

July 26th, 2016

The Hendricks County Drainage Board met in rooms 4 & 5 on the first floor of the Hendricks County Government Center for the Henry Parker Reconstruction and Cambridge Re-Assessment Hearings. Those present were President Bob Gentry, Vice President Phyllis Palmer, Members Matthew Whetstone, Jack Maloney, and Stan Ryland, Hendricks County Attorney Greg Steuerwald, Hendricks County Surveyor David Gaston, Hendricks County Engineer John Ayers, Deputy Surveyor Cory Gehring, Secretary Gary Sowers, Maggie Ayers of the Surveyors Office, Joe Miller of Banning Engineering, Janice Tucker, Norm & Millie Koopman, Buddy & Gene Blanton, Christopher Taylor, Tom Gentry, Kathy Kielczowski, Tom Baker, Cynthia & Jim Rowings, and Robert Olsen.

President Bob Gentry determined there was a quorum and led the Pledge of Allegiance. President Gentry then turned the meeting over to Vice President Phyllis Palmer, recused himself, and then left the room for the Henry Parker Reconstruction Hearing. Vice President Palmer called for the first order of business.

RE: HENRY PARKER RECONSTRUCTION HEARING:

Vice President Palmer welcomed everyone and asked each person at the head table to introduce themselves. After the introductions, she called on Joe Miller of Banning Engineering.

Mr. Miller stated his firm was hired to conduct a study for the Henry Parker Regulated Drain. He stated that they were also requested to identify the reconstruction work that needed to be done on the regulated drain and shared a PowerPoint presentation showing the results of the completed study. The study showed the engineer's estimate for the the Henry Parker Reconstruction would be \$74,440. Mr. Miller recommended moving forward and stated that the minimum reconstruction assessment would be \$275.00 per acre for every parcel in the watershed. He also recommended after the reconstruction, an assessment of \$2.75 per acre for all parcels over 9.09 acres or a \$25.00 per lot minimum if the parcel is 9.09 acres or smaller. Discussion followed.

Vice President Palmer opened the Henry Parker Regulated Drain Public Hearing and asked if there were any written remonstrances for the Henry Parker. Hendricks County Surveyor David Gaston stated none was received. Vice President Palmer asked if any residents signed up to speak. Hendricks County Attorney Greg Steuerwald stated that Janice Tucker was the only resident signed up to speak.

Vice President Palmer recognized Ms. Janice Tucker. Ms. Tucker stated she just had a couple of questions she would like addressed. She wanted to know when the drain was installed. Mr. Miller stated that it was difficult to know the exact date, but stated approximately between 1896 and 1910. Discussion followed. Ms. Tucker asked why the drain had not been assessed until now. Hendricks County Surveyor David Gaston stated the drain was never certified, and when the County attempted to vacate the drain, the residents of the watershed indicated they would rather have the drain reconstructed. Discussion followed.

Vice President Palmer asked if there was anyone else that wished to be heard. None cited. Vice President Palmer then closed the public hearing on the Henry Parker Reconstruction.

Vice President Palmer asked if any Board members had questions or comments. None cited.

Member Matt Whetstone moved to follow staff recommendation and accept the Henry Parker Reconstruction assessment as presented. Member Stan Ryland seconded the motion. The motion was passed on a 4-0 vote with President Gentry having recused himself from the hearing.

RE: CAMBRIDGE RE-ASSESSMENT HEARING

President Gentry opened the Cambridge Regulated Drain Public Hearing and asked Hendricks County Surveyor David Gaston and Mr. Joe Miller of Banning Engineering if they had reviewed the list of questions and concerns from the informational meeting. Mr. Gaston confirmed they had, and that he or Chief Deputy Surveyor Cory Gehring had made contact with several of the homeowners to address their questions and/or concerns personally. Mr. Gaston then reviewed the questions and gave his response.

- 1) Mr. Steele and Mr. Kingerg asked about a drainage problem on their property. Mr. Gaston said he spoke to Mr. Steele and they were working on what could be done legally to fix the problem.
- 2) He addressed the question regarding drainage from other subdivisions coming through the Cambridge drainage system. Mr. Gaston clarified that the drainage water from the subdivisions in question runs into a pond system, then north along the roadside right-of-way for State Road 136, then down into the creek, and not through the Cambridge Regulated drain system. President Gentry added the residents of that subdivision pay \$3.50 per month into the Pittsboro storm water utility.
- 3) Mr. Gaston had sent one of the Surveyor's Office inspectors to Mr. & Mrs. Linscott's residence to assess the question regarding erosion in their front yard.
- 4) Mr. & Mrs. Walden asked if there was a regulated drainage easement in their back yard. Mr. Gaston told the Board that someone in his office will meet them to show them where the easement was located.
- 5) Mr. Rowings asked why a charge \$100.00 per acre, with an adjustment for those who have more or less, could not be made. Mr. Gaston said that the report stated \$100.00 per lot to be consistent with rest of the County to maintain the drain and pay back the debt owed. But once that debt is paid off and the drain account reaches 4 times the annual maintenance needs, the Drainage Board suspends the assessment.
- 6) The County Highway Department had been made aware of the concern from Mr. & Mrs. Berger about the entrance along old State Road 136. He said they will be looking into the situation.
- 7) It was asked if the problem with the Cambridge Lake outlet was the reason why the re-assessment was taking place. Mr. Gaston clarified the re-assessment had started before the lake outlet became an issue and was taking place because of the debt and maintenance needed on the drainage system.
- 8) A resident asked about how the drain accrued so much debt. He said it was due to the cost of maintenance work that has been done on the drain since 1978.
- 9) Cynthia Rowings asked why there was a difference between what the Surveyor's Report initially showed as the debt and what was now shown as the debt. Mr. Gaston stated the difference was because additional work had been done on the drain and loans from the General Drain Improvement Fund had been applied. But those loans have to be paid back and are considered part of the overall debt of the watershed, therefore, the debt amount had been revised in the report.
- 10) Ms. Rowings also asked where records on the drain could be found and how far back the records were kept. He said residents can come to the Surveyors office to view our files that go back to 1998, or for earlier records, the Drainage Board minutes go back to 1966. If they wish to view actual claims, they can be viewed in the Auditor's office.
- 11) Mr. Gaston addressed Ms. Rowings question regarding the \$100.00 per lot assessment fee for every lot and why some lots would be exempt. He said there are some unimproved lots adjacent to improved lots owned by the same owner that are

not charged the \$100.00 assessment for the unimproved lot. Those lots absorb most of the rainwater, not all but most, whereas on an improved lot, most of the rainwater is run off due to asphalt, concrete, and buildings.

- 12) Mr. Olsen asked how much of the water from other subdivisions or farmland runs through Cambridge. Mr. Gaston responded that none went through the regulated drainage system of Cambridge. The water from the other subdivisions in question drains to the roadside right-of-way running along State Road 136.
- 13) Mr. Olsen asked how many bids the County got for the work on the dam. Mr. Gaston stated two quotes were requested. Due to the emergency situation and the expertise needed to repair the outlet on the dam, it was decided not to get quotes from firms that did not have the expertise to do the job. Mr. Steuerwald stated only one company returned a quote for the project showing just how complicated and specialized the project was to complete.
- 14) Mr. Gaston stated Ms. Rowings asked why it had taken so long to get the re-assessment going. He responded that the County has had several other re-assessments and vacations of regulated drains and this was where the Cambridge fit into the schedule.

President Gentry recognized Joe Miller of Banning Engineering. Mr. Miller stated his firm was hired to conduct a study of the Cambridge watershed. He stated they were also requested to identify any work that needed to be done on the regulated drain and shared a PowerPoint presentation showing the results of the completed study. The study showed that overall, the Cambridge Regulated Drain was \$61,834.42 in debt and will have annual maintenance costs as well. Mr. Miller recommended a re-assessment minimum of \$100.00 per lot to pay off the debt in 20 years or less and maintain the drain. Discussion followed.

President Gentry stated there were four written remonstrances for the Cambridge Re-Assessment, they were from Mr. Bob Steele (2 letters), Ms. Cynthia G. Rowings (having the Power of Attorney for Betty W. Gauspohl), and Mr. & Mrs. Doug and Rebecca Linscott. President Gentry asked if any residents were signed up to speak. Hendricks County Attorney Greg Steuerwald responded that two residents had signed up, Tom Baker and Cynthia G. Rowings.

President Gentry recognized Mr. Tom Baker. Mr. Baker stated he had heard the Homeowners Association of Cambridge had asked the Drainage Board to take over the lake and drainage, and if so, he wanted to know if it was legal since the courts did not recognize the homeowners association. Hendricks County Attorney Greg Steuerwald replied that to the best of his knowledge, no one from the homeowners association had approached the Drainage Board. Mr. Baker stated his drainage runs behind his house and down into a beehive that runs along behind the properties, then down into the creek, and not through the other drainage system. He asked if there was any provision for the assessment to be localized for just their area. Mr. Steuerwald stated that the assessment money could only be used within the watershed area and for any debt incurred by the watershed area.

President Gentry called for the next speaker. Mr. Steuerwald introduced Cynthia G. Rowings. Ms. Rowings stated, through her narrative, that she was concerned about some of the items in the report and how they were reviewed before printing. She was also concerned that new money and projects might be handled with the same lack of transparency and care. Mr. Gaston stated that one of the inspectors from the Surveyor's office would review all projects and that the State Board of Accounts audit the Hendricks County Surveyor's Office every year.

President Gentry asked if there was anyone else that wished to be heard. None cited. President Gentry closed the public hearing on the Cambridge Re-assessment.

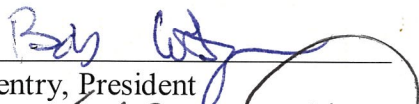
President Gentry asked if any Board member had questions or comments. None cited.

Member Matt Whetstone moved to follow staff recommendation and accept the Cambridge Re-assessment as presented. Member Jack Maloney seconded the motion. The motion was passed unanimously.

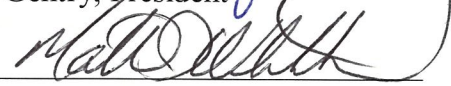
ADJOURN:

Seeing nothing further before the Board, Member Matt Whetstone made a motion to adjourn the meeting. Vice President Phyllis Palmer and President Bob Gentry seconded the motion. The motion was approved unanimously.

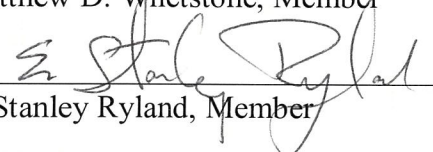
HENDRICKS COUNTY DRAINAGE BOARD:

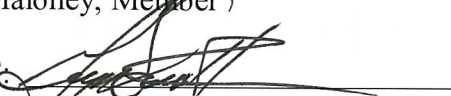

Bob Gentry, President


Phyllis A. Palmer, Vice-President


Matthew D. Whetstone, Member


Jack P. Maloney, Member


E. Stanley Ryland, Member

ATTEST: 
Gary Sowers, Secretary