The meeting was called to order Monday July 8, 2019 at 12:01 p.m.

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

Approve Minutes of June 10, 2019:

The minutes of June 10, 2019 were presented to the Board for approval.

Dillinger made the motion to approve the minutes of June 10, 2019, seconded by Heirbrandt and approved unanimously.

Approve Minutes of June 24, 2019:

The minutes of June 24, 2019 were presented to the Board for approval.

Dillinger made the motion to approve the minutes of June 24, 2019, seconded by Heirbrandt and approved unanimously.

52.5 Hearing – R. J. Craig Drain, Nickle Plate – South Street Reconstruction:

Heirbrandt made the motion to amend the agenda to include this item, seconded by Dillinger and approved unanimously.

There were neither landowners present nor objections on file. Mr. Jason Taylor, Mr. Tom Dickey and Mr. Joe Ringel were present for this item.

Cash presented the Surveyor’s report to the Board for approval.

"July 8, 2019

To: Hamilton County Drainage Board
Re: RJ Craig Drain, Nickel Plate - South Street Reconstruction

Attached are petition and plans for the proposed reconstruction of a portion of the RJ Craig Drain. This project is to be paid for by the City of Fishers. The proposal is to reconstruct the existing drain currently in the right-of-way of 116th street, Jaycee Street, Moore Street, Moore Lane and South Street per the South Street construction plans by A&F Engineering, revision date 5/23/2019.

Per the plans by A&F Engineering, the reconstructed drain route will be as follows: The upstream end of this relocation will begin at Str 191 and drain south to Str 187, then drain easterly through Str 173 and Str 167. On the east side of Moore Street at Str 168, the drain will turn south. Also, a new pipe between Str 175 and 168 will connect the existing regulated drain from the north. The drain will continue south through Strs 163, 154, 152, then turn west at Str 118A at South Street. The drain will continue west along South Street through Strs 117, 112, 110 and will turn south at Str 106. The drain will flow south through Str 106D, 106A, 106B and connect to the existing drain at Str 106C. Note: All other storm pipes connected to this drain along this drain route will not be Hamilton County regulated drain and will be the responsibility of the City of Fishers to maintain unless otherwise described as regulated drain in a different report.

This reconstruction will consist of the following:

- 164’ of 30” RCP
- 15’ of 36” RCP
- 152’ of 48” RCP
- 47’ of 54” RCP
- 7’ of 84” RCP
- 578’ of 6”x6” Box Culvert
- 107’ of 10”x7” Box Culvert

The new drain involves the lengths of drain between the following structures per the South Street construction plans by A&F: 190 (existing), 173, 167, 168, 175, 161, 154, 151, 117, 112, 110, 106, 106D, 106A, 106B and 106C.

The newly installed drain will have a length of 1,070’. Of that total, 935’ will be located within Fishers right-of-way and 135’ will be located along Fishers walking trail on Parcel 15-14-01-02-12-001.000 owned by the City of Fishers.

Regarding the existing regulated drain, this project will replace 1,224’ of existing drain between the following locations: Along Jaycee Street between 116th & Moore Lane (144’ from the 116th Street Reconstruction of the George White Arm 2 of 1997); Along Moore Street between 116th and Moore Lane (171’ from the Reconstruction of the George White Arm 1 of 1991); Along Moore Lane between Moore Street and the alley east of parcel 15-14-01-02-01-025.000 (489’ from the Fishers Corner Reconstruction of 2000 and the 1991 Reconstruction of the RJ Craig Drain); Along the alley between Moore Lane and South Street (175’ from the 1991 Reconstruction); Along South Street west to the City of

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Fishers walking trail at parcel 15-14-01-02-12-001.000 (90’ from the 1991 Reconstruction); and south along the walking trail (155’ from the 1991 Reconstruction).

This proposal will subtract 154’ of footage from the RJ Craig drain’s total length.

The original RJ Craig Drain was established per Commissioner’s Court records dated November 1, 1899 (CR12, page 195). The original George White drain was constructed in 1916. In 1991 the RJ Craig Drain was reconstructed per my reports dated June 14, 1990 and August 17, 1990. See Drainage Board Minutes Book 2, pages 453. The Fishers Corner Reconstruction was approved on December 20, 2000 per my report dated November 14, 2000. See Drainage Board Minutes Book 5, pages 527-528.

To address a conflict with a proposed sanitary sewer, Strs 117 and 106D were designed as conflict structures. Str 106D is designed with a ductile iron conflict / sleeve pipe crossing through the storm manhole several feet above the top of the storm pipe, which will allow storm water to flow below (and as necessary during high water - around) the conflict / sleeve pipe. Str 117 will have the conflict / sleeve pipe located within the storm manhole but the conflict / sleeve pipe will be located below the storm flowline and be encased in concrete. Note: the term “conflict” pipe means that the sanitary pipe goes through the storm manhole because the elevations of both storm line and sanitary line result in a conflict. The term “sleeve” pipe refers to a pipe that is installed through the storm manhole to act as a “sleeve” for the sanitary pipe. The sleeve pipe protects the sanitary pipe and allows the sanitary pipe to be maintained or replaced in the future without compromising the storm manhole. In this case, Fishers requested the two conflict structures because the cost to lower the sanitary line to completely avoid the conflicts would exceed $500,000.00.

The cost of the project is to be paid by the City of Fishers. Therefore, the requirement for posting surety has been waived.

Regarding easement, this project is proposed to be located within existing right-of-way and existing walking trail area owned by the City of Fisher. Per the attached Non- enforcement, it has been requested for the easement lines to coincide with the right-of-way lines where this portion of drain is located. Where the property line of drain is located along the walking trail, this area is owned by the City of Fishers and has existing easement as per the secondary plat for Heritage Meadows, Sec. 5, Instrument No. 9557567, parcel 15-14-01-02-12-001.000. The existing drainage easement will not change at this location.

The design and construction of this Hamilton County Regulated Drain is required to be based on the ordinances, policies and standards of the Hamilton County Drainage Board and County Surveyor. The contractor is required to reconstruct the drain per the Hamilton County Drainage Manual and Standard Detail Drawings for Drain Design manual. As a condition of the Board’s approval, I recommend that all design revisions and/or field changes be submitted by the contractor or design engineer in writing as a request and approved or denied in writing by the Hamilton County Surveyor’s Office prior to installation by the contractor.

Because this project site is completely owned by the City of Fishers, this project has been requested to be approved under 1C-36-9-27-52.5. To satisfy the requirements of the statute, the portion of reconstruction located within Fishers right-of-way should be approved separately from the south portion located on parcel 15-14-01-02-12-001.000 (Fishers walking trail). The Fishers walking trail portion includes: 28’ of 54” RCP, and 107’ of 10’x 7’ Box Culvert, all of which are included in the reconstruction totals noted above. As noted above, of the 1,070’ total of new drain, 935’ will be located within Fishers right-of-way and 135’ will be located along Fishers walking trail on Parcel 15-14-01-02-12-001.000.

I recommend approval of the drain reconstruction and the non-enforcement.

Sincerely,

Kenton C. Ward
Hamilton County Surveyor

KCW/stc”

Altman asked how deep is this tile?

Cash stated part of this work includes a storm water vault, which is a 10’x7’ so in those areas about nine to ten feet deep with the base.

Altman stated the reason I ask is it’s all within right of way and I assume it will be densely developed with buildings and I’d like on the record that you have sufficient space for access for repairs and maintenance.

Cash stated I believe we do, based on the plan.

Altman opened the public hearing. Would anyone care to address the Board? Seeing no one Altman closed the public hearing.

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Dillinger made the motion to approve the Surveyor’s report along with the non-enforcement for the R. J. Craig Regulated Drain, seconded by Heirbrandt and approved unanimously.

Notice to Bidders – Clara Knotts Drain, 96th & College Reconstruction:
The Surveyor stated the office would like to set this item for bid opening for August 12, 2019. This is one of the requirements for the Federal Grant, that we do a bid on it instead of a quote.

Heirbrandt made the motion to set the Clara Knotts Drain, 96th & College Reconstruction for bid opening on August 12, 2019, seconded by Dillinger and approved unanimously.

Heirbrandt asked how many bidders do you think you’ll get on this? There’re not too many people that do this.

The Surveyor stated probably one or two. I did get a call from Chris Allen and Amy Jacobs on Friday afternoon. They had a request to us to get them a bill for the engineering services that would pay HWC Engineering. I sent them a $116,500.00 bill.

Dillinger asked who did you send that to?

The Surveyor stated the Housing Authority for the Block Grant Funds.

Altman stated the Surveyor and I did meet with Carmel’s City Engineer to run through that. We looked at the cost and looked at timing. Unfortunately, the Mayor was unable to attend, but Jeremy (Kashman) will take it back to him. Jeremy had a good grasp on it.

Heirbrandt asked if you agree with it?

Altman stated we calculated how much their storm sewer fees would bring in and it’s not sufficient to capitalize that to cover the project. They believe they have other places they might be able to utilize the CDBG funds in the core of town. They’ve got a neighborhood that qualifies. Actually, quite a bit of Carmel on the old census maps qualifies.

Heirbrandt stated if there’s any place they’d qualify it’s probably be right over in that area.

Altman stated they’re using the old census numbers and the neighborhood they’d like to put sidewalks in quite honestly is gentrified, but it still qualifies under the old census and they’d like to get that infrastructure in too. I think he understands the problem and I think we’ll get some help.

The Surveyor stated Chris and Amy also told me that they have scrounged through the records to look for unspent funds and they found $284,344.36 that they could put to this project.

Howard asked from who’s money?

The Surveyor stated evidently, it’s money that has not been spent and qualifies for this project.

Altman stated that would help along with this.

The Surveyor stated one thing I forgot to ask them is if the $116,500.00 is part of that. I sent them an email this morning and I haven’t heard back.

Altman stated it would be nice on this project, but I do think we need to think about allocation of those monies. It is countywide funds.

Ellis Barker Drain Reconstruction:
The Surveyor presented his recommendation to the Board.

"July 3, 2019

Hamilton County Drainage Board
RE: Ellis Barker Drain Reconstruction
Dear Board Members:

At the meeting of the Drainage Board on June 24, 2019 three bids were received for the Ellis Barker Drain Reconstruction project. The bid included a Base Bid and an Alternate Bid.

The bids received were as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Base Bid Amount</th>
<th>Alternate Bid Amount</th>
<th>Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hoosier Pride Excavating, Inc.</td>
<td>$532,442.43</td>
<td>$685,617.16</td>
<td>$1,218,060.00</td>
</tr>
<tr>
<td>Millennium Contractors, LLC</td>
<td>$500,000.00</td>
<td>$935,000.00</td>
<td>$1,435,000.00</td>
</tr>
<tr>
<td>Morphey Construction, Inc.</td>
<td>$348,000.00</td>
<td>$614,000.00</td>
<td>$962,000.00</td>
</tr>
</tbody>
</table>

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The Engineer’s Estimate for construction was $1,349,266.24.

The apparent low bidder is Morphey Construction. The Hamilton County Surveyors Office reviewed the Morphey Construction bid submittal and found it to be complete with the exception of one item. The Bid Submittal did not acknowledge receipt of Addendum No.:1. Morphey Construction indicated via telephone that the Addendum was received and that the addendum did not affect the submitted bid pricing.

The Notice to Bidders stated that the Drainage Board reserved the right to hold the bids for a period of 90-days after the bids were opened. The 90-day date is September 22, 2019.

At the meeting of the Drainage Board on June 24, 2019, the Drainage Board held a public hearing regarding this project. The public hearing remains open until a revised Surveyor’s Report is submitted based on the discussions that took place during the public hearing.

The Surveyor recommends that the Board hold the bid award for this project until the public hearing is closed and the project is approved.

Sincerely,
Gary R. Duncan, Jr., PE
Staff Engineer

Heirbrandt asked how are you coming along with this?

The Surveyor stated we have talked to Jeff Pape and he’s working on his easements. We’ve not had a chance to get ahold of N/I Homes yet, but that’s next on Gary’s (Duncan) list. We’re in a new mile. The State, where we sent the permit to IDEM several months ago, we got an out of scope letter back from them because somebody from the Corps went out and saw an eroded area, which is now Waters of the U.S.

Howard asked I thought we got through all that by executive order?

The Surveyor stated no. Gary (Duncan) estimated the amount of fill that this would be and it was two cubic yards. We had to put in a full 404 permit which was over 30 pages.

Howard stated you could almost fill the hole with the permit application.

The Surveyor stated yes. We’ll see what happens with the Corps.

Altman asked so this whole bidding process might be out the window even with the hold period?

The Surveyor stated yes. It depends on the Corps now.

Howard asked do we have a hold time on that bid?

The Surveyor stated yes, 90 days.

Altman stated it would probably worth a call.

The Surveyor asked to Morphey?

Altman stated no, to the Corps. Just explain the situation.

Heirbrandt stated a lot of times when you explain it to them they don’t listen.

Altman stated it’s worth a shot. If you want to arm me with the information, I’ll make the call.

Howard asked do we want to call Morphey and see if they’d be willing to extend?

Altman stated let’s see where we get. Let’s make the phone call and see if there’s any way they would grant us some expedient review. If you email the information, I’ll talk to you about it to make sure I’ve got it correct and whoever we need to contact.

Hearing Requests:

The Surveyor presented the following hearing requests to the Board to set for hearing on August 26, 2019: Springs of Cambridge-Bee Camp Creek Drain, Sears/McCord Pointe Arm; Williams Creek Drainage Area, West Rail at the Station Section 3 Arm; and Martha Darrah Drain, Shed Correction.

Heirbrandt made the motion to approve the hearing requests presented for August 26, 2019, seconded by Dillinger and approved unanimously.
Martha Darrah Drain – Chance Property:
Conover stated I received a drainage complaint concerning this property and I think
Heirbrandt brought this to the attention of our office. This parcel has a long history.
Within the first year of working here I met the property owner there at that property
along with Elvis Douglas who was with Soil & Water Conservation Service. Elvis retired 20
years ago so this shows you what kind of timeline we’re dealing with. At that time Dwayne
Dorman bought that property, dug a basement to build a house and the basement filled
completely full of water. I remember Mr. Douglas, as we were standing on the road, the
guys said what should they do they want to build a new house and wanted to build it close
to the road. Elvis had told him at that time he needed to build the house at least two
feet higher than the road and I remember the guy kind of balked at that and said the house
would be sticking way up out of the ground and Elvis told him well it will also be
sticking up out of the water which is what you want and you can fill in around it. The
guys went ahead and built the house, didn’t follow Mr. Douglas’ recommendations with
whoever talked to him a couple of times with the flooding problem on the property and it’s
just been sold, going back to banks and stuff a number of times. There was a guy who
bought the house in 2007 to flip the property. At that time, it was found that Joe Booker
wanted to develop this property who sold off these four lots was supposed to have put a
swale in along the road. Booker never did that because he wasn’t able to acquire the
additional easement on property that didn’t belong to him. The guy who bought it in 2007
went ahead and put an eight-inch tile in there and tied it to our regulated drain and that
was the last I heard on this property. Since that time, current property owners have talked
to Heirbrandt, but we don’t have anything on record of them ever calling in. At this
time, I think the only solution available through the County would be to reconstruct the
Martha Darrah Drain.

Heirbrandt asked and they would need to petition, correct?
Conover stated yes, they would need to petition and would have to get 10% of the property
owners. They would run into, just like this, we get a lot of these where people
buy a small parcel out in the country that is only drained by an agricultural drain. They
expect storm drain characteristics from where they moved from the city out to here.
Agricultural drains are designed to get the water out in one to five days to save the crop
and that suits the owners well. What might run into is if these people petition, this may be working and functioning well enough for the agricultural
ground drainage out there where it can drain it in three to five days, which is the
purpose of that.

Heirbrandt asked you know what I found that was really interesting is that there was a
berm that was built all along the west side of the property trying to block any sheeting
that was coming off of that field and slowing it down. I asked them who they got approval
from to do that and they said Soil & Water. They got approval and installed it in 2013
because somebody at Soil & Water told them to put it in there.

Howard stated it was probably John South.

Heirbrandt stated these people wouldn’t know. There just calling trying to get help and
then what happened when it would rain it would divert the water out onto the road and then
it became a safety issue for the Highway Department. The Highway Department just recently
came out and put a piece into the Berm, it wasn’t much at all, but it’s enough from what I
understand that it will make the water flow even quicker now onto their property. I know
there was a reconstruction done farther down and really the right thing would have been to
have an open ditch all the way along 246th Street to bring it down to drain into that
other outlet. It’s my understanding the current drain can barely keep up now. Is that
correct?

Conover stated the agricultural drain I think was built in 1890 just east of their
property is 12" tiles. I’m not sure how many acres go into that tile at that point.
Again, it’s an agricultural drain and those are normally designed to drain 35% of the
flow, the bulk of the water is surface flow. I think the Highway Department at one time
had looked at maybe putting a side ditch along there, but at one spot there’s a high point
and in order to be able to put a side ditch in deep enough to get the water to go to the
east it would be so wide at that point they’d be outside of their right of way. Surface
drainage there only looks to be maybe two feet of fall from the property to the east. I
thought there was an issue with putting a surface water swale in there because of the road
width and where they’d have to lay it back. It’s been twelve years since the last time I
dealt with this.

Howard stated Highway probably doesn’t have right of way because nothing’s been dedicated.
It’s probably edge of pavement if I had to guess.

Conover stated I think on two of the lots they dedicated some right of way when it was
split. There’s an existing farmhouse to the east and from that point over they did have
the wider right of way.

Howard stated Chuck Kiphart talked to me about this early last week and the other issue
was that he had some information that the house was supposed to have four elevations of
block and stopped at two.

Heirbrandt stated that was the original builder.
Howard stated but still there would have been water underneath it.
Heirbrandt stated they have sump pumps under the house.

Howard stated I guess if we’re going to do this we really ought to think about; essentially this is for one guy who bought a property that was deficient. I’m not sure the watershed ought to be assessed for this.

Heirbrandt stated it’s probably two people really because it goes over into the other guys property that’s next to him.

Altman asked but does it get in his house?

Heirbrandt stated I don’t think it gets into his house.

Altman stated and again it’s kind of like when did this become the Drainage Board or the County’s problem; which means the public’s problem?

Howard stated if you look at it in Drainage Board terms looking to construct and dedicate under 66 an additional arm to the drain, the drain would probably have to be reconstructed downstream to accommodate it.

The Surveyor stated you’ve got a 120-year-old drain they want to put something into and it’s in bad shape as it is.

Howard stated yes, it’s substandard anyway.

The Surveyor stated when it gets to the open ditch it’s only about one foot.

Baitz stated yes, it’s restricted now, the outfall.

The Surveyor stated so you have to dredge the open ditch down to or past 236th Street so it’s a pretty good size reconstruction.

Altman asked has there been crop loss in the area?

The Surveyor stated not that I’m aware of. Steve, do you know?

Baitz stated Bill Clark loses a lot of crop due to surface flows through there because there’s a lot of fall across there.

Altman asked that would be fixed by this reconstruction?

The Surveyor stated it would somewhat, but he’d still have surface flows.

Altman stated he’d still have surface flows to get to the drain I would assume.

The Surveyor stated right. I looked it up and there’s 693 acres in that watershed and we revised the assessments in 2017 raising them to $8.00 per acre with a $25.00 minimum. Today the fund is in the red $449.00. It only brings in $6,148.00 annually and there is an eight-year collection on that. That’s again, one of those small drainage sheds that it’s hard to fix the real problem.

Heirbrandt asked has anybody else reached out to them? I told them someone from the Surveyor’s Office would get in touch with them.

Conover stated I haven’t contacted them. I wanted to wait until after the meeting to see what the Drainage Board’s input on this was; what their take on it was.

Heirbrandt stated I was trying to figure out a way to help these people.

Altman stated I’m trying to figure out the benefit to the acreage, the watershed, if it’s functioning now. I know it’s not functioning for this gentleman, which is very bad, I understand that.

Howard stated its kind of like the 191st Street people that built in the low spot and now their house floods.

Conover stated and then in August people sell them.

Altman asked how long has this guy owned it?

Heirbrandt stated since 2013, I think.

Altman asked what are we doing here?

Heirbrandt asked is there any recommendations we can give him?

The Surveyor stated our only recommendation is that he contact the surrounding neighbors and try to get a petition to reconstruct. That’s the only option that we have.

Howard stated and knowing it’s probably not going to be assessed against the watershed.

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The Surveyor stated even getting the names on the petition is going to be pushing a snowball uphill.

Howard stated right, because nobody has a problem. You’ve got 600 acres?

The Surveyor stated 693 acres.

Howard stated so they have to get 60 plus acres.

Altman asked can someone summarize, or someone summarize the acreage, the possible solution process and I think Chance needs a copy of the report and lets see what they do along with a proposed petition.

The Surveyor stated we’ll put a petition together with the drainage area and the names.

Altman stated I think that’s the only thing we can do right now.

The Surveyor stated I think so.

Big Cicero Creek Joint Drainage Board:
The Surveyor presented the minutes of May 22, 2019 of the Big Cicero Creek Joint Drainage Board to the Board for their information.

Heirbrandt stated you did mention that we won the previous lawsuit in the last meeting. We understand that there’s going to be an appeal on one of the items.

The Surveyor stated yes. It’s already been filed.

Heirbrandt stated and none of the people that originally petitioned put any money on it. Some attorney said he would put up all the money.

Altman asked for the appeal?

Heirbrandt stated yes.

Preliminary Variance – The Meadows at Gristmill Crossing:
Mr. Duane Sharrer and Mr. Jesse Pohlman were present for this item.

Clark stated he has a request for preliminary approval for a flood mitigation variance at the Meadows at Gristmill Crossing. This is a residential subdivision located west of Ditch Road and north of S.R. 32 on the east side of the Cool Creek Drain, but the work is going to be on the Little Eagle Creek Drain. The 3:1 ratio is 15,345 cubic yards of fill out of 46,375 cubic yards of compensatory storage. Right now the recommendation we have is that it’s 3:1, that the variance be reviewed by Christopher Burke Engineering and that the mitigation area is totally within a common area, which will include a 25 foot area from the top of the bank to the lot line which the plans that were submitted all the lots do meet that 25 foot requirement.

Altman asked and they’re not in the back of the lots; it’s not part of the platted lot, it’s truly common area?

Clark stated yes. The entire mitigation area is part of the common area.

Altman asked have we shared the maintenance language with them that we’ve developed?

The Surveyor stated not yet.

Altman stated I think that’s important that they see that because if the Homeowners Association; we’ll go in and fix it for them if they don’t get it fixed and we’ll back charge and lien their property.

Cash stated I have it.

Clark stated that’s the last recommendation I forgot to mention.

Altman asked is there a consensus for them to go ahead and proceed that we would allow it if it meets our criteria?

Heirbrandt made the motion to allow the developer to proceed with the variance, seconded by Dillinger and approved unanimously.

Non-enforcements:
Liston presented a non-enforcement request for the Williams Creek Drain, Woodside at West Clay Arm filed by James and Kelly Kennedy for parcel #17-09-21-00-23-008.000 for a fence. The Surveyor’s Office recommends approval.

Dillinger made the motion to approve the non-enforcement requested presented, seconded by Heirbrandt and approved unanimously.
Liston presented a non-enforcement request for the Little Eagle Creek Drain, Preserve at Bear Creek Arm filed by Chad McClaskey for parcel #17-09-18-00-12-031.000 for a fence. I sent to Carmel and asked if they had an issue with the property owner encroaching into the five-foot BMP easement and they do not. This is to avoid our six inch under drain. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Cool Creek Drain, Crossings at Springmill Villages Arm filed by Sherwin Clark Bocade & Seth Robbins for parcel #08-09-14-02-12-028.000 for a fence. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Williams Creek Drain, Westmont Arm filed by Rajesh Patil for parcel #17-09-21-00-21-016.000 for a fence. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Village of West Clay Drain filed by Michael and Kimberly Payne for parcel #17-09-28-00-66-003.000 for a fence. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Williams Creek Drain, Crossfields Arm filed by David and Kathleen Thomas for parcel #17-09-32-00-01-001.000 for a fence. The Surveyor asked for some additional easement along with offsetting the gate on the north side of his property to match up with the easement. Thomas’ has agreed to do that. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Home Place Drain filed by CTAP, LLC for parcel #17-13-01-03-08-015.000 for a new residence. We received a revised plot plan for this permit. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Williams Creek Drain, West Rail at the Station Arm filed by Robert and Stephanie Peters for parcel #08-09-10-00-17-052.000 for a fence. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Fairfield Farms Drain filed by Ross and Kristine Hosler for parcel #11-07-30-04-04-038.000 for a fence. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Wheeler & Wheeler Drain, Arbor Grove Arm filed by Michael and Tara Kutch for parcel #10-11-08-00-07-038.000 for a fence. The Surveyor’s Office recommends approval.

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

Liston presented a non-enforcement request for the Vermillion Drain, Bluffs at Flat Fork Arm filed by Brenton and Brooke Sorenson for parcel #13-16-05-00-06-019.000 for a fence. The Surveyor’s Office recommends approval.

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

**Spills:**

White River - Liston stated last Monday we were copied on an email on the south side land fill from the City of Noblesville. This ditch bank is eroded out and the trash is exposed. IDEM has been notified. The Surveyor reached out to Heather Buck with Christopher Burke and asked for guidance on this since this is outside the city’s MS4 and in the County’s MS4. Heather suggested that we be proactive on this and if we do not hear anything from IDEM within this week to reach out to IDEM to see what we can do to assist.

Hamilton County Drainage Board
July 8, 2019
Howard asked whose property is this?
The Surveyor stated Frash.
Altman asked is this new garbage?
The Surveyor stated this section is the old landfill.
Altman stated it seems to be pretty much intact.
Liston stated I was told by the City of Noblesville if you take 8th Street and go south all the way down to the river for the access that’s where this issue is. The City of Noblesville did also mention to us that it looked like somebody had cleared some trees and pushed dirt to try to camouflage this.

Howard asked has Frash been notified?
Liston stated I believe the City of Noblesville had originally reached out to them.

The Surveyor stated I think IDEM has been on site.
Altman asked and it’s really not our jurisdiction, correct?
The Surveyor stated it’s really IDEM’s, but it’s our MS4 so Heather suggested that we at least contact IDEM to let them know that we’re not just ignoring it, but IDEM has the stick on this one.

Howard asked but it’s outside the municipal limits?
The Surveyor stated yes.

Williams Creek Drainage Area, Parkwood West Arm – Arvin stated this spill occurred on May 22, 2019. A semi-truck spilled diesel fuel from a ruptured tank caused by a wooden lathe that got wedged under the saddle tank. Approximately 10 gallons of diesel fuel was spilled at I-465 on the eastbound lane before the Springmill Road overpass. Our office walked the regulated drain about 20 feet from the shoulder and there was no evidence of sheen or diesel fuel from the spill. The Fire Department siphoned the remaining diesel fuel tank and put absorbent material around the area.

Village of West Clay Drain – Arvin stated this spill occurred on May 8, 2019 at the Wentworth Apartments. Our office was notified by Emergency Management that hot concrete was being used and that caught a nearby gas tank on fire and the van caught fire. This caused some damage to the outside of the condo. Our office looked at contractor ERS, walked the inlets and absorbent material was used and vacuumed out the storm structures. ERS also cleaned up the parking lot where the spill was. Approximately five to ten gallons was spilled onto the parking lot. After the third inlet downstream, there was no evidence of any gas.

Construction Updates:
Thorpe Creek Drainage Area, Martha Ford Arm Relocation – Liston stated Hoosier Pride did the final grading. I’ll do a walk through with them and we’ll be able to close that out.

Thorpe Creek Drainage Area, John Underwood Arm Reconstruction – Liston stated we’re still plugging along with this project.

Thistlewaite Drain, California Street Arm Extension – Conover stated this project is completed and the final grading done last week.

William Krause Drain Reconstruction Phase 3 – Conover stated Millennium will be starting this project this week.

Thistlewaite Drain, California Street Arm Extension – Heirbrandt asked did anyone get in contact with David Kinkead in Sheridan with some of his concerns? I brought it up to Gary (Duncan) and he was going to reach out to him. I don’t think he has at this point yet.

Conover stated last Wednesday I was at the Town Hall and talked with Dave. His concern was with the curbs and we’ve got some preconstruction photos. Under the asphalt there were curbs, but there were no curbs exposed and we’ve got those photographs. They were wanting the curbs put back in and Gary had on the plans if you put those back in we’ll put them at the existing height which is below grade of the asphalt.

Heirbrandt stated when you read the plans; I sent him three different sections that I took pictures of on the plans and specifications and they’re not clear at all. They just say that they’re going to replace the curb. I sent Dave the documentation from it; it is confusing and David’s not asking for a lot he’s just asking for some curbing in a couple of different spots. That’s why I thought it would be better if Gary just went out there and met with Dave and try to accommodate him on those areas that he was talking about.

The Surveyor stated I thought Gary went out there and talked to him.
Heirbrandt stated I went out there last week and took pictures of three different parts of the plans, the drawings, and it shows that they’re going to put the curb back. I understand what he’s saying and it says if there was a curb there they’re going to replace the curb. I get it, you probably asphalted over this so many times there’s really not a curb anywhere, but that’s what the plans show. I understand Dave’s point and he’s not asking for a lot; he just has two areas that he really wants someone to look at.

The Surveyor asked is that more to keep traffic off the grass?

Heirbrandt stated no, it’s really more to divert some of the water to that particular drain. I took some pictures of it and sent them all to him and it is confusing. It doesn’t look right. Even the guy that was doing the construction said, "I’d probably do something here and here and I think that would be adequate". There was a lot of stuff that went down into the drains; they weren’t covered. They were shoveling stuff out of one of the drains.

The Surveyor asked “they” being?

Heirbrandt stated the contractor.

The Surveyor asked was it just dirt?

Heirbrandt stated it was dirt and gravel. Gary has all of it and I sent him a copy of the drawings, specifically what they say. There were only three pictures I took. I would really like to sit down and talk to David about it and see if they can’t work something out. I didn’t think it was unreasonable what he is asking for.

The Surveyor stated Gary will be back in, he’s at Scout Camp this week. Monday I’ll have him get ahold of David.

Heirbrandt stated I’ll forward everything that I sent to him with the explanations because I had explanations under each photo as well as there were different copies that I had of the drawings and then it’s got curb repair listed on number three, “contractor is to replace any concrete curb removed or damaged by the work in Detail 6 on street number 5”. Then on the drawing it shows the curb. I think it can be worked out.

Altman asked we haven’t signed off on that project, have we?

The Surveyor stated no.

William Krause Drain, Reconstruction Phase 1 (Pending Asbuilts) – The Surveyor stated we’re waiting on the dumpster to get out of the church parking lot so it can be paved.

Conover stated I sent past there on the 4th of July and the dumpster was gone. I’m heading back up there again today so I’ll check that.

Benton Hinesley Drain, Grass Waterway – Conover stated the contractor is mobilizing for this project.

Windemere Pond Reconstruction (Pending Final Report) – Cline stated we received the recorded copy of the agreement last week for this project.

The Surveyor asked Howard did we get a copy of the certified?

Howard stated we just checked it before I came over and it is in the UPS system.

The Surveyor asked when it comes back could we get a copy of it?

Howard stated yes.

**Anchorage Drain:**

Heirbrandt asked if there was an update on this project? Has there been any discussion with the City of Fishers?

The Surveyor stated Gary (Duncan) and Brian (Rayl) went out last week, they did a survey and talked to Mrs. Moheban and Gary can put an arm onto her property deep enough to serve her property and he did tell her that then she would have to get drainage to that arm. He is adding that arm to the plans. That will increase the price, we don’t know how much, which may take it into a new hearing.

**Bellewood Drain – 13262 W. Letts Lane:**

The Surveyor stated they went out and captured the topo of that area. Gary (Duncan) got ahold of the development plan showing what the finish floor elevation is on Christopher Konow’s property so he can compare that. That was all he was able to get done. It’s still on the to do list.

Altman asked has anybody gone through the historic aerials to see when the berm went in?

The Surveyor stated no, not yet.

Altman asked why don’t we do that also?
Heirbrandt stated I bet they find something interesting there.
Altman stated let’s figure out when that occurred.
Heirbrandt stated Konow is one of the last lots to come in to build on and I’m sure that what happened is all that water came off into some of the other yards and it got bermed up and it funneled into one spot that went out onto that particular yard.
Altman stated my guess is it’s a fairly new berm. A photo should be able to show that.
Heirbrandt stated I bet it’s within the last five to six years.

**Budget & Permit Update:**
The budget and permit update was given to the Board for their information.

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

Christine Altman - President

Lynette Mosbaugh
Executive Secretary