch tile that broke down under County Road 600W at Division Rd. was not the responsibility of the Surveyor to repair. Since the drain was private and/or vacated, it is the responsibility of the landowner to repair at their cost. Should a tile break down under a county road, it is up to the County Highway Dept. to repair it. Harvey

warned that the Highway should allocate money for these types of repairs. There have been three (3) in the past six (6) months. Homer Cox, Highway Supt., filled the hole with stone until the back-ordered tile arrives.

There being no further business, the meeting recessed.

Time: 9:18 A.M.

Melissa A. Spencer  
Secretary

Paul E. Dickson  
Chairman

Alan P. [Signature]  
Vice-Chairman

James M. Kirtley  
Member

Montgomery/Tippecanoe Joint Drainage Board  
March 30, 1993 10:40 A.M.

The Montgomery/Tippecanoe County Joint Drainage Board met on Tuesday March 30, 1993 at 10:40 A.M., Commissioners Office, Room 103, Courthouse, Crawfordsville, Indiana.

Those attending were: Montgomery County Commissioners, Paul Dickson, Allen Plunkett, James Kirtley; Tippecanoe County Commissioners, William Haan and Nola Gentry; Attorney Don Schmidt; Montgomery County Surveyor, Harvey Keller; Tippecanoe County Surveyor, Mike Spencer; Montgomery County Drainage Board Secretary, Melissa Spencer.

The meeting was called to order at 10:40 A.M.

Phillip Dewey Drain: In April 1990, Landowners in Montgomery County and Tippecanoe County petition to extend the drain. (6 people signed the petition) Harvey Keller explained the boundaries in Montgomery County and Tippecanoe County. If passage of this project goes it will include the Miller/McBeth Drain and the Gobin Drain. Harvey Keller has worked up a set of plans and has aerial photos. The estimated cost of the project is \$106,264.21 for reconstruction. For periodic maintenance we estimate \$4,280.00 per year.

Mike Spencer stated that when a hearing was held in 1988, landowners voted "no" for a maintenance fund. There are landowners now who wish that a maintenance fund be established. There are 12 (twelve) landowners in Tippecanoe county on the Miller/McBeth drain.

Harvey Keller asked if Miller/McBeth was going to be under reconstruction at the same time as maintenance was taking place. He stated that the outlet to Miller/McBeth is in bad shape a lot of trees are present (some rather large) and the water bubbles up. The fall does not present a problem.

Commissioner Dickson stated that he has a lot of knowledge about this land- it has no bottom and has had fire problems in the past. He then asked if this ditch had been dug out in the last 15 (fifteen) years. Harvey Keller stated that the ditch was constructed in 1893 and reconstructed in 1978. Paul Dickson asked the commissioners present what they propose.

Don Schmidt said that we must have a joint board with Tippecanoe County. There must also be a board member from a non-affected county on this board. Commissioner ~~Disney~~ <sup>Gentry</sup> from Hendricks County has agreed to serve in that capacity. Landowners must be notified of the joint meeting. He then asked if we will have to change the petition. Commissioner Gentry stated that they must combine the petition and create a joint drainage board. Don Schmidt stated that he will meet with Fred (attorney) of Tippecanoe County and go over old petitions and papers. We will then hold a public meeting to create a joint drainage board. The cost to each landowner will be based on per acre size and per lot size.

The next step is to touch base on permits, check with Steve Woll (SCS), check with the Department of Natural Resources on wetlands and the Army Corp of Engineers.

The meeting then recessed. Time 11:08 A.M.

Melissa A. Spencer  
Secretary

Paul E. Dickson  
Chairman

Alan Pluta  
Vice-Chairman

James M. Kitley  
Member



MCDB Meeting  
Tues., April 13, 1993 9 a.m.  
Room 103, CH, C'ville, Ind.

Those present: Paul Dickson, Chairman, Al Plunkett, Vice-Chairman; James Kirtley, Member; Harvey Keller, Surveyor; Missy Spencer, Secretary; Larry Utz, Chief Deputy Surveyor; Pat Cline, Journal-Review; Dean Rush and Cecil Dunlap, landowners.

Paul Dickson called the meeting to order. Keller discussed the Jesse Snoddy Drain, located north of Alamo. Ten acres of water ponding in Dunlap's field. Water draining very slowly. There is a valve gate that controls water runoff and backing up in the tile.

Utz-said he and contractor Mike Merritt walked the drain and found several tile holes below the pond near the outlet. One hole is 20 ft. in diameter and in quicksand. Tile is full of sand. Claude Barker is to come in and jet-spray line before tile is repaired. Tile line is 18" diameter.

Tile is combination of clay and concrete tile. Barker wants to jet-spray 500 ft.. Rush argued that the tile should be fixed first before spraying. Utz said Barker needs outlet holes to do proper job before tile is fixed. Rush stated there are several blockages in the line that need checked. Barker will bring his own clean water to do work.

All parties were concerned about the outlet being clear for the spraying.

Rush said Bart Maxwell did work there 15 years ago and put in 300 ft. of 18' tile. Rush asked how much money was in the drainage fund. Utz stated \$4,700 was there.

Dunlap described how flapper gate worked in the manhole. Trash could be collecting in the gate as well. Rush asked how soon would this tile be fixed. Keller said ASAP.

Dunlap suggested the county place a long metal sewer pipe in the largest troubled area instead of plastic tile or concrete tile sections. The steel pipe will stay rigid and hold it's place. Rush stated that when the contractor comes out to work, the surveyor should have someone there to supervise the entire operation. Utz stated that Mike Merritt was to phone us everyday he is to work there, so we can be there.

Barker will jet out the tile for \$2.00/foot.

Clarence Widener-Harvey pulled a final inspection on April 12th. Drain in good shape. We need to place four tons of rip-rap in farm crossing and a small sector of ditch bank has fallen, but is ok. Seeding is complete and some grass is growing. Some water is standing on the sides away from the ditch.

Benjamin Crabbs-Jack Jones has completed dredging-5,700 ft. Spoil has to be spread out and rip-rap placed yet. Then it will be finished.

Carper Crowder-EB Foster cleared trees out over tile. In 1986, Bart Maxwell placed 200 to 300 ft. of 24" plastic tile. He didn't

seal the joints and the tile popped up. Sink holes were created. The Co. Attorney notified Maxwell and he came back to replace and repair at no cost. The problems are coming back. Maxwell still didn't fix properly. We may need to fix in the near future again and it will be costly.

Basil VanCleave-in New Market, EB Foster is going to place 600 ft. plastic tile-18" and outlet. All topo shots and plans are complete. Lots of trees and roots in over tile. Will place new tile 10-15 ft. to the south and we will abandon the old the line. New Market has own sanitary sewer system, so no hook ups will be there to bother us.

Will N. Brown-Mr. Southard wants tile outlet moved from small stream to larger one near a weir structure, some 150 ft. away. Co. will do this.

Isaac Schotts-a 12" tributary tile line is full of dirt and we will replace it all with plastic tile.

John Wilkinson-problems with standing water. Co. Highway thought high water is tearing up the road. Our tile is 100 ft. farther south and is marked. We ran a 70 ft. spur of 6" tile to the north and placed a surface inlet in the lowest place. Some water damage to sub-base of road (425E) and a lot of heavy trucks are using this road, from Garfield to I-74.

Keller stated that we have 12 beaver dams to dynamite. It is costly no matter how we try to exterminate or chase them off our legal drains. We blow the lodges too.

We should remove food source by spraying brush, or removing brush. This problem is increasing.

Charles McFarland-plans drawn up and shown to Bruce Conrad of State Hwy Office. They have to draw up an agreement between us. This would mean we bid it, supervise it and they will pay for it.

Joseph Conway-Engineer Dave Deckard and Harvey drove and inspected this 3-mile open ditch. Deckard sent engineering estimate of \$7,000 for work to be done. Keller said it would cost roughly \$10 /foot or \$158,000 to reconstruct.

We have exchanged proposals of acceptance, Deckard's cost would not exceed 5.5% of total cost of reconstruction.

Head wall structure is gone and has about 10 acres of swampland there. Broken tile systems. Heavily wooded. Surveyor will contact Army Corps of Engineers and DNR. Landowners will bear all the costs.

Ditch Spraying News;- Keller said we have 10-15 ditches to be sprayed. Bids have never been taken in the past. What is the Board's feelings on bidding this work? Plunkett and rest of Board agrees that bids should be taken from now on. Keller will draft up a bid proposal.

Meeting adjourned at 10:15 a.m.

Secretary

*Paul E. Dickson*  
Chairman

*Alan Plunkett*  
Vice-Chairman

*James M. Kirtley*  
Member

Drainage Board Meeting  
April 14, 1993  
Circuit Court Room

Residents along 136 concerned with drainage in area. Standing water a problem.

Harvey Keller-Surveyor-Drainage problem many years. Jennifer Nichols brought folder in with question submitted by land owners.

Problems with rains, Basement backup, Health Problems, Water standing under house, Insulation affected, Plumbing problem, Resale value decrease, Insect problems, Toilet backup.

Problems people are facing in this area between 136 and Oak Hill Rd.

Oak Hill Rd. side ditches bad. No side ditches in area. Keller talked to State Hwy about this problem. No record of any drains on file in this area. Keller stated drains used to be there (small ones) (sub surface only). Tiles were cut according to hear say when home built.

No percolation tests have been taken for years.

Tile running North was plugged up according to Walters.

Tile no longer working. 136 Hwy cleaned all this out at one time. Walters stated where 200W (Southside) intersects. Exploring constructing of ditch where property owner could pay. Tile to run to sub surface drain. Tile found North Center of area Mormon Church and 200 and tile that empties on 136.

Septic systems won't always work.

Walter said new construction of drainage needed in the area.

Cox has no work scheduled for 1993.

Scott no experience in area.

Keller-area needs looked at and engineered.

All underground utilities, septic.

Petition could be carried to build a legal drain in area or they could build and maintain drain themselves. Define water shed for citizens then citizens built and maintained themselves. Atty should be hired and cost divided among land owners.

If petition carried and passed.

All septic in back of property.

Blow Holes on private prop. Walters has not investigated.

Prop. Owners-Surveyed at one time 28" tile was once proposed.  
Prop. Owner-38 years lived there. No action. Raw sewerage being pumped out on ground. Health hazards exist here. Smells, Walters has had no calls on this. Surveyor and Co. Drain Bd. was going to put 12" tile all along prop. (1960)

1103 Waynetown Rd.-Pictures presented to Comm. to show drain problem. 18" culvert tile did not help.

Trenches have been dug to get water away from septic systems so they could flush toilets.

New septic systems will not help. Walters said drainage needed. Proper drainage on.

1st step-Plunkett stated old tile needs to be located so it can be cleaned out.

Dickson stated to get a petition up and put proper drains in.

Keller stated prop. owners to come to him to draft a petition to be carried so a legal drain could be made. Many problems before this can be done.

County Surveyor (at the time) Don Yount was presented a construction proposal in 1976.

Ditches were cut when dirt scraped over by big equipment.

Ground not suited for drainage, Walters stated.

Drain Bd. function-to hear problems, then get answers.

County Members Present:

Harvey Keller, Surveyor

James Kirtley, Member

Paul Dickson, Chairman

Al Plunkett, Member

Bob Walters, Health

Larry Scott, Engineer

Landowners wants follow through carried out this time.

Kirtley said get procedures started by 2 or more residents, meeting with Keller.

Keller stated-51% of acreage must pass before drain can be built as legal drain acreage, not land owners count.


Plunkett stated-drain will be opened where stopped up first to get temporary relief. Plugged up drain will be checked out by County.

Plugged up tile needs to be taken care of.

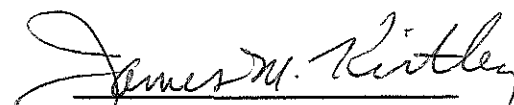
Scott Hwy Supt.-Storm water, sub surface drain, sanitation may cause on easement to be placed on land so that this could be addressed and not be made a legal drain.

April 14, 1993  
(continued)

\_\_\_\_\_  
Secretary

  
Chairman

  
Vice-Chairman

  
Member

Montgomery County Drainage Board  
April 15, 1993  
Montgomery County Courthouse

Chairman Paul Dickson called the meeting to order and asked Harvey Keller to speak first.

CLEARVIEW SUBDIVISION

Keller stated "We would liked to solve the problems while working with you (Landowners) and the City. One problem involved is that there is already an existing subdivision. Had it been pre-planned, utilizing the County Drainage Codes, it would have been much easier as nothing can be approved until the drainage is satisfied. It will be more difficult, but not impossible as is."

Keller then presented aerial photos. Keller stated "The Foster-Fletcher drain is included on some landowners property. In the past few years on the ditch we have sprayed the brush and will clean more brush out. We have trouble around the headwall and some trouble with tile holes. Most of the land mass area is very flat. There are 800 acres where elevation doesn't vary 5 feet. Therefore, drainage will not move very fast."

Keller presented some level shots. There are 6.47 acres that drain out to the highway that's South of Hickory St. About 1/2 of the homes are taken in. Keller stated "Some problems we need to look at in this area are (1) Immediate surface water drainage (includes all homes.) (2) Flat yards (3) Culvert pipes buried (4) Side ditches are almost non-existent (5) Surface water run off. Another method - one that can be combined - is to go along where backyards meet and place a main line drain where backyards meet and along the road. Water in the center and South of the sub-division could be drained out to the highway. To the North, the water would still have to go towards the Foster-Fletcher Drain. For people who have assessments of \$3 - \$4 per year now, all that money goes for the upkeep of the drain. When these ditches were petitioned 100 years ago for a drain, they were petitioned to put in a main line. A lot of surface water is creating problems so the tile system can't handle this. One thing that might help solve the problem, but would take a lot of time and study - and may not be forthcoming within the next year - would be to petition the courts for a new County drain. Not only one that would be with the Foster - Fletcher Drain, but would actually be a tributary of the Foster-Fletcher Drain that would actually come up into the Clearview Addition itself. That won't necessarily hold true for the people in the center or to the South. In the Center another regulated drain could be established for that 6 1/2 acres and that water could be carried out to the State highway and released there and travel to the North. To the South, it is the most difficult one of all because some of that water meanders and stands because it has a lot of routes to get towards Sugar Creek. There would be a lot of fall but, there would be a problem handling that because of cutting

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through streets. The biggest concern that I have with that is the  
April 15, 1993 Meeting  
(Continued)

people will have to sacrifice trees and move some mini barns if a tile system was to be put in. We are not dealing with one wash, we are dealing with 3. Therefore, everyone is affected differently."

Bill Kirsher (Landowner) stated " I talked with 9 families there and we currently do not have a water problem on that side of the street. We have a 12 inch tile that runs from the second property on the North side that drains into that ditch. I know there are problems and I sympathize with these people. But, for at least these 9 families on that West side of the street, we would not like to be included. These 9 families put in a sanitary sewer on the West side of the street."

Landowner (?) asked " If the same type of sewer was put in over the whole area would that help surface drain and alleviate that problem quite a bit? The way I understood, the City was eventually going to come out there and do that in the next 3-5 years anyway."

Landowner (?) stated " I have lived in this addition for several years. We have never had a problem with water until this year.

Landowner (?) stated "I have lived at 2103 Lafayette Rd. right on the highway for 1 year, South of Hickory. I had my septic pumped out on March 7 because the smell was so bad I had to leave my home. Presently, I have a sump pump under the house but, it is out of order. There is water under my house, tons of water in my back yard. The water is backing up from septic tank. It will become a health problem if something is not done."

Paul Dickson stated "I don't know what the plans are from the City to annex that, but I'm sure that will probably happen within the next 2 years."

Alan Plunkett stated "You need to petition for some type of legal drain. Some people may have to sacrifice some space in order to put a tile in to get water out. This sub-division was developed before we had a drainage ordinance. The options I see, is to petition for a legal drain, clean up out front and put some new tile in to try to work this water away. Maybe petition the city to get help to alleviate some of the water on their septics, plus a drain. You're looking for this to take at least a year. We might be able to help you with pipes out front and ditching. Everybody will have to work together to get this done."

Landowner (?) "Maybe annexing will help."

Harvey Keller states " I spoke with the State Highway Department about their drainage and saw some of their plans. Yes,



they do have water that runs across towards the addition. We will  
April 15, 1993 Meeting  
(Continued)

have to see how the State wants to accept this, taking off the extra water load, plus what they can do as far as maybe redesigning some of their culverts. Down by Larry Cummings the pipes are too small and part of his lot stands in water. Some of that has to do with State Highway design."

Paul Dickson asks "Any suggestions as to what you want to do?"

Landowner (?) asks "Does the County have any responsibilities to us?"

Paul Dickson stated " You people would have to agree if they put side ditches in. Some may be unhappy with putting drain pipes under their driveways."

Larry Scott states "I'm sure it would help you and the Highway."

Landowner (?) "What size would be needed?"

Larry Scott stated "I'm unsure because of what elevation degrees it would be and what size the watersheds are. 12 inch pipe won't drain any more than 6 acres."

(?) "What size is the tile that's taking the water out now off of the ditch?"

(?) "15 inch starts. 15 and 18 inch ends."

Paul Dickson asks "Could you enlarge the tile of the Fletcher Drain and that would help?" Harvey Keller replies "yes."

Landowner (?) states " I live in the 10th house on the North side of Hickory and I have no movement of water."

Keller states "There is a strong difference in each individual lot. The natural terrain does take it toward ditch."

Paul Dickson suggests "In order to lower the surface water we would have to place a 16 inch pipe in your yard with at least 8 inches of cover. Which would result in at least a 24 inch ditch in your front yards."

Keller adds "There are other utility lines to think about- septic line, telephone lines. There would have to be a lot of care taken not to cut into these lines. It will be a difficult operation to perform. A lot of study will be involved. I don't know how the City will respond to this because of annexation. There are drainage codes that have to be met with the County and the City as far as drainage goes."

April 15, 1993 Meeting  
(Continued)

Dave Russell (Landowner - Hickory Dr.) Stated: "There is an old tile that exists from my driveway tile, in excellent working order. I probably have as good storm drainage as anybody in front of the house. I still have side ditches that can be of better use to my neighbors to the North. I wouldn't have a problem with that as an option. Hooking up to the sanitary sewer is not the cure for everything.

Earl Kane (Landowner - 2402 Everett) has a lateral drain tile across front yard (6 inch plastic tile.) "In previous years on the West side of Everett they built up their land and closed off the previous drainage ditch and put in 8 inch plastic tile. On a heavy rain day you can see water flowing across the street into my front yard. My figure was to run the drain tile out to the highway and we did that ourselves in the early 70's. I still have a waterpocket in my back yard even though I have laterals to drain it."

Paul Dickson said "Your problems have all been multiplied through the years. A sewer would help your septic problems, if you could get on the city sewer.

Alan Plunkett stated "The first immediate thing we could do would be for the County Engineer, the County Surveyor and the County Highway Superintendent to go out and see what ditching we could do to help alleviate some of the surface water and work into some other things.

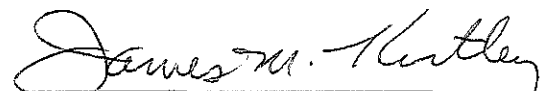
Meeting Adjourned.

COUNTY OFFICIALS PRESENT:  
Harvey Keller, Surveyor  
Paul Dickson, Chairman  
Alan Plunkett, Vice-Chairman  
James Kirtley, Member  
Larry Scott, Engineer

\_\_\_\_\_  
Secretary

  
Chairman

  
Vice-Chairman

  
Member

Montgomery County Drainage Board  
Tuesday May 25, 1993

The Montgomery County Drainage Board met on May 25, 1993 in the Commissioners Office, Room 103, Courthouse, Crawfordsville, IN.

Those present were: P. Dickson, M. Kirtley, A. Plunkett; Commissioners, M. Spencer; Secretary, H. Keller; Surveyor, L. Utz; Chief Deputy, Chuck & Bob Watkins; Contractors, Alvin Winger; Landowner, Mr. Fugate; Landowner, John Yarian; Fugate Farms Manager, Patsy Cline; Press, Marian Lindow; League of Women Voters. Chairman Dickson called the meeting to order at 9:12 a.m.

Phillip Dewey Ditch: Reconstruction - Keller stated that the plans and prices are ready. All that's needed is a joint board meeting with Tippecanoe County. A letter has been sent to Mike Spencer. He is to respond.

Joseph Conway Ditch: Keller states that the project has been engineered. The plans are being drawn up by Dave Deckard. We should be able to go ahead this fall. Consists of 3.18 miles of open ditch.

Joe Hall Ditch: Maintenance - Keller stated that this fall we will have to dip out 2 - 3 miles and spray it. It's really out of hand on this open ditch.

Basil VanCleave Ditch: Keller says that E.B. Foster has completed over 500 feet of tile and the only thing left to do is smooth dirt down and reseed.

Isaac Shotts, James Gilliland & Jessy Snoddy Ditches: Keller stated that these ditches are 90-100 years old. Maintenance is a problem. There's nothing to hook up to. We need to replace 200-300 feet of tile. For these drains to be effective the Landowners will have to petition for reconstruction. There is no money for maintenance.

Jessy Snoddy Ditch: Regarding this ditch, the funds are gone. The job is not completed because of quicksand, Keller states. Dickson states that this is a good ditch for reconstruction. We need help with this one. The tile has been located where the waters going in, but we cannot locate where the tile coming out is. Because of quicksand we cannot locate the tile.

Keller states that ditches like this are beyond maintenance. The landowners will have to petition the courts or the Drainage Board for reconstruction.

Isaac Shots Ditch: Keller states, last fall we started out with 2 low spots on either side of the road. The tile to replace has been ordered and in the barn for Watkins to use to fix. The old tile is full and so is the 18 inch tile it dumps into. Downstream it runs well. There is a problem in the low areas. Another tile in side ditch was discovered and running well that we never knew existed before.

Utz states, Chuck has opened it up at the entrance to Mr. Winger's field and found the 12 inch we thought went through Mr. Fugate's land and someone has cut it off there and the 12 inch runs through the side ditch and is going into breather down there and cutting across and getting out. All the tile on Mr. Fugate's land is gone. So we came to the conclusion that the 12 inch across the

Drainage Board, May 25, 1993  
(Continued)

road is pretty flat, we thought we'd drop it down to 6 inch, bring it across the road and get some cover on it. It can also be done on the other side if the fall is there, but we will have to take some shots.

Chuck Watkins states, the fall is 7 inches in the wrong direction. Someone in the past went in to the side ditch and cut it off at Fugate's field and went around the wet spot and rehooked it. They also cut 12 inch lateral that's going across road and shut Mr. Winger off. So it has just been filling up with mud over the years.

Keller states, Where the old original tile runs, if this other 12 inch is bypassing that and hooks back in we will have to determine where this point is. Because the part that runs down to Mr. Fugate's is no good and it's running uphill. If we can get enough fall to run water to the 12 inch tile in the sideditch, we should propose to take over the 12 inch and abandon the old ditch that is useless. If we can't do this the only other alternative is we will have is to take all that land off the drain assessment list.

Mr. Fugate states, I would be willing to put laterals in, rather than be cut off and just not farm all that land.

Keller says, the whole area needs to be shot. There is no money available for reconstruction. There is some money in maintenance, but not enough. We will have to go the improvement fund.

Plunkett asks, what will laterals do if he only farms part of the land. How much fall is needed for laterals to work. Keller answers, No less than 1/10th per hundred feet. Plunkett asks, How long will this other stuff take? (shots, etc) Keller states, It will probably be done by tomorrow.

Fugate states, he would like for the county to install the laterals and get me back to using the county drain as I did before, the outlet is still in good shape.

Schmidt asks for any suggestions.

Keller states, we should hold public meetings on ditches like this and tell the landowners of the status of the ditches.

Keller is to take shots on the Shotts ditch.

Wm. Buchanon: Utz states, We have replaced 200 feet of 15 inch tile. The road had settled about 8 inches. Jones placed more gravel.

Keller: We have inspected drains for spraying, dipping, etc. 17 ditches will be up for bid this fall. 5 need to be dipped out.

Drainage Board May 25, 1993  
(Continued, Page 3)

Dickson asks for any suggestions on Snoddy Ditch.  
Keller says we should use the mouse. A lot of money has  
already been spent. We could not find the new tile.  
Dickson states, if the only alternative is the mouse, do it.

There being no further business the meeting recessed. 9:50a.m.

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Secretary

Paul E. Dickson  
Chairman

Alex H.  
Vice-Chairman

James M. Kertley  
Member

Montgomery County Drainage Board  
Tuesday, June 22, 1993

Those present were: P. Dickson, A. Plunett, M. Kirtley, Commissioners; H. Keller, County Surveyor; M. Spencer, Secretary; L. Scott, County Engineer; E.B. Foster, Contractor.

The meeting was called to order at 8:18 a.m.

Jessie Snoddy Ditch: Keller states, E.B. Foster has dug a 200 foot long trench. The ditch is boiling up in one spot because it is plugged. E.B. has dug a trench box and hauled in rock. The next step is to start digging in a couple of weeks when it is drier. Foster states, If the Board will agree to a delay, all that needs to be done now is to let it drain. Are there any objections? Dickson states, " I agree to this if no one else has any objections. (no objections.)

Keller states, regarding Wal-Mart, Larry Scott told me last week that the board has decided to wave this private project. Mr. Dye (landowner) still wants a letter of recommendation as to what size to use. Perhaps the Secretary should draw up a letter & have the Board sign it and send it to Mr. Dye if this is to be the case. Plunkett states, Don Schmidt should send this letter, not the secretary.

Oak Hill & Clearview Subdivisions: Keller states, The last two weeks we took shots and flagged the entire area. We found many, many isolated problems with individual drains and septic. Larry Scott will go ahead and plot it up for us.

Albert Hysong Ditch: Keller asks if we should send a registered letter as was discussed in a previous meeting? Scott states, I met with Walt Leader (Hendricks County Engineer) about three weeks ago. I am supposed to prepare a response from our Drainage Board. It will suggest that our Board should get a Joint Board with Hendricks County and do a study as to what needs to be corrected. Their Board has indicated verbally that they will accept this in order to get this thing settled.

Phillip Dewey Construction: Keller states that Schmidt was to contact Tippecanoe County's Drainage Board to go over petitions and papers and create a Joint Drainage Board. Plunkett states, that the paper work is already in progress.

Joseph Conway Reconstruction: Consists of 3.2 miles of open ditch. Keller states, Dave Deckard will get me the preliminary plans by July 1. I have sent letters to IDNR and Army Corp of Engineers. I have not heard from IDNR. I have heard from the Corp and they said I am short a couple of items, but they don't see a problem with anything.

Isaac Shotts: We are having a problem with one of the tributary states Keller. We decided we would replace about  
June 22, 1993  
(continued)

400 feet of new tile. After going in and shooting it for fall we find out that one tile doesn't even work. Somebody came in on a private line and laid it up along the road, they cut right through our tile. We still want to cut through the road and put this tile in. Should we just make this a private tile or do we try to attempt to take over this 12 inch? This officially is a legal tributary. Somebody came in privately, illegally, and didn't notify the office of their intent. Dickson states, If these people have been assessed for a ditch assessment then they are entitled to something. Is there any money in that? Keller replies, Yes. Dickson states, If these people have been paying and they're not getting proper drainage, I can't see where we're going to be able to back off and not do anything with it. Plunkett states, You two (Keller & Scott) sit down and discuss this and report back to us and see what can be done without abandoning this ditch.

Charles McFarland: State Highway Engineer and Keller are working out a written agreement. The State will pay for boring & tile.

Stanford Elmore: Merritt discovered a hole where a 12 inch tile has been substituted.

Ditch spraying contract is being worked on now.

Walter Schoen Tile: Up for reconstruction this fall. Having trouble with erosion and breakdown.

Basil VanCleave Ditch: E.B. Foster has finished the job.

Keller states, I have asked Larry Scott if I can borrow a backhoe from the County Highway to dig for cornerstones.

Scott states, regarding Whispering Acres (231S & 400), I have reviewed their preliminary plans regarding runoff. It complies with regulations. I recommend approval for preliminary plans.

Kirtley makes motion to approve, Plunkett seconds motion, Dickson makes it unanimous, motion carried.

There being no further business, the meeting was adjourned.  
Time 8:57 a.m.

\_\_\_\_\_  
Secretary

Paul E. Dickson  
Chairman

Alan Plunkett  
Vice-Chairman

James M. Kirtley  
Member

Montgomery County Drainage Board  
Tuesday July 27, 1993

The Montgomery County Drainage Board met on July 27, 1993 at 9:00 a.m. in the Commissioners Room, Courthouse, Crawfordsville.

Those present were: Harvey Keller, Surveyor; Larry Utz, Chief Deputy Surveyor; Melissa Spencer, Drainage Board Secretary; Paul Dickson, Chairman; Marion Kirtley, Board member; Alan Plunkett, Boardmember; Members of the Press; Larry Scott, Engineer; Dave Leaders, representing Chem-Trol.

The meeting was called to order at 9:00a.m.

Bids for the calendar year of 1993 ditch spraying were opened. The first bid opened was from Chem-Trol of Gibsonburg Ohio. The second bid opened was from Lawn Rangers Corp. in Warsaw, Indiana. Dickson states the bids will be taken under advisement and discussed with attorney Don Schmidt, since he is not present. This motion was seconded by Kirtley and made unanimous by Plunkett's vote.

Keller states that the bidding is for per gallon applied. Both sides of the ditches. Adequate to kill 90% of the weeds. \$2.38 by Chem-Trol per gallon. Lawn Rangers bids \$2.10 per gallon.

Clearview Subdivision & Oak Hill: Keller states that topo shots were taken in May. L. Scott was to draw them up. Things are just coming together as to what the County can do. Oak Hill has three different ways to run water off. To the East, South & North. Clearview - we are still trying to figure out. Part of the water on North goes to the Foster Fletcher Drain. The bulk of the water goes under SR231 to the Ben Crabbs Drain. There were private drains cut along the road where Calsonic was put in. Larry Scott states this did not cause the problem. They were left open. There may be some problems because the surface water doesn't get off there in time. Plunkett states we should work on one at a time. Scott states that Clearview will be tougher. The sideditch is higher than some backyards that should drain into this.

Gilliland Ditch: Located at the airport. Keller states the tile is broken down. The tile is not the problem though, an aluminum weir structure is. It was put in by the city of Crawfordsville. Our tile will be taken out of the structure and ran around it this fall.

A&T Taylor Drain: Keller states that it is full of willow trees. SCS has been contacted and also some landowners. We would like to take over the waterway and split the first cost and clean this out. It will cause us more problems in the future because of no outlet. The landowner does not object.



Joe Ludlow Ditch: Rd 700W near Wingate. Keller states this ditch runs under 700W. We are going to clean this out.

Wal-Mart & Mr. Dye - Keller states that Wal-Mart will put in a 24" tile across Mr. Dye's land. A letter of recommendation has been sent regarding what size of tile should be used and about using rip-rap. This matter is closed.

Hysong Drain: Larry Scott will prepare a response.

P. Dewey Ditch: Plans have been sent. They need a couple more items. 60 - 90 days will be needed.

I. Shotts Ditch: Southeast of Linden - Keller states there are two low areas. We will have to wait until the crops are out.

J. Snoddy: Held off because of water. We think the problem has been isolated. Work will continue when weather allows.

C. McFarland: Boring project under 32W - The State has been approached. It is best to do this while the road is closed due to the bridge repair.

S. Elmore: We will be replacing 1500' of tile and dip it out this fall.

Keller states that Indiana Gas has sent us a letter about a seminar being held August 18, 1993 regarding the location of gas lines. It was decided that this would be a good seminar to attend.

There being no further business the meeting was adjourned.  
Time: 9:37 a.m.

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Secretary

Paul E. Dickson

Chairman

Alan Plunkett

Vice-Chairman

James M. Kirtley

Member

NOTE: On August 10, 1993, at 8 a.m. the Drainage Board awarded the 1993 ditch spraying bid to Lawn Rangers of Warsaw, Indiana. Their bid of \$2.10 per gallon applied was the lowest and best bid. Board member Alan Plunkett made the motion to accept the bid and James Kirtley seconded. Vote was unanimous.

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Drainage Board Meeting  
Tuesday August 17, 1993

The Montgomery County Drainage Board met on Tuesday August 17, 1993 at 8:53 a.m. at the Montgomery County Courthouse, Commissioners Office, Room 103.

Those present were: Marion Kirtley, Paul Dickson, Alan Plunket: County Commissioners, Don Schmidt: Attorney, Harvey Keller: Surveyor, Missy Spencer: Secretary.

The meeting was called to order at 8:53a.m.

An insurance policy was presented to Schmidt to read, it was then discussed. The policy was for E.B. Foster. He doesn't want any workmans comp and no employees. Schmidt states that he is not required by law to carry workmans comp, although we require it when they are using employees on one of our jobs. If he is caught with someone helping him on of our jobs, he must stop immediately and the Board will meet with him.

Hysong Ditch: Reviewed minutes of another meeting. Larry Scott was to prepare a response. He has met with Hendricks County and he is to set up a meeting. Alot of reconstruction will be in the works.

Joseph Conway Ditch: S of Wingate - State Highway is to replace a bridge on 25. There is a petition to clean this drain. Dave Deckard was hired to engineer this ditch. We have received an invoice from Dave - \$13,740.00 for engineering services of this ditch. The estimated cost is \$10/foot to reconstruct & maintain ( 3 miles long). The Army Corp of Engineers has been contacted. This job will have to be posted for any objections. Deckard wants some money up front (\$37,000.00 in Drain Improvement fund that would be paid back by the landowners). The job may cost \$150,00.00. Harvey is to take a cop of Deckards contract to Don Schmidt for review. It is believed that Deckard is to receive 5.5% of total cost.

Charles McFarland Drain: 3/4 mile E of the intersection 32 & 25- We are to work with the State Highway on this boring project under 25W. We have been waiting on the State. They will pay for anything in their right of way. Engineer Bill Smith assured Keller we would have their plans by September 3. Now would be the time to do this while the road is closed. Harvey is to meet with them. The tile is small and needs to be put back on grade.

Isaac Shotts Ditch: Watkins is repairing this ditch on 100E. Good drainage has begun. Tile has been place and road repaired.

In other business: Schmidt asks the Larry Scott look at Ralph Corey's project as he is clearing a woods. Topos for Clearview have been drafted and given to Larry Scott. They may need a sub-surface drain, not necessarily a legal drain. Plunkett suggest we may need a meeting with landowners if not annexed into the city.

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Tuesday August 17, 1993  
(Continued)

The contractors who bid on the ditch spraying for 1993 have been contacted by mail.

There being no further business, the meeting was adjourned.  
9:14 a.m.

\_\_\_\_\_  
Secretary

*Paul C. Dickson*  
\_\_\_\_\_  
Chairman

*Alan [unclear]*  
\_\_\_\_\_  
Vice-Chairman

*James M. Kutler*  
\_\_\_\_\_  
Board Member

163

Drainage Board Meeting  
Tuesday September 14, 1993

On Tuesday September 14, 1993 the Montgomery County Drainage Board met in the Montgomery County Court House, Commissioner's Room, Room 103.

Those present were Harvey Keller, Surveyor; Missy Spencer, Secretary; Paul Dickson, Chairman; Marion Kirtley and Alan Plunkett, Members.

The meeting was called to order at 9:35a.m.

Keller presented a list of petitions for reconstruction. Conway, Dewey & Walter Schoen for this fall.

Dewey: Attorneys of Tippecanoe and Montgomery have not gotten together.

Conway: Letters have been sent out to landowners about engineering costs. (35,000 acres by Wingate) It will cost around \$150,000, which will probably have to be borrowed from the bank. Keller met w/ Clinton County Surveyor about combining watersheds. One problem is that there are more than one drain in these watersheds. Clinton Co. has combined their watersheds.

George Hutchinson: The Hudson & Humphreys ditches feed into this ditch. This fall we would like to propose public meetings and ask landowners if they would like to combine. It will make tax time easier. Instead of getting two or three tax statements they will receive one. We will make the conversion over and money wise they won't be paying any more than they are now. Since these other ditches will become tributaries of the Hutchinson ditch we will still maintain them. It doesn't change anything except the tax statements. Keller showed a drawing of the ditch. Dickson states we should hold this meeting with the landowners on a Wednesday night.

Dickson states the Hysong ditch should be pushed ahead. We will receive a report from Larry Scott.

Dickson asks about the Sanders ditch. Keller states he has sent letters out to those people and asked them if they wanted to keep the petition alive. Out of about 30 or 40 letters sent out I received a response from about 5 people. Three people stated "yes" and two people said "no." I am going to push it again after the first of the year.

John McLaughlin Ditch: Mike Emmert who is a landowner on this ditch has asked for and been given permission by the Army Corp to straighten 1100 feet out. Tippecanoe County is giving him \$4,000 to help on a \$10,5000 project and he wanted to know if our County would consider doing anything like that. This request was given a

Tuesday September 14, 1993  
(Continued)

"no" answer.

The ditch spraying is done. Twenty drains were sprayed with Rodeo. We are already seeing results. Larry Utz accompanied them.

Clearview Subdivision & Oak Hill: Larry Scott is working on plans and specs for that.

Boring Project under 32 West. The state highway came and jettted this out. Not much junk was found. We did find out that one of the farmers had taken (in the concrete pipe) a piece of plastic tile and shoved it down in there to extend the height of the riser. In doing so they shoved it all the way down to the bottom of the tile and it is blocking the tile. We had to remove the entire thing to find this out. The tile is running uphill. Keller went to the St. Highway and they gave him a manual about all the does and dont's. The St. Highway will pay for everything that's done on their property. We will pay for anything that's outside of their right -of-way, like the hook up of the tile. This will be about a \$12,0000 job.

Keller states we have relocated and monumented 22 section corner stones. We have found some new ones.

Keller told of letter he sent out to 25 surveyors in Indiana to have an informal meeting to discuss some common problems and achievements. No location or date have been set. Hamilton & Bartholomew county surveyors are also involved in this.

Meetings from previous meetings were left to be signed.

There being no further business the meeting was adjourned.  
10:02 a.m.

Melissa A. Spencer  
Secretary

Paul C. Dickson  
Chairman

James M. Kirtley  
Vice-Chairman

Alm P. Utz  
Member

165

Drainage Board Meeting  
Tuesday October 12, 1993

The Montgomery County Drainage Board met on Tuesday October 12, 1993 at 11:19A.M., in the Montgomery County Courthouse, Commissioners Room, Room 103.

Those present: Commissioners, Paul Dickson, James Kirtley, Alan Plunkett; County Engineer, Larry Scott; County Surveyor, Harvey Keller; Drainage Board Secretary, Missy Spencer; Rick Lang & Dewey Land, landowners (Snoddy Ditch).

The meeting was called to order at 11:19 A.M.. Keller reported on the Dewey Ditch & Conway Ditch - We have received approval from the Army Corp, but not from the DNR or IDEM as of yet. They have received the information they need though.

Keller also told of a meeting being held on November 3, 1993 for all area County Surveyors in Noblesville. They will be discussing some problems they might face and any suggestions that someone attending might have.

Keller also reminded the Board of a night meeting to be held on November 10th at 7:00 and 7:45 PM to discuss the combining of watersheds. The first watershed to be discussed at 7:00 will be the Schenck-Little Drains and the second meeting at 7:45 is to discuss the Fleming-Liter Drains.

Regarding the McFarland project - The State Highway and the County Surveyor are about ready for the boring project to begin.

Keller also asks that we be notified when money for ditches are paid out for reconstruction projects or collected so that are books may be kept up to date.

Keller states that we have gotten proposal quotes for a new vehicle for the Surveyor. We are expecting some more so we will hopefully be able to formally address this at the next meeting.

Snoddy Ditch- There has been no work done here since July , 1993 due to wet weather. Dewey Lang (landowner) requests a culvert to correct flooding. He has been a landowner for 10 years. He is against the fixing of the Snoddy Ditch. He has an area that is constantly wet. The road floods also. (This ditch was constructed in 1915. 254 acres drain in) He states that we do not need a ditch this deep. Perhaps the County Highway should be responsible for flooding. They should put in a culvert. Dickson states that in the past it was suggested to raise the road. What suggestions do you have Harvey? Keller suggests that we finish the repair job and hold a meeting to compare options and go from there. He also states that the bad tile has not been reached yet because of wet weather in the past. Assessments will be high and people may not

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Tuesday October 12, 1993  
(Continued)

benefit. Dickson states that a tiles is needed to keep the road from flooding. He suggests we dip out whats there, replace with plastic and close it up. Dewey Lang asks why put more in there with no results. I would rather put money in a whole new tile. Keller asks what about getting suggestions form Soil Conservation and then hole a meeting with landowners. The Board decide unanimously to do this. Keller is to set up a public meeting. Twenty two (22) landowners are to be notified. Controlling acres will be important when voting. He is to check with Nelda for a date (possible Nov. 10 at 8:30PM)

It was then decided that a Public Notice would be posted and a positive date of November 10 at 8:30PM was set.

There being no further business the meeting was adjourned.  
Time 11:53 A.M..

Melissa A. Spencer  
Secretary

Paul E. Dickson  
Chairman

James M. Kirtley  
Vice-Chairman

Alm Platt  
Board Member

167

Montgomery County Drainage Board  
Tuesday November 10, 1993

The Montgomery County Drainage Board met in the Commissioners Room of the Montgomery County Courthouse on Tuesday November 10, 1993, beginning at 7:00 PM. Those present were, Paul Dickson, Chairman of the drainage board; Alan Plunkett & Marion Kirtley; Commissioners; Harvey Keller, Co. Surveyor; Larry Utz, Chief Deputy Surveyor; Melissa Spencer, Drainage Board Secretary; Don Schmidt, Drainage Board Attorney; and Larry Scott, Highway Engineer. Also present were several landowners:

<u>NAME</u>	<u>DITCH</u>
Ken Snyder	Schenck
George McCormick	Schenck/Little
Jeff Myers	Liter/Fleming
Bob Stwalley	Liter/Fleming
Keith Sayler	Fleming
Charles DeVore	Fleming
Frederick A. Cantrell	Fleming
John & Theresa Pickett (Town of Alamo Reps.)	Jesse Snoddy
Dewey Lang	Jesse Snoddy
Mark Lang for Pinkie Lang	Jesse Snoddy
Cecil Dunlap	Jesse Snoddy
Mrs. Dean (Edith) Rush	Jesse Snoddy
Dean Rush	Jesse Snoddy
Ronald Coffing	Jesse Snoddy
Rick Lang	Jesse Snoddy

At 7:15p.m. Commissioner Dickson called the meeting to order. Harvey Keller reported on the meeting that he attended in Indianapolis with the D.N.R. and I.D.E.M. regarding county agencies versus federal agencies. He also reported on an informal meeting in Noblesville he attended with several other county surveyors. Another meeting is planned prior to March of 1994.

Schenck Ditch:

The history of the ditch was given by Keller. The ditch was constructed in 1895 and reconstructed in 1919. It drains 1,203 acres including the Guy Little Ditch. Tile size varies - 15" to 24" into an open ditch. Keller then presented a map of the ditches. At this time the Little drain has a separate assessment. Keller asked for the feelings of the landowners as far as combining these watersheds and making one tax assessment. He then stated that Mr. McCormick had expressed his desire to leave everything as is prior to the meeting. At this time Mr. McCormick said his assessment has gone up. He also presented pictures of his land after 1 1/2 inches of rain. He loses land production. He has lived here for 23 years and says this ditch has never been completely open.



Drainage Board Meeting  
November 10, 1993  
(Continued)

Keller suggests that perhaps Soil conservation should step in regarding waterway reshaping and asks Mr. McCormick if he would be opposed to rerouting the ditch. McCormick states that the ditch has only been dry 2 times in 23 years and it cuts his farm to pieces. He would like the ditch opened up from the headwall to the Schenck Ditch. It worked good after having been previously opened up.

Keller then reported on the Annual Assessment. The Schenck Ditch has an assessment of \$1500/year or \$6000 over 4 years. It now has a balance of \$1510. Keller suggests that perhaps we should extend the tile line of the Guy Little beyond the headwall up into the tributary and make it part of the Little Ditch. According to records, at the present time the Little Ditch stops at the headwall. Ken Snyder (landowner for 1 year) suggests that the end of the Little Ditch should be where the drains combine, not at the headwall. Keller states that this would change the watershed, but not much.

Paul Dickson then asks for landowners suggestions. Mr. McCormick states that the first thing that needs to be done is to get the ditch working properly from the headwall. Then tile it if the money is available or open it clear up. 500 feet would be tile and 800 feet would be cleaned out. Keller states that perhaps we should keep the ditches as they are at the present but, change the drain start and finish points and clean it out and repair it. Snyders asks if this would change his assessment. Keller suggests that more than likely not, perhaps even a decrease. McCormick states that he has contacted Dave Rush and Ken Hudson (landowners) and they wish to leave thing as is.

Commissioner Plunkett makes a motion to leave everything the way it is at the present time. Kirtley secons the motion and Dickson makes it unanimous. Keller is to give notice to the affected landowners the the Guy Little Ditch is to be kept separate from the Schenck and the watershed will not be combined.

James Fleming Drain & Martin Liter Drain:

Keller gives a history of these drains. The Fleming is a legal drain and the Liter used to be a legal drain. The Fleming was constructed in 1905. Keller then presented a map and explained where the two ditches meet. We would like to combine these ditches and make one watershed and one assessment. He then asked for landowners feelings on the subject.

Jeff Myers states that they would go along with it but the Fleming needs to be opened up at the railroad. Keller states he has contacted the railroad and they have not responded. The State Highway has also been contacted and say they will take a look at it. The northern most pipe is full. Myers states he has lost crops. Keller suggests we have three options:

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Drainage Board Meeting  
November 10, 1993  
(Continued)

1. The Liter has it's own maintenance, landownerw will be paying on the Fleming also.
2. Or, combine the ditches and receive one tax assessment.
3. Keep everything as is.

Myers suggests that the Liter needs to be cleaned out. Keller says in order to do this there will have to be a petition and the landowners will have to agree since this is no longer a legal drain. Mr. Stwalley asks if we are asking to take over this ditch and make it a legal county drain. Keller replies yes, but this is up the landowners. The water drains into the Fleming. This could be put on a per use basis. Most people are opposed to paying as we have found in the past. Myers agrees, the people on a ditch should be paying only on a ditch used. Leave the Fleming people out of it. Mr. Stwalley also agrees. Mr. DeVore suggest the Liter Ditch should be cleaned out and then we could discuss combining the two into one watershed. Schmidt states that the Liter could be petitioned and set up as a seperated legal drain. Mr. Devore makes a motion to leave everything as is. Commissioner Dickson suggests that the landowners petition to make the Liter Drain a legal ditch.

Plunkett makes a motion to leave things as is and not combine the watershed at this time. Kirtley seconds the motion and Dickson makes it unanimous.

Jesse Snoddy Ditch:

Keller presented a history of the drain. There is 500 feet of open ditch, the tributary is 2,200 feet long. It has an annual assessment of \$1250/ year. At the present time this ditch is in the red over \$3000. There was a tile breakdown reported earlier in the year. A contractor was sent in to locate the problem. The tile is 10 feet deep at the bad spot. It contains quicksand and blow holes. There is not much drainage at the outlet. This meeting tonight is to decide what to do with this drain. \$8000 has been spent this year. The road is always flooded over. In 1970 a large metal sewer pipe was placed in a field and it started to drain. Keller states that only one sewer under the South end of the Nort/South road out of Alamo. Dewey Lang suggest a culvert be placed under the East/West road. Larry Scott states that on the East side of CR825W there is a 10 inch beehive South of CR300S. It is 10 inches in diameter and there was water flowing there today. There is a manhole on the North side of CR300S close to the "T" road, here there is a valve to shut off and allow drainage from South to West. Keller states the trouble spot has been located.

Dewey Lang asks if this could be repaired and how much more money would be needed to fix this. Larry Scott suggest that placing the tile as Mr. Lang previously suggested would flood the County highway.

Drainage Board Meeting  
November 10, 1993  
(Continued)

Mr. Lang suggests that they use Cecil Dunlap's property as a detention pond. Scott states he feels that this was originally laid out thinking sub-surface drains would work. Keller then presented a map of the are that also showed past tile holes.

He suggests that the assessment would not increase but will be paid over a longer period of time. Some field work will need to be done. Paul Dickson ask for any suggestions the landowners might have. Mr. Rush asks what the plans are. Keller asks if a whole new system would be beneficial? Dewey Lang says at the present it is to deep to drain any of my fields. Keller states the entire thing would have to be engineered - shots, dye, etc.. Dewey Lang agrees. Mr. Rush asks what about building a waterway. Keller says that the Soil Conservation would have to be contacted regarding that matter. The real problem here is the surface water - nothing is adequate. I can contact the Soil Conservation for you and they will have to work with us regarding a waterway.

Mr. Rush suggest that the tile holes that are already ther need to be fixed first and cost efficiently. Keller agrees. Rick Lang suggest a Civil Engineer be brought in. Will the County pay for this? Dewey Lang asks how long his assessment will stay the same. Keller states that hopefully until the ditch is out of the red. Money is being taken from the Improvement Fund. Schmidt states the assessment will continue at the same rate. For a larger increase in Maintenance it will take an okay from landowners and by acreage. Rick Lang states that in the past the Maintenance has been raised.

Plunkett requests that Keller contact Soil Conservation. Dewey Lang asks what about the hole that's already there. Keller suggests that will probably have to be fixed. Keller also states that maintenance would have to be petitions. Ten percent of acreage needed to hold a hearing and 51% of the acreage to pass.

There being no further business, Chairman Dickson adjourned the meeting.

Melissa A. Spencer  
Secretary

Paul E. Dickson  
Chairman

James M. Kistley  
Vice-Chairman

Alm J. P. [Signature]  
Board Member

Montgomery County Drainage Board  
January 4, 1994

The Montgomery County Drainage Board met on Tuesday, January 4, 1994 in the Commissioners Room of the Courthouse. Those present were as follows: Commissioners: Kirtley, Dickson and Plunkett; Drainage Board Attorney, Don Schmidt; County Surveyor, Harvey Keller; Highway Engineer, Larry Scott; 1st Deputy, Larry Utz; Highway Super., Homer Cox; Dr. Board Secretary, Missy Spencer; and members of the press.

The meeting was called to order at 9:15 a.m. Keller gave an update on both the Phillip Dewey Ditch & the Joseph Conway Ditch. In. Dept of Environmental Mgmt. toured both ditches along with Keller, Utz, Dave Deckard, and two landowners on the Dewey ditch. IDEM wishes for one side of these ditches to be left as is, other than some minor things (clearing of brush, etc.) that can be done. All big trees must stay. Keller states he also spoke with Pat Rucker of Army Corp of Engineers. She stated that all is okay on the Dewey Ditch project. Therefore a joint board with Tippecanoe County needs to be formed. Tippecanoe Co. Drainage Board meets tomorrow and they will discuss this issue also. It was decided in a previous meeting that Mr. Hershel Disney will be the outside member that needs to be present.

Regarding the Conway Ditch, Keller has received a letter from the Corps. They are waiting for more information from Dave Deckard. This info needs to be received by them within 30 days or we will have to refile and start from square one again.

Schenck Ditch: Keller states that the SCS is going to cost share for a water way in George McCormicks pasture. We may have to place tile in the open ditch. We may do this and reseed the area and SCS will build the waterway.

William McClamroch Ditch: Keller and SCS went to look at this area yesterday. Keller also received a letter from Steve Woll of the SCS. A 37 1/2 acre tract has been purchased and they wish to make a subdivision know as Parker Place here. Mr. Dale Crum, a landowner on this ditch will receive alot of water if this project continues as is. Keller states that the owners of Parker Place cannot tie into a legal drain without permission from the Board. He feels at the present time that there are two many lots being planned. The present waterway will not suffice. SCS suggests that the Parker Place landowners build their own tile and parallel our drain and outlet into an open ditch. Larry Scott states that Parker Place has just recently been reviewed and passed as far as the Drainage Ordinance was concerned. However, if they have more lots planned than they were approved for they may not meet the Drainage Ordinance. They may need to reapply. Scott suggests that Mr. Crum and Steve Woll are both unaware of our Drainage Ordinance. He suggests he will visit Parker Place and then arrange a meeting with the parties concerned.

January 4, 1994  
( Continued)

Keller asks Scott for an update on the Clearview and Oak Hill projects. Scott states that he will have recommendations on both these jobs at the next regular meeting in two weeks.

McLaughlin Drain: Mike Emmert, a landowner has received permission from SCS to straighten out the ditch on his property. One of our outlets is under water due to and headwall that needs to be reconstructed and a beaver dam that needs to be removed. (Keller presented pictures of drain) Tippecanoe County is going to help with the cost of the project for Mr. Emmert. Keller states he doesn't see where any money we could provide to help with the cost would benefit our county. He suggests we remove the beaver damn, since there is no congestion and the water is getting away okay. (This ditch flows from East to West) Dickson makes a motion that we not spend the money, Kirtley agrees and it is made unanimous.

Keller presents Board with a maintenance contract from Watkins Construction that is to be reviewed and signed. He also presented a maintenance contract from the State Highway regarding the boring project on SR32. It was reviewed and approved by Schmidt and Scott.

The meeting was then adjourned. Time: 9:38 A.M.

Melissa A. Spencer  
Drainage Board Secretary

Paul E. Dickson  
Chairman  
James M. Kirtley  
Vice-Chairman  
Alan P. Hill  
Member

MONTGOMERY COUNTY DRAINAGE BOARD MEETING  
FEBRUARY 1, 1994 - 8:00 AM  
COMMISSIONERS ROOM, COURTHOUSE

Those present: Paul Dickson, Chairman; James M. Kirtley, Vice-Chairman; Alan Plunkett, Member; Harvey Keller, Surveyor, Nelda Hester, Auditor; Larry Scott, County Engineer.

Paul Dickson called the meeting to order. Harvey opened the meeting by discussing the PHILLIP DEWEY DRAIN. Harvey stated he telephoned the Tippecanoe County Surveyor yesterday wishing to discuss forming the joint drainage board for reconstruction. The county surveyor was in his office, but was on the phone. He said he would return Harvey's call, but did not. Mike Spencer (Tipp Co Surveyor) was to notify Harvey of his last drainage board meeting in early Jan, 94, on who they were to have serve on the joint board. No response yet. Will continue to pursue the project.

Paul Dickson wanted to know if the Dewey Ditch was the one that IDEM looked at. Harvey stated "They looked at both the Phillip Dewey and Joseph Conway drains (both up for reconstruction). IDEM has verbally approved the work but has 60 days to respond in writing. About 30 days has now passed."

Paul Dickson - Then these two drains are just sitting in limbo?

Keller - Yes. The Dewey has been ready to go for a long time. I just can't seem to get that joint board going. Now on the JOSEPH CONWAY ditch, I'm waiting on the engineer, Dave Deckard, to forward his plans to me. Mr. Deckard has a problem: his bill was over \$13,000.00, for which he has been paid \$7,000.00.

Dickson - I don't see a problem. We have a contract that says \$7,000 - and not over 5.5 per-cent of the construction cost, and he has received \$7,000 and I think he's got all he is going to get. This was done without the authority of the Drainage Board. We never authorized him to do that. Where is the money coming from for all of this?

Keller - He was paid out of the general drain improvement fund which the people on the ditch are being charged as a separate assessment for the engineering fee to be paid over the next two years starting this year - and the improvement fund will be repaid from this payment.

KENNETH HUDSON DRAIN: Keller: Prior to 1992, this drain had an annual maintenance assessment of \$100.00 IN 1982, at a public hearing, it was raised to \$1000.00. On 10-1-90, it was raised to \$2000.00. But it never was put on the new assessment roll but has remained at \$1000.00 per year. In 1992, we spent about \$4000 repairing this drain, digging up a street in Elmdale to replace and repair the tile. We water-jetted it; placed the road back; cut down trees - and the county highway came out and dug out the side ditches (at no cost to the drain) for surface water run off.

Drainage Board Meeting  
February 1, 1994  
(Continued)

Currently the fund has \$324.00, but we are in the red \$1906.00. I wrote all the landowners to remind them that the assessment had been raised at the 1990 ditch hearing to \$2000, even though it had never been raised to that. One landowner, Earl Smith, who owns enough land to control 50% of the drain, did not want to see it raised because the ditch is working better now than it has in years.

Dickson - Were the landowners aware of the assessment raise?

Keller - Sure! We held the meeting and it was raised. We had the hearing on October 1, 1990.

Dickson - What happened to the assessment?

Keller - I suppose it was just one of those things that happened - it just didn't get put on. We've had so many ditch hearings in the last 3-4 years.....

Dickson - Who has the authority to put it on? Your Office?

Keller - We bring over the ditch changes to the Auditor's office and the changes are recorded there. Pat Kincaid should have a record of this.

Nelda Hester - The \$2000 assessment? You brought it over here?

Keller - Yes. But that was in 1990. Evidently it may have been overlooked. Now there is the possibility that we don't need the assessment to be \$2000.

Dickson - That ditch is in good repair now except for the \$1900 it is in the hole, right?

Keller - Yes. As a matter of fact, Earl Smith came in about a week ago and said it was in the best condition it has been in years, so it shouldn't be raised. The whole reason to raise it was to take care of the problems it was facing. The problems have been solved but we are in the red for it. Left at \$1000 per year, it will take two years to pay back the improvement fund from the annual assessment.

Nelda Hester and Pat Kincaid pulled the ditch file and the only Hudson assessment roll Pat had was for the \$1000 roll. Keller examined it and said it was the wrong assessment roll.

Dickson - Do we still need it to be \$2000?

Keller - It is in the drainage board minutes. It was voted on and raised on 10-1-90.

Hester - What do you want to do now?

Keller - I think we can get by on the \$1000 per year assessment even being in the hole with that money repaying the general drain improvement fund. But that couldn't be done without a hearing. Should we hold another hearing? We are looking at a March 1st deadline.

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Drainage Board Meeting  
February 1, 1994  
(Continued)

Plunkett - What does the Drainage Law state?


Keller - I've never come across this problem before. I will have to double check that for you and get back with you as soon as possible.

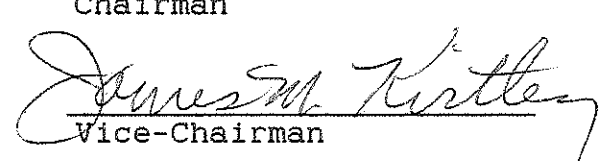
Dickson - Okay. Is there anything else?

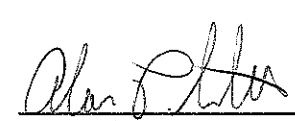
Keller - That's all I have gentlemen.

Meeting adjourned

  
\_\_\_\_\_  
Surveyor

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Vice-Chairman

  
\_\_\_\_\_  
Board Member



Montgomery County Drainage Board  
Tuesday March 15, 1994

The Montgomery County Drainage Board met on Tuesday, March 15, 1994 at 8:08 a.m., in the Commissioners Room of the Montgomery County Courthouse. Those present were: Paul Dickson, Chairman; Marion Kirtley, Vice Chairman; Alan Plunkett, Member; Harvey Keller, Surveyor; Larry Utz, Chief Deputy; Don Schmidt, Attorney; Missy Spencer, Secretary and Curt Hudson, Landowner on the John Gobin Ditch. The meeting was called to order at 8:08 a.m.

It was reported that Curt Hudson is a landowner on the Gobin Ditch. He owns land on the south side of road across from the Heinold Hog Farm, just south of CR 900N and east of US 231. He wishes to be able to farm this land. The existing tile is part clay and part plastic. It has floated and is off grade. Also it has three broken tile areas. The land is low and drainage is difficult. The tile was previously replaced around the time the State rebuilt the Linden overpass area. The annual maintenance on this drain is \$3,000 per year. The current balance is \$1,534. This ditch owes the General Drain Improvement Fund \$234.61. Mr. Hudson proposes that he will pay for the project in advance, then be reimbursed through the maintenance fund at a later date. Harvey states that the estimated cost of this project would be somewhere around \$2,600.00.

Chairman Dickson stated that he had already spoken with Mr. Hudson previous to this meeting and told Mr. Hudson that all we can do is check it out and see if we can legally do this and if it's even feasible if it is legal. Attorney Don Schmidt stated that the Board cannot allow Mr. Hudson to do this and be repayed ~~back~~, but they could borrow the money and repair it. Plunkett makes a motion that we fix it after the money is borrowed. Kirtley seconds the motion and Dickson makes it unanimous. Harvey is to receive proposals from at least three contractors and present the findings to the Board. He thought he could do so by the end of the week.

Keller states that Mr. Hudson has also made a proposal asking to hook into two tiles on the Isaac Shotts Drain. Keller read a letter that he sent to Mr. Hudson giving him permission to hook in. This will be an improvement in draining the water. The estimated acreage involved is 30-40 acres, more or less. Mr. Hudson was reminded that he will have to acquire permission from all landowners and also inform the Surveyor's Office of the dates of installation in the letter. Kirtley makes a motion to accept Keller's decision. Plunkett seconds the motion and Dickson makes it unanimous.

Richard Thomas Ditch: Larry Utz went out on a tile hole call. He reports that ~~they~~ (Contractor Jack Jones & himself) opened 4 spots recently and the tile kept crumbling. It needs to be repaired from the headwall North 400 feet. (20 inch tile) This ditch has an annual assessment of \$1000. It has a current balance of \$1,959.00.

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The estimated cost for this project is approximately \$4,634 minus the \$1,959 left in maintenance, leaves a balance of \$2,675 to borrow. Keller states that we will see the Council next month and ask for the money. The new tile will be placed directly where the old tile was in order to keep the flow moving well. We will draw up a legal proposal. Don Miles, a landowner, will be in to discuss this at a later date.

Keller stated there will be no fall ditch spraying this year or any major maintenance projects, except on ditches that need the work and have the funds to do so. Mulching was then discussed. It seems to be working well as long as it is done while plants are still green.

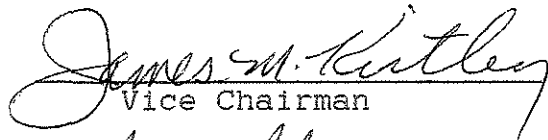
Keller states that he met with the State Highway yesterday regarding the McFarland Ditch. Two bid packets have been sold and the plans were approved by the State. He also reminded the Board of the Joint Board meeting with Tippecanoe County on March 29th at 1:00 p.m. at the Montgomery County Courthouse.

Keller reports that every open ditch has been inspected recently and he will present his findings to the Board at a later date, first in the form of a letter.

There being no further business, the meeting was adjourned at 8:32 a.m.

  
Secretary

  
Chairman

  
Vice Chairman

  
Member

Montgomery County Drainage Board  
April 26, 1994

The Montgomery County Drainage Board met on Tuesday, April 26, 1994, in the Commissioners Room of the Montgomery County Courthouse. Those present were: Paul Dickson, Chairman; Alan Plunkett, Member; Harvey Keller, Co. Surveyor; Missy Spencer, Drainage Board Secretary; Les Ingersoll, Co. Councilman; Don Schmidt, Drainage Board Attorney; Nelda Hester, County Auditor and members of the press.

Chairman Dickson called the meeting to order at 8:12am. Keller reported that he has met with Earl Hornbeck regarding the Chs. McFarland Ditch. They have taken some field shots and looked the area over. Mr. Hornbeck will certify the plans and re-submit them. Keller reports that the two companies that have already bid on this project are concerned about their checks they turned in with their bids. Should they be sent back? Don Schmidt asks if the job will have to be re-bid? Keller replies that he thinks it will. He also reports that the State says as long as the cost doesn't go over the amount of money that they are putting up for the project, they don't care whether it's re-bid or not.

Plunkett makes the motion that these previous bids be rejected due to a change in plans. Dickson seconds the motion and makes it unanimous. New plans will be available and the job will be re-bid.

Keller reports that six ditches that need to be fixed this spring cannot be repaired due to the fact that these individual ditch funds are in the red. Nelda Hester has been in contact with the State Board of Accounts and we cannot borrow money from the General Maintenance Fund and put the money in the Improvement Fund. Schmidt informs the Board that money in the Maintenance Fund can be borrowed from one ditch and loaned to another as long as its paid back. Nelda reports that there is \$257,000 in the Maintenance Fund. She will talk with the State Board of Accounts and report what she finds regarding borrowing money from one Drain for another, within the Maintenance Fund. Keller reports that one of the ditches in the red is the Allen Lewis Ditch. Due to some bills being turned in on this drain with the April 1994 claims, what are we to do? Schmidt suggests that we wait and hear from the State Board of Accounts. If they will allow borrowing money within the Maintenance Fund, he recommends that the Drainage Board approve this.

Plunkett asks about the Basil VanCleave Drain. Has this job been completed and filled in? Keller reports that the project has not been completed. A landowner on the lower end has received the dirt that was needed to fill it in. Plunkett states that this dirt was not spread out. Was it in the contract to do so? Keller is unsure and reports that he will review the contract to refresh his


memory on the specifics. The contractor (E.B. Foster) has been paid a partial payment for the services already rendered. Final payment will be made after the entire job is completed.

Keller and Schmidt discussed the County Drainage Ordinance. Keller reports that the Ordinance does not include a sub-section that states that the developer should keep and maintain all existing tile drains for drainage and the water trouble for SCS. Schmidt informs Keller that the Ordinance only covers surface water and not sub-surface water. The way to take care of sub-surface water would be through a legal county drain being established. This subject will be further discussed at a future meeting.

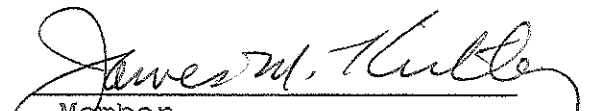
Dickson reports that the Commissioners have each received letters from the Soil Conservation Service regarding Curt Hudson. The letter stated that this area has been designated as a wetland.

There being no further business the meeting was adjourned.  
Time 8:36 a.m.

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Secretary

  
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Chairman

  
\_\_\_\_\_  
Vice-Chairman

  
\_\_\_\_\_  
Member

Montgomery/Tippecanoe Co. Joint Drainage Board  
July 25, 1994

The Montgomery/Tippecanoe Joint Drainage Board met in the Montgomery County Courthouse in the Commissioner's Office on July 25, 1994. Those present were as follows: Paul Dickson, Chairman; Nola Gentry, Boardmember; Bill Hahn, Boardmember; Marion Kirtley, Boardmember; Herschel Gentry, Boardmember; Harvey Keller, Montgomery Co. Surveyor; Mike Spencer, Tippecanoe Co. Surveyor, Melissa Spencer, Drainage Board Secretary; Don Schmidt, Drainage Board Attorney; Floyd Burroughs and John Darow of Floyd Burroughs and Assoc., Engineering Co.

Chairman Dickson called the meeting to order at 11:08 A.M. Keller read the minutes of a previous joint meeting held on March 29, 1994. Keller reports that he received 7 remonstrances from landowners that were against the Philip Dewey reconstruction project. Some of these landowners would be for the project if the project was extended further north into Tippecanoe county. Keller reports that we haven't officially hired an engineering firm. He recommends that the board take into consideration the hiring of Floyd Burroughs and Assoc. to do this.

Mike Spencer reports that some of his landowners were not notified prior to our previously scheduled July 5, 1994 meeting. A lot of his landowners would also like to see the project extended further, clear up to Wea Creek. This project would include 4 open drains in Montgomery Co. and 3 open drains in Tippecanoe County. Keller asks, if we were to extend the project, would we have to re-petition? The overall feeling is yes. The attorney should be asked. (He has previously left the meeting.) Keller reports that he has received approval from DNR, SCS and possible approval from IDEM over the phone (they are to send fax) regarding the original plans of the project. Bill Hahn suggests that the extension should be looked at. Nola Gentry suggests that the cost should be looked at also.

Dickson asks the Board their feelings regarding the extension to include Wea Creek. All present agree this should be considered. Therefore, a new petition should be prepared. Mr. Keller and Mr. Spencer will do this jointly, very soon. Attorney Schmidt (he has since returned) suggests that new petitions be prepared before the Board considers hiring Floyd Burroughs & Assoc., since we may not even need an engineering firm. Keller asks if this means that Floyd Burroughs & Assoc. are being put on hold? The boards reply is

yes. Petitions should be drawn up and then the board will proceed from there. These petitions should include reconstruction and maintenance. The leg work for this project will include additional signatures on the petitions. There being no further business the meeting was adjourned. Time - 12:05 P.M.

Melissa A. Spencer  
Secretary

Paul E. Dickson  
Chairman

Alan White  
Vice-Chairman

James M. Kirtley  
Boardmember

Montgomery County Drainage Board  
August 30, 1994

The Montgomery County Drainage Board met on Tuesday August 30, 1994 in the Commissioner's room of the Montgomery County Courthouse. Those present were as follows: Paul Dickson, Chairman; Marion Kirtley, Vice-Chairman; Alan Plunkett, Member; Missy Spencer, Secretary; Larry Utz, Chief Deputy Surveyor; Larry Scott, County Engineer; Homer Cox, Highway Superintendent; Mr. & Mrs. George Inskeep, Landowner on the Allen Lewis Drain; and Mr. Simmons, Concerned with the building project located on Grace Ave. in the City of Crawfordsville.

The meeting was called to order at 9:51 a.m. Chairman Dickson stated that the board had received a letter of resignation from Harvey Keller. The resignation goes into effect on August 26, 1994. Since Larry Utz is the Chief Deputy, he has been appointed to serve as County Surveyor until such a time that someone else is appointed to the position.

Mr. Simmons presented photos and expressed his disgust with a building project in progress on Grace Ave. in Crawfordsville. The construction itself is a city problem. The control of the surface water is under the county authority. Mr. Simmons is asking that a deadline be set for the builder, in which must time he must comply with a stormwater drainage recommendation. Dickson asks if all the recommendations for storm water has been followed. Larry Scott states that a final ok on the storm water plan has not been given. He also states that the City of Crawfordsville is not to issue any more building permits for this area at this time. Two double units have been built and they are working on a third and fourth one at this time. Dickson asks Scott to contact the city regarding this project and also check the site. Mr. Simmons wishes for the water to be retained. Larry Scott explained the photos and explained the flow of the water. Since the project has not been completed, Dickson asks that Mr. Simmons wait and give Larry Scott a chance to check the site out and report on his findings.

Larry Utz presented a bill from George Inskeep on the Allen Lewis Drain. Before planting season of this year some tile holes were repaired until the ditch ran out of money. Mr. Inskeep had Jack Jones come in and replace 100' of tile since then. The bill presented was for the work performed by Jones for \$2,052.73. Inskeeps have spent \$26,000 on their drain and feel the money was wasted because the county ditch isn't draining properly. Inskeep reports that Harvey Keller told him they would be reimbursed. Utz reads notes left by Keller regarding this matter. The note stated that " a bill had been submitted by George Inskeep for work performed by Jack Jones. Mr. Inskeep volunteered to pay for this work as the county fund has ran into the red. He wants reimbursed.

The Drainage Board must decide. No promises or guarantees by the Surveyor's Office." At this time this drain is \$487.27 in the red. Plunkett discusses the current ditch assessments. This ditch and others are running with assessments from the 1920's and we are paying 1990's prices. There are approximately 30 ditches in the red at this time and need to be raised at least 25% over the next few years. These ditches will have to be brought back into the black or the landowners will have to take over the ditches. We cannot use maintenance funds to reconstruct. Dickson asks that the bill be left with the Drainage Board and it will be discussed with the County Attorney.

Dick Hunsicker, a landowner on the Lye Creek Drain, has a sewer tile that is rusted out and is letting the bank fall in. The catch basin is also rusted out. A 12 inch tile is blowing up back into the field. Hunsicker fixed one hole this last spring. The catch basin may be a SCS problem. Utz will contact SCS and see if it's the county's responsibility or SCS's. There is some money in the account for Lye Creek. The approximate cost will be \$3,000 to put a corrugated metal pipe in, 30' back.

The plans for the Charles McFarland ditch project have been certified and Utz will pick them up this afternoon.

Mike Emmert has cleaned out part of the McLaughlin Drain (not a legal county drain). Tippecanoe County has given Emmert money to help with that project and Emmert is asking our county to help also since he feels it will benefit the Allie Peterson drain. There is \$5,087 in the Peterson fund. Emmert has a bill for \$15,830. Utz will go out and take a look at the area and report back to the Board.

Phillip Dewey Ditch - Utz reports that petitions have been reissued and should be signed and returned soon.

Utz presented three contracts from E.B. Foster that he had received from Harvey Keller. One was for mulching brush on the Jennings-Miller Drain for \$3,190 for 2800'. On the Linn-Himes Drain it was for 2,200' at a cost of \$2,420. The third was regarding the Epperson Drain close to Nucor. Where an old abandoned bridge has fallen in, Keller asked Foster to move the concrete and put it on existing banks. This could be done at a cost of \$1,500. There is enough money in all three funds to cover the expense. The abandoned bridge may be private property now and not that of the countys. Perhaps it has been vacated. The Board

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asks that Foster be held off on this project until Don Schmidt can take a look at where the County stands. Plunkett makes a motion that the cleaning of the Jennings-Miller Drain and the Linn-Himes Drain be approved. Kirtley seconds the motion. Dickson makes the motion unanimous.

There being no further business, the meeting was adjourned.  
Time 10:41 A.M.

Melissa Spencer  
Secretary

Paul E. Dickson  
Chairman

James M. Kirtley  
Vice-Chairman

[Signature]  
Member

Murphy. Scott reported that Hershell Yater had submitted a map, noted that there was a discrepancy between plat I and plat II. On the second plat, lot # 51 had been changed and was now labeled as lot # 51. Both maps were done by Deckard Engineering. Scott contacted Yater about the problem. He recommended that the project be put on hold.

Upon the recommendation of Scott, Kirtley made a motion to approve the drainage plan on Ken Morris Mini Warehouses, located south on US 231 by Liberty Square. The consultant was Paul Coats of CNS Engineering of West Lafayette. Plunkett seconded the motion and it passed unanimously.

R.R. Donnelley's Elmore Street Plant has requested to pave more parking. Scott reported that it will have an effect on the already existing retention pond. Scott said that the impact would be slight and that the plans include adequate revisions to handle the problem. Scott recommended approval. Plunkett made a motion to approve the Donnelley request. Kirtley seconded and the motion passed unanimously.

With no further business, the meeting was recessed.

MONTGOMERY COUNTY BOARD OF COMMISSIONERS

James M. Kirtley  
Paul E. Dickson  
Al Plunkett

ATTEST:

James Murphy  
Deputy Auditor

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Montgomery County Drainage Board  
Tuesday September 27, 1994

The Montgomery County Drainage Board met in the Commissioners Room of the Montgomery County Courthouse on Tuesday September 27, 1994. Those present were as follows: Paul Dickson, Chairman; Marion Kirtley, Vice-Chairman; Alan Plunkett, Member; Larry Utz, County Surveyor, Missy Spencer, Drainage Board Secretary; Larry Scott, County Engineer; Don Schmidt, Drainage Board Attorney; Mike Emmert, George Inskeep and Leroy Bunnell, landowners.

Chairman Dickson called the meeting to order at 10:15 A.M. The first order of business was George Inskeep concerning the Allen Lewis Drain. Mr. Inskeep had turned in a bill at the previous meeting asking for reimbursement on some work he had performed on the drain. The bill was for \$2,000. Utz states that the ditch is in the red \$387.27 at this time. The annual assessment on this ditch is \$961 per year. Schmidt suggests there are two choices in which Mr. Inskeep can be reimbursed if the board wishes to do so. We can approach the Council about borrowing the money and then paying the County General Fund back or perhaps we could pay Mr. Inskeep so much a year until it is fully paid. Dickson states that in the past it has not been the Boards policy to reimburse for these services but, the Board will agree to \$500 per year for the next four years if Mr. Inskeep will agree to this. Mr. Inskeep will accept this agreement.

Mike Emmert, landowner on the McLaughlin Ditch, was present asking for financial assistance on some work that was previously performed on his property. Tippecanoe County reimbursed Mike part of the cost since it benefitted the Martin P. Gray Ditch. Since he also feels it will benefit our Allie Peterson Ditch, Montgomery County should help. Utz states that he has inspected this ditch and feels that the Peterson Drain will benefit from Mike cleaning the drain out. The Coyner Ditch will also benefit. Plunkett states that the county can only spend money on a legal county drain and the McLaughlin is not a legal county drain. Schmidt suggests that perhaps a petition should be circulated for reconstruction. It was also suggested that reconstruction only be done in Montgomery County if necessary. Schmidt also suggests that a meeting be held with Tippecanoe County Surveyor in regards to reconstruction.

Joseph Conway Drain - A petition was carried and turned into the Surveyor approximately three years ago to reconstruct this drain. The Drainage Board has not seen this petition until todays meeting. A date of November 9, 1994 at 7:00 P.M. was set regarding this ditch. \*\*\*

Lye Creek Drain - Utz asked about a proposal that was turned in at the previous meeting from Jack Jones. It was given to Larry Scott and he has not had a chance to take a look at it. Schmidt asks for this to be brought up at the next meeting.

Wm. Epperson Drain - Utz read minutes from prior drainage board meetings. Plunkett makes the motion that E.B. Foster be allowed to clean up the drain and do the work under Utz's supervision. Kirtley seconds the motion and it is made unanimous by Plunkett.

Chs. McFarland Drain - The project has been certified and the contracts signed. A notice to bidders should be sent out.

Jesse Snoddy Ditch - This ditch is \$2,488.69 in the red regarding the maintenance fund. It also owes the improvement fund. Plunkett states this ditch should be raised 25% as soon as possible by recommendation of the State Board of Accounts. This will have to be done before any work can be done.

Water Addition - Located in Darlington. Phase 1 has been platted. Larry Scott recommends that the Board approve. Kirtley makes motion to approve, Plunkett seconds and made unanimous by Dickson.

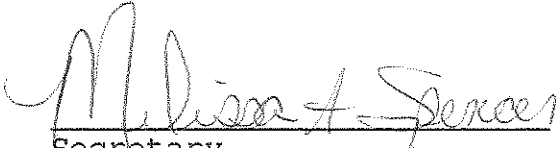
2ND Addition-Phase 1- Rocky Ridge Golf Course - A layout has been submitted. Scott presented detailed blueprint of area. He recommends approval of storm water plan for lots 31 - 63, subject to receiving calculations for pipe sizes. Plunkett makes motion to approve after the pipe sizes are received. Kirtley seconds. Dickson makes it unanimous.

Monroy - 2nd Add - Located on Schenck Rd. They wish to add three lots. Asking for Storm Water Drainage Ordinance waiver. Scott recommends that waiver not be granted without acceptable storm water drainage plan. The retention area is undersized. Kirtley makes motion to deny the waiver. Plunkett seconds the motion. Dickson makes it unanimous.

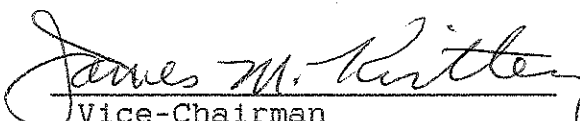
Regarding the Houston Co. Inc. apartment complex: (located near Williamsburg Healthcare) Scott feels as if we have not received adequate information.

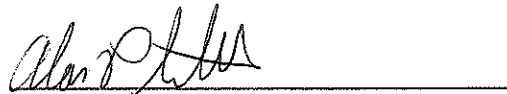
There being no further business, the meeting was adjourned.  
Time: 11:25 A.M.

\*\*\* NOTE: The meeting scheduled for November 9, 1994 has been postponed. A new date shall be set at a later time. Due to the fact that the proper permits have never been issued.

  
Secretary

  
Chairman

  
Vice-Chairman

  
Member

MONTGOMERY COUNTY DRAINAGE BOARD  
October 18, 1994

The Montgomery County Drainage Board met at 8:35 a.m. on Tuesday October 18, 1994 in the County Commissioner's Office. Present were board members Alan Plunkett, Paul Dickson, and James M Kirtley, acting Surveyor Larry Utz, and Deputy Auditor Joyce Murphy.

Everett Foster, of Foster Excavating, met with the board concerning the bid for ditch maintenance that he had submitted. Dickson questioned Foster as to why his bid was so much higher than last years. Foster cited the raise from \$.65 per foot to \$.75 per foot, as a cost of living raise, taxes, equipment, etc..

After a discussion with Utz, Kirtley made a motion to accept the contact as written, Plunkett seconded and it passed unanimously.

The plans for maintenance on the Joseph Conway Ditch were signed by the board.

There being no further business, the meeting was adjourned.

MONTGOMERY COUNTY DRAINAGE BOARD

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\_\_\_\_\_  
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ATTST:

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Montgomery County Drainage Board  
Monday, November 7, 1994

The Montgomery County Drainage Board met on Monday November 7, 1994 in the Commissioner's Room of the Montgomery County Courthouse. Those present were as follow: Paul Dickson, Chairman; Marion Kirtley, Vice Chairman; Alan Plunkett, Member; Larry Utz, County Surveyor; Missy Spencer, Secretary; Larry Scott, County Engineer; Don Schmidt, attorney Mike Emmert, Landowner on McLaughlin Drain.

Chairman Dickson called the meeting to order at 9:45 A.M. The first order of business was concerning Mike Emmert on the McLaughlin Drain. Emmert is asking for financial assistance for work he has done on the McLaughlin Drain. There is no maintenance on the McLaughlin at this time. There is a maintenance fund set up on the Peterson Drain and the Coyner Drain and they are benefitting from Emmert's work. The total bill for Emmert's work is \$10,400. Tippecanoe County reimbursed Emmert \$4,000 due to the work benefitting one of their drains. Leaving a balance of \$5,400. Plunkett makes a motion to allow \$3,200 in reimbursement to be divided between the Peterson and Coyner Drains as Utz sees fit, as far as which ditch will benefit more. Kirtley seconds the motion and it is made unanimous by Dickson.

Utz presented two contracts to be signed by the Board. One from D&M Demolition regarding removal of beaver dams and one was from E.B. Foster regarding the Joseph Hall Drain. Schmidt looks these over, Board gives approval and signs.

Lye Creek - Utz presented Board with a proposal from Jack Jones. Plunkett makes motion to accept, Kirtley seconds motion and Dickson makes it unanimous.

Joseph Conway - Utz reports that more information has been requested by the Army Corp and he is sending this information.

Larry Scott presents plans for Phase I of the Williamsburg project. Scott has reviewed plans and his recommendation is that the Board approve their storm water drainage plan. Plunkett makes motion to approve the plan. Kirtley seconds the motion and Dickson makes it unanimous.

There being no further business the meeting was adjourned.  
Time 10:05 AM

Missy Spencer  
Secretary

Paul E. Dickson  
Chairman

James W. Kirtley  
Vice Chairman

Alan Plunkett  
Member

Montgomery County Drainage Board  
Tuesday November 22, 1994

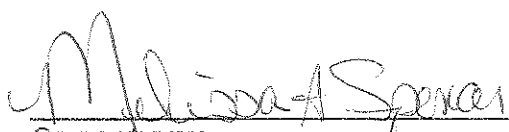
The Montgomery County Drainage Board met on Tuesday November 22, 1994 in the Montgomery County Courthouse, Crawfordsville, IN. Those present were: Paul Dickson, Chairman; Marion Kirtley, Vice Chairman; Alan Plunkett, Member; Larry Utz, Surveyor; Missy Spencer, Secretary; Don Schmidt, Attorney and Dick McClaskey, landowner on the Joe Gray Ditch.

Chairman Dickson called the meeting to order at 8:07 a.m. and the minutes from the previous meeting were presented. Plunkett makes a motion to waive the reading at this time. Kirtley seconds the motion and Dickson makes it unanimous.

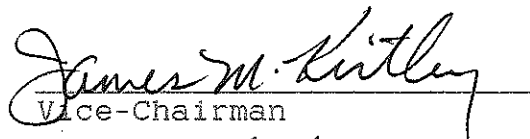
Joseph Gray Ditch - Dick McClaskey, landowner was present. Utz reports that regarding the Gray Ditch, Harvey Keller met with Jim Harper back in the spring of this year and found it was plugged full of smartweed. Utz went and looked at it yesterday and found that the tile needs to be replaced. The ditch has a balance of \$317.77 and an annual assessment of \$731. Mr. McClaskey has 10 acres and is getting no benefit at this time. 600 to 700 feet of tile needs to be replaced. Utz estimates it would cost approximately \$1,400 to fix it. Plunkett suggests that Utz get an estimate and then the Board can go to the Council.

Charles McFarland Ditch - Utz reports that he wants to set a date for showing regarding the SR32 boring project. It was decided that the advertisement for bids shall run in the paper on December 8th and 15th. The bids shall be in by 4:00 p.m. on January 30th. The showing date was set for January 16, 1995 at 10:00 a.m. The sealed bids will be opened at 9:00 a.m. on January 31, 1995.

There being no further business the meeting was recessed.  
Time 8:15 a.m.

  
Secretary

  
Chairman

  
Vice-Chairman

  
Member



Montgomery County Drainage Board  
Tuesday December 27, 1994

The Montgomery County Drainage Board met on Tuesday December 27, 1994 in the Montgomery County Courthouse, Crawfordsville, IN. Those present were: Paul Dickson, Chairman; Marion Kirtley, Vice Chairman; Alan Plunkett, Member; Larry Utz, Surveyor; Missy Spencer, Secretary; Larry Scott, Engineer and Harold Cash, incoming Commissioner.

The meeting was called to order at 8:45 a.m.. Utz reports that the advertising regarding the Charles McFarland boring project has ran. Two bid packets have been picked up and he knows of one more to be picked up. This project is to be let on January 31, 1995.

Utz reports that he has taken a look at the Heidtman Steel plant and the railroad spur is fine. The retention pond is 42 feet in the Epperson Ditch right-of-way. Schmidt will draw up papers stating that Heidtman will be responsible for this.

Allen Lewis Ditch - Utz reports that Harold Cash has received word from Roy Liters of some problems he is having. Utz and Cash will go out and take a look at it. This ditch is in the red \$41. It also owes money to George Inskeep. Larry Scott reports that he has a culvert replacement project for this area.

Utz reports that tile hole work is still in progress and moving along very well due to the warm weather.

Jesse Snoddy Ditch - Utz reports that he has received a letter from Dewey Lang regarding the lack of progress on this ditch. The annual assessment for the Snoddy Ditch is \$1,250. It is in the red at this time \$2,000.60. Dickson suggests that after the first of the year the Commissioners will have to ask for an additional appropriation from the Council to help pay for cases like this.

John Gobin Ditch - Regarding the work that needs to be done by Heinhold on Curt Hudson's property: Utz has received two proposals. One proposal from Ramsey Tile is for \$2,590. The second proposal from Jones & Son is for \$5,094. Plunkett makes a motion to accept the proposal from Ramsey Tile. Kirtley seconds the motion and it is made unanimous by Dickson.

The minutes from the previous drainage board meeting were presented to the Board and signed by all.

Larry Scott presented storm water drainage plans for Homes of Rocky Ridge. These plans were previously approved. All that needs to be done is for Dickson to sign and date. He did so.

There being no further business, the meeting was adjourned by Chairman Dickson. Time 9:05 a.m.

Melissa A Spence  
Secretary

Harold Cash  
Chairman

Al Olt  
Vice-Chairman

Paul Dickson  
Member