

September 12th, 2023

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, Chief Deputy Surveyor Tiffany Dalton, Hendricks County Engineer John Ayers, Gary Sowers, Mike Starkey, Kevin Sumner, Brian Brown, Nicole Stambro, Dale Kruse, Jennifer Williams, Mike Robertson, Gonzalo Castro Diaz, Chiara Robinson, Zack Wilkinson, Brayden Fleece, Dick Robertson, Jim Murphy, Jeff Banning, Chris Pope, and Darrin Miller.

President Bob Gentry determined there was a quorum led the Pledge of Allegiance and 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 regard to the minutes of the August 22, 2023, Drainage Board meeting. Member Jack Maloney moved to approve the amended August 22, 2023, Drainage Board meeting minutes. President Gentry seconded the motion. The motion was unanimously passed.

RE: IN THE MATTER OF BILLS TO BE PAID:

REVIEW FEES

Christopher Burke	\$ 7,862.50
Total Review Fees Paid out of General Fund:	\$ 7,862.50

Member Dennis Dawes moved to approve the \$7,862.50 Review Fees. Member Stan Ryland seconded the motion. The motion unanimously passed.

DRAIN MAINTENANCE EXPENSES

Eco Infrastructure	590	Clermont Lakes	\$ 1,202.40
		Acct. Balance - \$152,012.51	
Eco Infrastructure	644	New England Way South	\$ 1,081.80
		Acct. Balance - \$122,313.92	
Eco Infrastructure	692	Parks at Prestwick (7 Invoices)	\$ 7,511.40
		Acct. Balance - \$170,913.82	
Eco Infrastructure	772	Woodcreek Crossing	\$ 3,403.00
		Acct. Balance - \$131,488.80	
Landworks Inc.	606	Crosswind Estates	\$ 1,640.00
		Acct. Balance - \$16,697.42	
Landworks Inc.	701	Prestwick (Royal Troon)	\$ 950.00
		Acct. Balance - \$199,663.48	
Murrain Excavating	490	Timothy Quinn	\$ 18,280.00
		Acct. Balance - \$575,710.58	
Murrain Excavating	599	Countryside Estates	\$ 1,500.00
		Acct. Balance - \$-99,660.90	
Total Maintenance Fund Due			\$ 36,767.40

Member Dennis Dawes moved to approve the Maintenance Fund bills for \$36,767.40. Member Jack Maloney seconded the motion. The motion was unanimously passed.

AUDITOR'S REPORT

September 12th, 2023 Auditor's Report

Member Jack Maloney moved to accept the September 12th, 2023, Auditor's Report as presented in the amount of \$36,767.40. Vice President Palmer seconded the motion. The motion was unanimously passed.

RE: IN THE MATTER OF OLD BUSINESS PROJECTS

MAJOR PLAT (FINAL):

DPR 514 (The Church by the Side of the Road) – County

1 lot on 1.7 acres in Washington Township, S17-T15N-R2E, located on the southwest corner of South Ronald Reagan Parkway and County Road 100 South. **(Moench Engineering) No Regulated Drain.**

Hendricks County Surveyor David Gaston recommended Continuing ***DPR 514 (The Church by the Side of the Road)*** to the October 10, 2023, meeting of the Drainage Board. Vice President Palmer moved to Continue the project until the October 10, 2023, meeting of the Drainage Board. Member Stan Ryland seconded the motion. The motion was unanimously passed.

S-6-23 (Ark Park LLC – Commercial Development) – Pittsboro

1 lot on 6.38 acres in Middle Township, S31-T17N-R1E, located on the east side of Anthony Drive at the east terminus of West Kam Drive in the Town of Pittsboro. **(Kruse Consulting) Roseboom (Thompson Shultz) Regulated Drain \$250.00 per acre Outlet Only.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Final Approval of ***S-6-23 (Ark Park LLC – Commercial Development)*** 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 \$250.00 per acre assessment payable to the Roseboom Regulated Drain. Discussion followed. Member Dennis Dawes moved to follow the Surveyor's recommendation. Member Jack Maloney seconded the motion. The motion was unanimously passed.

RE: IN THE MATTER OF NEW BUSINESS PROJECTS

MAJOR PLAT (PRELIMINARY):

MAP 755 (White Oak Estates) – County

20 lots on 14.74 acres in Washington Township, S35-T16N-R1E, located on the south side of County Road 200 N, at the southern terminus of Woodcreek Drive. **(Stoeppelwerth & Associates) Lingerman-Hardin Regulated Drain \$100.00 per lot.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Preliminary Approval of ***MAP 755 (White Oak Estates)*** 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 \$100.00 per lot assessment payable to the Lingerman-Hardin Regulated Drain. Discussion followed. Member Jack Maloney moved to follow the Surveyor's recommendation. Member Stan Ryland seconded the motion. The motion was unanimously passed.

S-7-23 (421 East Main Parking) – Brownsburg

1 lot on .29 acres in Lincoln Township, S11-T16N-R1E, located on the south side of East Main Street, approximately 211 feet west of Eastern Avenue in the Town of Brownsburg. **(Innovative Engineering) Nash Trucksess (Chris Trucksess) Regulated Drain \$250.00 per lot Outlet Only.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Preliminary Approval of ***S-7-23 (421 East Main Parking)*** 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 \$250.00 per lot assessment payable to the Nash Trucksess Regulated Drain. Discussion followed. Member Dennis Dawes moved to follow the Surveyor's recommendation. Member Jack Maloney seconded the motion. The motion was unanimously passed.

MAJOR PLAT (PRELIMINARY & FINAL):

S-8-23 (Avon New Middle School) – Avon

1 lot on 79.87 acres in Washington Township, S17-T15N-R1E, Located at the southwest corner of County Roads 100 South and 450 East. **(Veridus Group) The Parks at Prestwick Regulated Drain \$250.00 per acre Outlet Only.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Preliminary & Final Approval of ***S-8-23 (Avon New Middle School)*** 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 \$ 250.00-acre lot assessment payable to The Parks at Prestwick Regulated Drain. Discussion followed. Member Jack Maloney moved to follow the Surveyor's recommendation. Member Dennis Dawes seconded the motion. The motion was passed on a 4-0-1 vote, with Vice President Palmer abstaining.

MAJOR PLAT (FINAL):

MAP 218 (Center Valley Est. Replat lots 1, 2, & Part of 3) – County

1 lot on 12.38 acres in Liberty Township, S24-T14N-R1W, located on the south side of County Road 875 South, approximately 1,113 feet east of State Road 39. **(Kruse Consulting) No Regulated Drain.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Final Approval of ***MAP 218 (Center Valley Est. Replat lots 1, 2, & Part of 3)*** subject to the conditions of the Hendricks County Surveyor's letter and all the requirements and conditions of the Hendricks County Stormwater Management Handbook. Discussion followed. Member Stan Ryland moved to follow the Surveyor's recommendation. Member Jack Maloney seconded the motion. The motion was unanimously passed.

S-06-18 (Fleece Performance Engineering Addition) – Pittsboro

1 Lot on 51.92 acres in Middle Township, S25-T17N-R1W, located on the north side of Interstate 74, approximately 1,423 feet west of Jeff Gordon Boulevard, in the Town of Pittsboro. **(Weihe Engineering) Roseboom (Enos & Keeney) Regulated Drain \$250.00 per acre Outlet Only.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Final Approval of ***S-06-18 (Fleece Performance Engineering Addition)*** 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 \$250.00 per acre assessment payable to the Roseboom Regulated Drain. Discussion followed. Member Jack Maloney moved to follow the Surveyor's recommendation. Member Dennis Dawes seconded the motion. The motion was unanimously passed.

MINOR PLAT (PRELIMINARY & FINAL):

MIP 1169 (Steward Amendment) – County

3 lot on 16 acres in Marion Township, S6-T15N-R2W, located on the north side of US Highway 36, approximately 2,640 feet east of North Putnam County Road. **(Kruse Consulting) No Regulated Drain.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Preliminary & Final Approval of ***MIP 1169 (Steward Amendment)*** subject to the conditions of the Hendricks County Surveyor's letter and all the requirements and conditions of the Hendricks County Stormwater Management Handbook. Discussion followed. Member Dennis Dawes moved to follow the Surveyor's recommendation. Member Jack Maloney seconded the motion. The motion was unanimously passed.

MIP 1173 (Estukay, LLC) – County

3 lots on 14.10 acres in Marion Township, S28-T16N-R2W, located on the east side of State Road 75, approximately 4,579 feet north of County Road 200 North. **(Kruse Consulting) No Regulated Drain.**

(Before the opening discussion, Mr. Dale Kruse of Kruse Consulting informed the Board that he was one of the developers for this project. The Board thanked him for his forthrightness and transparency.)

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Preliminary & Final Approval of ***MIP 1173 (Estukay, LLC)*** subject to the conditions of the Hendricks County Surveyor's letter and all the requirements and conditions of the Hendricks County Stormwater Management Handbook. Discussion followed. Vice President Palmer moved to follow the Surveyor's recommendation. Member Jack Maloney seconded the motion. The motion was unanimously passed.

MIP 1174 (Hertenstein) – County

2 lots on 7.57 acres in Eel River Township, S9-T16N-R2W, located on the east side of State Road 75, approximately 2,028 feet north of County Road 500 North. **(Kruse Consulting) No Regulated Drain.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Preliminary & Final Approval of ***MIP 1174 (Hertenstein)*** subject to the conditions of the Hendricks County Surveyor's letter and all the requirements and conditions of the Hendricks County Stormwater Management Handbook. Discussion followed. Member Jack Maloney moved to follow the Surveyor's recommendation. Member Dennis Dawes seconded the motion. The motion was unanimously passed.

MINOR RESIDENTIAL PLAT (PRELIMINARY & FINAL):

MRP 149 (Walliser) – County

1 lot on 5.33 acres in Center Township, S18-T15N-R1E, located on the east side of County Road 300 East, approximately 100 feet south of County Road 150 South. **(Kruse Consulting) No Regulated Drain.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Preliminary & Final Approval of **MRP 149 (Walliser)** subject to the conditions of the Hendricks County Surveyor's letter and all the requirements and conditions of the Hendricks County Stormwater Management Handbook. Discussion followed. Member Jack Maloney moved to follow the Surveyor's recommendation. Member Stan Ryland seconded the motion. The motion was unanimously passed.

MRP 150 (Cox) – County

1 lot on 2.781 acres in Eel River Township, S3-T16N-R2W, located on the west side of County Road 575 W, approximately 297 feet south of County Road 650 North. **(Cross County Consulting) No Regulated Drain.**

Hendricks County Surveyor David Gaston recommended that the Hendricks County Drainage Board grant Preliminary & Final Approval of **MRP 150 (Cox)** subject to the conditions of the Hendricks County Surveyor's letter and all the requirements and conditions of the Hendricks County Stormwater Management Handbook. Discussion followed. Member Dennis moved to follow the Surveyor's recommendation. Member Jack Maloney 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:

Arbuckle Regulated Drain

The Board was informed that three (3) sealed quotes had been received for the Arbuckle Regulated Drain project. President Gentry requested they be opened. The quotes were as follows:

Alexander Contractors	\$105,341.60
Murrain Excavating	\$114,000.00
Beechwood Construction	\$132,500.00

After reviewing the quotes, Chief Deputy Tiffany Dalton recommended Alexander Contractors, which had the lowest responsible quote at \$105,341.60. Discussion followed. Member Dennis Dawes moved to follow the recommendation. Member Jack Maloney seconded the motion. The motion was unanimously approved.

Elmore Regulated Drain - Sealed Quotes

The Board was informed that two (2) sealed quotes had been received for the Elmore Regulated Drain project. President Gentry requested they be opened. The quotes were as follows:

Alexander Contractors	\$37,699.44
Murrain Excavating	\$49,652.00

After reviewing the quotes, Chief Deputy Tiffany Dalton recommended Alexander Contractors, which had the lowest responsible quote at \$37,699.44. Discussion followed. Member Jack Maloney moved to follow the recommendation. Member Stan Ryland seconded the motion. The motion was unanimously approved.

RE: IN THE MATTER OF WISHES TO BE HEARD:

Swain Regulated Drain – Brad Hoffman

Although Mr. Hoffman had requested to be on the agenda, he was not present at the meeting.

Mr. Gaston stated that Mr. Brad Hoffman had called his office several times to discuss the legality of Surveyor's Office personnel and their contractors coming onto his parent's property to spray within the Regulated Drain Easement. Mr. Gaston said his office had informed Mr. Hoffman that the Indiana Code allowed his office and contractor to enter his property as long as they stayed within the Regulated Drain Easement. He stated that his office had posted the spray program in the paper every month from March through August. Hendricks County Attorney Greg Steuerwald noted that the Indiana Code states it is not only allowed but also our duty to maintain the Regulated Drain.

Arbuckle, Beaman, Phillips Regulated Drain – Debra Baker

President Gentry recognized Ms. Debra Baker of 8600 North County Road 650 East. Ms. Baker stated that the work done on the Arbuckle Drain across her property did not return her property to the condition before the job as promised. President Gentry stated that the Board promised her to return her driveway to its prior condition after a one-year settling period. Ms. Baker presented the Board with pictures showing her property before and after the work. Hendricks County Surveyor David Gaston stated that the Surveyor's Office was only responsible to the extent the Indiana Code provided. There is no allowance in the Code to provide for work above and beyond the project's scope to meet every parcel owner's desire and requirement for their premises. Mr. Gaston stated that this was still an ongoing project and that the final inspection had not been executed. President Gentry said this discussion would be put on hold until the final inspection had been completed. Ms. Baker asked to be present for the final inspection. Hendricks County Attorney Greg Steuerwald stated that Ms. Baker should be informed of the date of the final inspection, but it would be her responsibility to make the appointment.

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

Member Jack Maloney

Member Jack Maloney stated that the Road Project near the Shier Addition for the roadside ditch was causing a downstream problem. President Gentry said that would be an issue for the Commissioners.

Member Jack Maloney stated there had been a new outlet constructed in the pond near St. Malachy church. This pond was built as part of the construction of the Ronald Reagan Parkway. The outlet and its accompanying riprap had been placed below the outlet for the pond. President Gentry stated that would be an issue for the Commissioners.

Member Jack Maloney stated that harvest season would soon be upon us, and we need to open all the county roads. President Gentry said that would be an issue to discuss with the Commissioners.

ADJOURN:

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

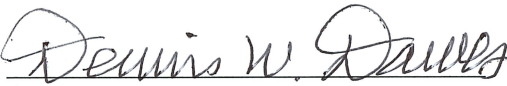
HENDRICKS COUNTY DRAINAGE BOARD:



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

