

MINUTES OF THE HAMILTON COUNTY DRAINAGE BOARD

April 13, 2020

The meeting was called to order Monday April 13, 2020 at 12:02 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. Jerry Liston, Mr. Gary Duncan, Mr. Reuben Arvin, Mr. Steve Baitz, Mr. Steve Cash, Mr. Andy Conover and Ms. Suzie Mills

**Bid Award - Vegetation Control:**

Baitz presented his report to the Board for approval.

"To: Hamilton County Drainage Board

Date: March 23, 2020

Re: 2020 Vegetation Control Contract

The Hamilton County Drainage Board received one bid for the 2020 Vegetation Control contract at the March 23, 2020 Drainage Board Meeting from K & H Spray Services LLC. The Surveyors Office has reviewed the bid and found it be complete and acceptable. The contract lists 54 drains with a total of 275,127 lineal feet to be sprayed. K&H Spray Service LLC. cost to spray all 54 drains is \$49,835.00.

The Surveyors Office recommends K & H Spray Services LLC. be awarded the 2020 Vegetation Control Contract. Attached is the bid sheet indicating the cost per drain and estimated gallons to be applied.

Sincerely,

Stephen Baitz"

Dillinger made the motion to award the 2020 Vegetation Control contract to K & H Spray Services, seconded by Altman and approved unanimously.

**Bid Award - Clara Knotts Drain, 96<sup>th</sup> & College Reconstruction:**

The Surveyor stated that this is a reconstruction consisting of the pipe lining at 96<sup>th</sup> Street & College Avenue of the 60-inch pipe. We had one bid for \$344,230.00 from Fluid Waste Services. We recommend the bid be approved at this time.

Dillinger made a motion to award the bid on the Clara Knotts Drain, 96<sup>th</sup> & College Reconstruction to Fluid Waste Services in the amount of \$344,230.00, seconded by Altman.

Altman stated the elongated contract in Commissioners and probably in this one too, have a bunch of wage requirements. Was all that included in the bid documents?

Surveyor stated it was included in all the bids.

The motion had been made and seconded to award the bid on the Clara Knotts Drain, 96<sup>th</sup> & College Reconstruction to Fluid Waste Services in the amount of \$344,230.00 and approved unanimously.

**Clara Knotts Drain - CDBG Agreement between Board of Commissioners and Drainage Board:**

Howard stated before we go any further, I spent quite a bit of time with Chris Allen. The agreement is between you as Drainage Board and the Commissioners because the Commissioners have the authority to distribute the grant funds. One of the things in there is if there are any change orders over and above the \$350,000.00, they have to be approved by you as Commissioners as well as you as Drainage Board. I did talk to the Surveyor and Chris and there are a substantial number of references to federal regulations and I'm going to tell you I didn't read all those, but Chris has read them. The Surveyor was familiar with all those terms because those terms were incorporated as part of your grant in Sheridan to do that, the Department of Agriculture Grant. I think everybody is comfortable, we're ready to go and from my standpoint I'm ready to recommend approval.

Altman made the motion to approve the CDBG agreement between the Hamilton County Drainage Board and the Hamilton County Commissioners, seconded by Dillinger and approved unanimously.

Altman asked how long will it take for that contract?

Baitz stated I don't know for sure and its weather dependent.

The Surveyor stated the one thing is that the temperature has gone up now so that should help us. The only thing now would be the fluctuation in the pond. We are going to end up with about \$400,000.00 +/- after the pipe lining is done. That includes the remainder of the Federal Grant plus what's in the maintenance fund. What we'd like to do is set a bid date for June 8<sup>th</sup> and put a 120-day hold on it for the rest of the work on the Knotts Drain. I want to use the base bid for the 103<sup>rd</sup> Street and Park Avenue portion of it and then have alternate bids for the remaining sections so we have an idea of what the prices would be. Once we get those then we can turn around and have a hearing. That's why I want the 120-day hold on the bids and then set the completion date for May 1, 2021. I just want to move on with this process and get something done down there for those people. I think the biggest bang for the buck would be the 103<sup>rd</sup> and Park because not only will it take care of the main people that have been calling in, but it would also help those people that we heard from after that last big rain we had that's to the west because a lot of the water from 103<sup>rd</sup> and Park goes that direction.

Altman asked where's the outlet if we do 103<sup>rd</sup> & Park?

The Surveyor stated the outlet for 103<sup>rd</sup> and Park is already built, it was built with College Avenue improvements.

Altman stated so we have a direct tap on that one.

Surveyor stated correct.

Howard asked so you're discharging to the east and then down to College Avenue?

The Surveyor stated right. That was all built using the plans from Weihe Engineering that we developed back in 1987.

Howard stated so you're creating more efficient discharge all along 103<sup>rd</sup> Street.

The Surveyor stated yes.

Howard stated there's only been water standing there for 60 years; I know.

The Surveyor stated probably a lot longer than that. I'd like to ask the Board to set a bid date for that for June 8<sup>th</sup>.

Altman made a motion to set the bid date for the remainder of the work on the Clara Knotts Drain at 103<sup>rd</sup> Street & Park Avenue for June 8, 2020, seconded by Dillinger and approved unanimously.

Altman asked what about the engineering firm that was working on that area?

Heirbrandt stated yes, they did a study.

Altman asked we're not using that? We had HWC Engineering doing...

The Surveyor stated we're using their plan.

Altman stated you said 1987.

The Surveyor stated right, College Avenue was done probably eight years ago at least. HWC was about four years ago.

**Non-enforcements:**

The Surveyor presented a non-enforcement request for the William Krause Drain filed by Vectren Gas for parcel #02-01-32-03-10-036.000 for a gas line relocation. The Surveyor's Office recommends approval.

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

The Surveyor presented a non-enforcement request for the William Baker Drain filed by Vectren Energy for Parcel #'s 01-05-01-00-00-009.000, 01-05-01-00-00-010.000, 01-05-01-00-00-012.000, 01-05-01-00-00-012.007, 01-05-01-05-01-001.000, 01-05-01-05-01-002.000, 01-05-01-05-01-003.000, 01-05-01-05-01-003.001, 01-05-01-05-01-004.000, 01-05-01-05-01-005.000, 01-05-01-05-01-006.000, 01-05-01-05-01-007.000, 01-05-01-05-01-008.000 and 01-05-01-05-01-008.001 for gas line relocation. The Surveyor's Office recommends approval.

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

The Surveyor presented a non-enforcement request for the William Baker Drain filed by Duke Energy for Parcel #'s 01-01-35-00-00-007.000, 01-01-36-00-00-018.000, 01-05-01-00-00-010.000, 01-05-01-00-00-012.007, 01-05-01-05-01-001.000, 01-05-01-05-01-003.000, 01-05-01-05-01-004.000, 01-05-01-05-01-006.000 and 01-05-01-05-01-008.000 for power line relocation. The Surveyor's Office recommends approval.

Altman asked are the Duke and Vectren one's because of the road work?

The Surveyor stated yes, and the Krause is for the work we're doing in Sheridan.

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

Liston presented a non-enforcement request for the Vermillion Drain, Enclave at Vermillion Arm filed by Gregory & Jennifer Yant for parcel #13-16-08-00-12-007.000 for landscape encroachment. The Surveyor's Office recommends approval.

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

Liston presented a non-enforcement request for the Vermillion Drain, Ridge at Flat Fork Arm filed by Stephen & Lindsay Dalton for parcel #13-16-05-00-06-008.000 for a fence. The Surveyor's Office recommends approval.

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

**Spills:**

Nancy Kimberlain Drain, HSE Spill (Continued from 02/10/2020) - The Surveyor stated this goes back to a previous agenda from February 10, 2020. You had asked for more information on the Nancy Kimberlain spill from both IDEM and also HSE. We have emails that we have attached to your packet.

Altman asked did they make a whole lot of sense to you?

The Surveyor stated basically IDEM is saying "yes, we know it happened".

Altman stated they don't have any standards. So, they're worried about us repairing our regulated drain, but they let poop run wild.

The Surveyor stated that's kind of what it says, yes.

Altman asked how else do you interpret it? There are no standards, there are no big spills, we just keep an eye on it. I didn't understand the gravity explanation from the utility. I didn't know if you figured that out. I rarely see gravity sewage lines that are ductal.

The Surveyor stated that was a force main.

Altman stated that was the one they were saying, but it was just gravity. That's where I was confused or misunderstanding.

The Surveyor stated the report is talking about a lift station so that would be a force main.

Altman stated they said the pipe failure was the gravity line that was ductal. That didn't make any sense to me. Would you read it and come back and try to put it in plain language?

The Surveyor stated basically it sounded like they're monitoring their system.

Duncan stated because there was a collapse in the force main, they had to release the sewage somewhere, so they released it from a gravity sewer upstream. That is my recollection.

**Violations:**

Vermillion Drain, Woods at Vermillion Arm (Owens Fence) - Liston stated we wanted to let you know that we've issued a violation notice for a fence in the easement that backs up to a lake. The fence has been removed so at the next meeting I'll come back with a rescind the violation. They wanted to do what the Revis' were doing.

Vermillion Drain (Revis Violation) - Howard stated the Revis' hired a new lawyer and they've filed for an injunctive relief until they can get judicial review of your proceeding and we'll be entering appearance. We told them not to tear the fence down until we get moving. I am taking a motion for change of venue from the Judge. We'll move forward with that and keep the Board updated on where we go. Their theory was, again, that the approval was abdicated to the HOA notwithstanding the clear and unambiguous language of the HOA permits. We'll probably work on some frivolous litigation claims.

The Surveyor asked should we send a letter to the developer and the HOA asking them to..

Howard stated make sure that condition is on any approvals.

The Surveyor stated yes.

Howard stated that's a good idea.

The Surveyor asked would you write that?

Howard stated yes.

Altman stated we need to commend them for picking it up, but to make sure that all other ones have it because they did pick it up, so they need an "at a boy".

**Thorpe Creek, John Underwood Reconstruction - Record Document for Deferred Assessments:**

The Surveyor stated we're going to now need a document to record under the deferred assessments since we now know what the final cost for that work is. This is just asking the Board for that.

Altman stated there was a mark through on the number.

The Surveyor stated right.

Altman stated it just looks very strange, there's no initials. Someone marked through that number.

The Surveyor stated Janet (Hansen) did it, I'll have her initial it.

Altman stated but it's one we've signed so she doesn't have the authority to mark through.

The Surveyor stated I see what you're saying. We'll have to print a new form for your signature. The main thing was we need that.

Altman stated we need to get it on record so the next guy buying the lot knows he has a surprise.

Surveyor stated yes.

**Highland Springs Drain - Slip Lining (Continued from 2-10-20):**

The Surveyor presented his report to the Board.

March 26, 2020

To: Hamilton County Drainage Board

Re: Highland Springs Drain

At the January 27, 2020 Drainage Board meeting the Board approved the maintenance increase hearing on the above referenced drain per my Surveyor's report dated December 16, 2019. Those meetings are attached. At this time the Board asked for the costs of slip lining the remainder of the CMP within the subdivision. Those cost estimates are as follows:

Option 1 - Line all CMP lengths

|               |                        |              |
|---------------|------------------------|--------------|
| 12" slip line | 910 feet @ \$125.00/ft | \$113,750.00 |
| 36" slip line | 305 feet @ \$437.79/ft | \$133,525.95 |
|               |                        | \$247,275.95 |
|               | 15% Contingency        | \$ 37,091.39 |
|               |                        | \$284,367.34 |

Option 2 - Line CMP outside right-of-way, replace with RCP in right-of-way

|               |                        |              |
|---------------|------------------------|--------------|
| 12" slip line | 682 feet @ \$125.00/ft | \$ 85,250.00 |
| 12" RCP       | 228 feet @ \$145.00/ft | \$ 33,060.00 |
| 36" slip line | 305 feet @ \$437.79/ft | \$133,525.95 |
|               |                        | \$251,835.95 |
|               | 15% Contingency        | \$ 37,775.39 |
|               |                        | \$289,611.34 |

These estimates do not include structure rehab or replacement, clearing, traffic control, end section replacement, debris removal, curb replacement, pavement replacement, utility conflicts, pumping down pond and any unknown costs.

Presently the drain fund has a negative balance of \$18,002.49. The new collections will begin this year and will amount to \$7,925.26. The drainage shed consists of 101 lots and 8.88 acres.

Sincerely,

Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/jh

Heirbrandt asked what is the Surveyor's recommendation?

Altman asked how many total lots are in there?

The Surveyor stated we have 101 lots in the subdivision. The fund currently has a negative balance of -\$18,002.49. The new collections we increased last year begin this year and they will bring in a total of \$7,925.00. I would recommend at this point in time to wait and slip line what we have to as it fails.

Altman stated I don't think we have a choice.

Howard stated that assessment will be tall.

**Little Eagle Creek, Bear Creek South Arm - Offsite Storm Easement:**

The Surveyor stated this is an easement that was obtained by a developer for the Bear Creek Drain Arm to Little Eagle Creek. I would recommend the Board accept this easement at this time.

Dillinger made the motion to accept the easement for the Bear Creek Arm to Little Eagle Creek, seconded by Altman and approved unanimously.

**Cottingham Estates - Storm Sewer Inlets:**

The Surveyor stated we had a discussion on this awhile back, October of last year. This was a discussion on the inlets in Cottingham Estates. This is not a drainage problem; this is a paving problem. This is the one where the County Highway paved and then the City came along and paved on top of what they paved. Between the two of them there's a six-inch dip at some of these inlets that people riding their bicycles have been falling into and walkers have been falling into. Fishers suggested a new riser system for those grates. It's a steel riser that you insert into the frame of the grate and then the grate sits on top of the riser. That will level things out and are made to order so we can individualize them. Hopefully, the next time they pave they'll be aware that there is a problem every time they raise the pavement.

Altman asked whose cost are they suggesting? Are they just asking permission to put the risers on?

The Surveyor stated they're asking permission. I told them it's not a drainage problem, it's a paving problem, therefore, it's not the Drainage Board's problem.

Altman asked the Surveyor, have you seen one? Are you sure there won't be gaps around that? Have they tried one out?

The Surveyor stated they have not, this is a new idea.

Altman stated I'm just wondering on each side of that whether there's going to be a big gap that you can trip on.

Howard stated they're going to have to update their paving and bring it flush.

Altman stated I think that ought to be the condition. If they're asking our permission, then I think we need to make it complete that it has to be..

Howard stated subject to final grade being flush with the top of the grate.

Altman stated right, because I can see them just setting the thing up and it's okay this way and people are now going to trip on them going the other way.

Howard asked is this area annexed?

Surveyor stated yes, it is, and this would be their expense.

Altman made the motion to allow the riser system provided that it's level paving at the end.

Howard stated the final grades are flush with the finished paving level.

Altman stated that sounds fine.

The motion had been made to allow the riser system provided that the final grades are flush with the finished paving level, seconded by Dillinger and approved unanimously.

**Ellis Barker Reconstruction - Change Order #3**

The Surveyor presented Change Order No. 3 to the Board for approval.

"April 7, 2020

To: Hamilton County Drainage Board

Re: Ellis Barker Drain Reconstruction  
Change Order #3

Change Order #3 is required due to additional tile connections.

The following items are changes to the reconstruction of the Ellis Barker Drain Reconstruction:

|  |                |
|--|----------------|
| 3 additional tile connections at \$1,200 each - Total Change Order #3 -- | \$ 3,600.00    |
| Engineer's Estimate -----  | \$1,349,266.24 |
| Contract Bid -----   | \$ 962,000.00  |
| Change Order #1 -----  | \$ 72,866.72   |
| Change Order #2 -----  | \$ 750.00      |
| Change Order #3 -----  | \$ 3,600.00    |
| Total Reconstruction Cost  | \$1,039,216.72 |
| Difference -----   | \$ 310,049.52  |

Submitted By:

Luther Cline  
Inspector "

Altman made a motion to approve Change Order No. 3 for the Ellis Barker Drain Reconstruction, seconded by Dillinger and approved unanimously.

#### Construction Updates

Anchorage Drain - Liston stated our contractor will be back this week if it dries out. On Thursday we went out and did the final staking for the contractor and I anticipate he'll be back in there as soon as conditions allow it.

Heirbrandt asked when you did that did you talk to any of the residents?

Liston stated the only resident we spoke with on Thursday was the gentlemen on the west end of it that has the pool that's pumping water out into the area. He is going to make his connection.

Heirbrandt stated it seems like I get contacted from some of the folks out there about making their connection to the drain and I'm just wondering what else we can do to make it clear. Whether we send another letter to each one of the homeowners in the area saying we've marked it off, we've put a red stake or flag where you can make your connection. I almost think that it needs to be done again. We need to send a letter because I'm getting a lot of questions about how close we are to being done on this. Chad (Wilson) has went out and marked all of those, but we need to make it clear again even though we've made it clear in several of the meetings that it's time for you to make your connection. This will help solve a lot of those questions.

Liston stated the other thing we noticed out there and I did mention this to Gary (Duncan) when I came back in the office, in those wooded areas those people are going to have to help themselves. They're going to have to go in and clean those areas, pick up sticks, rake leaves because that's what's holding a lot of that water too. It won't allow it to come out into where we've done our work. The property owners are going to have to help themselves.

Heirbrandt stated I think we need to document it again.

Altman asked are the wooded areas part of lots or are they common area?

Liston stated they're part of their lots.

Howard stated everybody needs to do their share and make sure the water; there's no impediments on their lots.

Heirbrandt stated what people don't realize is those trees were left in there so that the developer could make more money on those lots. Everybody chose to keep those trees in there. If they wanted the drainage to work the way it really should work those trees should have come out and it should have been properly graded. That just wasn't done. In order to appease the homeowner's those trees stayed in there. We've done everything we can do to this point, now it's time for the property owners to make their connections and to make sure they clean up any of that wooded area to make sure that drains a lot better than what it is doing now; it's puddling in there.

Ellis Barker Drain Reconstruction - Duncan stated the contractor has set the last structure. The only thing left now is final grading. They need to remove some of the existing tile, the contractor required them to go back and physically remove portions of the existing tile. There's one structure that needs to be set that is pending a utility relocation. No one is claiming ownership of the utility.

Howard asked what kind of utility is it?

Duncan stated it's about twelve feet in the ground, it's a telecommunication, it's in an orange conduit.

W. S. Burnau Arm Reconstruction - Liston stated work is progressing on that. Hoosier Pride Excavating has completed the work on the north side of 191<sup>st</sup> street. The box culvert should be going in the week of April 20<sup>th</sup>. Gary (Duncan) and I were out there this morning meeting with the last of the utilities that we have conflicts with which is Duke. Hoosier Pride is on the south side of 191<sup>st</sup> Street cutting in the swale for Mr. Brown. The work he's done on the north side looks good. A lot of water. The contractor showed up one morning out there and all his equipment he had parked what he thought was on high ground down on the south end was under water.

William Krause Drain Phase 3 - Duncan stated there hasn't been much additional work on that. The contractor is waiting on a watermain relocation at the very upper end of the project. Until that's moved the contractor will just have restoration after that, so we really need to wait for that watermain to be moved. I don't have an update on the timeframe for that.

**Elwood Wilson Drain - E.M. Hare Arm (Funding):**

The Surveyor stated we've had Clark Dietz working on the plan on the E.M. Hare Arm, which is the southern arm on your map. It shows the drain in blue and then the drainage shed in red. The plans are nearing completion, they are close to 95 percent because we've got the permits to IDEM now. What I was talking to Jim Harger about today was that Corby Thompson has now backed out of the deal.

Altman asked which deal?

The Surveyor stated he had all the properties across to Presley Drive from Promise Road.

Howard stated this has been dragging on for quite a while and essentially a couple of developments and the quality of the developments substantially were not what was initially suggested was coming. I think the present economic; he dropped out probably December, so it was before this came. It wasn't working.

The Surveyor stated we're moving on with those plans especially since they're so close to being completed. The plans for construction was from Promise Road to South of S.R. 32. Even with this not being done I know that whenever somebody does come in and pick up a piece of that property it's going to be "let's hurry up and go", which is the typical developer mantra. The thing that's going to be the most time involved portion of it is from the Kahlo property over to the east side of Presley Drive. We have to put in special bank protection along Field Rubber south of S.R. 32. We've got to drop the current structure for Home Depot, and we've got to drop and enlarge the current structure under Presley Drive. Those portions of this would be the most time sensitive. My recommendation to the Board is, let's try to find the money to do that section of it so when the developer comes, not only would he have the deferred assessment or whatever, we also give him the plans to build this.

Howard asked would you finance this as a reconstruction?

The Surveyor stated it would be a reconstruction, but the finances; my understanding was that Noblesville TIF'd that area. Is there any money from Noblesville that's available?

Howard stated no, Noblesville TIF'd south of S.R. 32, but that's all earmarked for Pleasant Street and then there's some existing issues. In fact, they're paying debt on a lot of Pleasant, Union Chapel and those areas. So, there's probably not any TIF there. It would probably be a reconstruction for the watershed. Noblesville was going to use the TIF from Corby's (Thompson) project to extend a lot of the drain, but that TIF is still corn and beans and will be for the foreseeable future. I don't know exactly how far south and west that TIF was going to be used, but it was going to pay a substantial part of those costs. Those were going to be the developer backed/developer placed bonds from the TIF. There's no city money that's going into that deal. It would look like if the downstream part is that sensitive you may want to swag that and see what the reconstruction cost would be for the entire watershed and the plausibility of that reconstruction would probably be based upon whether your assessing farm ground or future development ground. There's not a bucket there. That bucket was created by the development and the development's not there anymore.

The Surveyor stated in order to not be the one that everyone points to all the time and says you're holding up my project, I'd recommend that we at least look at that lower section and getting something done.

Altman asked where's the money coming from?

The Surveyor stated let's see how much it is and then...

Heirbrandt stated let's figure out what it's going to cost and then maybe you can come back and give us a recommendation on how we might fund it.

Howard stated you might do it incrementally. Split it into several costs. Obviously the farthest downstream would be Phase 1 and then moving it up with those. If your reconstruction hearing becomes a "but for" issue, you're going to want to sell it one of these days and this will help reduce your costs.

The Surveyor stated that the Home Depot structure will be Home Depot's cost. Presley Drive will be the City of Noblesville's cost. The rest of it would be basically some earthwork and some special structures along Field Rubber Company. My suggestion is let's go on with the plans, let's finish up that section from Presley downstream and let's bid it and see what we have.

Howard asked are we all right from the south right of way of S.R. 32 just west of the roundabout on down through Terry Lee because that was reconstructed as part of his project, was it not?

The Surveyor stated no, not all of it. The upper portion we're going to have to lower about four feet. When the roundabout was built that structure under S.R. 32 was redesigned and I required them to lower it five feet so we wouldn't have to go through that again. That's all ready to go.

Howard stated but from that point south and east there's still some work to be done.

The Surveyor stated right.

Heirbrandt asked the Surveyor, your recommendation is?

The Surveyor stated to move forward and when we get the plans let's bid it and do like we're doing on the Clara Knotts, see what the cost is and how far we can go.

Howard asked to bid it in increments, Phase 1, Phase 2 and Phase 3?

The Surveyor stated yes, just from Presley south.

Howard stated even from Presley south you may have a big number.

The Surveyor stated yes, but the City of Noblesville will be picking a lot of that up.

Dillinger made the motion to approve the Surveyor's recommendation, seconded by Altman and approved unanimously.

#### **Centennial Drain - SSD Installation**

The Surveyor stated Deyhle (Patricia), Lot 357 on your plan, would like to have an outlet up to her lot. I don't think she's having a problem now. Steve (Baitz) has talked to a lot of the folks down through there along the west side and there seems to be just one person that has a problem and wants it dealt with. Does Heirbrandt have information other than that?

Heirbrandt stated when you're saying Centennial are you talking about 15239 Declaration Drive?

Surveyor stated I am.

Heirbrandt stated I would like Mr. Baitz to, he's been out there several times with Chad (Wilson). I'd like Baitz to give his recommendation on what needs to happen out there; what you've seen and what we've talked about.

Baitz stated my site visits have revealed that there is one lady who is the person who started all of this and has a definite water problem in her yard. Most of it is self-inflicted. A lot of it she inherited when she purchased the property. There were landscape mounds and things like that. The installation of an SSD all the way up through there, I believe, will only help if she connects to it and has her work done on her parcel. A lot of the other property owners in that area that will be affected by the installation of the drain aren't going to see any benefit and don't really feel like they have a problem, especially Mr. Bennett to the north of her. He has a well-manicured yard. I have not witnessed the water problem on him or his neighbor, Mr. O'Donnell to the north. The original plan brought to me was to install an SSD up through that area. I believe that the installation of a lateral to a catch basin directly behind the lady that originally complained and the possibility of an installation of a lateral to the lady to the south that indicated she wouldn't mind having one would resolve the issue without having to disrupt all the property owners in that area. It definitely is going to require the lady who initiated the investigation and complaint to do work within and on her parcel to connect to that stub and some redoing of the landscaping in her area. But no one else out there seems to indicate they have a problem. She is very concerned about an outlet that is discharging right at the structure from the east side. She believes that is causing her water problem and I do not see that is in anyway contributing to her problem because this gentleman is across the swale. There is an inlet between her and him and her ground is uphill from him. Her belief is that his discharge at that structure is a problem, I do not believe it is, but it could be properly outletted into the structure and resolve the concern she has.

Heirbrandt stated so Baitz would make just a recommendation instead of tearing up everybody else's yards to put a stub there where the beehive is so that she could adequately make a connection to her gutters or whatever to be able to go right into that beehive?

Baitz stated I believe a stub installed for her, to her, to the area behind her fence. She has indicated she would like to replace her fence and do other things anyway due to the fence is all rotted out and provide her an outlet and allow her to do her work on her side.

Heirbrandt stated I know that it is not proper to provide recommendations to firms, but I think we need to be able to write out, procedurally, what she needs to do, what we're doing, and what she needs to do in regards to our recommendations so that she contacts somebody to make her connection because if she does that I think it will solve the problem. Do you agree?

Baitz stated in this case I would not. I believe that any recommendations that we would make, if something does not function just exactly as she perceives it to then she would come back and say this is what you said to do. I think she should have someone else and then that way she can go back to them if she has problems instead of coming to us since it's on her private property. It's been my experience in the past, especially with individuals such as this one that they will hold you accountable from now on and forever. I think that's the decision that she could deal with another contractor or whatever.

Heirbrandt stated knowing that though I think we need to document something to her explaining what we've done and what needs to be done, give her some direction because she's not a drainage expert by any means. I think we need to give her some direction.

Howard stated maybe just general recommendations like make sure that everything in your yard is open to drain to this point, period.

The Surveyor stated I would not call them recommendations; I would call them suggestions because there's different connotations to those words. You're right Mark, we don't recommend contractors at all. The stub would only go to her fence. I don't want to touch that fence because the minute we touch it we bought it, but at least she would have an outlet to provide some relief.

Altman asked do we have to do anything as a Drainage Board?

Heirbrandt stated I think that we need to make..

The Surveyor stated you had made a recommendation or a motion on the drainage end.

Heirbrandt stated I think what can help to resolve this is doing exactly what Baitz said and putting that stub in, not affecting some of the other properties with this and also making suggestions to her on what she can do to hire somebody to make improvements that are going to help her property out.

The Surveyor stated I think that would make a lot of people, other than her, happy. We are getting a lot of pushback from her neighbors who don't see a need for it.

Heirbrandt stated it's not that, that bothers me, it's not the pushback from neighbors it's making sure that this is done right.

The Surveyor stated this is kind of like we just talked about in Anchorage, we provide the means and they have to help themselves. I would recommend a motion on the stubs.

Dillinger made a motion to install the stubs, seconded by Altman and approved unanimously.

#### **Pending Final Reports**

Thistlewaite Drain, California Street Arm - Duncan stated there's nothing new on this project, I still need to look at the curbing.

#### **Bellewood Drain, Glen Oaks Arm:**

Heirbrandt asked has there been any further developments in regard to Banning Engineering and the survey out there?

Duncan stated the last I heard was that the survey crews were there and doing the field work. I have not received any updates on this.

Heirbrandt asked could you follow up on that and give us a progress of what's going on?

Duncan stated yes.

#### **Village Farms Drain:**

Heirbrandt asked has there been any other development on what's been done on the study?

The Surveyor stated they had a meeting with Westfield last Thursday and evidently the meeting went well. There was a lot of good information exchanged and they're working on the study.

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

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Mark Heirbrandt - President

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Pamela Louks  
Acting Executive Secretary