

MINUTES OF THE HAMILTON COUNTY DRAINAGE BOARD

September 11, 2023

The meeting was called to order Monday, September 11, 2023 at 12:01 p.m.

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

Approval of Minutes of August 28, 2023:

The minutes of August 28, 2023 were presented to the Board for approval.

Dillinger made the motion to approve the minutes of August 28, 2023, seconded by Altman and approved unanimously.

Jacob Yansel Drain - Easement Request:

The Surveyor presented a request to obtain easements on the Jacob Yansel Drain to the Board for approval.

Altman made the motion to approve the request to obtain easements on the Jacob Yansel Drain, seconded by Dillinger and approved unanimously.

Raymond Briles Drain - Easement Request:

The Surveyor presented a request to obtain easements on the Raymond Briles Drain to the Board for approval.

Altman made the motion to approve the request to obtain easements on the Raymond Briles Drain, seconded by Dillinger and approved unanimously.

Martha Darrah Drain - Easement Request:

The Surveyor presented a request to obtain easements on the Martha Darrah Drain to the Board for approval.

Altman asked if we could tighten the easements? Some of them are rather large; ones over three acres.

The Surveyor stated the ones that are three acres is an open ditch and we need enough room to put the dirt out.

Altman asked so it's spoils as much as anything?

The Surveyor stated yes.

Altman made the motion to approve the request to obtain easements on the Martha Darrah Drain, seconded by Dillinger and approved unanimously.

Beaver & Brooks Drain - Statement of the Basis for Just Compensation:

The Surveyor stated on Friday I received 13 easements from Michael Hazeltine that in order to keep the schedule going we need to...

Altman asked the appraisals on those?

The Surveyor stated the Statement of the Basis for Just Compensation.

Altman stated yes, those would be the uniform offers. These are all appraisals to be incorporated probably into the offer for the landowner.

Altman made the motion to approve the appraisal offers presented, seconded by Dillinger and approved unanimously.

West Arcadia Drain/Wilson Nagle Drain North Bypass - CDBG Application:

The Surveyor stated this is an agreement between Mendenhall & Associates and the Drainage Board for putting together the Community Development Block Grant for the two projects. This is for their work in putting that information together so it can be submitted.

Altman asked the Surveyor, what money are they going after?

The Surveyor stated the way I understood it was for CDBG.

Altman asked but is it our CDBG funds or is it State CDBG?

The Surveyor stated I thought it was State.

Altman stated okay if its State. I just didn't know why we would go through this process if they're asking for County CDBG. Why we'd spend \$1,000.00 to go after our own money.

Altman made the motion to approve the application process if it is looking for State CDBG Funds, seconded by Dillinger and approved unanimously.

Hearing Requests:

The Surveyor asked the Board to set the following items for hearing on October 23, 2023: Little Eagle Creek Drain, Cove Horney Arm, Monon Corner Section 3; Andrew Tucker Drain, Assessment Increase; Camden Walk Drain; Canal Place Drain; Fox Hollow Drain; Hampton Cove Drain; Harry Herr Drain, Assessment Increase; Highland Prairie Drain; Lion Creek Drain; Little Cicero Creek Drain, Assessment Increase; Lynnwood Hills Drain, Assessment Increase; Thor Run Drain; Treesdale Drain; Village of West Clay Drain.

Dillinger made the motion to set the items for hearing on October 23, 2023, seconded by Altman.

Altman stated some of these already have huge balances. I just think it's kind of crazy to extend it unless you have a specific project in mind.

The Surveyor stated we don't, I was just trying to get away from getting it close to General Drain monies.

Altman stated that didn't make any sense.

The Surveyor stated if we have several work orders or sometimes just one, the balances look large, but one work order anymore can destroy a balance.

Altman stated some are like hundreds of thousands of dollars. Are you saying a work order would take \$200,000.00 to \$300,000.00?

The Surveyor stated you could also, if the balance falls below this, which we've done in the past.

Altman stated I don't know what you're saying.

The Surveyor stated in the past on a couple of drains you said we'll increase this, rather it's a rate or period of collections.

Altman stated these are all collection increases.

The Surveyor stated right, and it kicks in once the balance falls below this amount.

Altman stated we need advice on that.

Altman made the motion to table until; one of them has a huge balance, I don't know which one. They were online so I wasn't able to make notes.

Heirbrandt asked was it the Andrew Tucker Drain?

Altman stated I don't mind increasing it if we've got a project in mind, but it's hard to tell a rate payer you're going to keep paying when you've already got a gigantic balance. One drain has a \$148,000.00 in the fund and it collects \$34,000.00 per year. One has \$959,000.00 and collects \$220,000.00 per year.

The Surveyor stated okay, that's Thor Run.

Altman stated that's Village of West Clay Drain. I look at these balances saying, I don't feel comfortable.

The Surveyor stated Canal Place would be another.

Heirbrandt asked, is there a motion to table?

Altman stated I did make the motion.

Heirbrandt asked, is there a second?

Dillinger stated no, I think we ought to pass it.

Heirbrandt asked, which ones are in question?

Altman stated Village of West Clay at almost a million dollars collecting \$200,000.00 per year. Unless there's a project I don't know why we would pass it.

Heirbrandt stated why don't we approve all of them with the exception of Village of West Clay right now for further review.

Altman stated there's another one.

The Surveyor stated Canal Place is another and then Thor Run is one.

Altman asked for how much; what do they have? How much is the balance?

The Surveyor stated the balance in Thor Run Drain fund is \$148,974.00.

Heirbrandt stated that's not that much considering what projects cost anymore.

Altman stated you can disagree with me, that's fine, I just don't feel comfortable extending them.

Dillinger stated Altman's motion died for lack of a second.

Heirbrandt stated yes.

Dillinger made the motion to set the items presented for hearing on October 23, 2023.

Heirbrandt stated I'd take those three out.

Dillinger asked the Surveyor, how do you feel about it? You're the one that's suggested it.

The Surveyor stated we still have time to right the wrong if this is incorrect, but...

Heirbrandt stated I think we should approve all of them with the exception of Canal Place Drain, Thor Run Drain and Village of West Clay Drain.

Dillinger made the motion to set the items presented except for Canal Place Drain, Thor Run Drain and Village of West Clay Drain, seconded by Altman and approved unanimously.

Altman stated I will support the others if we have a specific project that this makes sense.

Elwood Wilson Drain, E. M. Hare Arm - Change Order No. 7:

Liston presented Change Order No. 7 to the Board for approval.

"September 7, 2023

TO: Hamilton County Drainage Board

RE: Elwood Wilson Drain E M Hare Reconstruction - Change Order #7

The following items are an additional to the Elwood Wilson Drain E M Hare Reconstruction contract being done by Morphey Construction.

Change Order # 7 - Line Item N3 Revetment Rip Rap w/ Geotextile	\$ 2,187.00
Change Orders # 1, # 2, # 3, # 4, # 5 and # 6 Cost to Date	<u>\$ 360,292.59</u>
Total Change Order Cost to Date	\$ 362,479.59
Morphey's Contract	\$2,478,000.00
Total 15% Contingency	<u>\$ 371,700.00</u>
Total	\$2,849,700.00
Revised Construction Total to Date	\$2,840,479.59

Submitted By

Jerry L. Liston
Hamilton County Surveyor's Office"

Dillinger made the motion to approve Change Order No. 7, seconded by Altman and approved unanimously.

Violation:

Furst presented her report to the Board for their information.

"September 7, 2023

To: Castetter, Ryan & Lindsay
15002 Cyntheanne Rd.
Noblesville, IN 46060

VIO-2023-00033 - Certified Mail 7021 0350 0000 0884 5300

RE: Frank Keiser Drain (SWO-2022-00002)

You are NOTIFIED that the Hamilton County Surveyor (Surveyor), pursuant to Sections 14-25-2-14, 14-25-3-8, 4-26-99-C, 05-09-05-A, and 05-09-05-B of the Code of Ordinances of Hamilton County, Indiana, hereby issues this NOTICE OF VIOLATION (Notice) to the owner(s) of Parcel No.: 12-12-17-00-00-017.001. Said Parcels has common address of 15002 Cyntheanne Rd., Noblesville, IN 46060. The owner(s) of the Parcel is listed in the records of the Auditor of Hamilton County, Indiana as Ryan & Lindsay Castetter.

Hamilton County Drainage Board
September 11, 2023

In accordance with Indiana State Code IC 36-9-27-33, the Hamilton County Surveyor's Office is responsible for, or is jointly responsible for, the administration, implementation, and enforcement of prohibiting placing fill in the Floodway/Floodplain.

In accordance with Sections 14-25-2-4, 14-25-3-2, and 14-28-3-5 (10), the Hamilton County Surveyor's Office is responsible for, or is jointly responsible for, the administration, implementation, and enforcement of Title 14, Article 25, Chapter 2, "Illicit Discharge and Connection," and Title 14, Article 25, Chapter 3, "Construction and Post Construction Stormwater Runoff."

In accordance with Section 14-25-2-3, Title 14, Article 25, Chapter 2 applies, "to all landowners, permit holders, developers, or other entities in possession of real estate located within the Hamilton County which either: (4) is included in the MS4 jurisdiction as defined in the Notice of Intent unless covered by another MS4 illicit discharge and elimination ordinance;"

In accordance with Section 14-25-2-7, Title 14, Article 25, Chapter 2 (a), "Prohibition of illicit discharges. No person shall discharge or cause to be discharged into the municipal drainage system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater."

This Notice is issued for the following violations:

1. Section 4-26-99-C (6) states, "The intent of Flood plain management is to protect against loss of property, protect human life, and maintain natural areas that help mitigate flooding. Therefore, in filling of land in the flood plain of regulated drains is prohibited. Flood plain boundaries are to be determined by using the flood way-flood boundary maps of the Federal Insurance Administration/Federal Emergency Management Agency. Flood plain shall include flood way and flood way fringe areas."
 - a. During an investigation of the Parcel by staff of the Hamilton County Surveyor's Office on August 28th, 2023, (the Investigation), large areas of land disturbance were observed.
 - b. During the Investigation, several non-contained, non-stabilized stockpiles of soil material (fill) were observed to be present on site.
 - c. During the Investigation, a "Fill Wanted" sign was observed to be located on the Parcel.
2. Section 14-25-2-7 (a) states, "No person shall discharge, or cause to be discharged, into the municipal storm drainage system or watercourse any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater."
 - a. During the investigation, large areas of non-stabilized soil from land disturbing activities were observed. Such non-stabilized areas would be expected to contribute to runoff that contains pollutants.
 - b. During the investigation, several non-contained, non-stabilized material of stockpiles of soil material were observed to be present at various locations on the Parcels. Such stockpiles would be expected to contribute to polluted runoff.
 - c. During the investigation, no measures to limit soil erosion from leaving the site were observed.

By means of this Notice, the Surveyor hereby orders the following:

1. Per Section 14-25-2-14 (a)(3), the violating discharges, practices, or operations shall immediately cease and desist.
2. Per Section 14-25-2-14 (a)(2), illicit connections or discharges shall be eliminated.
3. Remove all fill placed within the current mapped floodplain within **thirty (30) calendar days** upon receipt of this letter.
4. Permanently stabilize the disturbed ground within **seven (7) calendar days** upon receipt of this letter.
5. Install erosion and sediment control measures appropriate for the construction activity.

Per Section 14-25-2-15 (a) "Any person receiving a notice of violation may appeal the determination of violation to the county surveyor." Per Section 14-25-2-15 (b) "The notice of appeal must be received within seven days from the date of the notice of violation. Hearing on the appeal before the authorized enforcement officer shall take place within 15 days from the date of receipt of the notice of appeal. In the event the landowner disagrees with the determination of the director of the county surveyor's office, the landowner may appeal a decision of county surveyor's office to the county drainage board and any appeal of a municipality's authorized enforcement officer to the board of public works and safety of said municipality."

Such right of appeals applies only to violations of Title 14, Article 25, Chapter 2. In the event that the violations are not addressed, corrected, remedied, or that there is not compliance with the Order above, the County may take enforcement action per 14-25-2-14, (Specifically 14-25-2-15 9b) which states, "should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator." 14-25-2-16, 14-25-2-17, 4-25-2-18, 14-25-2-19, 14-25-3-7 (g), 14-25-3-8, 14-25-4-4, 4-6, and 14-28-3-3 (i).)

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 at 317-776-8495.

Copies of this Notice of Violation may be provided to additional regulatory agencies.

Thank you for your cooperation.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor"

Altman asked Furst, you believe this will be resolved?

Furst stated I believe it will be resolved in the context of getting plans reviewed and approved. I am not 100% sure that they will get it resolved with not trying to pursue a variance for fill in the floodplain.

Stop Work Order:

Furst presented her report to the Board for their information.

"August 30, 2023

Castetter, Ryan & Lindsay
15002 Cyntheanne Rd.
Noblesville, IN 46060

Parcel ID#: 12-12-17-00-00-017.001

STOP Work Order

SWO-2023-00002 - Certified Mail 7021 0350 0000 0884 5294

RE: Violations of Hamilton County Ordinances 4-26-99-C, 05-09-05-A, and 05-09-05-B

This letter is to notify you that the Hamilton County Surveyor's Office (HCSO) has issued a Stop Work Order to cease all work on the parcel located at 15002 Cyntheanne Rd. Noblesville, IN 46060 being shown on Hamilton County tax record as owned by Ryan & Lindsay Castetter. 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. Un-authorized fill in the floodplain which is in direct violation of Hamilton County Ordinance No. 4-26-99-C which prohibits placing fill in the Floodway/Floodplain in areas of Hamilton County and IC 36-9-27-33 of Indiana Drainage Code.
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. At the time of inspection, the pond on the west side of Cyntheanne Road was visually turbid. Lack of erosion and sediment control measures on this parcel may be resulting in sediment and soil material leaving the parcel and contributing to the condition of the pond.
3. Non-worked or stabilized ground disturbance located on site. This is in direct violation of Hamilton County Ordinance No. 05-09-05-A and Hamilton County Ordinance No. 05-09-05-A.

The Hamilton County Surveyor's Office requires the following to be addressed **prior** to the continuation of work and/or ground disturbance:

- A. Remove all fill placed within the current mapped floodplain within **seven (7) calendar days** upon receipt of this letter.
- B. Permanently stabilize the disturbed ground within **seven (7) calendar days** upon receipt of this letter.
- C. Install erosion and sediment control measures appropriate for the construction activity.

Hamilton County Drainage Board
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In addition, the items listed below are for information purposes:

- The land disturbance associated with the new construction appears to be approaching the threshold of 1.0-acres which would require storm water quality measures, a CSGP (Construction Stormwater General Permit) SWPPP (Stormwater Prevention and Pollution Plan), and storm water detention. Should 1-acre of land disturbance occur, additional County requirements will apply.
- Swimming pool filter backwash is considered an illicit discharge if not treated and dechlorinated.
- Pool water lowering/emptying discharge if not treated and dechlorinated is also considered an illicit discharge.
- Per Hamilton County Ordinance No. 05-09-05-A Section 7: Discharge Prohibitions, "No person shall discharge or cause to be discharged directly or indirectly into the municipal storm drainage system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater." If, the chlorinated (and/or additional chemically) treated pool water were to be discharged into the regulated watershed this would be considered an illicit discharge.

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) all fill in the floodplain is removed; (2) proper erosion control measures are installed; (3) disturbed ground is permanently stabilized; (4) 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 may be provided to other regulatory agencies.

Thank you for your cooperation.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

cc: CJ Taylor- Director HCPC
Gary Duncan-HCSO Engineer
Steve Cash- HCSO Plan Reviewer
Jerry Liston- HCSO Inspector "

Ordinance No. 09-21-23-A:

Sullivan stated this is for the Board's first reading today for a favorable recommendation to the Board of Commissioners to be approved at the September 21st meeting. Fines will not take effect until December 1st of this year.

The Surveyor stated I read the ordinance this morning and Page 2 under Section 4, for a landowner asking for forgiveness, I would request the fee for the permit be doubled. Under Section 9 it lists what the effective date for the fines are, but it doesn't list an effective date for the fees.

Altman stated so just add the fines and fees.

The Surveyor stated under Section 4, I would ask for the after the fact permit be increased to \$250.00, which is double the fee rate for somebody who's following the ordinance.

Dillinger made the motion to suspend the rules to approve the ordinance at first reading, seconded by Altman and approved unanimously.

Dillinger made the motion for a favorable recommendation of Ordinance No. 09-21-23-A with the amendments to the Hamilton County Board of Commissioners, seconded by Altman and approved unanimously.

Altman asked, do you think we can get these changes in before we see it again?

Sullivan stated yes, by September 21st which is when this would be; it won't be today, Mike (Howard) had it on his agenda for the September 21st meeting.

Altman stated I think we can adopt it, but we can't enforce the fines until it's publicized. We can adopt it so we get that clock running for publication because I think it's a 30 day window.

Sullivan stated I'll get the new numbers in there.

Surety Acceptance:

Liston stated that at this afternoon's Commissioners meeting the Board would be accepting the following sureties: Bond Endorsement No. Q85-6670256 in the increased amount of \$8,900.00 for Citizens Energy Group Booster Station, Cumberland Park Compensatory Storage/Detention; Site Improvement Performance Bond No. CIC1942664 in the amount of \$21,191.00 for Cyntheanne Woods, Thorpe Creek Compensatory Storage Area Improvements.

Construction Updates:

Elwood Wilson Drain, E. M. Hare Arm Reconstruction - Liston stated work is continuing to progress. We hit a snag with the sanitary work that we're doing as a part of this project with the City of Noblesville. We have a ground water problem. The contractor is trying to work around, and it's slowed things down at Presley Drive.

William Lehr Drain, Joseph & Brooks Arm, 156th Street Reconstruction - Liston stated we still have not heard when Morphe Construction wants to officially start this project.

2022 Reconstruction of the W. S. Burnau Arm of the Musselman Drain - Liston stated I conducted an initial inspection about a week and a half ago and the contractor has the punch list letter.

William Lehr Drain, J. S. McCarty Arm Phase 1 Reconstruction - Liston stated the contractor has requested staking on this project and hopes to start within the next week or week and a half on this project.

Adam Ault Drain Reconstruction - Campbell stated the contractor ran into problems on the project they were finishing before they moved to the Adam Ault Drain but expects to be on this project next week.

Clara Knotts Drain, Park Broadway Arm Phase 2 - Cline stated there's nothing new to report on the Park Broadway Arm Phase 2. I was there last Thursday and there wasn't a sign of anybody working.

Heirbrandt stated I did reach out to AT&T, the president, Bill Swords and their area representative and he's been in conversations with Gary Duncan by email on specifics, not only on this project but a second project. There were a couple of emails this morning to Gary from AT&T so they are talking now. He mentioned a guys name at AT&T that will be reaching out to him to start to address the issues.

Altman asked what other utilities do we have problems with?

The Surveyor stated AT&T, Centerpointe and..

Cline stated Carmel Water maybe. They say they don't have any conflicts, but they also said that at Phase 1 and they did have conflicts.

Altman stated I guess we dig them up. I don't know what else to do if they say they don't have it.

Cline stated the contractor will pothole them and find them.

Liston asked Heirbrandt, do you know if the gentleman from AT&T was Brad Baily? That's who we've been dealing with and we're not getting anywhere with this individual.

Altman asked, and Duke is out of the way?

Liston stated as far as we know.

Altman asked, are we communicating with Centerpointe?

Heirbrandt stated the email states "you should hear from Brad Baily today, if not let me know".

The Surveyor stated placebo.

Altman stated let's see if he reaches out. Maybe he's got his chain rattled. If not, we'll just stay on it and let him know.

Liston stated all the people we're reaching out to with AT&T that name keeps coming up of who we need to talk with and we're not getting anywhere.

Altman stated every day, can Gary (Duncan) just either send me or send Mark (Heirbrandt) haven't heard from him and we just forward that; every day.

The Surveyor asked Altman, did you by chance get ahold of Centerpointe?

Altman stated no, I did not.

Heirbrandt stated Altman was going to take care of Centerpointe and I was going to do AT&T.

Altman stated I don't have any contacts with Centerpointe. I need to know who you're working with.

Liston stated he's out of Muncie, so I'll send it to you.

Altman stated yes, send it and then we'll start bugging them.

Ream Creek Drain, Orchard Park Arm (Pending Asbuilts) - Liston stated Gary (Duncan) has the asbuilts and is reviewing them.

Jonas Rogers Drain, J. M. Gustin Arm Reconstruction (Pending Asbuilts) - Liston stated Duncan has the asbuilts and is reviewing them.

Budget & Permit Update:

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

Altman asked, General Drain, that's unrestricted, correct?

The Surveyor stated when you say unrestricted...

Altman stated what I'm saying is it isn't tied to any particular drain.

The Surveyor stated no, that's our bank account basically.

Altman stated so if we wanted to speed up some of the work because we're understaffed and overworked I assume we could enter into some type of program on projects, say a developer has a project or someone comes in then we could use that as seed money to let them expediate the process by agreeing to pay a private engineer.

Heirbrandt stated I think we need to because the set of plans I saw laying on that side wall are stacked up like crazy.

Altman stated it's huge. We're way behind. Maybe see what kind of capacity Miller has. Who do you trust to look at stuff.

The Surveyor stated Miller.

Altman stated let's talk with Miller and see whether they can start picking up the slack because you're getting buried and the pile's getting bigger before it gets smaller. We're holding up progress. Figure out Miller, give us three names of people you trust are going to do a good job for us and get their hourly rates and then we can tell people if you want to move forward in the stack we are constrained, however, if you want to cover our cost here are your choices.

The Surveyor stated I know Burke does several counties and I'm not sure if Clark Dietz does or not.

Altman stated I like Miller because they're usually more reasonable. The big names are good, but it may be prohibitive plus they do private sector work.

Heirbrandt stated Clark Dietz does too. Come back with a recommendation.

Altman stated next meeting.

Drainage Board Attorney (Pending Items):

Ordinance No. 09-21-23-A - Sullivan stated we made the changes for the fine to \$250.00 and the fee effective date. Do you want that to be December 31, 2023 or 30 days?

The Surveyor stated whatever we can do as far as the time limit required by Statute.

Permitting Fees - Altman asked where are we with looking at our permitting fees?

The Surveyor stated that fell off my plate.

Altman stated let's get it back on the plate because that will build up General Drain and give us more abilities. You might redraft that ordinance but yet once again and put it in or "the then" current rate and then the application would be twice "the then" current rate on the forgive me. That way we're not screwing with it all the time.

Sullivan stated I will make that change.

Mary Wilson Drain (Habig Property) - Sullivan stated Howard is in court right now for the Habig matter.

Heirbrandt asked Sullivan, if you can make sure you reemphasize some of the pending items on here that need to be addressed.

Altman asked what court is the Habig matter in?

Sullivan stated Circuit Court.

Wilson/Nagle Drain:

The Surveyor stated we have a problem in Arcadia. It seems that whoever, somebody up there, doesn't like our rules and regulations and if you keep in mind all of Arcadia is within a drainage shed that is regulated so they have to follow our ordinances.

Heirbrandt asked, an elected official or who?

The Surveyor stated a staff member. I want to verify the information first.

Heirbrandt stated please verify it, let me know and let me address it.

The Surveyor stated they have evidently let somebody go in and tear out a woods and it's all gravel now; no drainage plan.

Heirbrandt asked, can you get me an email explaining the issues.

The Surveyor stated I will.

Heirbrandt stated knowing that I'm going to forward it.

The Surveyor stated I don't want to waste my time and effort and my staff's time and effort and all the money to go in and put a drainage system in that if they're going to play like monkey's with straight razors it's not going to work later. Then we'll get blamed.

Altman asked didn't they take it over at one point?

The Surveyor stated they did and then they came in and said you need it back.

Altman stated well, it's not working.

Heirbrandt stated get me that email and I'll take care of it.

Altman asked how far along in that project are we?

The Surveyor stated this splits between the Wilson-Nagle and the M. E. Scherer Drain and the Scherer is designed and the Nagle is about 85% designed.

Altman stated so we're just designing it at this point.

The Surveyor stated it frustrates me when they just let things happen like that and don't follow the rules.

Altman stated they can take it back. We still can design, and they can take it back and run it. Then it's theirs. I think that's the message.

The Surveyor stated I wanted to let the Board know that we had an issue up there.

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

Mark Heirbrandt - President

Lynette Mosbaugh
Executive Secretary