

MINUTES OF THE HAMILTON COUNTY DRAINAGE BOARD

February 10, 2020

The meeting was called to order Monday February 10, 2020 at 12:00 p.m.

The members of the Board present were Mr. Mark Heirbrandt-President, Ms. Christine Altman-Member and Mr. Jerry Rulon-Alternate Member. Also present was the Hamilton County Surveyor, Kenton C. Ward and members of his staff: Mr. Sam Clark, Mr. Andy Conover, Mr. Jerry Liston, Mr. Gary Duncan, Mr. Reuben Arvin, Mr. Steve Baitz, Mr. Steve Cash and Mr. Luther Cline.

Approve Minutes of January 27, 2020:

The minutes of January 27, 2020 were presented to the Board for approval.

Altman made the motion to approve the minutes of January 27, 2020, seconded by Heirbrandt and approved.

2020 Stop Collection List:

The Surveyor presented his report to the Board for approval.

"To: Hamilton County Drainage Board

Date: February 3, 2020

The following drain balances are greater than four times the assessed value of its annual assessment and should have collections stopped for 2020 per IC 36-9-27-43.

Herr-Haughey	M0014	Thomas Fouch	M0187	Shelborne Greene	M0274
R.J. Craig	M0038	Hunters Creek South	M0188	U.G. Mitchner	M0275
Oliver Shoemaker	M0042	Frank Huffman	M0190	Laurel Lakes	M0276
John Owen	M0043	Henry Bright	M0192	W.W. Forkner	M0286
Krause & Klepfer	M0048	Hilton Hobbs	M0194	Mary Parks	M0287
McMahon & Overdorf	M0069	Mary Hodkins	M0200	Sail Place	M0298
Albert Shaw	M0070	Thomas Butler	M0202	Valleys at Geist	M0308
Harriet Shewart	M0105	Carefree Estates	M0208	Thor Run	M0309
Paulsel, Vance, Paulsel	M0109	Hunters Knoll	M0215	Village of West Clay	M0312
J.W. Wagner	M0113	Tamenend	M0219	Hidden Bay	M0314
Rebecca Roberts	M0115	Timber Heights	M0222	Camden Walk	M0316
Elizabeth Warner	M0117	Pines/Roxbury	M0224	Canal Place	M0317
Margaret O'Brien	M0124	New Britton Industrial Park	M0226	Geistview Estates	M0324
Ellen Bishop	M0132	Richard Moffitt	M0229	Flat Fork Crk (Hancock)	M0325
Park Northwestern	M0136	Larkspur	M0232	Treesdale	M0327
John Roe	M0137	Bridgewater	M0245	Highland Prairie	M0339
A.L. Haughey	M0138	Bentley Oaks	M0247	Hampton Cove	M0340
Tunis Garard	M0141	Crooked Creek	M0250	Lion Creek	M0342
Woodhaven	M0147	Cottingham Estates	M0259	Fox Hollow	M0344
Moffitt & Williamson	M0177	Atlanta Drain	M0260	Flat Rock Creek Farms	M0358
Fox Glen Section 5	M0180	J.M. Endicott	M0266		

The following drain balances are greater than eight times the assessed value of its annual assessment and should have collections stopped for 2020 per IC 36-9-27-43.

Wheeler & Wheeler	M0025	Long Branch	M0331	Kakasuleff	M0357
Armstrong, Evans & Hall	M0281				

Kenton C. Ward, Hamilton Co. Surveyor "

Altman made the motion to approve the Stop Collections List for 2020, seconded by Rulon and approved unanimously.

"Who Built the Fence":

The Surveyor presented a meme labeled "I have no interest in who built the drain system...I want to know who built the fence!" showing a flooded parking lot and a fence holding the water in.

Amended Ordinance No. 12-09-19-A:

Howard stated just for the record the Board with their Commissioner's hat on two weeks ago passed this ordinance that clarified not only the issues with construction within easements, but also using some of the State Statutes to beef up our enforcement procedures a little bit. The notice of adoption has been published and will be in effect on March 15, 2020. I'll be preparing a form notice so the Surveyor's Office can send it out to the Rivas affirming your decision two weeks ago that their fence needs to be moved in 60 days.

2019 Vegetation Control - Final Report:

Baitz presented his report to the Board for approval.

"TO: Hamilton County Drainage Board

February 6, 2020

RE: Final Report on 2019 Vegetation Control Contract

The Hamilton County Drainage Board received bids for the 2019 Vegetation Control Contract at the March 25, 2019 Drainage Board Meeting. K&H Spray Services LLC. were the only responding bidders.

The Hamilton County Drainage Board at the April 8, 2019 Drainage Board Meeting awarded K&H Spray Services LLC. all 36 of the drains at a cost of \$22,635.00.

Early spring weather conditions did not allow the spraying to start until later in the season. The contractor was able to satisfy the contract specifications.

After receiving a request from an HOA to spray for Cattails, an additional area was added via work order. This was the Vestal-Kirkendall Drain # 292 at a length of 3,500 lineal and a cost of \$350.00.

K&H Spray Services Inc. completed application to 36 drains totaling, 179,716 lineal feet sprayed at a cost of \$22,635.00, plus the additional drain at 3,500 lineal feet at a cost of \$350.00. This made the total lineal feet sprayed 183,216 at a total cost of \$22,985.00.

Page two of the report lists the drains sprayed, footages, date sprayed, gallons used, and check amount.

Jerry Liston will be requesting the release of the bonds for this contract.

Please consider this the final report on the spray contract for 2019.

Stephen Baitz

Drainage Inspector"

Altman made the motion to approve the final report presented, seconded by Rulon and approved unanimously.

Set Bid Date - 2020 Vegetation Control:

Baitz asked that the Board set a date to received bids for the 2020 Vegetation Control Contract for March 23, 2020.

Altman made the motion to receive bids for the 2020 Vegetation Control Contract for March 23, 2020 at 9:00 a.m., seconded by Rulon and approved unanimously.

William Krause Drain Reconstruction Phase 3 - Change Order No. 5:

Conover presented Change Order No. 5 to the Board for approval.

"To: Hamilton County Drainage Board

February 4, 2020

Re: William Krause Phase 3
Change Order #5

Change Order #5 is for the additional dewatering, hauling, time & materials required for removal of the existing unknown 18" tile encountered on 9th Street in Sheridan. The 18" tile is almost directly in the path of the new drain. The old tile is being hauled off site to Beaver Materials rather than being placed on the county property where the clean fill is being placed. The old tile was plugged with concrete where is left the new construction trench.

Change Order #5

Labor & Equipment -----	\$ 7,480.00
Materials (stone, concrete) -----	\$ 2,956.43
Hauling -----	\$ 415.63
Cost by Millennium Contractors of Change Order # 5 -----	\$ 10,852.06
Contractor's Bid -----	\$735,885.00
Change Order #1 Total -----	\$ 4,380.00
Change Order #2 Total -----	\$ 1,600.00
Change Order #3 Total -----	\$ 5,000.00
Change Order #4 Total -----	-\$67,950.00
Change Order #5 Total -----	\$ 10,852.06
Millennium Contractors - Total Reconstruction Cost -----	\$689,767.06
Engineer's Estimate -----	\$865,902.40
Millennium Contractors - Total Reconstruction Cost -----	\$689,767.06
Difference -----	\$176,135.34

Submitted By:



Andrew D. Conover
Inspector"

Altman made the motion to approve Change Order No. 5 presented, seconded by Rulon and approved unanimously.

Non-enforcements:

Clark presented a non-enforcement request for the Little Eagle Creek Drain, Maple Knoll Arm filed by Brent and Jamie Vanderwielen for parcel #08-09-03-00-19-011.000 for a fence. The Surveyor's Office recommends approval.

Altman recused herself from this item.

Rulon made the motion to approve the non-enforcement presented, seconded by Heirbrandt and approved unanimously.

Clark presented a non-enforcement request for the Little Eagle Creek Drain, Preserve at Bear Creek Arm filed by Vilfredo Lopez for parcel #17-09-19-00-12-042.000 for a fence. The Surveyor's Office recommends approval.

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

Cash presented a non-enforcement request for the R. J. Craig Drain filed by Nickle Plat North Associates, LLC for parcel #15-10-36-04-04-007.000, 15-10-36-04-04-008.000 and 15-10-36-04-04-009.000 for proposed parking, building structure, landscape and street scape. The Surveyor's Office recommends approval.

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

Spills - Nancy Kimberlain Drain (Mud Creek):

Arvin stated this was an overflow release of sanitary sewage into the Kimberlain Ditch at 116th Street and Brook School Road. There was approximately 500,000 gallons of untreated sanitary sewage due to a collapse of a corroded 20" ductile iron force main at 106th Street and Cumberland Road. Fluid Waste Services was hired to clean up the spill spraying and washing the area and vacuuming up the debris and placing lime. IDEM created an incident report.

Altman asked what caused the spill?

Arvin stated the spill was caused by a 20-inch iron pipe that corroded at 106th Street & Cumberland Road.

Altman asked how much of their system is made out of this piping?

Arvin stated I'm not sure.

Altman stated I really have concerns on a sewer utility that has that type of corrosion problem that they have no idea is happening. What other systemic problems are we going to have in that system?

Howard asked is there going to be some enforcement actions from IDEM on this? 500,000 gallons is a lot out of a force main.

The Surveyor asked the Board, have you noticed on the report when the report was submitted to IDEM and when the spill was?

Howard asked will this bypass overflow report from Mr. Kallio; January 13, 2020, when was the spill?

Arvin stated I spoke with Mr. Kallio and he said they were having trouble keep up also with the 4.5-inch rain event.

Rulon stated rain didn't have anything to do with the corrosion.

Altman stated no. It's a failure to inspect systems.

The Surveyor stated the rain didn't have anything to do with the sanitary sewer.

Howard asked this is a force main, isn't it?

Arvin stated yes.

Howard asked so the force main was flowing through corrugated metal pipe?

Duncan stated it was ductal iron, according to the report.

Altman asked how thick are those walls?

Duncan stated they're usually pretty thick. I don't know anything about the system.

The Surveyor stated a quarter inch at least.

Altman asked who has jurisdiction over these people?

The Surveyor stated IDEM.

Altman asked are they regulated?

Howard stated yes, they're regulated by the IURC (Indiana Utility Regulatory Commission), but IDEM has jurisdiction over the spill. The IURC has jurisdiction over them now and there are in negotiations right now.

Altman stated I'm more concerned about the integrity of their system. If you have normal maintenance this kind of stuff should have been noted.

The Surveyor stated or inspection.

Rulon stated if you have one corrosion, you've got miles of corrosion. It's not just that one spot, it just blew.

Heirbrandt asked should we follow up with concern to IDEM on this?

Altman stated I think we need to go up the chain and ask who's looking over their shoulder. That was a huge spill.

Howard stated I think the Mayor of Fishers would be interested in seeing this too. With your permission I'll forward this to him.

Heirbrandt stated please do.

Rulon asked do you have any idea of how far the distance is on this same pipe?

Arvin stated at this site it was 600 feet.

The Surveyor asked are they replacing the pipe; the full 600 feet?

Arvin stated yes.

Conover stated they had a breakdown on the same pipe just west of there a year ago on Super Bowl Sunday at 106th Street & Cumberland Road. It had blown out on the north side of the road.

Altman asked can we put together the other spills because that just substantiates our concern that they need a replacement program going in now.

Surety Release:

Liston stated that at this afternoon's Commissioners meeting the Board would be releasing the following sureties: License or Permit Bond No. 1849137 in the amount of \$33,000.00 for Noblesville Schools Transportation Depot, Mallery Granger Drain Erosion Control; License or Permit Bond No. 1849137 in the amount of \$33,000.00 for Noblesville Schools Transportation Depot, Mallery Granger Drain Erosion Control (**Rider to add the project name "Noblesville Schools Transportation Center to bond**); Performance and Payment Bond No. Q915770310 in the amount of \$22,635.00 for 2019 Vegetation Control, spraying of regulated drains.

Martha Darrah Drain - Chance Property:

Altman stated we received a very kind note that I would like to put in the record. It was on our project on 246th Street from the Chance's. It was very, very nice of them to take a moment thanking the Drainage Board.

Highland Springs Drain:

Altman asked is that still on your radar to get the price on slip lining for that drain?

The Surveyor stated yes.

Construction Updates:

Anchorage Drain, Reconstruction of a Portion of Section 1 - Liston stated the contractor hasn't done anything because of the weather in the last three weeks. It will have to either freeze up or dry out before we can do the final grading.

Ellis Barker Drain Reconstruction - Cline stated the weather has been bad and is holding the contractor up. They've done some work, but they're waiting for decent weather or frozen ground.

William Krause Drain Reconstruction Phase 3 - Conover stated we're being held up on this project by Vectren to relocate a gas line that is in our way.

Thistlewaite Drain, California Street Arm Extension - Conover stated we're waiting on the curb to be done on this. I met with the contractors on Friday and as soon as the weather allows they will finish up this project.

William Krause Drain Reconstruction Phase 1 (Pending Asbuilts) - Conover stated we received asbuilts last week for Phase 1 and we're currently reviewing the plans.

William Krause Drain Reconstruction Phase 2 (Pending Asbuilts) - Conover stated we received asbuilts last week for Phase 2 and we're currently reviewing the plans.

Benton Hinesley Drain, Grass Waterway (Pending Asbuilts) - Conover stated we received asbuilts last week for the Grass Waterway Project and we're currently reviewing the plans.

Heirbrandt stated I saw the owners of Fishers Mortuary (Sheridan) and they told me how bad the flooding used to be and that the water would be over their waist in the basement area. They have none now.

The Surveyor stated we've heard that about several basements in town.

Heirbrandt stated they said it was like a miracle happened. This was 40% of the town.

Thorpe Creek Drain, Martha Ford Arm Relocation (Pending Asbuilts) - Liston stated we received asbuilts on this project, but there are some things missing so we need to get those back to our engineers.

Thorpe Creek Drain, John Underwood Arm Reconstruction (Pending Asbuilts) - Liston stated we received asbuilts on this project, but there are some things missing so we need to get those back to our engineers.

Nancy Kimberlain Drain (Mud Creek) Spill:

Altman stated I hate to come back to the pipe bursting, but it's not a correct report; "Reason for Bypass, construction related". No, it was equipment failure, wasn't it?

The Surveyor stated yes.

Altman stated so they've not correctly filled out this form at least to a lay-person's review. You might also notice that when you follow up with IDEM. It wasn't a contractor that came in and used his backhoe, it was a burst pipe.

The Surveyor stated we'll get the other one that Andy (Conover) responded to last year.

Altman stated yes, any other instance on that.

Liston stated I think they're in the process of replacing that one now because there's some construction going on at the north side of 106th Street just east of Cumberland Road.

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.

Intracoastal at Geist Drain:

The Surveyor stated I have a problem down at Intracoastal of Geist just south of 113th Street. It became evident at one of the large rain events that we had last year, I think partially the problem was that the overflow for the 100-year storm was filled in during construction, but I think there's a problem with pipe sizing. The house that was flooded is at 15088 Keel Road in Fishers. The storm sewer runs to the east down the east property line to Keel Road then follows down through the backyards of the houses to the south, across the street through a common area and into the reservoir. I would like to have an engineer take a look at this particular problem.

Rulon asked was it caused by that tile coming around right to the property edge or not?

The Surveyor stated I don't know if that's it or not. Some of the problem also is the transformer station for Duke Energy. A lot of gravel and impervious on that site and there's no detention on it. I don't know if that's the problem, but I'd like to have somebody other than someone in the office look at it.

Rulon made the motion to allow the Surveyor's Office to hire an engineer to look at the flooding problem at the Intracoastal at Geist, seconded by Heirbrandt and approved unanimously.

The Surveyor asked would you like me to get one of the on-call firms?

Heirbrandt stated yes.

Bellewood Drain, Glen Oaks Arm - Konow Property:

Heirbrandt asked has there been any progress on this project? Altman and I were talking about it before we came to the meeting.

The Surveyor stated that Duncan is covered up right now, but we need to get a consultant on board and have him look at that situation.

Rulon made the motion to have the Surveyor hire a consultant to look at the flooding problem on the Bellewood Drain, Glen Oaks Arm, seconded by Heirbrandt and approved unanimously.

The Surveyor stated Konow said since we've done that work where we had taken the outlet out and opened the pipe up so the end section was open that he hasn't had any problems although we haven't had a rain like we did in that rain event. The last large rain event that was forecast was in December of 2019.

Heirbrandt stated it was in December or early January because I was on the phone with him. He called EMA.

The Surveyor stated Konow got the sandbags. Duncan had contacted him and told him just in case.

Heirbrandt stated Konow very much appreciated you calling him and being proactive.

Centennial Drain:

Heirbrandt stated Kate (Chirico) at 15239 Declaration Drive in Westfield and Mr. Bennett her neighbor. I think Steve (Baitz) was involved to some extent with that. Where we are at with that.

Altman asked is that the email you forwarded?

Heirbrandt stated yes. Mr. Bennett was concerned about what will happen in his yard and I assured him that we would take every precaution we can. We're not going try to disrupt and we'll work with him.

The Surveyor stated we always try.

Altman asked is it going to be sodded? I don't want Mr. Bennett to have a misunderstanding.

The Surveyor stated its not going to be sodded.

Altman stated that's what Bennett's email indicated.

Heirbrandt stated I just want to make sure that we're going to do everything that we can with communication to him and assuring him we're going to try to do our best.

Baitz stated just so the Board understands, we will have to have a dump truck and other equipment in his rear yard or at least close to his yard because to put in the pipe we're going to have to haul away some dirt and those type things. We'll do the best we can.

Altman asked you're operating within the easement, correct?

Baitz stated yes.

Altman stated that would be...

The Surveyor stated Brian (Rayl) is going to stake that easement.

Heirbrandt stated good, I think the more communication that we're going to try to do everything we can the better. There are six other neighbors there.

The Surveyor stated I know and they're at odds with the issue.

Heirbrandt stated you're exactly right.

Altman stated we noticed some fence and mulch and stuff like that.

Baitz stated the comments I've heard are that only one person has a problem.

Heirbrandt stated correct.

Licensed Surveyor's:

Altman stated at the Highway meeting we were talking about a lot of staking and survey work that was coming up and I know it's difficult to find surveyors now, but would it make sense to share another survey position between Highway and the Surveyor's Office so we could do some of our own right of way drafting and staking and that kind of thing?

The Surveyor stated I know we're covered up.

Altman stated I know, my point is, get a new person, another FTE (Full Time Employee), a surveyor that shares time between the Highway Department and our road work and what you've got going.

The Surveyor stated that would be something I'd like to talk to Brad (Davis) about.

Altman stated if you would because I saw some of these jobs coming up and I'd rather have our own person do it if we have work for them to do rather than contract it.

Heirbrandt stated there's a lot of work.

Rulon stated the County always has work for them to do.

The Surveyor stated there's not enough licensed surveyors out there.

Howard stated its construction in general. It doesn't make any difference what level you are in a construction process, there's not enough people either qualified or will show up at work to do any of it.

Altman stated that was an idea. It seems like we have a ton of this work that we could keep between your office and Highway.

The Surveyor stated I feel sorry for Brian having to shuffle everything.

Altman stated let's figure it out of we can.

Items Pending:

Heirbrandt asked is your workload getting so much that you need to sit down and prioritize projects again and figure out which ones need to be done?

The Surveyor stated I do have on the plan review side, quotes from the two companies for on-call. I need to make sure they're apples and apples and get them to the Board.

Heirbrandt stated if it's getting to the point it might be time to sit down and prioritize the list and get moving on some of them.

The Surveyor stated I have told my two plan reviewers that if they need the overtime to get it done use that time.

Altman stated yes, I don't want to hold up projects because we're going into construction.

Heirbrandt stated we need to get them moving.

The Surveyor stated projects haven't stopped, there hasn't been a slowdown.

Altman stated we had a shortage of lots, that's the other thing, to keep the whole system working we have to keep moving. We don't want to be the stoppage.

Heirbrandt stated that's why if we're going to do it, we need to sit down and prioritize them now and get them done so we're ready for summer.

Town of Sheridan Project:

Rulon stated I thought it was interesting that Sheridan appreciated the work. Do you remember when we sat in here and Sheridan stopped the draining of the open ditch. That was interesting. I enjoyed that.

The Surveyor stated it took an election on the Town Board to turn things around.

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

Mark Heirbrandt - President

Lynette Mosbaugh
Executive Secretary

Hamilton County Drainage Board
February 10, 2020