

**November 9<sup>th</sup>, 2016**

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 Palmer, Members Matthew Whetstone, Jack Maloney, and Stan Ryland, Hendricks County Surveyor David Gaston, Deputy Surveyor Cory Gehring, Secretary Gary Sowers, Andre Heath and Tiffany Dalton of the Surveyor's Office, Dave Eichelberger, Joe Miller, Carl Camacho, Martin Weaver, Tim Jensen, Eric Wathen, Dale Kruse and John Voigt.

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

**RE: IN THE MATTER OF APPROVAL OF MINUTES:**

President Bob Gentry requested a motion with regard to the minutes of the October 25<sup>th</sup>, 2016 Drainage Board meeting minutes and the minutes of re-assessment hearings on October 25<sup>th</sup> and 26<sup>th</sup>, 2016. Vice President Palmer and Member Stan Ryland moved to approve the October 25<sup>th</sup>, 2016 Drainage Board meeting minutes and the minutes of the re-assessment hearings on October 25<sup>th</sup> and 26<sup>th</sup>, 2016 as presented. Member Jack Maloney seconded the motion. The motion was unanimously passed.

**RE: IN THE MATTER OF BILLS TO BE PAID:**

**AUDITOR'S REPORT**

Member Jack Maloney moved to approve the Auditor's report as presented. Member Matthew Whetstone seconded the motion. The motion was passed unanimously.

**REVIEW FEES**

Christopher Burke	\$	1,616.25
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<b><i>Total Review Fees Paid out of General Fund:</i></b>	<b>\$</b>	<b><i>1,616.25</i></b>
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Member Stan Ryland moved to approve the Review Fees in the amount of \$1,616.25. Member Matthew Whetstone seconded the motion. The motion passed unanimously.

**DRAIN MAINTENANCE EXPENSES**

Banning Engineering	Drain 423 McCord, John	\$	2,370.00
	(Acct Balance - \$ 126,481.33)		
Banning Engineering	Drain 496 Parker, Henry	\$	262.50
	(Acct Balance - \$ -2.072.54)		
Banning Engineering	Drain 511 Barnett	\$	1,257.31
	(Acct Balance - \$ -179,797.80)		

Banning Engineering	Drain 526 Brown	\$	769.70
	(Acct Balance - \$ -74,815.05)		
Banning Engineering	Drain 527 Williams & Hill	\$	629.34
	(Acct Balance - \$ -71,762.67)		
Banning Engineering	Drain 580 Cambridge	\$	5,556.10
	(Acct Balance - \$ -33,439.06)		
Banning Engineering	Drain 602 Creek by the Woods	\$	385.66
	(Acct Balance - \$ -29,703.23)		
Banning Engineering	Drain 709 Rudgate in the Woods	\$	453.49
	(Acct Balance - \$ -10,818.95)		
Banning Engineering	Drain 735 Tilden Terrace	\$	375.63
	(Acct Balance - \$ -7,379.45)		
Banning Engineering	Drain 741 Vista Park	\$	348.07
	(Acct Balance - \$ -5,324.13)		
Banning Engineering	Drain 746 Wellington Ridge	\$	304.08
	(Acct Balance - \$ -8,983.03)		
Banning Engineering	Drain 768 Cardinal Estates	\$	2,747.50
	(Acct Balance - \$ 2,685.69)		
Carlton Excavating	Drain 564 Austin Lakes	\$	74.00
	(Acct Balance - \$ 204,933.71)		
Carlton Excavating	Drain 723 Stratford of Avon	\$	160.00
	(Acct Balance - \$ 4,688.75)		
Carlton Excavating	Drain 733 Thornridge	\$	135.00
	(Acct Balance - \$ 29,430.16)		
Carlton Excavating	Drain 764 Wynne Farms	\$	899.00
	(Acct Balance - \$ 132,926.84)		
Eco Infrastructure	Drain 768 Cardinal Estates	\$	520.00
	(Acct Balance - \$ 2,685.69)		
<b>Total Maintenance Fund Due:</b>		<b>\$</b>	<b>17,247.38</b>

Member Jack Maloney moved to approve the Maintenance Fund bills in the amount of \$17,247.38  
Member Matthew Whetstone seconded the motion. The motion was unanimously passed.

**GENERAL DRAIN IMPROVEMENT TRANSFERS TO MAINTENANCE FUNDS**

Drain 496	Parker, Henry	\$	262.50
Drain 511	Barnett	\$	1,257.31
Drain 526	Brown	\$	769.70
Drain 527	Williams & Hill	\$	629.34
Drain 580	Cambridge	\$	5,556.10
Drain 602	Creek by the Woods	\$	385.66
Drain 709	Rudgate in the Woods	\$	453.49
Drain 735	Tilden Terrace	\$	375.63
Drain 741	Vista Park	\$	348.07
Drain 746	Wellington Ridge	\$	304.08

**Total Transferred out of General Drain Improvement Fund:                   \$    10,341.88**

Member Matthew Whetstone moved to approve the transfer of \$10,341.88 from the General Drain Improvement Fund to the Maintenance Funds. Member Jack Maloney seconded the motion. The motion was unanimously passed.

**RE: IN THE MATTER OF OLD BUSINESS: PROJECTS**

**OLD BUSINESS: PROJECTS**

**MAJOR PLAT (FINAL):**

***MAP 737/15 – DPR/448 (Crossroads Commerce Park) - County***

213.7 acres in S35&36-T14N-R1W, Liberty Township, located on the west side of State Road 39, southwest of the Interstate 70 and State Road 39 Interchange. (*Snelling Engineering, LLC*) ***70 West Commerce Park Regulated Drain (554).***

Hendricks County Surveyor David Gaston recommended the above project be Continued to the December 13<sup>th</sup>, 2016 Drainage Board meeting. Vice President Palmer moved to follow the Surveyor's recommendation. Member Matthew Whetstone seconded the motion. The motion was unanimously passed.

**RE: IN THE MATTER OF NEW BUSINESS: PROJECTS**

**MAJOR PLAT (PRELIMINARY):**

***S-11-16 (Lincoln Elementary – Brownsburg Community Schools) – Brownsburg***

21.3 acres in S13-T16N-R1E, Lincoln Township, located at the southeast corner of US 136 and Bulldog Drive intersection in Brownsburg. (*Veridus Group, Inc.*) ***Quinn Regulated Drain (490)-\$50/Acre***

Hendricks County Surveyor David Gaston recommended the Hendricks County Drainage Board grant Preliminary Approval of S-11-16 (Lincoln Elementary – Brownsburg Community Schools) subject to the conditions of the Hendricks County Surveyor's letter, all the requirements and conditions of the Hendricks County Stormwater Management Handbook, and a \$50.00 per acre assessment payable to the Quinn Regulated Drain (490). Vice President Phyllis Palmer moved to follow the Surveyor's recommendation. President Gentry and Member Jack Maloney seconded the motion. The motion was passed on a 4-0-1 vote with Member Matthew Whetstone abstaining.

**DEVELOPMENTAL PLAT REVIEW (FINAL):**

***DPR 456/16 (New Winchester Veterinary Clinic) – County***

1 lot on 8.76 acres in S5-T15N-2W, Marion Township, located approximately .23 miles west of the SR 75 and US 36 intersection at New Winchester. (*Kruse Consulting, Inc.*) ***McVey Regulated Drain (472)-\$100 as a Minimum***

Hendricks County Surveyor David Gaston recommended the above project be Continued to the December 13<sup>th</sup>, 2016 Drainage Board meeting. Vice President Palmer moved to follow the Surveyor's recommendation. Member Stan Ryland seconded the motion. The motion was unanimously passed.

***DPR 457/16 (Windswept Farms LLC Event Barn) – County***

1 lot on 8.49 acres in S32-T16N-R1W, Center Township, located approximately .6 miles northwest of the intersection of SR 39 and SR 236. (*Kruse Consulting, Inc.*) ***No Regulated Drain***

Hendricks County Surveyor David Gaston recommended the Hendricks County Drainage Board grant Final Approval of DPR 457/16 (Windswept Farms LLC – Event Barn) subject to the conditions of the Hendricks County Surveyor's letter and all the requirements and conditions of the Hendricks County Stormwater Management Handbook. Vice President Phyllis Palmer moved to follow the Surveyor's recommendation. Member Stan Ryland seconded the motion. The motion was unanimously passed.

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

None cited.

**RE: HENDRICKS COUNTY SURVEYOR DAVID GASTON:**

**Cheryl Calder Country Side Estates**

Hendricks County Surveyor David Gaston stated Ms. Calder sent in a letter stating she was being over charged on her drainage assessment. Her statement showed she was being charged \$125.00 per year when she should only be charged \$100.00 per year. She has requested a refund of \$150.00 for the past six years. Mr. Gaston said the County's policy is to refund for just 3 years. Discussion followed. Vice president Palmer asked if any other residents on this drain had been overcharged. Mr. Gaston stated there were a few. Member Matt Whetstone asked if they had been identified. Mr. Gaston stated not at this time. Vice President Palmer moved to table the discussion until all overcharged residents could be identified. President Gentry seconded the motion. The motion was unanimously passed.

**Barnett Regulated Drain 511**

Mr. Gaston stated during the Barnett Watershed Re-Assessment Hearing, the Board did not vote on whether to combine the watershed drains. Discussion followed. Member Matthew Whetstone moved to combine the accounts of the Thomas Lewis (512), John L. Rutledge (513), Joseph G. Bowen (514), George E. Davis (515), Tharp-Helton-Rock-Rutledge (516), Orda Johnson (517), James H. Miles (518), Robert Kennedy (519), Milton Armstrong (520) George W. Miles (521), Richard D. Plummer (522), John G. McCord (523), James A. Jackson (524), and A.W. Carver (525) Regulated Drains into the Barnett Watershed Regulated Drain (511) account while continuing to maintain the Surveyor's Office ledgers for each individual drain.

### **Hal Truax**

Mr. Gaston stated Hal Truax had submitted requests for some of his parcels to be combined for assessment purposes. Discussion followed. Mr. Gaston said Mr. Truax's first request was to combine parcels 32-06-02-300-006.000-018 and 32-06-02-300-003.000018 for assessment to the Williams and Hill Regulated Drain at the per acre rate of \$3.00. Discussion followed. Vice President Palmer moved to recommend Mr. Truax have a new legal description prepared that combines these two parcels and then have them assessed at the \$100.00 minimum for acreage under 33 acres. Member Jack Maloney seconded the motion. The motion was unanimously approved. Mr. Gaston stated Mr. Truax's second request was to combine parcels 32-03-35-300-004.00-018, 32-03-35-300-005.000-018, 32-03-35-300-006.000-018, and 32-03-35-300-007.000-018 for assessment to the Williams and Hill Regulated Drain at the per acre rate of \$3.00. Discussion followed. Member Jack Maloney moved to recommend Mr. Truax have a new legal description prepared that combines these parcels and then have them assessed at the appropriate rate for the regulated drains affected. Vice President Palmer seconded the motion. The motion was unanimously passed.

### **Scott Eggers – Jo Clark**

Mr. Gaston wanted the Board to be aware that his office had received remonstrance letters from Scott Eggers and Jo Clark concerning the Barnett Re-Assessment. Mr. Gaston stated, although the letters had been received after the hearing, he wanted the Board to have a chance to read them. The Board thanked Mr. Gaston for bringing the letters to their attention.

### **Town of Avon**

Mr. Gaston informed the Board that the Town of Avon's request to take over the regulated drains within the incorporated area had been delayed until after the first of the year. The Board thanked Mr. Gaston for letting them know of the delay.

### **New Storm Water Handbook**

Mr. Gaston presented the Board with a copy of the proposed Hendricks County Stormwater Management Ordinance with the changes highlighted in red. He stated one of the changes would be adding Fluvial Erosion Hazard Corridor Maps. Discussion followed. Mr. Gaston stated he would like the Board to take the booklet home and call or email him with any questions. He would like the Board to be able to make a decision on the newly proposed Ordinance at the next Drainage Board meeting on November 22<sup>nd</sup> and to be able to submit it to the County Council at their meeting on December 8<sup>th</sup>, 2016. President Gentry requested a copy be sent to Bob Barr. Mr. Gaston stated he would make sure Mr. Barr received a copy.

### **Mary A. Gibbs – Slip line from Maloney property**

Mr. Gaston stated his office had received a quote from Eco Infrastructure to slip line the Mary A. Gibbs tile from the Maloney property under the CSX railroad thus by-passing the need for CSX approval. Discussion followed. Vice President Phyllis Palmer asked if this was just a temporary fix or if it would permanently solve the problem. Hendricks County Chief Deputy Surveyor Cory Gehring stated the fix would probably last for some time, but the rest of the drain may need more work. Mr. Gaston stated the

drain is probably in need of reconstruction as a whole. The consensus of the Board was to wait for the reconstruction process to begin.

### **Regulated Drain work**

Mr. Gaston stated he would like to discuss Hendricks County contractors working on regulated drains. President Gentry asked if this could be put on the business meeting agenda for later this year. Mr. Gaston agreed.

### **Business Meeting**

Mr. Gaston asked if his office could send out a few suggested dates for the business meeting. The consensus of the Board was to move forward with that idea. Member Matthew Whetstone asked to have combination of parcels for assessments put on the agenda. Mr. Gaston stated he would put it on the agenda.

### **RE: IN THE MATTER OF WISHES TO BE HEARD:**

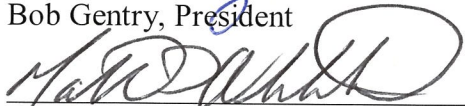
None cited.

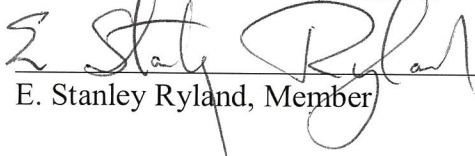
### **ADJOURN:**

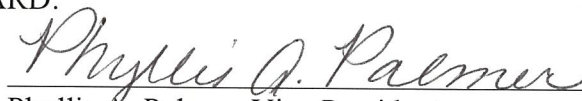
Seeing nothing further before the Board, Vice President Palmer moved to adjourn the meeting. President Bob Gentry and Member Stan Ryland seconded the motion. The motion was passed unanimously.

### **HENDRICKS COUNTY DRAINAGE BOARD:**

  
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Bob Gentry, President

  
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Matthew D. Whetstone, Member

  
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E. Stanley Ryland, Member

  
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Phyllis A. Palmer, Vice-President

  
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Jack P. Maloney, Member

ATTEST:   
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Gary Sowers, Secretary