

MINUTES OF THE HAMILTON COUNTY DRAINAGE BOARD

February 13, 2017

The meeting was called to order Monday February 13, 2017 at 12:02 p.m.

The members of the Board present were Mr. Mark Heirbrandt-President, Ms. Christine Altman-Member and Mr. Steven A. Holt-Alternate Member. Also present was staff of the Hamilton County Surveyor's Office: Mr. Steve Baitz, Mr. Jerry Liston, Mr. Greg Hoyes, Mr. Andy Conover, Mr. Gary Duncan and Ms. Suzanne Mills. The Board's attorney, Mr. Michael Howard, was also present.

Minutes of January 23, 2017:

The minutes of January 23, 2017 were presented to the Board for approval.

Altman made the motion to approve the minutes of January 23, 2017, seconded by Heirbrandt and approved. Holt abstained.

Amend Agenda:

Altman made the motion to amend the agenda to move an item up on our schedule for the consideration of a public hearing for Centennial. We had talked about it before and we have somebody here today, seconded by Holt and approved unanimously.

Hearing Request - Williams Creek, Centennial Section 1 SSD to Str. 228:

Mr. Ronald Rothrock was present for this item.

Duncan stated as the Board recalls we received a petition for approximately 190 feet of an existing subsurface drain within Centennial Section 1 to become regulated drain. When this was presented the Board everybody agreed that it would be better to accept all the subsurface drain within Section 1 into the regulated drain system. Therefore we needed a petition from 10% of the watershed of Section 1. Subsequent to that the Homeowners Association of the development has met and they agreed to consider the petition to accept the subsurface drains within the Common Areas under the control of the Homeowners Association which would then put us over 10% of the watershed. We have Mr. Rothrock here on behalf of the Homeowners Association. We do not have the petition in hand. We would request the hearing if we could get the signed petition right away and maybe a second date if there's a delay in that.

Rothrock stated I am the Vice President of the Centennial Homeowners Association. I have been authorized; we had a Board meeting last Thursday and we discussed the subsurface drain issue and I have been authorized to sign the petition which we haven't been able to find, but whenever or if a new one is drafted just let me know and I'll be here.

Altman stated based upon that representation I would move to set this hearing for full Section 1 for, I believe the first request was made the 27th, or the next available meeting thereafter with the publication released for the appropriate date upon receipt of the signed petition, seconded by Holt and approved unanimously.

Grassy Knoll Drain (Continued Hearing):

Mr. Jeremy Lollar, Mr. Wes Rood and Ms. Tami Kirages was present for this item.

Duncan stated that the office is requesting that the hearing be continued to March 13, 2017. We are still working through the appraisal. I saw an email this morning and I don't know if that's gone out to the appraisers yet. We want to move the appraisal forward, the actual acquisition of the easement forward before we move forward with the hearing.

Altman stated we're talking about the Grassy Knoll. I had asked for some research on this and I received two sets of declaration of covenants. That's fine, but what I really think we need to drive down to and it's probably the Willow Creek that was the subdivision that was going to the north. Is that correct?

Duncan stated or to the west of Grassy Knoll.

Altman stated actually we have Grassy Knoll to the east and to the west was Willow Creek and the parcel I think that is the problem was north of that. If I pulled it up on GIS correctly.

Conover stated no, it was directly west of Grassy Knoll.

Altman stated it's west of Grassy Knoll, however, the subdivision Willow Creek appears to be south of the subject property.

Conover stated right on the west side of Cool Creek, yes.

Altman stated what I don't know is the primary plat. We need to go back to the primary plat for both Grassy Knoll and the Willow Creek Subdivision to see what commitments were made when they got primary plat approval. They should have done primary plat for all of the sections and that would have shown the continuation of the sewers and the water and drainage.

Duncan stated so commitments made at the essentially the outlet approval.

Altman stated it's really the TAC Committee and what they made with the primary plat because all we have are covenants on the secondary construction plat that was recorded.

Duncan stated correct.

Altman stated I think therein lies if we ever received any commitments that would have connected the drains from Grassy Knoll to the west to the outlet.

Howard asked wasn't there also an issue that the property owner to the west of the road arguably there is; if in fact there's no dedicated easement there is most likely a private drain obstruction.

Altman stated correct.

Howard stated and that there was some talk about.

Altman stated I think that the property owner actually reconstructed the drain. Didn't we determine that after Grassy Knoll went in, after the land was transferred, he actually did some adjustments to that private drain that's causing siltation?

Duncan asked Conover if he remembers?

Conover stated the owner realigned the ditch would have flattened the grade for a little portion of the ditch, but I think overall it's just kind of silted in over the years.

Altman stated you need to go back to the tape of the meeting we had last because that wasn't what was on the tape the meeting of last. It was the change of and it may have occurred after, but we talked about it and Steve Cash I thought is the one that looked at that it's really an alteration issue perhaps also.

Howard stated right now it looks like we're going full speed ahead to appraise this guy's easement and pay him fair market value, but I think there's also an issue that we could arguably call it an obstruction of a private drain and he'd get to redo it at his nickel and that might make him a motivated donor.

Conover stated this actually started as a private drain petition.

Howard stated the minutes of the private drain petition need to get in our file because that's where we addressed that it may be a landowner that's been the problem.

Altman stated that's a major cost of this reconstruction is the cost of that easement and I think it's inappropriate that we should pay fair market value for that easement when it was always intended to serve as the outlet.

Howard stated we probably need to make sure we have some good historical research in the file.

Mosbaugh stated Steve Cash did do all the history on this project; both projects and he has the timeline.

Altman stated I want to see the timeline before.

Mosbaugh stated I will get that to Steve and let him know you want read the timeline before.

Altman stated I want to see the primary plat that was approved that carries it through, I want to see the TAC minutes. If we get that right of way donated it reduces the cost for everybody including the landowners and the Drainage Board and Westfield. That's to me key and a huge component of this thing.

Howard asked if Westfield agreed to raise their hand?

Lollar stated the City of Westfield is willing to contribute to the construction. I can't remember off the top of my head, but I believe its \$15,000.00 that the city is going to contribute to the cost of the repair on behalf of the HOA and the neighborhood.

Altman stated to the extent we haven't pulled the documents I described could you help with the primary plats and that type of thing on these two developments?

Lollar stated yes, you're welcome to whatever we have.

Altman stated and the TAC minutes. I assume it went through Westfield.

Lollar stated I would say it went through TAC, but that would have been well before my time. I don't know what their TAC Committee was like back 20 plus years ago.

Altman asked if Lollar would check and see.

Lollar stated yes.

Howard stated the other issue we had the last time Westfield was here and the City Councilman was here was that the Property Owners Association presumed whatever the assessment was in the neighborhood that they were paying it all and I suggested to Jim Ake that under the law if it's assessed under the law each parcel pays their own assessment it would be included in their tax bill, it would be included in their monthly mortgage to fund their escrow so that the Property Owners Association there was wailing and gnashing of teeth about how much it was going to eat their budget and he seemed somewhat relieved and I don't know where that was left also. If the individual property owners, I think we have \$279.00 and we reduced that down and the Board has been good about giving them not the full five years, but two or three years and reducing the interest. You could be talking \$30.00 or \$40.00 per year.

Duncan stated we'll gather that information.

Heirbrandt asked if that will be continued to March 13th?

Duncan stated yes.

Howard stated it's important that we make a decision I just talked about because it's going to depend on what the notice says. If the notice goes out to the Property Owners Association that they're paying the whole assessment that's one deal and if it's going out to each individual property owner that it's being assessed to them, which is what the Statute contemplates.

Altman asked what has been published on this. Let's back up to where are we in the stage of this procedure. Have we published any public hearings on this?

Mosbaugh stated yes, because this is a continued hearing. I don't have the notice with me.

Altman asked if it was an obstruction of private drain?

Mosbaugh stated no.

Altman stated it just went straight to a reconstruction.

Mosbaugh stated after the initial private drain petition it was decided to make that portion of the drain regulated so there wouldn't be any more problems.

Altman stated but we've never followed through with an obstruction, correct?

Howard stated correct and we have not; we still haven't answered the question. What did the notice say? Who was being assessed and how much? Was the Property Owners Association being assessed?

Altman stated it should have been across the watershed.

Howard asked if it was a per parcel?

Mosbaugh stated yes, per parcel.

Altman made the motion to table this again until March 13th. What date do we need to get all this together, looked at; should we do parallel with the private drain obstruction?

Howard stated I think we should but I think we probably need to; these appraisals are not to be that expensive and I think if you fall back even though you might have a parcel dedication you're going to have to have an appraisal.

Altman stated if we have the appraisal and we work with the homeowner whose affected then he has the dollar amount for charitable donation I would think with a donation which might benefit him so the appraisals I think are key too.

Howard stated it's not going to be March or April because we don't have an appraisal started yet do we?

Duncan stated I'd have to read that email from this morning if it went to the appraisers or not.

Howard stated whether it went to them this morning or tomorrow morning isn't going to make a big difference.

Heirbrandt asked what we can do to speed this process up?

Duncan stated there are two approaches to this in terms of the Homeowners Association and the issues they're experiencing we could clean the ditch out and pursue it as a private drain obstruction. It appears that the sediment is accumulated upstream of the culvert under the driveway which is causing water to stand higher in the pond and that can be resolved very quickly with the removal of that material. Long term it's going to happen again and then we'll be right down the same road with having to take enforcement action against the property owner. That is certainly a way we could resolve the issue fairly quickly. I don't know what it takes in terms of enforcement action how responsive they are. The other road would be to see it through to bringing this into the regulated drain system and then we control the maintenance of it.

Howard asked if we have noticed the property owner of the private drain obstruction?

Conover stated yes.

Howard asked if the property owner came in?

Conover stated no. No response.

Duncan stated we've never been able to actually contact him or talk to him.

Altman asked if we have jurisdiction to go on his property with it not being regulated?

Howard stated after notice we have the right to go on and remove the obstruction.

Altman asked if we had a hearing to determine whether it is an obstruction.

Heirbrandt stated no because we've only had a reconstruction hearing.

Howard stated I'll look at that file this afternoon and we have to get it out; we have to get a notice. We need a new notice to bring him in and we need to parallel with the appraisal because if we just start doing this sequential Murphey's Law will kick in.

Heirbrandt stated I want to get this thing moving and over with and help these folks out.

Altman stated we all want to help out. The issue is how much we have to charge them and if we can figure out a way to get the easement taken care of at no cost it will cut the budget probably by two-thirds based upon engineering estimate. I don't want to go quickly and lose that opportunity. Truly I think this should be an easement somewhere discussed in a primary plat and the person who bought it should have taken it subject to.

Duncan stated I agree it should have especially given the fact that it was a proposed development. It would make sense.

Altman asked Howard what he would suggest we do?

Howard stated we go ahead and start the appraisal. We need to see if we have adequate notice of that prior hearing. If he got notice and didn't appear we've heard evidence and we ought to be able to make findings of fact and enter an order to remove it, send him notice that he has "x" amount of days to remove it and if not we'll have a contractor and charge him. That may get his attention.

Altman asked if we want to continue this to the next meeting?

Heirbrandt stated yes.

Altman made the motion to continue this to the next meeting (February 27, 2017), seconded by Holt and approved unanimously.

Ream Creek Reconstruction Design - Amendment No. 4:

Duncan stated we have met with Christopher Burke Engineering and this is a continuation of some design services that they've been under contract before. We want to expand the contract to include the remainder of Ream Creek over to the Monon, a design for that. Burke is under contract presently to design the crossing under the Marathon Pipeline and we thought it was expeditious just to have them bundle the whole thing up and design it all at once.

Heirbrandt stated when I looked at the contract it almost doubles the cost from what was originally done.

Duncan stated it really doubles the scope from what they originally had done as well.

Altman stated but the office feels this is a fair and honest quote?

Duncan stated yes.

Altman made the motion to approve Amendment No. 4 for the Ream Creek Reconstruction Design in the amount of \$74,300.00 by Christopher Burke Engineering to design a new section to be used to reconstruct the portion of Ream Creek from the Monon Trail to a point between the Marathon Pipeline culvert and Shadow Ridge Road and to design a temporary drop structure upstream of the Marathon Pipeline culvert crossing, seconded by Holt and approved unanimously.

Anchorage Drain Reconstruction - Interlocal Agreement:

Duncan stated we have the Interlocal for the Anchorage Drain Reconstruction with the City of Fishers. They have executed the Interlocal and now it needs the Board's signature. Fishers signed one copy at their Board meeting so we had to generate another copy so this Board can sign the three and give it back to Fishers to sign two copies and get it all worked out.

Altman stated all we need is one document.

Duncan stated we need one they need one.

Altman stated we have a photocopier.

Howard stated I don't know that we need...

Altman stated we'll just sign the original, make copies; we're okay with that. It's in both official records.

Howard stated they're recording deeds now without original signatures so everything is scanned, everything is electronic.

Altman made the motion to approve the Interlocal Agreement with Fishers for the Anchorage Drain Reconstruction, seconded by Holt and approved unanimously.

Cornthwaite Easement Acquisition:

Duncan stated we have a project at the end of the E. E. Cornthwaite Drain also near the end of the Jacob Kepner Drain and easements needed for us to do the project. This is for the Board's information that we're moving forward with this easement acquisition.

Heirbrandt asked if you did purchase the easement?

Duncan stated the easement has not been purchased we're just starting the acquisition process. We gave everything to the right of way manager last week.

Windemere Pond - Letter from HOA:

Duncan stated we received a letter from Janet Daniels who's the President of the Windemere Homeowners Association. The last time we discussed Windemere at the Board meeting the Board had requested that the HOA demonstrate support of the project that's been proposed and that's what this letter demonstrates.

Heirbrandt stated I think one of the main purposes that we wanted the Homeowners Association to be responsive on this as well was that they were in agreement that they knew that the pond level would be lowered and that we would not be held accountable for that and that they agreed that this would take place.

Altman asked if the Homeowners Association got a full set of plans that showed the drop in elevation?

Duncan stated they have, yes. We still do not have the approved Interlocal Agreement with the City of Carmel. It's been in their hands now for six months maybe.

Altman stated you might send them a note we're ready to go once we get the agreement back.

Duncan stated that the Surveyor has sent them a note. The Surveyor suggested maybe the Board might want to contact somebody.

Heirbrandt asked if Howard could contact Carmel.

Howard stated I think this is executive to executive. You have to talk to the Mayor and get it moving.

Altman stated to Heirbrandt just send a note and we'll carbon copy the Homeowners Association.

Duncan stated we have everything ready. The plans are ready and the one approval that we don't have, which is just a matter of sending a letter to the Board of Public Works is approval to close the sidewalk.

Altman asked if we have Council approval that if they're spending money that we're covered.

Duncan stated that's what we do not have.

2017 Assessment Stop List:

Duncan presented the Surveyor's 2017 Assessment Stop List to the Board for approval.

"To: Hamilton County Drainage Board

Date: February 13, 2017

The following drain balances are greater than four times the assessed value of its annual assessment and should have collections stopped for 2017 per IC 36-9-27-43.

Herr-Haughey #14	M0014	Thomas Fouch #187	M0187	Bramblewood #269	M0269
Wheeler & Wheeler #25	M0025	Frank Huffman #190	M0190	U.G. Mitchner #275	M0275
Krause & Klepfer #48	M0048	Henry Bright #192	M0192	Carmel Creek #277	M0277
Albert Shaw #70	M0070	Hilton Hobbs #194	M0194	W.W. Forkner #286	M0286
Schneider & Pierce #100	M0100	Robert M. Christy #196	M0196	Mary Parks #287	M0287
Kreager & Hinshaw #108	M0108	Mary Hodkins #200	M0200	Wendt-Overdorf #288	M0288
J.W. Wagner #113	M0113	Thomas Butler #202	M0202	Phillips & Butler #290	M0290
Rebecca Roberts #115	M0115	Carefree Estates #208	M0208	Sail Place #298	M0298
Elizabeth Warner #117	M0117	Timber Heights #222	M0222	Thor Run #309	M0309
H.A. McMullen #118	M0118	Pines/Roxbury #224	M0224	Village West Clay #312	M0312
Elizabeth Lynch #121	M0121	Ross & Mann #228	M0228	Hidden Bay #314	M0314
Margaret O'Brien #124	M0124	Towne Lake #231	M0231	Camden Walk #316	M0316
Oliver Armstrong #131	M0131	Larkspur #232	M0232	Canal Place #317	M0317
Ellen Bishop #132	M0132	Beaver & Brooks #233	M0233	Geistview Estates #324	M0324
J.R. Dunn #135	M0135	Fairfield Farms #242	M0242	Flat Fork(Hancock) #325	M0325
Park Northwestern #136	M0136	Bridgewater #245	M0245	Intracoastal Geist #334	M0334
John Roe #137	M0137	Bentley Oaks #247	M0247	Highland Prairie #339	M0339
A.L. Haughey #138	M0138	Burkhardt #253	M0253	Hampton Cove #340	M0340
Woodhaven #147	M0147	Cottingham Est. #259	M0259	Lion Creek #342	M0342
Lynnwood Hills #152	M0152	Atlanta Drain #260	M0260	Fox Hollow #344	M0344
Waltz-Warman-Booth #178	M0178	J.M. Endicott #266	M0266	Flat Rock Crk. Farm#358	M0358
Fox Glen Section 5 #180	M0180				

Kenton C. Ward, CFM
Hamilton Co. Surveyor "

Altman made the motion to approve the Surveyor's 2017 Assessment Stop List, seconded by Holt and approved unanimously.

News Article - Des Moines Water Works Lawsuit:

Duncan presented a news article on the law suit with the Iowa Supreme Court ruling against the Des Moines Water Works in its attempt to pursue damage payments in its lawsuit against three Iowa County Boards of Supervisors.

Altman stated it looks like the Drainage Board's not responsible for water quality from the nitrates.

Legislation - House Bill No. 1510:

The elevation of a building in a floodplain prohibits the construction of a building in a floodplain unless the elevation of the lowest floor of the building will be at least one foot above the regulatory flood level.

Legislation - House Bill No. 505:

Assessments to repay loans for drain construction provides that the Drainage Board of a county may not impose interest on a drainage assessment for construction or reconstruction if the construction or reconstruction is financed through the issuance of bonds or a construction loan.

Howard stated I read through this one and it said that they were allowing you to do interest, but you're still allowed to charge up to 10% on your assessment. It said you can't charge interest as long as they pay their assessments on time. Somebody was trying to fix something and I didn't see it changed anything.

Altman stated I'm wondering if the point they're trying to reach is if we bond it because it's limited to bonded reconstruction costs. I would assume we would put the loan repayment clause in the assessment.

Howard stated we would add that to our assessment. It couldn't be greater than the 10% or maybe it's down to 8% now, that we're allowed to charge as an increase, I think they're saying you can't double it.

Altman stated that would make sense that we would put interest on it and then charge the homeowner 10%.

Howard stated somebody probably took their principle and interest payments, which included interest and then added 10% to it. I'm guessing that's what happened.

Hamilton County Drainage Board
February 13, 2017

Legislation - Senate Bill No. 502:

Storm water fee exemptions provides that a municipality or county may not assess storm water fees with respect to (1) property where religious services are held regularly; (2) property that belongs to a school corporation and is used for educational purposes; or (3) property that is assessed as agricultural land for property tax purposes.

Altman stated when you take the other court case about the nitrates and then they say you can't do it against agricultural property.

Hearing Requests:

Duncan presented the following requests for hearing to the Board to be set for March 27, 2017: Vermillion Drain, The Bluffs at Flat Fork Section 1 Arm; Vermillion Drain, The Enclave at Vermillion Section 1 Arm; Vermillion Drain, The Heritage at Vermillion Section 2 Arm; Vermillion Drain, The Woods at Vermillion Section 2A Arm; Vermillion Drain, Vermillion Amenities Area.

Altman made the motion to approve the requests for hearing presented for March 27, 2017, seconded by Holt and approved unanimously.

Duncan presented a hearing request for the William Knight Drain, Marcum Arm to the Board to be set for March 27, 2017.

Altman asked if this was a private tile that Mrs. Marcum wants to be regulated so it's not a private tile anymore?

Duncan stated that the location is 161st Street just east of Springmill Road. There's an existing drain in red that cuts across the property and continues off to the northwest. We recently reconstructed the William Knight Drain. The request now is partnered with the City of Westfield. There are some drainage issues and future plans to expand 161st Street and they need an outlet. That's what this construction project would do, provide an outlet for the road drainage.

Altman stated so it would then travel south and hook into our reconstruction to the south.

Duncan stated correct and it would benefit Mrs. Marcum's property.

Altman asked who's paying for this?

Duncan stated the City of Westfield has agreed to pay half up to \$25,666.95 and then the balance has been proposed to be transferred from the maintenance fund for the Cool Creek Drain which presently has a balance of \$1,332,932.58.

Altman asked if all the easements were in place?

Duncan stated yes, we have the easement from Mrs. Marcum.

Altman made the motion to approve the request for hearing on the William Knight Drain, Marcum Arm for March 27, 2017, seconded by Holt and approved unanimously.

Final Reports:

Duncan presented the following final reports to the Board for approval.

"To: Hamilton County Drainage Board

November 22, 2016

Re: Canal Place Drain: Thomas West Arm - Mill Ridge Sec. 1 Relocation

Attached are as-built, certificate of completion & compliance, and other information for Mill Ridge Sec. 1 Relocation. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated September 20, 2015. The report was approved by the Board at the hearing held October 12, 2015. (See Drainage Board Minutes Book 15, Pages 325-326)

The changes are as follows: the 12" RCP was shortened from 70 feet to 68 feet. The 18" RCP was lengthened from 75 feet to 79 feet. The 15" RCP remained at 60 feet. The length of the drain due to the changes described above is now **207 feet**.

The non-enforcement was approved by the Board at its meeting on October 12, 2015 and recorded under instrument #2015053564. The following sureties were guaranteed by Community Bank and released by the Board on its December 12, 2016 meeting.

Bond-LC No: 467
Amount: \$11,700.00
For: Storm Sewers & SSD
Issue Date: July 31, 2014

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor"

"To: Hamilton County Drainage Board

January 9, 2017

Re: Elwood Wilson Drain - Terry Lee Crossing 2016 Continuation

Attached are as-built, certificate of completion & compliance, and other information for Elwood Wilson Drain - Terry Lee Crossing. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes there were no significant changes made to the drainage plans submitted with my report for this drain dated September 21, 2016. The report was approved by the Board at the hearing held November 28, 2016. (See Drainage Board Minutes Book 17, Pages 202-204) Therefore, the length of the drain remains at **77 feet**.

Per the initial Surveyor's report, the drainage easement for this project is to be 75 feet per half as outlined in the Indiana Drainage Code. The following sureties were guaranteed by Terry Lee and released by the Board on its January 23, 2017 meeting.

Bond: Cash Surety
Amount: \$13,645
For: Storm Sewers

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor"

"To: Hamilton County Drainage Board

January 18, 2016

Re: Springmill Run Drain: University High School Arm Reconstruction

Attached are as-built and other information for University High School Arm Reconstruction. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated January 19, 2007. The report was approved by the Board at the hearing held March 26, 2007. (See Drainage Board Minutes Book 10, Pages 166-168)

The changes are as follows: the 15" RCP was shortened from 227 ft. to 220 ft. The length of the drain due to the changes described above is now **220 feet**. The project removed 180 feet of existing open ditch. Therefore, the project lengthened the overall watershed by 40 feet.

The work was done within existing drainage easement and the following sureties were guaranteed by Continental Casualty Company and expired on September 20, 2008.

Bond-LC No: 929 404 218
Amount: \$10,800.00
For: Storm Sewers
Issue Date: September 22, 2006

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor"

To: Hamilton County Drainage Board

12-27-2016

Re: George Burk Drain - Northview Christian Life Relocation

Attached are as-built, certificate of completion & compliance, and other information for the Northview Christian Life Relocation. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated September 22, 2014. The report was approved by the Board at the hearing held September 22, 2014. (See Drainage Board Minutes Book 15, Pages 544-545)

The changes are as follows: the 30" HDPE was shortened from 678 feet to 647 feet. The length of the drain due to the changes described above is now **647 feet**. The original 12" tile was removed across the site from Station 68+80 to 75+00. Thus, this project added 27 feet to the drain's overall length.

The non-enforcement was approved by the Board at its meeting on September 22, 2014 and recorded under instrument #2014042229. The following sureties were guaranteed by The Hanover Insurance Group and released by the Board on its January 23, 2017 meeting.

Bond-LC No: 1026992
Amount: \$86,780.40
For: Storm Sewers & SSD
Issue Date: September 2, 2014

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor"

To: Hamilton County Drainage Board

January 24, 2017

Re: Elizabeth Warner Drain: The Meadows at Legacy Sec. 6 Reconstruction

Attached are as-built, certificate of completion & compliance, and other information for The Meadows at Legacy Sec. 6 Reconstruction, formerly known as the Ridge at Legacy Sec. 6.,. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated. The report was approved by the Board at the hearing held May 9, 2016. (See Drainage Board Minutes Book 16, Pages 549-550) The changes are as follows: the 36" RCP was shortened from 195 to 188 feet. The open ditch remained at 140 feet. The length of the drain due to the changes described above is now **328 feet**. It should be noted that this project removed 268 feet of existing 36" RCP installed with 2008 Legacy Reconstruction. Therefore, there was 60 feet of drain added to the drain's overall length.

The non-enforcements were approved by the Board at its meeting on May 9, 2016 and recorded under instrument #'s 2016060743 and 2017000900. Sureties were not made available for this project. However, the project was paid for by the developer.

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/SLM"

To: Hamilton County Drainage Board

February 6, 2017

Re: Anna Kendall: Maples at Springmill Section 2 Relocation of the EM Osborn Sec. 4 Arm

Attached are as-built, and other information for Maples at Springmill Section 2 Relocation of the EM Osborn Sec. 4 Arm. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

Hamilton County Drainage Board
February 13, 2017

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated October 11, 2011. The report was approved by the Board at the hearing held October 24, 2011. (See Drainage Board Minutes Book 14, Pages 2-3)

The changes are as follows: the 12" RCP was shortened from 180 feet to 171 feet. The length of the drain due to the changes described above is now **171 feet**. The project removed the existing 10" tile from Station 7+46 to Station 7+87 and 127 feet of existing 12" RCP installed with Maples at Springmill 2007 Relocation. Therefore, the project added 3 feet to the drain's overall length.

The non-enforcement was approved by the Board at its meeting on October 24, 2011 and recorded under instrument #2011053555. The following sureties were guaranteed by Bond Safe Guard and expired on July 11, 2013.

Bond-LC No: 5037210
Amount: \$52,077.63
For: Storm Sewers & SSD
Issue Date: July 11, 2011

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor"

To: Hamilton County Drainage Board

February 3, 2017

Re: Cool Creek - Westfield Farms: Section 3 Reconstruction

Attached are as-built and other information for Westfield Farms Section 3 Reconstruction. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated July 17, 2008. The report was approved by the Board at the hearing held July 28, 2008. (See Drainage Board Minutes Book 11, Page 237)

The changes are as follows: the 35" x 24" RCPA was shortened from 25 feet to 24 feet. The length of the drain due to the changes described above is now **24 feet**. The project removed 25 feet of existing 18" VCP and 24" RCP (dual pipe). Therefore, the project removed 1 foot of drain from the overall length of the drain.

The work was done within existing public right of way and drainage easement. A surety was not required for this project as it was constructed and paid for by the City of Westfield. I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor"

Altman made the motion to approve the final reports presented, seconded by Holt and approved unanimously.

Capital Asset Notifications:

Duncan presented the following Capital Asset Notifications to the Board for approval: George Burke Drain; Canal Place Drain, Thomas West Arm, Brookstone Park Relocation; Springmill Run Drain, University High School Extension; Elwood Wilson Drain; Elizabeth Warner Drain, Legacy Reconstruction (2008); Anna Kendall Drain, E.M. Osborne Arm 4; Anna Kendall Drain, E.M. Osborne Arm, Maples at Springmill Section 2 (2008 Relocation).

Altman made the motion to approve the Capital Asset Notifications presented, seconded by Holt and approved unanimously.

Highland Springs Drain - Pipe Lining:

Baitz stated we had a corrugated metal pipe failing in Highland Springs, rusting out. We looked at the cost of doing a pipe lining or replacement of the pipe. In the cost estimate we went through our maintenance contractors and John Ward Construction gave us a cost of replacing with reinforced concrete pipe at \$42,000.00 plus due to we didn't have a lot of information on utilities at that location. Elevation Excavation gave us a price of \$45,000.00 plus to go with reinforced concrete pipe. The structures at the curb inlets would have to have been changed out due to the clearance and thickness of the pipe changes. We were looking at probably \$50,000.00. Fluid Waste Services said they could line the pipe

Hamilton County Drainage Board
February 13, 2017

for \$17,000.00 so we decided to give it a try. The location is just west of Olio Road north of 96th Street. The pipe was pretty well gone. Our concern was that they'd be able to line the pipe and maintain the integrity of the pipe to give us a long service life. The pipe runs directly underneath a hedge row and tree. There is a large utility box, power box, next to the road along with three other communication boxes. Fluid Waste jetted the line to clean it, ran a camera through the pipe to make sure they had all the sediment and debris removed from the line before they lined it. The lining material is kept in a refrigerated box truck at 30 degrees to keep the chemicals from activating. Once the lining is in they use steam to activate the resins.

Heirbrandt asked how long it took Fluid Waste to do this project from start to finish?

Baitz stated one day. They got there and started setting up at 9:00 a.m. and they pulled out at 6:00 p.m. The lining conforms to the corrugation of the pipe.

Heirbrandt asked what the life span is on this?

Baitz stated we don't know yet. Some of this has been in the ground for 15 to 20 years in different areas.

Howard asked if the corrugated pipe was around 40 years old?

Baitz stated something like that.

Howard stated so it snugs up against the corrugation.

Baitz stated the material will conform to whatever is there.

Heirbrandt asked if this was the first time you've used something like this?

Baitz stated this is the first time we've used it, yes.

Heirbrandt stated so you'll probably be using it quite a bit more I would think.

Baitz stated the way it looks, yes because we had less disturbance to the property owners and no disturbance to the street and no road closures.

2017 Vegetation Control - Set Bid Date for March 27, 2017:

Baitz asked that the Board set the date to receive bids for the 2017 Vegetation Control Contract for March 27, 2017.

Altman made the motion to set the bid date for the 2017 Vegetation Control Contract for March 27, 2017, seconded by Holt and approved unanimously.

William P. Bennett Drain Reconstruction - Final Report:

Conover presented the final report for the William P. Bennett Drain Reconstruction to the Board for approval.

"To: Hamilton County Drainage Board

February 8, 2017

Re: W.P. Bennett Regulated Drain Reconstruction
Final Inspection Report

FINAL REPORT

This is the inspector's final report on the W.P. Bennett Regulated Drain Reconstruction, located in section 24, Township 20 north and Range 3 east, Adams Township and Sections 8, 17, 18 and 19, Township 20 north and Range 4 east, Jackson Township in Hamilton County, Indiana.

The Date of the Surveyor's Report for the W.P. Bennett Regulated Drain Reconstruction was November 12, 2014. The reconstruction was approved by the Board on February 8, 2016 (see Hamilton County Drainage Board Minutes Book 16, Pages 437 - 443). The engineer's estimate for the reconstruction was \$326,002.50. The bid was awarded to Van Horn Construction on April 11, 2016 (see Hamilton County Drainage Board Minutes Book 16, Pages 514). The bid by Van Horn Construction was for the amount of \$127,924.13.

The reconstruction consisted of dredging beginning at the southwest corner of Section 8, Township 20 north, and Range 4 east where the open drain discharges into Little Cicero Creek. The project continued upstream generally west/southwest to the northeast corner of Section 24, Township 20 north and Range 3 east, to the west side of U.S. 31, then south to the point where the tiled portion of the drain discharges into the open drain at Station 141+50 per the as-built drawing.

The total length of the W.P. Bennett Drain is 14,150 feet. This total footage for the W.P. Bennett is now 70 feet shorter in length than the original legal description of 14,220 feet. This loss is due to realignment work done on the open ditch as part of the 276th Street Bridge Replacement Project in 2013 by the Hamilton County Highway Department.

There were a total of thirteen change orders for additional work or field revisions on the project as allowed by IC 36-9-27-80.5.

Change Order #1 for the amount of \$7,137.04 approved by the Board on June 13, 2016 (see Hamilton County Drainage Board Minutes Book 16, Page 582). This change order was required to accommodate items that have been encountered in the field. This included eight outlets for private field tiles and the widening of a farm crossing on the Duvall property.

Change Order #2 for the amount of -\$5,350.00 approved by the Board on July 11, 2016 (see Hamilton County Drainage Board Minutes Book 17, Page 33). This change order was due to the elimination of a second field crossing on the Duvall property.

Change Order #3 for the amount of \$7,668.92 approved by the Board on June 27, 2016 (see Hamilton County Drainage Board Minutes Book 17, Pages 21-22). This change order was required to accommodate items that have been encountered in the field. This included twelve outlets for private field tiles and the addition of rip-rap to stabilize the banks.

Change Order #4 for the amount of \$11,892.92 approved by the Board on June 13, 2016 (see Hamilton County Drainage Board Minutes Book 17, Pages 33-34). This change order was required to accommodate items that have been encountered in the field. This included seven outlets for private field tiles and the addition of rip-rap to stabilize the banks at the Anthony Road crossing installed by the Hamilton County Highway Department.

Change Order #5 for the amount of -\$3,825.80 approved by the Board on June 13, 2016 (see Hamilton County Drainage Board Minutes Book 17, Pages 34-35) to remove Bid Line Item #14 from the reconstruction. Bid Line Item #14 was for 18" RCP. 45 feet of 12" HDPE dual wall pipe which was installed in place of the 18" RCP.

Change Order #6 for the amount of \$23,668.76 approved by the Board on August 8, 2016 (see Hamilton County Drainage Board Minutes Book 17, Pages 71-72). This change order was required to accommodate items that have been encountered in the field. This included five outlets for private field tiles and the addition of 3- 8.5' x 30' CMP pipes for farm crossings. These pipes were substituted for shorter pipes that were not long enough for large farm equipment.

Change Order #7 for the amount of \$5,994.77 approved by the Board on August 8, 2016 (see Hamilton County Drainage Board Minutes Book 17, Pages 72-73). This change order was required to accommodate items that have been encountered in the field. This included additional stone for the longer farm crossings.

Change Order #8 for the amount of \$3,000.00 approved by the Board on August 22, 2016 (see Hamilton County Drainage Board Minutes Book 17, Pages 103-104). This change order was for a 111" x 84" multi-plate metal culvert pipe to be utilized for a private crossing on the open ditch. This culvert pipe was installed to replace a bridge that was shown on the construction plans as being left in place but the headwalls of the bridge were caving in and the bridge structure could not be saved.

Change Order #9 for the amount of \$4,689.28 approved by the Board on September 12, 2016 (see Hamilton County Drainage Board Minutes Book 17, Page 119). This change order was for rip rap used to protect the lower bank of the open ditch where sand had been encountered and for protection on a private crossing on the open ditch.

Change Order #10 for the amount of \$6,760.91 approved by the Board on October 10, 2016 (see Hamilton County Drainage Board Minutes Book 17, Pages 153-154). This change order was required to accommodate items that have been encountered in the field. This included one outlet for a private field tile which had to be re-rerouted and a rock chute installed on the Armfield property.

Change Order #11 for the amount of \$12,046.18 approved by the Board on October 24, 2016 (see Hamilton County Drainage Board Minutes Book 17, Pages 180-181). This change order included additional rip rap for the culvert pipes for the road crossings on 276th Street and additional grading and seeding on the lawn areas on the project.

Change Order #12 for the amount of \$1,495.00 approved by the Board on October 24, 2016 (see Hamilton County Drainage Board Minutes Book 17, Page 181). This change order was for the clearing and dredging of the arm of the W.P. Bennett which is north of 266th Street, East of US 31. This work was scheduled to be done through a Work Order with a maintenance contractor but the decision was made to have the reconstruction contractor perform this work since their equipment was already on this job.

Change Order #13 for the amount of \$528.12 approved by the Board on October 24, 2016 (see Hamilton County Drainage Board Minutes Book 17, Page 181-183). This change order was for additional work done in the lawn areas along the project. This change order includes deleting a 12" x 20' CMP and an 8.5' x 28' CMP from the original contract. Also included in this change order was clearing and dredging of the arm of the W.P. Bennett which is north of 266th Street, East of US 31.

Partial Pay Requests by Van Horn Construction for this project submitted and paid as allowed in IC 36-9-27-81 are as follows:

Pay Request #1 submitted 4-29-2016	Paid 5-24-2016	\$ 2,647.75
Pay Request #2 submitted 5-16-2016	Paid 6-14-2016	\$ 4,998.00
Pay Request #3 submitted 5-16-2016	Paid 6-28-2016	\$ 28,537.44
Pay Request #4 submitted 6-20-2016	Paid 7-12-2016	\$ 13,552.63
Pay Request #5 submitted 7-1-2016	Paid 7-26-2016	\$ 19,056.31
Pay Request #6 submitted 7-18-2016	Paid 8-9-2016	\$ 41,184.77
Pay Request #7 submitted 8-1-2016	Paid 8-23-2016	\$ 17,880.75
Pay Request #8 submitted 8-15-2016	Paid 9-13-2016	\$ 2,550.00
Pay Request #9 submitted 9-2-2016	Paid 9-27-2016	\$ 8,987.24
Pay Request #10 submitted 9-19-2016	Paid 10-11-2016	\$ 10,812.50
Pay Request #11 submitted 9-30-2016	Paid 10-25-2016	\$ 11,047.15
Pay Request #12 submitted 10-3-2016	Paid 10-25-2016	\$ 1,270.75
Pay Request #13 submitted 10-17-2016	Paid 11-15-2016	\$ 10,559.69
Pay Request #14 Retainage submitted 12-2-2016	Paid 12-27-2016	<u>\$ 30,544.46</u>
Van Horn Construction Total		\$203,629.73

The final costs for the reconstruction are as follows:

Contractor's Bid - Van Horn Construction	-----	\$127,924.13
Cost by Van Horn Construction of Change Order # 1	-----	\$ 7,137.04
Cost by Van Horn Construction of Change Order # 2	-----	-\$ 5,350.00
Cost by Van Horn Construction of Change Order # 3	-----	\$ 7,668.92
Cost by Van Horn Construction of Change Order # 4	-----	\$ 11,892.92
Cost by Van Horn Construction of Change Order # 5	-----	-\$ 3,825.80
Cost by Van Horn Construction of Change Order # 6	-----	\$ 23,668.76
Cost by Van Horn Construction of Change Order # 7	-----	\$ 5,994.77
Cost by Van Horn Construction of Change Order # 8	-----	\$ 3,000.00
Cost by Van Horn Construction of Change Order # 9	-----	\$ 4,689.28
Cost by Van Horn Construction of Change Order # 10	-----	\$ 6,760.91
Cost by Van Horn Construction of Change Order # 11	-----	\$ 12,046.18
Cost by Van Horn Construction of Change Order # 12	-----	\$ 1,495.00
Cost by Van Horn Construction of Change Order # 13	-----	<u>\$ 528.12</u>
Van Horn - Total Cost	-----	\$203,629.73
Clearing by Redmond Excavating	-----	\$ 55,008.00
Engineering, Construction Staking & As-builts by Banning Engineering-		\$ 45,615.00
Costs back charged to Hamilton County Highway Department	-----	-\$ 12,143.05
Total reconstruction cost	-----	<u>\$292,109.68</u>
Engineer's Estimate	-----	\$371,617.25
Total Reconstruction Cost	-----	<u>\$292,109.68</u>
Difference	-----	\$ 79,507.57

Statement of All Incurred Expenses Paid signed by the contractor as required in IC 36-9-27-82(b) was received on October 25, 2016.

The surveying and engineering was completed by Banning Engineering at a cost of \$30,000.00 per contract approved by the Board on November 10, 2014 (Book 15, Page 585). The construction staking and as-built (record) drawings were prepared by Banning Engineering at a cost of \$15,615.00 per contract approved by the Board on March 28, 2016 (Book 16 Page 483). The total billed by Banning Engineering was \$45,615.00. Of the \$45,615 paid to Banning, \$28,980 was paid from the W.P. Bennett maintenance fund before the reconstruction hearing. The revised reconstruction assessment rate listed below will generate a surplus to cover the amount paid from the maintenance fund. I recommend that the surplus collected be transferred to the W.P. Bennett maintenance fund.

The grand total expended for the construction and engineering & related services was \$304,252.73. The County Highway Department has been billed \$12,143.05 for work approved on Change Orders #10 & #11 (Book 17 Pages 153-154 & 180-181). This payment has been received by the office. The balance to be assessed to the property owners of the drainage shed is \$292,109.68. The original rate per hearing was \$189.74 per acre with a \$198.20 minimum. The revised rate to the property owners within the watershed will be \$149.14 per acre with a \$149.60 minimum. At the hearing the Board made no adjustments to the statutory period of payoff or the interest rate to be charged to the landowners within the drainage shed. Therefore, the period of payment will remain at 5 years and the interest rate shall remain at 10% per IC 36-9-27-88 (1) and 85 (c) respectfully.

I recommend the Board approve the reconstruction as complete and acceptable.

Respectfully,

Andrew Conover
Inspector
Hamilton County Surveyor's Office"

William P. Bennett Drain Reconstruction - Certificate of Assessment for Construction:

Conover stated the certificate for assessment is ready for the Board to sign for the reconstruction in the amount of \$292,109.86 at 10%.

Altman stated I don't know why we haven't adjusted the rate. Why we went five years at 10%. Just because we didn't act it's 10%?

Conover stated I believe so I don't really get involved in that end.

Mosbaugh stated because the Board didn't change it at the hearing it's automatically 10%.

Altman asked if we talked about changing it or not changing it?

Mosbaugh stated no.

Altman stated I want to rescind that that is ridiculous. There's no reason why we should be socking people with 10% interest because we'll find ourselves on the other end of a legislative act. There's nobody getting 10% now. Typically what we've done haven't we matched what we've been earning?

Howard stated or close.

Altman stated it's closer to 3%. What have we used the last one?

Mosbaugh stated I believe it was 3%.

Altman made the motion to set the interest rate at 3%, seconded by Holt and approved unanimously.

Altman stated just for a note I would appreciate when these come up that we have a specific discussion item as to what the interest rate would be so we don't run into it again.

Conover asked if we need to retype this with the 3% on it?

Heirbrandt stated yes, you will.

Howard stated whatever goes to minutes needs to be accurate.

Altman made the motion to amend the final report to reflect an interest rate of 3%, seconded by Holt and approved unanimously.

Howard stated bring the final report back written as Altman just amended and then it will be approved and signed off at the next meeting.

Altman asked if we need to get those numbers in for assessments?

Mosbaugh stated I don't know what Janet's (Hansen) due date is.

Altman stated it's been approved at the 3%.

Howard stated have Janet enter it at 3% and we'll get the paperwork later.

Non-enforcements:

Conover presented a non-enforcement request for the William Lehr Drain, J. S. McCarty Arm filed by Duke Energy for parcels 12-11-02-00-00-023.001, 12-11-01-00-00-024.001 for steel utility poles 49 feet from the centerline of the drain. The Surveyor's Office recommends approval.

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

Liston presented a non-enforcement request for the Lynnwood Hills Drain filed by Richard and Stephanie Emery for parcel #14-10-25-02-01-023.000 for septic field and perimeter drain. The Surveyor's Office recommends approval.

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

Hoyes presented a non-enforcement request for the Williams Creek Drain, Westmont Section 2 Arm filed by Marc and Janet Yoder for parcel #17-09-21-00-22-044.000 for a fence with removable panel construction over crossing of 6" subsurface regulated drain. The Surveyor's Office recommends approval.

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

Surety Acceptance:

Liston stated that at this afternoon's Commissioners meeting the Board would be accepting the following sureties: Irrevocable Letter of Credit No. 1256JG5 in the amount of \$442,165.80 for Jackson's Grant Section 5, storm sewers; Irrevocable Letter of Credit No. 1255JG5 in the amount of \$8,280.00 for Jackson's Grant Section 5, monumentation.

Construction Updates:

Anchorage Drain Reconstruction - Liston stated work has begun on this project. The second day into that project we had a utility conflict with AT&T so the contractor was able to jump over to Structure 1 and start laying new pipe there. We are still working to resolve the conflict with AT&T. I met with them this morning. I believe we're on the right road to getting that resolved.

Altman asked if AT&T had a utility in our regulated drain easement?

Liston stated AT&T said it was a reimbursable thing and we told them it wasn't. We finally got their attention. Also as the contractor was approaching Structure No. 3 on this project they hit an unmarked electrical line that was outside the easement. Again I met this morning with Duke Energy on that and they are relocating that line back into an easement. We're very lucky nobody got hurt on that one; 7,200 volts.

Altman asked if the guys didn't catch it marking the utilities?

Liston stated the area was marked as a clear zone and the line wasn't where the utility locator said it was.

Altman stated so they didn't even check for it there because there was no record of it.

Duncan stated we wouldn't have known that it was even there.

Liston stated that the line was completely out of the easement. I will be back out there this afternoon with the utilities.

Pending Final Report:

Mud Creek Drain, High Flow Shelf - Liston stated that report has been written and the Surveyor has it. We're waiting on a final invoice from Burke Engineering.

Budget & Permit Update:

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

There were no questions.

Drainage Board Attorney (Pending Items):

Petition to Circuit Court for Alternate Members - Howard stated that the petition with the Circuit Court has been filed. I've not received the order back.

Beaver Materials Mud Tracking on River Road - Howard stated that the Surveyor had some mark ups on that.

E.E. Bennett Drain, Republic Arm (Notice of Deferred Assessment) - Howard stated that the landowners attorney has the documents.

Lee Lambert Drain Reconstruction:

Heirbrandt stated I received a call from a gentleman named John Lowe and I think we talked about that the other day with the Surveyor briefly. He's got, not only him, but several of the neighbors have concerns with the high bank and that it's caving in already in some places. I understand that you can't get grass to grow on it and there's already a work order out to put some rip rap on the bank. The landowners have a lot of serious concerns about what the solution is on this. There are several of them, at least that's what I'm told by four of these individuals that I talked to.

Altman asked if this is the soils problem where we couldn't get stuff to grow?

Heirbrandt stated yes, but they've got some concerns in regards to they're being assessed for this reconstruction and they want to make sure that this reconstruction is going to last for years and they are all under the feeling that we're going to be revisiting it again in the next two years. One side of the drain has been addressed and they feel the other side should be addressed. I'm not sure if this warrants having these gentlemen come in and having a discussion with everybody to make sure they feel more comfortable about this. They just don't feel like they're getting the value they are supposed to be getting for the

dollars they're being assessed for on this project. They have the same goals that we do. They want this to last for a long time and they feel the way this drain is constructed right now that it's not going to be a benefit to them and they're going to be redoing it again. We may want to bring them in and get some staff members and sit down and listen to their concerns and then try to determine how we best move forward to make sure this is a long term fix.

Fitch & Jessup Drain:

Howard stated I did get a reply from the Property Owners Association that's got the water issues where the beavers are down in the Towne Road area. They are very thankful to the Board for moving forward with that. He understood we've had some difficulties with the property owners, etc. Where are we with the beavers?

Baitz stated the trapper is currently trapping the site. He is not having as much luck as he would like to have. For some reason the beavers are staying away from the trap areas. He's going to try some different methods.

Altman asked if the traps are still where the trapper put them?

Baitz stated to my knowledge the trapper has had not issues with trap removal.

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

Mark Heirbrandt - President

Lynette Mosbaugh
Executive Secretary