

May 25th, 2021

The Hendricks County Drainage Board met in the Commissioners' Room on the first floor of the Hendricks County Government Center. Those present were President Bob Gentry, Vice President Phyllis A. Palmer, Members Dennis W. Dawes, Jack Maloney and Stan Ryland, Hendricks County Attorney Greg Steuerwald, Hendricks County Surveyor David Gaston, Hendricks County Auditor Nancy Marsh, Chief Deputy Surveyor Tiffany Dalton, Dirk Leonard, Blake Stephenson, Gary Sowers, and Justin Coleman.

President Bob Gentry determined there was a quorum and led the Pledge of Allegiance. Member Dennis Dawes led a prayer for those who wished to participate. President Gentry then called for the first order of business.

RE: IN THE MATTER OF APPROVAL OF MINUTES:

President Gentry requested a motion with regards to the minutes of the May 11th, 2021, Drainage Board meeting. Member Dennis Dawes moved to approve the May 11th, 2021; Drainage Board meeting minutes as presented. Member Jack Maloney seconded the motion. The motion was unanimously passed.

RE: IN THE MATTER OF BILLS TO BE PAID:

DRAIN MAINTENANCE EXPENSES

Alexander Contractors	Drain 415 Roseboom (425 Miller-Dillon)	\$ 2,000.00
	Acct. Balance \$ -762.50	
Beechwood Construction	Drain 441 Ross (444 John Scott)	\$ 10,461.71
	Acct. Balance \$ -664,056.58	
Murrain Excavating	Drain 647 Hidden Valley	\$ 13,500.00
	Acct. Balance \$ -7,272.76	
Landworks Inc.	Drain 400 Garvey Neal Pollard Todd	\$ 2,425.00
	Acct. Balance \$ 349,503.98	
Landworks Inc.	Drain 409 Mary A. Gibbs	\$ 3,270.00
	Acct. Balance \$ -144,335.10	
Via Excavating	Drain 503 French Jegar Lambert Spangler	\$ 37,970.00
	Acct. Balance \$ -198,231.07	
Total Maintenance Fund Due:		\$ 69,626.71

Member Dennis Dawes moved to approve the Maintenance Fund bills in the amount of \$69,626.71. Discussion followed. Member Jack Maloney seconded the motion. The motion was unanimously passed.

AUDITOR'S REPORT

May 25th, 2021 Auditor's Report

Member Dennis Dawes moved to approve the May 25th, 2021; Auditor's Report as presented in the amount of \$69,681.71. Member Stan Ryland seconded the motion. The motion was unanimously passed.

RE: INTRODUCTION OF OTHER BUSINESS OR ADDITIONAL DISCUSSION BY COUNSEL, STAFF OR PUBLIC:

RE: HENDRICKS COUNTY ATTORNEY GREG STEUERWALD:

None cited.

RE: HENDRICKS COUNTY SURVEYOR DAVID GASTON:

County Owned Parcels – Drainage Assessments

Hendricks County Surveyor David Gaston reminded the Board of the policy they signed stating county owned parcels would not be charged a drainage assessment. He said that the Auditor and Treasurer were concerned with that policy. Hendricks County Auditor Nancy Marsh stated that one of the things they tell all other entities is that everyone on a regulated drain must pay a drainage assessment even the county, there are no exemptions for the state, cities, towns, or non-profits, and she felt that it would be more difficult to get them to pay if the county does not pay its fair share. Discussion followed. Vice President Palmer moved to Rescind the no assessment policy on county owned parcels except for the Hendricks County Road Right of Way parcels that the Highway Department agreed to maintain. Member Jack Maloney seconded the motion. The motion was unanimously approved.

Regulated Drain Easements

Mr. Gaston stated after the last meeting he reviewed the Indiana Code concerning regulated drain easements. He found that the code states that the founder/originator of the easement retains control of said easement. He said that most of the RDEs in subdivisions were given to the Drainage Board as Regulated Drain Easement's and other utilities were required by Code and County policy to request a permit to access or encroach on those easements. He felt that in the previous meeting the Board may have given Hendricks Power the idea that they had a right to those easements and did not necessarily need to file for a permit. He stated Mr. Ternet of Hendricks Power had told the Board they had as many as 2,000 projects in the county, and to date Hendricks Power had applied for 2 permits one of which was after they had damaged the tile. He said he realized not all of the projects would concern a regulated drain, but he felt that more than 2 were involved in those 2,000 projects. Member Jack Maloney stated that he thought they had made a mistake at the last meeting and that Hendricks Power needs to make sure they contact the Surveyor's Office before any work is done in the county to make sure proper permits are filed when necessary. It was the Consensus of the Board to send Hendricks Power a letter with a copy of the ordinances reminding them they needed to apply for a permit every time they were working near a regulated drain.

Joseph Jordan Regulated Drain

Mr. Gaston informed the Board that his office had received 3 sealed quotes for the Joseph Jordan Regulated Drain project. President Gentry asked for the quotes to be opened. The quotes were as follows:

Arthur's Excavation & Farm Drainage	\$39,650.00
Alexander Contractors	\$47,150.00
Murrain Excavating	\$60,323.00

After reviewing the quotes Hendricks County Inspector Blake Stephenson recommended Arthur's Excavation as they submitted the lowest responsible quote at \$39,650.00. Discussion followed. Member Stan Ryland stated he was hesitant to approve additional work on a drain with such a large negative balance. Mr. Gaston

stated that as part of the re-assessment process the Board agreed to perform maintenance on the drain. Discussion followed. The possibility of upsizing the tile by a small margin from 10" to 12" was discussed but as it needed further study by Hendricks County Attorney Greg Steuerwald it was decided to continue with the current estimates. Member Jack Maloney moved to follow the recommendation. President Gentry seconded the motion. The motion was unanimously approved.

Forest Commons Regulated Drain

Mr. Gaston informed the Board that his office had received 1 sealed quote for the Forest Commons Regulated Drain project. President Gentry asked for the quote to be opened. The quote was as follows:

MurRAIN Excavating \$225,000.00

After reviewing the quote, it was discussed why there was only one quote. Hendricks County Inspector Dirk Leonard stated per Indiana Code he invited those contractors that had bid on the original project, but only one chose to resubmit a sealed quote. Discussion followed. Chief Deputy Dalton reminded the Board that this was a very difficult project as there was no direct access to the area and the easement was only 15 to 20 feet wide in some areas. President Gentry suggested contacting Homer Construction for the project. Inspector Leonard stated he had called and left a message, but no one had returned his call. Member Stan Ryland suggested contacting a logger with horses to remove the trees since it was difficult to get equipment into the area. Discussion followed. Inspector Leonard stated something needed to be done as there were several log jams now and every time it rains it floods the parcel owners' yards and they call him to do something about it. President Gentry stated to divert all those calls to him from now on. Hendricks County Attorney Greg Steuerwald suggested that Board members should meet with the Forest Commons Homeowners Association and explain the situation. Vice President Phyllis Palmer moved to table the project for further review and a meeting with the HOA. Member Jack Maloney seconded the motion. The motion was unanimously approved.

RE: IN THE MATTER OF WISHES TO BE HEARD:

Barnett Regulated Drain

President Gentry recognized Mr. Justin Coleman. Mr. Coleman stated he would like to do some drainage work on the Barnett Regulated Drain where it crossed his property. Mr. Gaston stated the Indiana Code does allow the Drainage Board to grant this request with the provision that the work is performed to County specifications and inspected by the Surveyor's Office staff. Discussion followed. Member Jack Maloney moved to grant Mr. Coleman permission to work on the Barnett Regulated Drain providing he follows the Hendricks County Storm Water Ordinance and Technical Standards and has regular inspections by the Surveyor's Office. Member Dennis Dawes seconded the motion. The motion was unanimously approved.

RE: INTRODUCTION OF OTHER BUSINESS OR ADDITIONAL DISCUSSION BY BOARD MEMBERS:

None cited.

ADJOURN:

Seeing nothing further before the Board, Member Stan Ryland moved to adjourn the meeting. Member Jack Maloney seconded the motion. The motion was passed unanimously.

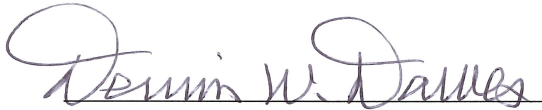
HENDRICKS COUNTY DRAINAGE BOARD:



Bob Gentry, President



Phyllis A. Palmer, Vice President



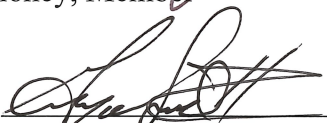
Dennis W. Dawes, Member



Jack P. Maloney, Member



E. Stanley Ryland, Member

ATTEST: 

Gary W. Sowers II, Secretary