

MINUTES OF THE HAMILTON COUNTY DRAINAGE BOARD

January 9, 2023

The meeting was called to order Monday, January 9, 2023 at 12:03 p.m.

The members of the Board present were Ms. Christine Altman-President and Steven C. Dillinger-Member. Also present was the Hamilton County Surveyor, Kenton C. Ward and members of his staff: Mr. Jerry Liston, Mr. Gary Duncan, Mr. Sam Clark, Ms. Clara Furst, Mr. Luther Cline, Mr. Reuben Arvin, Mr. Steve Cash and Mr. Gavin Maxwell. The Board's attorney's, Mr. Michael Howard and Mr. Connor Sullivan, were also present.

Approval of Minutes of December 12, 2022:

The minutes of December 12, 2022 were presented to the Board for approval.

Dillinger made the motion to approve the minutes of December 12, 2022, seconded by Altman and approved unanimously.

Re-Organize the Board - President and Vice President:

Dillinger nominated Mark Heirbrandt for President of the Hamilton County Drainage Board for the calendar year 2023, seconded by Altman and approved unanimously.

Altman nominated Steve Dillinger for Vice President of the Hamilton County Drainage Board for the calendar year 2023, seconded by Dillinger and approved unanimously.

Appoint Attorney, Secretary and Alternate Members:

Altman stated we have a contract on the attorney, but I don't know what Heirbrandt's feelings are. I think we have consensus, but I'm not sure.

Dillinger stated why don't we table the appointment of the attorney until all three of us can be here.

Altman nominated Lynette (Mosbaugh) for Secretary of the Hamilton County Drainage Board, seconded by Dillinger and approved unanimously.

Altman made the motion to renominate the current Alternate Members, Steve Holt and Jerry Rulon, seconded by Dillinger and approved unanimously.

Designate Surveyor for Claims:

Altman made the motion to designate the Surveyor for claims, seconded by Dillinger and approved unanimously.

Bid Opening - Jonas Rogers Drain, J. M. Gustin Arm:

Mr. James Coyle, Mr. Ed Hamilton, Mr. Zane Fisher, Mr. Adam _____, Mr. Dave Martin, Mr. John Thomas, Mr. Tom Fansler and Mr. Steve Milbourne were present for this item.

Howard stated we understand there are no alternates, no addendums and there has been wage information provided to all the bidders.

Duncan stated there were pages 1 thru 5 of the Federal Contract Provisions listed in the Table of Contents of the bid package. Those were not included with what was issued to the bidders. Those were issued this morning by email and confirmed by direct contact with each bidder that they were received.

Howard asked did any of the bidders indicate that they would be withdrawing or asking to extend the opening of the bids because of that?

Duncan stated they did not.

Howard stated the first bid packet is from Hoosier Pride Excavating with all required forms present and a bid of \$137,354.19; the next bid is from Conexco, Inc. from Brazil, IN with all required form present and a bid of \$89,497.00; the next bid packet is from Indiana Earth Works, LLC from Losantville, IN with all required forms present and a bid of \$79,329.13; the next bid packet is from Monroe LLC from Nashville, IN with all required forms present and a bid of \$125,515.00; the next bid packet is from SLB Pipe Solutions, LLC from Bedford, IN with all required forms present a bid of \$135,700.00; the next bid packet is from Morphe Construction, Inc. with all required forms present and a bid of \$129,500.00; the next bid packet is from Smock Fansler Corporation with all required forms present and a bid of \$124,956.57. That appears to be all the bids on this project. Do any persons know of any other bids that should have been read; none appearing I recommend the bids be referred to the Surveyor's Office for review and recommendation on January 23, 2023.

Altman made the motion to refer the bids to the Surveyor's Office for review and recommendation on January 23, 2023, seconded by Dillinger and approved unanimously.

Bid Opening - J. S. McCarty Drain Phase 1:

Mr. James Coyle, Mr. Ed Hamilton, Mr. Zane Fisher, Mr. Dave Martin, Mr. J. Eric Spangler and Mr. Steve Milbourne were present for this item.

Howard stated the first bid packet is from Hoosier Pride Excavating with all required forms present and a bid of \$855,464.30; the next bid packet is from Conexco, Inc. from Brazil, IN with all required forms present and bid of \$971,234.80; the next bid is from Indiana Earthworks, LLC with all required forms present and a bid of \$738,845.97; the next bid packet is from Indiana Excavating Services with all required forms present and a bid of \$486,896.13; the next bid is from Morphe Construction, Inc. with all required forms present and a bid of \$525,000.00. This appears to be all the bids on this project. Are there any persons that know of any other bids; none appearing I recommend the bids be referred to the Surveyor's Office for review and recommendation on January 23, 2023.

Altman made the motion to refer the bids to the Surveyor's Office for review and recommendation on January 23, 2023, seconded by Dillinger.

Altman stated I want to make sure that these are reviewed carefully. There's a wide range of pricing where I really would appreciate getting the lowest price, but I certainly don't want to bankrupt any contractor if there's an error.

The motion had been made and seconded to refer the bids to the Surveyor's Office for review and recommendation on January 23, 2023 and approved unanimously.

Southeast Arcadia Drain - RFQ Opening:

Mr. Huck Lewis was present for this item.

The first engineer is DB Engineering; the second engineer is from Banning Engineering; the third is from Weihe Engineering; the next one is from Commonwealth Engineering and the next is evidently an addendum to Commonwealth Engineering request for qualifications. Do any persons know of any other responses that should have been submitted today; none appearing I recommend the RFQ's be referred to the Surveyor's Office for review and recommendation on January 23, 2023.

Altman stated you have a lot on your plate, can you get it done?

Duncan stated yes.

Altman made the motion to refer the Request for Qualifications to the Surveyor's Office for review and recommendation on January 23, 2023, seconded by Dillinger and approved unanimously.

Little Eagle Creek Drain LOMR - Christopher Burke Engineering:

The Surveyor stated this is a follow up on the LOMR that we're doing on the Little Eagle Creek Drain. This is for the revision of the flood mapping. The cost is \$19,600.00.

Altman made the motion to approve the agreement with Christopher Burke Engineering in the amount of \$19,600.00 for the Little Eagle Creek LOMR, seconded by Dillinger and approved unanimously.

M. E. Scherer Drain - Professional Services Agreement (Banning):

The Surveyor stated if you remember, when we did the increase on the assessments for maintenance on the M. E. Scherer Drain it was requested that we include with the reconstruction the arm going up to the Hartley property which the Board accepted and made that as an additional on the engineering. This is the task order for the inclusion of that arm at a rate of \$8,000.00.

Altman made the motion to approve the Banning Engineering contract in the amount of \$8,000.00 for the inclusion of the Hartley Arm of the M. E. Scherer Drain, seconded by Dillinger and approved unanimously.

Clark & Inman Drain - Roudy 1, LLC Easement:

The Surveyor stated this is an easement being given to the county for reconstruction of the Clark & Inman Drain. This is the acceptance by the Board, it's already been accepted by the Commissioners.

Altman made the motion to accept the easement from Roudy 1, LLC on the Clark & Inman Drain, seconded by Dillinger and approved unanimously.

Clark Knotts Drain, Park Broadway Phase 2 - Swiss Capital Enterprises Easement:

The Surveyor stated this is the court order transferring the permanent drainage easement from Swiss Capital Enterprises to the Board of Commissioners. This is for the Board's information.

Marion Blanton Drain, Waltz Easement - Statement of Compensation:

The Surveyor stated this is a Statement of Basis for Compensation for the Marion Blanton Drain for the Waltz property. It is 1.135 acres if permanent easement for \$13,650.00.

Altman made the motion to approve the Statement of the Basis for Just Compensation in the amount of \$13,650.00 for the Waltz Easement on the Marion Blanton Drain, seconded by Dillinger and approved unanimously.

Williams Creek Drain, Springmill Crossing Arm - Invoice on Damaged Tile:

The Surveyor stated we had a tile damaged by Spectrum, a contractor for Spectrum at the tune of \$15,591.00 for the repair. We have asked Spectrum to pay for that repair, which they turned it over to their insurance and they said "no". I'm requesting that the Board pursue collection to the courts.

Altman made the motion to pursue collection in the courts for the repair of the damaged tile in the amount of \$15,591.00, seconded by Dillinger and approved unanimously.

Altman stated it's curious just because he didn't get a locate, they're able to do whatever they want.

The Surveyor stated we're not a member of the locate.

Altman stated I know.

The Surveyor stated we wouldn't have time to do anything else.

EPA Final Rule - Waters of the US:

The Surveyor stated these are for the Board's information. One is for agricultural, one is for landowners and the other is just a general fact sheet for the new final rule for WOTUS that came out in December of 2022. Looking at it, it's not going to change a whole lot. We actually got excluded.

Altman stated I saw the exclusions, but if we've got a drain that's not performing technically, we're not excluded if you look at the conveyance systems. That one caused me some concerns.

The Surveyor stated I think it's going to have to play out and see where people land on that. I found that talking to other County Surveyors and so forth throughout the state Louisville District is a lot different than Chicago and a lot different than Detroit. It depends on which district you're dealing with as to how much they want to come down on people. Hopefully, Louisville will remain the easiest to deal with.

F. M. Musselman Drain, Burnau Arm - Professional Services Agreement:

The Surveyor stated I have something I would like to interject into the agenda. It came in this morning. It's an agreement for engineering services for survey staking and ground checks and asbuilt survey on the Burnau Arm for Banning Engineering. It's in line with what we're doing on the Symonds Drain.

Altman asked is this preconstruction or post construction?

The Surveyor stated the asbuilts would be post construction, but the other is during construction.

Altman stated the asbuilts assume they've done all the prior work.

Altman made the motion to amend the agenda to include the potential contract with Banning, seconded by Dillinger and approved unanimously.

Altman made the motion to approve the contract with Banning Engineering in the amount of \$76,500.00 for survey staking, grade checks/inspections and asbuilt survey and documents, seconded by Dillinger and approved unanimously.

Hearing Requests:

The Surveyor asked the Board to set the following items for hearing for February 27, 2023: Little Cicero Creek Drain, 276th Street Extension (2023); Little Cicero Creek Drain, US 31 Extension (2023); Raymond Briles Drain, US 31 Arm.

Altman made the motion to set the items requested for hearing on February 27, 2023, seconded by Dillinger and approved unanimously.

Award Bids - 2023 Rural Maintenance Contracts:

Maxwell presented his report to the Board for approval.

"January 5, 2023

TO: Hamilton County Drainage Board

RE: Rural Drain Maintenance Contracts for 2023

The Surveyor's Office staff has completed a review of the 2023 Rural Drain Maintenance Bids received at the December 12, 2022 Drainage Board Meeting. Redman Excavating, Van Horn Excavating, Agricon Inc., Elevation Excavating Inc., 3 Pro Environmental, Xtreme Excavating and Wharff Excavating were the responding bidders. All bids were found to be complete and acceptable.

The Surveyor's Office recommends the Hamilton County Drainage Board award the 2023 Rural Maintenance contracts to Agricon Inc., Elevation Excavating, Van Horn Excavating, Redman Excavating, Xtreme Excavating, Wharff Excavating, and 3 Pro Environmental.

Attached is a copy of the comparison spread sheet.

Hamilton County Drainage Board
January 9, 2023

Sincerely,

Gavin Maxwell
Drainage Inspector"

Altman made the motion to award the bids as recommended by the Surveyor's Office, seconded by Dillinger and approved unanimously.

Award Bids - 2023 Urban Maintenance Contracts:

Maxwell presented his report to the Board for approval.

"January 5, 2023

TO: Hamilton County Drainage Board

RE: Urban Drain Maintenance Contracts for 2023

The Surveyor's Office staff has completed a review of the 2023 Urban Drain Maintenance Bids received at the December 12, 2022 Drainage Board Meeting. 3 Pro Environmental, Agricon Inc., Elevation Excavating Inc., Xtreme Excavating and Wharff Excavating were the responding bidders. All bids were found to be complete and acceptable.

The Surveyor's Office recommends the Hamilton County Drainage Board award 2023 Urban Maintenance contracts to Elevation Excavating, Agricon Inc., Xtreme Excavating, Wharff Excavating, and 3 Pro Environmental.

Attached is a copy of the comparison spread sheet.

Sincerely,

Gavin Maxwell
Drainage Inspector"

Altman made the motion to award the bids as recommended by the Surveyor's Office, seconded by Dillinger and approved unanimously.

Award Bid - 2023 Jetting, Televising & Related Services:

Maxwell presented his report to the Board for approval.

"January 5, 2023

TO: Hamilton County Drainage Board

RE: Jetting, Televising & Related Services Contract for 2023

The Surveyor's Office staff has completed a review of the 2023 Sewer Cleaning & Televising Bids. Fluid Waste Services out of Noblesville and Champion Cleaning Specialists out of Cincinnati Ohio were the responding bidders. The bid submitted by Fluid Waste Services was found to be complete and acceptable. The bid submitted by Champion Cleaning Specialists did not have the Form 96 or the Surety. The Surveyor's Office recommends the 2023 Drain Cleaning & Televising Contract to awarded to Fluid Waste Services.

Sincerely,

Gavin Maxwell
Drainage Inspector"

Altman made the motion to award the bid as recommended by the Surveyor's Office, seconded by Dillinger and approved unanimously.

Variance Request - Cool Creek Drain, Lantern Commons:

Clark presented his request to the Board for approval.

"11/21/2022

TO: Hamilton County Drainage Board

RE: Cool Creek Drain, Floodplain Fill Variance for Lantern Commons DV-2022-00019

Attached is a request by TerraSite Development for a variance from the following ordinances and standards in connection with the Lantern Commons project.

Hamilton County Drainage Board
January 9, 2023

Summary:

- Ordinance No. 09-26-16A: regarding fill in the flood plain.

Summary:

As part of a new development project in the City of Westfield, the petitioner proposes to regrade portions of public right-of-way as well as private property (tax parcel: 09-09-12-00-00-013.000) which results in new fill within the flood plain. To offset the fill, the project will excavate compensatory flood plain storage area near the Cool Creek drain. The construction will require placing 1761.7 cubic yards of fill within the flood plain and removing 5,311.2 cubic yards from the flood plain. The cut/fill ratio meets the standard 3:1 ratio required for consideration of the variance with a proposed ratio of 3.01:1.

This proposal received preliminary concurrence by the Drainage Board to proceed with engineering on September 12, 2022.

The engineering review has been conducted by Clark Dietz Inc. See attached approval letter dated November 16th, 2022.

Staff Recommendations:

1. If this variance is approved by the Drainage Board, the Surveyor has recommended that as a condition of approval the following items be met:
 - a. Protection of flood plain compensatory area with dedicated easement for areas outside of the 75' statutory regulated drain easement. Easement to be in the favor of the Hamilton County Drainage Board.
 - b. Surety to be posted to cover the construction costs of the flood plain compensatory storage area. The amount of the surety should be 120% of the engineer's estimate.
 - c. An engineer's estimate or copy of the contract for the storage area to be submitted along with the surety.
2. The Surveyor also requests the following conditions be met for release of surety:
 - a. Site inspection approval by Surveyor's Office.
 - b. Submittal of as-built drawings showing the cut and fill sections and dirt balances. As-built drawings are to be stamped and sealed by a professional engineer.
 - c. As-built drawings to be reviewed by Clark Dietz Inc., for compliance.
 - d. Fulfillment of developer financial responsibility for review fees incurred.
3. The maintenance of the flood plain compensatory area, including but not limited to sediment removal, erosion control along the banks, mowing and aquatic vegetation control will be the responsibility of the Homeowners Association and/or owner of record.

The Board will retain jurisdiction to enforce the storage volume for which the flood plain compensatory area was designed will be retained, thereby, allowing no fill or easement encroachments. In the event that the Homeowners Association or owner, in the sole discretion of the Board, fails to adequately maintain the flood compensatory area, after 30 days written notice to the owner of record, the Board may perform the required maintenance and assess the cost thereof to the owner of record as a special assessment.

The above language will be attached as a Page 2 of the Variance when recorded.

Based on this information, this report is respectfully submitted for your consideration.

Sincerely,

Samuel T. Clark
Plan Reviewer"

Altman asked are you recommending approval with the conditions that you have suggested?

Clark stated correct.

Altman stated I reviewed those, and I would concur.

Altman made the motion to allow the work in the floodway provided that the contractor and owner adopt the requested conditions of the Surveyor's Office, seconded by Dillinger and approved unanimously.

Vermillion Drain, Heritage at Vermillion Arm - Rivas Violation:

Liston presented his report to the Board for their information.

"November 9, 2022

TO: Hamilton County Drainage Board

**RE: Vermillion Drain, Heritage at Vermillion Sec. 2 Arm - 16575 Stable View Drive
Lot 428 - Parcel 13-16-08-00-13-003.000**

This letter serves as notice to the Hamilton County Drainage Board that the Rivas fence installed in the rear 15' R.D & U.E. on Lot 428 in Heritage at Vermillion Sec. 2 has been removed from the easement.

The Hamilton County Surveyor's Office had issued Notice of Violation VIO-2019-00001 via certified mail to Arnoldo & Reyna Garcia Rivas on August 7, 2019. An Order Granting Motion to Dismiss was received by the Hamilton County Surveyor's Office on/around August 10, 2022 (Cause No. 29D01-2004-PL-002873).

I conducted a visit to the site on 10/28/2022. I spoke to the new homeowner Mr. Brandon Thornburg. According to Mr. Thornburg the fence had been removed by the previous property owners, Arnoldo, and Reyna Rivas, prior to the Thornsburg's moving into the residence in early October of 2022.

Respectfully,

Jerry L. Liston
Hamilton County Surveyor's Office

CC: Drain File"

Howard asked the fence was relocated to where we had approved three years ago?

Liston stated yes, out of the easement.

MS4 General Permit Certification:

Furst stated we bring before the Board today a signature page. This is a new addition to the updated MS4 General Permit. This covers Part B and Part C of the MS4 General Permit.

Altman asked is it your recommendation that we adopt that?

Furst stated yes.

Altman made the motion to adopt the updated MS4 General Permit covering Part B and Part C, seconded by Dillinger and approved unanimously.

Non-enforcements:

Furst presented a non-enforcement request for the Cool Creek Drain, Springmill Crossing Arm filed by Ryan and Nicole Thompson for parcel #17-09-23-01-01-010.000 for a fence. The Surveyor's Office recommends approval.

Altman made the motion to approve the non-enforcement request presented, seconded by Dillinger and approved unanimously.

Furst presented a non-enforcement request for the Vermillion Drain, Woods at Vermillion Arm filed by Tiffany O'Brien for parcel #13-16-08-00-07-026.000 for a fence. The Surveyor's Office recommends approval.

Altman made the motion to approve the non-enforcement request presented, seconded by Dillinger and approved unanimously.

Furst presented a non-enforcement request for the Vermillion Drain, Woods at Vermillion Arm filed by John and Kala Graves for parcel #13-16-08-00-07-011.000 for a fence. This non-enforcement was approved at the last meeting. However, at the conclusion of the meeting they were possibly up for reconsideration.

Furst presented a non-enforcement request for the Vermillion Drain, Woods at Vermillion Arm filed by David and Tara Elson for parcel #13-16-08-00-07-012.000 for a fence. This non-enforcement was approved at the last meeting. However, at the conclusion of the meeting they were possibly up for reconsideration.

Furst presented a non-enforcement request for the Vermillion Drain, Woods at Vermillion Arm filed by Kevin and Jessica Kruckeberg for parcel #13-16-08-00-07-013.000 for an existing fence.

Altman stated these are the ones where we had the big discussion at the end of the last meeting, correct?

Hamilton County Drainage Board
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Furst stated yes.

Altman stated and we've got a series of fences all in a row that were placed in the easement without permission.

Furst stated yes.

Altman stated and the Graves non-enforcement, as I recall from the minutes, the owner contacted Jerry Liston I believe and asked for information about placing the fence.

Furst stated yes.

Altman stated and Jerry advised him to get a variance or a request.

Furst stated yes.

Altman stated and he did not he just went ahead and put his fence up.

Furst stated in a series, yes. He moved his fence two times so far, allegedly.

Dillinger asked why did he move his fence two times?

Furst stated Graves originally put his fence outside the easement, then he moved it to the half encroachment. When he noticed his neighbor's installing their fences, he moved it out to a full encroachment and that's where it currently resides.

Altman stated he just did it all on his own apparently without talking to the Drainage Board.

Furst stated correct.

Dillinger asked, what are you recommending to do with the Graves fence.

Furst stated the Surveyor's recommendation is that Graves, Elson and Kruckeberg need to move the rear line of their fence back to a half encroachment, that's 7.5 feet out of 15 feet. Kruckeberg's parcel, which we'll get to in a moment also has the side easement that needs to be moved back to a half encroachment as well. All three homeowners, Graves, Elson and Kruckeberg, are against the Surveyor's recommendation.

Dillinger asked are any of those folks here?

Furst stated I don't believe so.

Howard asked do any of those folks know that the decision is forthcoming?

Furst stated yes, I was in correspondence via email with Kruckeberg and Elson's. I understood that Kruckeberg was going to be here today along with Elson, but they're not here.

Altman asked what did we do at the last meeting with anyone else?

Furst stated at the beginning of the non-enforcements we approved the Elson and Graves parcels to move their fence back to a half encroachment. At the end of discussion after Kruckeberg had shared their information it was brought to light that I had additional information regarding the emails on file with Graves fence. It concluded that we need to give the correspondence to Howard to be reviewed and then the Kruckeberg's non-enforcement was tabled and a reconsideration because the original two fences were approved and they would like to be on the same page as the Kruckeberg fence, which we had not reached a conclusion yet.

Howard asked was Kruckeberg the guy that got the information off the website?

Altman stated yes, he's the one off who got information off of the website and allegedly was confused.

Furst stated yes, and we did review that at the last meeting.

Altman stated and we changed the website so no one could ever be confused again.

The Surveyor stated yes.

Altman stated what I hate is the precedent of people just doing whatever they want. That's just hideous.

Furst stated I do need to bring up that the Elson's, the homeowner that sits in the middle of Graves and Kruckeberg, have a back gate on their fence and are willing; they want to make sure the Board knows that they are willing to expand the gate to a larger size.

Altman asked the back gate?

Furst stated yes.

Altman asked why would we care about the size of their back gate?

Furst stated I mentioned I would mention it.

Altman stated I don't see where we would have a concern about that. It's still their property on the other side to use in a manner consistent with the regulated drain.

Dillinger asked has Heirbrandt been involved with this?

Altman stated no, nobody has. This is like all the violations that we notice in our packet apparently someone's gone to the neighborhood and noticed all these people out of compliance. I think that's how these people all got rounded up.

Furst stated the Saddique, which is farther to the east, next to Kruckebergs' are on schedule for obtaining a non-enforcement, individual tract permit, for the installation of a pool and an eventual fence. That's how this came about.

Altman stated but we went out there and looked around and it wasn't good news for the homeowners involved. I would say just put everyone at the same situation as we approved last time and we're good.

Altman made the motion to approve a half encroachment as recommended by the Surveyor's Office for Elson, Graves and Kruckeberg giving them 90 days to relocate their fences, seconded by Dillinger and approved unanimously.

Altman stated please share that there will be no further reconsideration.

Furst stated will do.

Stop Work Order - Rossano Property:

Furst presented her report to the Board for their information.

"November 17th, 2022

Rossano, Nick & Jennifer
11101 Hawthorn Ridge
Noblesville, IN 46060

Parcel ID #: 12-11-10-00-00-011.001
Wayne Township

Stop Work Order
SWO-2022-00003

Certified Mail: 7021 1970 0001 9530 2889

RE: Violations of Hamilton County Ordinances 05-09-05-A and 05-09-05-B

This letter is to notify you that the Hamilton County Surveyors Office (HCSO) has issued a Stop Work Order to cease all work on the parcel located at 12484 E 156th St. Noblesville, IN 46060, Parcel #12-11-10-00-00-011.001 being shown on Hamilton County tax record as owned by Nick and Jennifer Rossano, 11101 Hawthorn Ridge Fishers, IN 46037. The Stop Work Order applies to all contractors, subcontractors, and others performing work on this parcel.

The Stop Work Order was issued due to the following violations:

1. A Stormwater Pollution Prevention Plan (SWPPP) has not been submitted to or approved by, Hamilton County Surveyor's Office. This is in direct violation of Hamilton County Ordinance No. 5-09-05-A and No. 5-09-05-B which regulates stormwater runoff associated with construction and post-construction activities in Hamilton County, Indiana.
2. There are no Erosion Control measures installed on site. This is in direct violation of Hamilton County Ordinance No. 05-09-05-A and Hamilton County Ordinance No. 5-09-05-B.

The above violations are outlined in detail in a separate Notice of Violation issued by the Hamilton County Surveyor's Office.

The Stop Work Order shall remain in full force and in effect until (1) a Stormwater Pollution Prevention Plan (SWPPP) has been submitted to this office for review and approved; (2) proper erosion control measures are installed; and (3) violations identified in the Notice of Violation are cured, mitigated, abated, or remediated.

Should you have any questions or comments, please feel free to contact Clara Furst-Engineering Technician/MS4/Permits for the Hamilton County Surveyor's Office 317-776-8495.

Copies of this Stop Work Order shall be provided to the State of Indiana Department of Natural Resources and the State of Indiana Department of Environmental Management.

Hamilton County Drainage Board
January 9, 2023

Thank you for your cooperation.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

CC: Hamilton County Drainage Board
City of Noblesville- Odise Adams
City of Noblesville- Tim Stottlemeyer
Steve Cash-HCSO
Gary Duncan-HCSO
Jerry Liston-HCSO
CJ Taylor- HCPC "

Altman stated these are fairly easy fixes, right? They just do their stormwater.

Furst stated more or less they need to submit a stormwater plan.

Altman stated let's talk about stormwater plans. As a property owner and as a member of the Drainage Board I think we need to make this as seamless as possible with stormwater and we don't require stormwater fencing anywhere other than where stormwater will go. That means not the entire perimeter of the project, in my opinion, where water won't run uphill, and we end up wasting a lot of resources and people's money.

Howard asked this is during construction you're talking about?

Altman stated anytime we're requiring stormwater plans, the silt fences. I just see too many projects; it's ridiculous. You've got silt fences required on areas there will never be runoff or if it is it will be negligible. I don't want to sit on a Board that requires silly things to be done at people's great expense and delay a project. I don't know how you feel, but some of them don't make any sense at all. It was the easy way for the jurisdiction to say, "do everything".

Duncan stated there's no requirement for that. Usually when it is put in that way it's at their own decision. When we review the SWPPP's we look at where the stormwater enters and leaves the site and recommend to them where they focus their efforts. Not a firm requirement because it doesn't make any sense. Sometimes they just do it at their own discretion.

Altman stated it doesn't happen that way in all jurisdictions like Carmel. I just think it's absolutely wrong where you're told to put a silt fence where it doesn't make any sense. I'm glad we're not doing that, I just wanted to make sure we weren't doing it.

Stop Work Order - Mega Holdings, LLC:

Furst presented her report to the Board for their information.

"November 21, 2022

Mega Holdings LLC
8505 Hornady Drive
Indianapolis, IN 46239

Parcel ID #: 14-14-02-00-00-029.102
Parcel ID#: 14-14-02-00-00-029.001
Delaware Township

Stop Work Order
SWO-2022-00004

Certified Mail: 7021 1970 0001 9530 2896

RE: Violations of Hamilton County Ordinances 05-09-05-A and 05-09-05-B

This letter is to notify you that the Hamilton County Surveyors Office (HCSO) has issued a Stop Work Order to cease all work on the parcels located at 10720 Hague Road Fishers, IN 46038 being shown on Hamilton County tax record as owned by Mega Holdings LLC, 8505 Hornaday Drive Indianapolis, IN 46239. The Stop Work Order applies to all contractors, subcontractors, and others performing work on this parcel.

The Stop Work Order was issued due to the following violations:

1. There are no Erosion Control measures installed on site. In addition, fallen trees, debris, and material wastes are located on site within the floodplain. This is in direct violation of Hamilton County Ordinance No. 05-09-05-A and Hamilton County Ordinance No. 5-09-05-B.

Hamilton County Drainage Board
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The above violation(s) are outlined in detail in a separate Notice of Violation issued by the Hamilton County Surveyor's Office.

The Stop Work Order shall remain in full force and in effect until (1) proper erosion control measures are installed; (2) the fallen trees, debris, and material wastes are removed out of the floodplain and properly disposed of (3) violations identified in the Notice of Violation are cured, mitigated, abated, or remediated.

Should you have any questions or comments, please feel free to contact Clara Furst-Engineering Technician/MS4/Permits for the Hamilton County Surveyor's Office 317-776-8495.

Copies of this Stop Work Order shall be provided to the State of Indiana Department of Natural Resources and the City of Fishers.

Thank you for your cooperation.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

CC: Hamilton County Drainage Board
City of Fishers
Steve Cash-HCSO
Gary Duncan-HCSO
Jerry Liston-HCSO "

Violations:

Furst presented her reports to the Board for their information.

"NOTICE OF VIOLATION

VIO-2022-00021 - Certified Mail 7021 1970 0001 9530 2865

November 15th, 2022

Riegel, Thomas & Kortney
17019 Flinchum Way E
Noblesville, IN 46062

RE: Vestal-Kirkendall, Hazel Dell Woods-Russell Shugart Arm

Our office has been made aware of a fence encroachment on Lot 56 in Hazel Dell Woods. The wooden type fence encroaches into the regulated drain easements on the lot. The fence was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has ten (10) days in which to correct the violation according to the standards set forth by this office and the Hamilton County Drainage Board.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: City of Noblesville
Hazel Dell Woods HOA"

"December 7, 2022

Certified Mail 7021 1970 0001 2926

Foerg, Craig & Connie
16440 Sandusky Ct.
Fortville, IN 46040

Parcel ID#: 13-16-05-00-02-013.000

RE: Vermillion Drain, Heritage at Vermillion Arm

In October of 2017, our offices were made aware of a fence encroachment on Lot 387 in Heritage at Vermillion Sec.1. The Notice of Violation was not resolved. It has come to our attention that since the initial Notice of Violation the property has been sold and the ownership transferred. Therefore, our office is reissuing a Notice of Violation. The wrought aluminum type fence encroaches into the regulated drain easements on the lot. The fence was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has ten (10) days in which to contact this office to discuss corrective actions to resolve the violation.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: Vermillion HOA-Tricia Edwards"

"December 7, 2022

Certified Mail: 7021 1970 0001 9530 2933

Perrone, Kristin
10629 Kensington Lane
Fortville, IN 46040

Parcel ID#: 13-16-05-00-02-007.000

RE: Vermillion Drain, Heritage at Vermillion Arm

In October of 2017, our offices were made aware of a fence encroachment on Lot 381 in Heritage at Vermillion Sec.1. The Notice of Violation was not resolved. It has come to our attention that since the initial Notice of Violation the property has been sold and the ownership transferred. Therefore, our office is reissuing a Notice of Violation. The wrought aluminum type fence encroaches into the regulated drain easements on the lot. The fence was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has ten (10) days in which to contact this office to discuss corrective actions to resolve the violation.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: Vermillion HOA-Tricia Edwards"

Hamilton County Drainage Board
January 9, 2023

"December 7, 2022

Certified Mail: 7021 1970 0001 9530 2940

Vladimirova, Maria & Ryan Cole Geltz TE
16051 Wheatley Ct.
Fortville, IN 46040

Parcel ID#: 13-16-08-00-08-011.00

RE: Vermillion Drain, Heritage at Vermillion Arm

In October of 2017, our offices were made aware of a fence encroachment on Lot 370 in Heritage at Vermillion Sec.1. The Notice of Violation was not resolved. It has come to our attention that since the initial Notice of Violation the property has been sold and the ownership transferred. Therefore, our office is reissuing a Notice of Violation. The wrought aluminum type fence encroaches into the regulated drain easements on the lot. The fence was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has ten (10) days in which to contact this office to discuss corrective actions to resolve the violation.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: Vermillion HOA-Tricia Edwards"

"NOTICE OF VIOLATION

VIO-2022-00025 - Certified Mail 7021 1970 0001 9530 2988

December 15, 2022

Newkirk, Benjamin & India
15697 Maybell Ln
Westfield, IN 46074

Parcel ID#: 08-09-10-00-15-036.000

RE: Williams Creek, Wilshire Sec. 1 Arm

Our office has been made aware of a fence encroachment on Lot 36 in Wilshire Section 1. The aluminum wrought type fence encroaches into the regulated drain easements on the lot. The fence was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has ten (10) days in which to correct the violation according to the standards set forth by this office and the Hamilton County Drainage Board.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: City of Westfield- Pamela Howard
Wilshire HOA "

Altman stated some of the violation letters said we want to make you aware of a court order that lets us do things and some didn't. What was the inconsistency in that?

Hamilton County Drainage Board
January 9, 2023

Furst stated that was a reference to the six violations that were from several years ago. It was in Vermillion, the lots in Flat Fork. These were the five out of the six were dependent upon the Rivas case and the ruling of that court order. Due to various reasons those had not reached a conclusion and the fences still remain in the easement. When I got passed that folder to follow up on those violations and all the items that went along with it, I was advised to send out a new violation letter to restart the time because I do an internal extension of time that I monitor to make sure that all of this is happening, and that timeline had not been applied yet to those. I was advised to reference the previous court case since those were all dependent on the original and that's why those six letters have that reference in them.

Altman stated okay, it just wasn't really clear. You probably should have said the Rivas case or given a cause number to make it clear that the reason these have been sitting around is because we've been waiting for a court order that stayed their action. Maybe ask Connor (Sullivan) or Mike (Howard) for some more clear language to let them know why it's been sitting around since 2017.

Howard stated the Rivas case was about the Rivas case. It was about asking for forgiveness rather than permission and reliance upon a Property Owners Association's approval. Did that have something to do with these other cases because I don't recall; the Rivas was a big enough mess of its own and I don't recall any four or five cases depending on it.

Furst stated the three-part explanation that I received when I got the folder was the first was the inaccuracies of holding responsible the fence companies to stay out of our easements and understanding the measurements. The second part of that was, from my understanding back in the day, the HOA was not adhering to the county standards so that made it worse with the homeowners. Lastly, what we already corrected was the updating of our permit to include more enforceable language to hold those fence companies responsible. All of that was based off of the Rivas case. This was also explained to the homeowners. There's a line in my letter that says to call me and all but one has called in and they're moving towards getting a permit and working through that process, but they're given the whole timeline and the explanation and I sent both Howard and Sullivan referencing it. That copy will be sent out via mail to them.

Violation Updates:

Furst presented her reports to the Board for their information.

"December 7th, 2022

Dolliver, Christine & Corey
15865 W Rail Dr.
Westfield, IN 46074

Parcel #: 08-09-10-00-20-029.000

RE: Non-Enforcement of Drainage Easement for Fences, Williams Creek, West Rail at the Station

On Friday December 2nd, 2022 our office conducted a final inspection of the recently installed fence on Lot 170 at West Rail at the Station.

The approved *Non-Enforcement of Drainage Easement for Fences* permit requires the following, "The fence will encroach 7.5ft into the 15ft D.E. along the East perimeter." Per the inspection, the office found the fence installed per the requirements of the permit.

Please maintain a copy of this letter in your records.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/CLF"

"December 7, 2022

Certified Mail: 7021 1970 0001 9530 2957

Allen Ashley
16291 Kenora Lane N
Fortville, IN 46040

Parcel ID#: 13-16-08-00-07-024.000

RE: Vermillion Drain, Woods at Vermillion Arm-Fence Encroachment Follow-up **VIO-2017-00010**

In October of 2017, our offices were made aware of a fence encroachment on Lot 241 in Woods at Vermillion Section 1. The Notice of Violation was not resolved. We are bringing to your attention recently a court case was decided in favor of the Surveyor's office regarding the outcome of removing encroaching fences within the Regulated Drainage Easement. With the outcome of the case now decided, our office is pursuing enforcement of the Notice of Violation-VIO-2017-00010 dated October 10th, 2017. Additional correspondence letters were sent out on October 17th, 2018 and October 23rd, 2018 with no corrective action taken.

The wrought aluminum type fence encroaches into the regulated drain easements on the lot. The fence was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has thirty (30) days in which to correct the violation according to the standards set forth by this office and the Hamilton County Drainage Board.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: Vermillion HOA- Tricia Edwards"

"December 7, 2022

Certified Mail: 7021 1970 0001 9530 2964

Turner, Allison L & Christopher Todd Turner
10513 Vermillion Drive
Fortville, IN 46040

Parcel ID#: 13-16-08-00-07-032.000

RE: Vermillion Drain, Woods at Vermillion Arm-Fence Encroachment Follow-up **VIO-2018-00010**

In August of 2018, our offices were made aware of a fence encroachment on Lot 249 in Woods at Vermillion Sec. 1. The Notice of Violation was not resolved. We are bringing to your attention recently a court case was decided in favor of the Surveyor's office regarding the outcome of removing encroaching fences within the Regulated Drainage Easement. With the outcome of the case now decided, our office is pursuing enforcement of the Notice of Violation-VIO-2018-00010 dated August 17th, 2018.

The wrought aluminum type fence encroaches into the regulated drain easements on the lot. The fence was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has thirty (30) days in which to correct the violation according to the standards set forth by this office and the Hamilton County Drainage Board.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: Vermillion HOA- Tricia Edwards"

Hamilton County Drainage Board
January 9, 2023

"December 7, 2022

Certified Mail: 7021 1970 0001 9530 2971

Devonna Renee Kinslow
.fka Devonna Swift
10923 Cliffside Drive
Fortville, IN 46040

Parcel ID#: 13-16-05-00-01-003.000

RE: Vermillion Drain, Village at Flat Fork Arm-Fence Encroachment Follow-up **VIO-2018-00011**

In September of 2018, our offices were made aware of a fence encroachment on Lot 3 in Village at Flat Fork Section 1. The Notice of Violation was not resolved. We are bringing to your attention recently a court case was decided in favor of the Surveyor's office regarding the outcome of removing encroaching fences within the Regulated Drainage Easement. With the outcome of the case now decided, our office is pursuing enforcement of the Notice of Violation-VIO-2018-00011 dated September 10th, 2018.

The wrought aluminum type fence encroaches into the regulated drain easements on the lot. The fence was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has thirty (30) days in which to correct the violation according to the standards set forth by this office and the Hamilton County Drainage Board.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: Vermillion HOA- Tricia Edwards"

"December 12, 2022

Martinez, Manual & Alejandro
16276 Spring Bank Ct.
Fortville, IN 46040

Parcel ID#: 13-16-05-00-04-012.000

RE: **Vermillion Drain, Bluffs at Flat Fork Sec. 1 Arm**

In August of 2022, our offices were made aware of a vegetation encroachment on Lot 84 in Bluffs at Flat Fork Sec. 1. The Notice of Violation-2022-00012 dated August 4th, 2022 was not resolved.

The trees/bushes encroach into the regulated drain easements on the lot. The vegetation was installed without the permission of the Hamilton County Drainage Board and is in violation of IC 36-9-27-33.

Upon receipt of this letter the property owner has until **Tuesday January 17th, 2023** in which to correct the violation according to the standards set forth by this office and the Hamilton County Drainage Board. This letter shall serve as the last reminder to the property owner to correct the violation.

Please contact Mrs. Clara L. Furst at the Hamilton County Surveyor's Office upon receiving this violation letter to discuss what measures are needed to correct the situation. The number is 317-776-8495.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/clf

CC: Vermillion HOA- Tricia Edwards"

Hamilton County Drainage Board
January 9, 2023

Ream Creek Drain Reconstruction, Orchard Park Arm - Change Order No. 2:

Cline presented his report to the Board for approval.

January 4, 2023

To: Hamilton County Drainage Board

Re: Orchard Park Drainage Outlet Improvement at Ream Creek,
Change Order #2

Change Order #2 was required due to additional Flexamat Plus, the lowering of 2 storm sewer manholes and the deletion of 36.83 tons of Rip-Rap that was not used.

The following items are changes to the Orchard Park Improvement at Ream Creek:

ADDITIONS:

2,426 additional SF of Flexamat Plus at \$13.00 per SQ FT -----	\$ 31,538.00
Lowering of Storm Structures 102 & 104 -----	\$ 20,432.22
Total Additions -----	\$ 51,970.22

DELETIONS:

36.83 Tons of Rip-Rap at \$120.00 per ton -----	\$- 4,419.60
Total Additions -----	\$ 51,970.22
Total Deletions -----	\$- 4,419.60
CHANGE ORDER #2 TOTAL -----	\$ 47,550.62

Engineer's Estimate for Base Bid ----- \$886,415.40

Contract Bid -----	\$808,000.00
Change Order #1 -----	\$ 28,815.00
Change Order #2 -----	\$ 47,550.62
Total Base Bid Reconstruction Cost	\$884,365.20

Difference ----- \$ 2,049.78

Submitted By:

Luther Cline
Inspector"

Altman asked do you think we're still good on budget?

Cline stated with this change order we're still under budget.

Altman stated not by much.

Altman made the motion to approve Change Order No. 2 presented, seconded by Dillinger and approved unanimously.

Construction Updates:

Elwood Wilson Drain, E. M. Hare Arm Reconstruction - Liston stated we have a major conflict with a private fire suppression system at the Home Depot. We had a site visit on Friday morning with the contractor, the Fire Marshall with the City of Noblesville trying to figure out how we can get this box culvert lowered. We've asked for numbers from Morphe Construction. As you can see, the water main is on top of our culvert and towards the rear is the vault for the public water side comes into. From the west side of that vault towards the Home Depot is a private main. This is a ten-inch water main. We've asked for a price; the way it's constructed right now, if we go to uncover that, excavate around it, the main will blow apart. This has what's called concrete kickers on it or brush blocks.

Duncan stated to clarify, this is the only fire suppression system.

Liston stated this is the fire suppression system to Home Depot.

Altman asked is it in the regulated drain easement?

Liston stated it is.

Altman asked did they get a permit?

Liston stated they did in 2001.

Altman asked did the permit say if we had to get in there, they need to move it?

Liston stated that will be up to the Surveyor and Gary (Duncan). When you look in that vault it looks like it dives underneath. Home Depot's contractor when that was installed came out of that vault, came up hard, across the top of our culvert and then back down from what we can tell. They cannot support that because of the width of the cut. Again, we're looking at viable options. I thought we had one on Friday. I received an email from Chief Cross from Noblesville Fire, but Indiana American Water didn't buy into this plan. We were going to come off of a public hydrant with a hose or piping, come across the north side of this site, tie into the private system that's on site and we could still allow the system to be charged.

Altman asked while we do what we need to do and then they go back to this configuration? Is it a permanent or temporary solution?

The Surveyor stated what I'd like to see is our structure to be placed where it's supposed to be and then the new line be placed under that structure where it was, in my way of thinking, where it was supposed to be. I haven't checked what the date of the detail that they're supposed to use was, but I think it predates the installation of this. When I do check and it does predate the installation, I think all the costs related to it should go to the Home Depot.

Altman stated if they didn't construct it per the permit, yes, that's kind of clear.

Liston stated I was told on Friday that the way that system is installed today they would have to start new, and it would have to be 54 inches of cover. We think that the water main is probably freezing up because I noticed on their Fire Control going into the building is dripping this time of the year. We're working through this. We're probably going to have to go back to our engineer, which is Clark Dietz, and try to figure this out.

Altman stated let's keep a separate timesheet on all the time and expense. Tell Clark Dietz this is...

Liston stated just for the record, to lay it on the ground temporarily with heat blankets to keep it from freezing this time of the year would be \$177,000.00.

Altman stated that's not a terribly good fix either. How much cover is on that pipe now?

Liston stated probably less than 2.5 feet.

Altman stated it doesn't meet code at any time. It's going to freeze.

Liston stated that's exactly what Chief Cross said.

Howard asked the line is a private line that belongs to Home Depot?

Liston stated from the vault to the building and everything on site is private. We're at a stand still until we figure out how we can safely work underneath this.

Altman stated right now they better pray it does not get cold or have a good exit plan from Home Depot.

Liston stated also for the record, we did check into a fire watch, meaning if we cut this system off someone would pay for a fire watch, which is 24/7 and it's \$35.00 per hour. Somebody has to be there around the clock on the premises.

Altman asked how long does it take to reconstruct this, so it works with what we've got going on?

Liston stated Morphey is saying 45 to 60 days just to get through this area and do all of the work. That was not acceptable to the City of Noblesville Fire Department. He could live with seven to ten days or fourteen days, but to be exposed or shut down that wasn't acceptable.

Altman asked why can't Morphey just; does it have to have a private contractor to come and do the "U" so we can get our structure in place?

Liston stated we're going to see what the cost is to put that line down underneath and relocate it.

Duncan stated reinstalling the water main, I couldn't imagine for this length it would take more than two weeks.

Dillinger asked who would have to pay the fire watch?

The Surveyor stated in my opinion it would be Home Depot.

Altman stated let's get the paperwork done as soon as possible and decide and send us what your analysis is and it's more to Howard so he can figure out who's liability, but otherwise the other option is Home Depot closes down until it gets fire protection. That's the alternative. If the Fire Department won't let them operate, they have to shut down and that doesn't make any sense to anybody.

Howard asked does the paperwork that authorized Home Depot to put that line in there, is it clear or is it just somebody said, and it sounded like kind of deal.

The Surveyor stated I think Jerry (Liston) just found that this morning.

Liston stated I just found it this morning. It was eleven crossings on one permit and it's not real clear. It just showed a site plan showing where the crossings would be. I didn't find any supporting documents.

Howard asked did it reference our pipe? Did our pipe preexist?

Liston stated my guess is I'm sure that culvert went in first. That's the reason why they came up over top of it. That was put in as part of the site development for Home Depot.

Howard stated let's get that together and you and I sit down. This is very fact sensitive of who knew what, when, who disclosed what, when to whom.

Liston stated another thing on this project we received from our contractor, a cost increase on some concrete retaining wall material that's going to be behind Field Rubber on the south side of SR 32/38. In response to that we have asked them to give us cost on gabion baskets so we can compare how we want to go on that. I'll have more information at the next meeting on that.

Altman stated the Fire Chief in Noblesville should have that fire protection system within its files.

Liston stated he didn't. I provided a site plan for him on Friday. He did not have it. That was 21 to 22 years ago.

Howard asked, the Planning Department didn't have anything?

Liston stated I can't speak for the Planning Department, I can just speak for Chief Cross at Noblesville Fire, the Fire Marshall.

Canal Place Drain, Strongbow Gate Arm - Liston stated I spoke with the contractor, Agricon, and he is starting that work tomorrow. Nine Star Connect has put in the electrical loop.

William Lehr Drain, Joseph & Brooks Arm (156th Street Reconstruction) - Liston stated Morphey told us they would like to start on the 16th of January. I have sent out property owner notifications, notice to proceed to the contractor and I'm also dealing with the City of Noblesville for a road cut permit for 156th Street.

2022 Reconstruction of the W. S. Burnau Arm of the F. M. Musselman Drain - Liston stated we've had the preconstruction meeting and I've sent out notifications to the property owners and working on getting a highway permit through the County Highway to cut 196th Street.

Howard asked on 156th Street in Noblesville, is that the one where it looks like if you come up from it, it looks like the sidewall of the bridge is right in the middle of the road?

The Surveyor stated I think that's the small structure further west that you're thinking of.

Howard asked isn't that going to be under construction fairly soon, as far as the bridge?

The Surveyor stated no, what we're talking about, that structure is further to the east.

Clara Knotts Drain, Park Broadway Arm Phase 2 - Cline stated we're held up by utilities.

Ream Creek Drain Reconstruction, Orchard Park Arm - Cline stated Ream Creek is complete. We sent out the notice last week to start asbuilts on it.

Flora Mendenhall Drain Reconstruction - Duncan stated I believe right after Thanksgiving we met with the property owner, Ms. Baker-Leak, and someone is looking to develop the property. We talked at length about the project and what they would need to do if the property were to develop in terms of reconstructing the drain. I also have a phone call from White Construction that I need to return to see if they're still interested in doing a reduced scope project.

The Surveyor stated everything else we're working on.

Budget & Permit Update:

The Surveyor presented the budget and permit update to the Board for their information. He asked if there were any questions.

There were no questions.

Altman made the motion to adjourn, seconded by Dillinger and approved unanimously.

Steven C. Dillinger - Vice President

Lynette Mosbaugh
Executive Secretary