

June 13th, 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, Gary Sowers, Jeff Nobbe, Steve Brehob, Jennifer Lasch, John Voigt, Jason Coyle, Eric Boyd, Nick Balentine, Chris Pope, Julius Salinas, Max Mouser, Dick Robertson, Darrin Miller, and David Eichelberger.

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 regards to the minutes of the May 25th, 2023 Drainage Board meeting. Member Jack Maloney moved to approve the May 25th, 2023 Drainage Board meeting minutes as amended. Member Dennis Dawes seconded the motion. The motion was unanimously passed.

RE: IN THE MATTER OF BILLS TO BE PAID:

REVIEW FEES

Christopher Burke	\$ 13,242.83
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Total Review Fees Paid out of General Fund:	\$ 13,242.83
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Member Dennis Dawes moved to approve the Review Fees in the amount of \$13,242.83. Member Jack Maloney seconded the motion. The motion unanimously passed.

DRAIN MAINTENANCE EXPENSES

Christopher Burke Engineering	400 Garvey Neal Pollard Todd	\$ 15,933.25
	Acct. Balance - \$309,025.73	
Williams Creek Management	483 Nash Trucksess	\$ 1,700.00
	Acct. Balance - \$139,421.41	

Total Maintenance Fund Due:	\$ 17,633.25
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Member Dennis Dawes moved to approve the Maintenance Fund bills in the amount of \$17,613.25. Member Stan Ryland seconded the motion. The motion was unanimously passed.

AUDITOR'S REPORT

June 13th, 2023 Auditor's Report

Vice President Palmer moved to accept the June 13th, 2023 Auditor's Report as presented in the amount of \$17,633.25. Member Stan Ryland seconded the motion. The motion was unanimously passed.

RE: IN THE MATTER OF OLD BUSINESS: PROJECTS

MAJOR PLAT (PRELIMINARY):

S-02-23 (Liberty Junction) – Brownsburg

5 lots on 10.26 acres in Lincoln Township, S25-T16N-R1E, located at the southwest corner of the junction of County Road 900 East and B&O Trail in the Town of Brownsburg. **(Stoeppelewerth & Associates Inc.) – Lingerman-Hardin (J.F. Lingerman) Regulated Drain \$100.00 per lot Outlet Only.**

Hendricks County Surveyor David Gaston recommended Continuing ***S-02-23 (Liberty Junction)*** to the July 11th, 2023 meeting of the Drainage Board. Member Jack Maloney moved to Continue the project until the July 11th, 2023 meeting of the Drainage Board. Member Dennis Dawes seconded the motion. The motion was unanimously passed.

MAJOR PLAT (FINAL):

S-22-03-SA (Brownsburg High School – Senior Academy) – Brownsburg

6 lots on 27.38 acres in Lincoln Township, S14-T16N-R1E, located on the southside of Tilden Drive, along the east and west side of Bulldog Blvd. in the Town of Brownsburg. **(Veridus Group) Mary E. Wilson & Nash Trucksess Regulated Drains \$250.00 per acre.**

Hendricks County Surveyor David Gaston recommended the Hendricks County Drainage Board grant Final Approval of ***S-22-03-SA (Brownsburg High School – Senior Academy)*** 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 Mary E. Wilson & 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.

RE: IN THE MATTER OF NEW BUSINESS: PROJECTS

MAJOR PLAT (PRELIMINARY):

MAP 754/23 (Family Promise Subdivision) – County

8 lots on 5 acres in Guilford Township, S26-T15N-R1E, located on the southside of County Road 300 South, approximately 1,213 feet west of North Carr Road. **(Banning Engineering) No Regulated Drain.**

Hendricks County Surveyor David Gaston recommended the Hendricks County Drainage Board grant Preliminary Approval of ***MAP 754/23 (Family Promise Subdivision)*** 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 Dennis Dawes seconded the motion. The motion was unanimously passed.

MAJOR PLAT (PRELIMINARY & FINAL):

DPR 435/23 (Gordmans's 1801 East Parking Lot) – County

1 lot on 65.165 acres in Liberty Township, S26-T14N-R1W, located on the southside of Innovation Boulevard, approximately 1,673 feet west of State Road 39. **(Studio A of Indianapolis)** ***70 West Commerce Park Regulated Drain \$250.00 per acre Outlet Only.***

Hendricks County Surveyor David Gaston recommended the Hendricks County Drainage Board grant Preliminary & Final Approval of ***DPR 435/23 (Gordmans's 1801 East Parking Lot)*** 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 70 West Commerce Park Regulated Drain. Discussion followed. Vice President Palmer moved to follow the Surveyor's recommendation. Member Dennis Dawes seconded the motion. The motion was unanimously passed.

MAJOR PLAT (FINAL):

S-01-23-1 (Oakdale Section 1) – County (Brownsburg annexation in progress)

18 lots on 12.262 acres in Brown Township, S35-T17N-R1E, located on the northwest corner of County Roads 700 North and 800 East. **(Banning Engineering)** ***Mary A. Gibbs Regulated Drain \$100.00 per lot Outlet Only.***

S-01-23-II (Oakdale Section 2) – County (Brownsburg annexation in progress)

43 lots on 25.420 acres in Brown Township, S35-T17N-R1E, located on the northwest corner of County Roads 725 North and 800 East. **(Banning Engineering)** ***Mary A. Gibbs Regulated Drain \$100.00 per lot Outlet Only.***

Hendricks County Surveyor David Gaston recommended the Hendricks County Drainage Board grant Final Approval of ***S-01-23-1 (Oakdale Section 1) & S-01-23-II (Oakdale Section 2)*** subject to the conditions of the Hendricks County Surveyor's letters, all the requirements and conditions of the Hendricks County Stormwater Management Handbook, and a \$100.00 per lot assessment payable to the Mary A. Gibbs Regulated Drain. Discussion followed. Member Dennis Dawes moved to follow the Surveyor's recommendation. Member Stan Ryland seconded the motion. The motion was unanimously passed.

MINOR PLAT (PRELIMINARY & FINAL):

S-03-23 (Ping) – Pittsboro

1 lot on 2.85 acres in Middle Township, S31-T17N-R1E, located on the northwest corner of West Wall Street and Waters Way in the Town of Pittsboro. **(Survey First)** ***Arthur E. Roseboom (Thompson-Shultz) Regulated Drain \$100.00 per lot Outlet Only.***

Hendricks County Surveyor David Gaston stated he was ready to recommend S-03-23 for Drainage Board approval however he had been informed there were some easement issues. Discussion followed. Vice President Palmer stated with the uncertainty of the easement situation she moved to Continue ***S-03-23 (Ping)*** to the July 11th, 2023, meeting of the Drainage Board. Member Dennis Dawes seconded the motion. The motion was unanimously passed.

MIP 1172/23 (Stewart) – County

3 lots on 7.142 acres in Guilford Township, S24-T14-R1E, located on the northwest corner of Hendricks County Road and County Road 825 East. **(Holloway Engineering) No Regulated Drain.**

Hendricks County Surveyor David Gaston recommended the Hendricks County Drainage Board grant Preliminary Approval of ***MIP 1172/23 (Stewart)*** 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.

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

RE: HENDRICKS COUNTY ATTORNEY GREG STEUERWALD:

CSX Railroad

Hendricks County Attorney Greg Steuerwald stated that CSX railroad had agreed to pay the invoice of \$199,000.00 that the Surveyor's Office had sent them, but they wanted an itemized list of costs. Discussion followed. The Board thanked Mr. Steuerwald for his diligence and asked him to continue monitoring the situation.

Continental Estates

Mr. Steuerwald informed the Board that there was a problem brewing in Continental Estates that would probably come before the Board. The work planned in the Continental Estates Regulated Drain easement would involve extensively trimming back a beautiful shade tree in a homeowner's yard, which the residents are not happy with. Discussion followed. The Board asked to be kept updated on the situation.

RE: HENDRICKS COUNTY SURVEYOR DAVID GASTON:

Northern Acres / Mary A. Gibbs Regulated Drain Easement

Mr. Gaston stated that Mr. Nobbe contacted him recently and reminded him that they had talked several years back about encroaching into the 75-foot easement on his property. Mr. Nobbe lives on Lot 158 in Northern Acres, Section 12. His lot abuts the new Oakdale Subdivision that Banning Engineering is proposing on this agenda. You might recall that Oakdale has the Mary A. Gibbs running East to West through the middle of the subdivision and the Drainage Board has approved a 2-stage ditch to replace the Mary A. Gibbs tile drain that runs through the property. Mr. Nobbe's lot has the Mary A. Gibbs (Arm 1) running along the entire east side of the lot. This easement is 75-feet wide. Mr. Nobbe mentioned that Mr. Gaston told him that since we had 75 feet on the east side of the ditch, Mr. Gaston would be okay with this encroachment. However, Mr. Nobbe would need to bring in plans for the encroachment before Mr. Gaston would give approval. Mr. Nobbe had not built anything at the time of our discussion. Since that time, the Surveyor's Office discovered that the Drainage Board does not in fact have a 75-foot easement.

Mr. Nobbe contacted the Surveyor's Office recently and again asked to encroach. Mr. Gaston informed him that we had discovered that the Drainage Board did not have a 75-foot easement on the East side of the ditch. Mr.

Gaston apologized to Mr. Nobbe for the confusion but given the new information, we could not approve the encroachment. Mr. Gaston did inform Mr. Nobbe that he could appeal the decision to the Drainage Board. He is now requesting a reduction in the 75-foot easement instead of the original encroachment request. I would respectfully recommend to the Drainage Board that this request be denied.

Mr. Nobbe stated that the easement literally abuts the back wall of his house, but the drain water has never breached the ditch itself and he didn't see the harm in encroaching 10 feet into the 75-foot easement. He and his wife would like to add on to the garage and living room and this would require the minimal encroachment. Discussion followed. Member Dennis Dawes moved to allow the encroachment of 10 feet into the easement with the provision that Mr. Nobbe fill out and pay for an Encroachment Request and Hold Harmless form as well as submit any plans needed by the Surveyor's Office to complete the permit.

LTAP Stormwater Conference

Mr. Gaston informed the Board that he would be attending the LTAP Stormwater Conference in July and would have to call in for the July 11 Drainage Board meeting. The Board thanked him for the update.

RE: IN THE MATTER OF WISHES TO BE HEARD:

None cited.

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

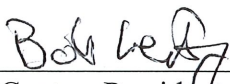
Ronald Reagan Parkway & US Highway 136

Member Jack Maloney wanted to thank the Surveyor's Office for their quick response to his request about the riprap & beaver dam issue near the crossing of Ronald Reagan Parkway and US Highway 136.

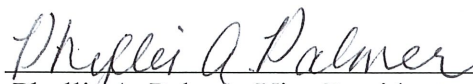
ADJOURN:

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

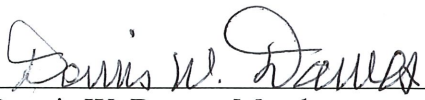
HENDRICKS COUNTY DRAINAGE BOARD:



Bob Gentry, President



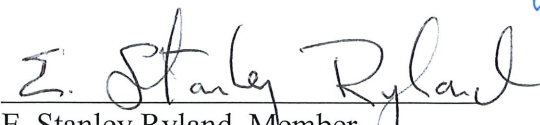
Phyllis A. Palmer, Vice President



Dennis W. Dawes, Member

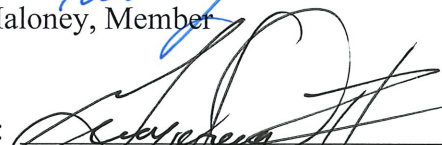


Jack P. Maloney, Member



E. Stanley Ryland, Member

ATTEST:



Gary W. Sowers II, Secretary