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October 16, 2012

To: Hamilton County Drainage Board

Re: Sly Run Drain, Mill Creek Arm

Upon review of the drainage sheds, I believe that the Mill Creek Drain should be made an arm to the Sly Run Drain as the Mill Creek Drain is a tributary to the Sly Run Drain. This would also avoid a double assessment on the tracts currently assessed for the Mill Creek Drain when the remainder of the Sly Run Drain is assessed for maintenance.

The Mill Creek Drain was created per my report to the Board dated April 8, 1985 and approved by the Board at hearing on June 10, 1985. (See Hamilton County Drainage Board Minutes Book 2, page 60). The maintenance assessment for the Mill Creek Drain was increased per my report dated March 2, 2011 at hearing by the Board on May 23, 2011. (See Hamilton County Drainage Board Minutes Book 13, pages 393-394). Along with the increase in annual maintenance rates the drain had a special assessment attached to each tract at a rate of \$188.16 per lot/acre to be split between the years 2012 and 2013. This was to bring the drain fund out of the red. The current assessment for the Mill Creek Drain is as follows:

1. Maintenance assessment for platted lots within subdivisions whose drainage systems will be part of the regulated drain set at \$65.00 per lot/minimum. Common areas within the regulated drain subdivision set at \$10.00 per acre with a \$65.00 minimum.
2. Maintenance assessment for roads and streets set at \$10.00 per acre.

With 41 lots and 16.0 acres benefitted the current annual maintenance assessment for the Mill Creek Drain is \$2,825.00. The drain fund is currently in the red \$4,727.90.

I have reviewed the drain map and believe as set out in IC 36-9-27-69(b), that all tracts within the drainage shed of the Sly Run Drain will benefit. After review of each parcel individually and after considering the criteria as set out in IC 36-9-27-112 I believe that all tracts within the drainage shed of Sly Run Drain will benefit equally as per land use. The current maintenance assessment rates for the Sly Run Drain were set by the Board per my report dated October 8, 2001 and approved at hearing on November 26, 2001 (see Hamilton County Drainage Board Minutes Book 6, pages 212-214). Those rates are as follows:

1. Maintenance assessment for agricultural tracts are set at \$2.00 per acre with \$15.00 minimum.
2. Maintenance assessment for non-platted residential tracts are set at \$2.00 per acre with a \$15.00 minimum.
3. Maintenance assessment for commercial, institutional and multi-family residential tracts are set at \$10.00 per acre with a \$75.00 minimum.
4. Maintenance assessment for platted lots in subdivisions whose drainage system will be part of the regulated rain shall be set at \$35.00 per lot/minimum. Common areas within non-regulated drain subdivisions shall be assessed at \$5.00 per acre with a \$35.00 minimum.
5. Maintenance assessment for platted lots within subdivisions whose drainage system will be part of the regulated drain shall be set at \$65.00 per lot/minimum. Common areas within the regulated drain subdivisions shall be set at \$10.00 per acre with a \$65.00 minimum.
6. Maintenance assessment for roads and streets are set at \$10.00 per acre.

The total annual assessment for this arm will be \$2,827.90.

The Mill Creek Drain special assessment as mentioned above will continue to be collected in 2013 and will be placed in the current Mill Creek Drain maintenance fund. The balance of the Mill Creek Drain shall be kept separate and these funds expended for needed maintenance on the Mill Creek Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the Sly Run Drain fund. At this time there are no outstanding work orders and one (1) outstanding drainage complaint on the Mill Creek Drain. Collections for the Sly Run Drain will begin May 2013.

Future assessment for the drainage area of the Mill Creek Drain will be made into the Sly Run Drain fund. No further maintenance collections for the Mill Creek Drain shall be made other than for delinquencies and penalties.

The nature of maintenance work required for the Sly Run Drain is as follows:

1. Clearing of trees and brush on the existing open drain as needed to improve flow;
2. Creation and re-excavation of silt basins;
3. Install and maintain surface water structures as might be required;
4. Bank erosion protection and/or seeding as might be required;
5. Repair of private tile outlet ends as might be required;
6. Repair of regulated drain tile outlets;
7. Removal of beaver dams;
8. Removal of debris and/or blockage from regulated open ditch;
9. Spraying for vegetation control;
10. Mowing filter strips;
11. Any other repairs deemed to be applicable and necessary by the Surveyor to restore the drain to its original intended use and condition.

The frequency with which maintenance work should be performed is annually as required by the original condition of the drain.

The Sly Run Drain has been classified as an urban drain under IC 36-9-27-67 per my report dated October 8, 2008 which was approved by the Board at hearing on November 24, 2008 (see Hamilton County Drainage Board Minutes Book 11, pages 396-399).

Sly Run has been identified in the NPDES Phase II General Permit Application, Storm Water Quality Management Plan Part C: Program Implementation Report, page 4, as an MS4 area receiving stream.

Sly Run is listed in the NPDES Phase II General Permit Application Storm Water Quality Management Plan Part B: Baseline Characterization Report on the following pages:

Page 3 as an MS4 area receiving stream

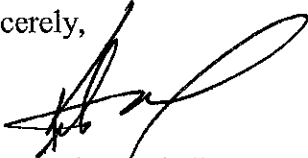
Page 7 with Cicero Creek as No. 0512021080120 Watershed within the MS4 area with drainage size of 7,225.30 acres.

Page 16 as being in the IDEM 305(b) Report as being an impaired water body due to E.Coli.

This drain is not listed on the 2010 303(d) list of impaired waters for Indiana.

I recommend that the Board set a hearing for this consolidation for November 26, 2012.

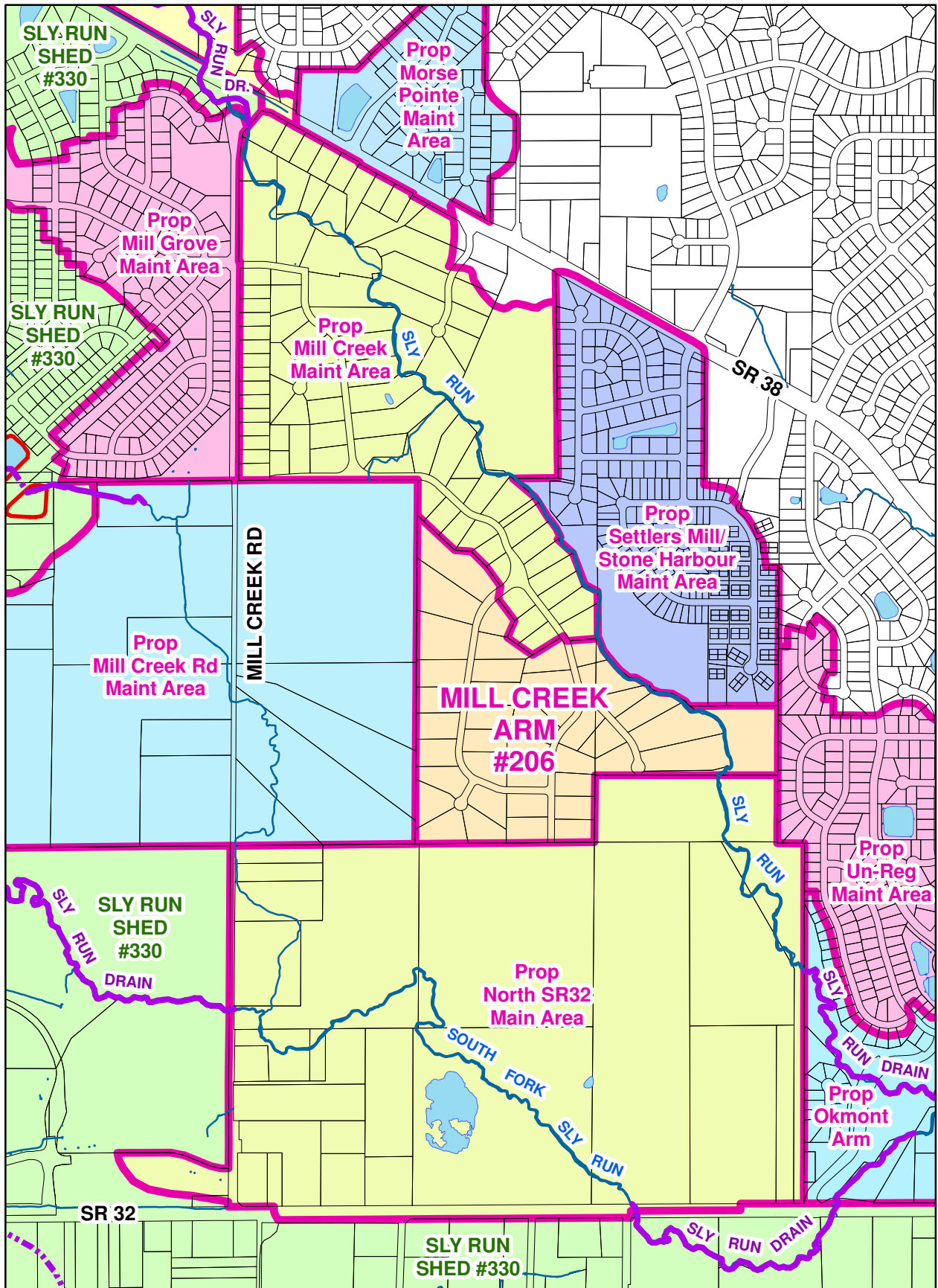
Sincerely,

A handwritten signature in black ink, appearing to read 'K. Ward', with a large, sweeping flourish extending to the right.

Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

- SLY RUN SHED #330 -  
Mill Creek Arm #206



**Sly Run #330**

Mill Creek #206 Arm

Hearing: 11/26/12

Period of collection for maintenance is until fund is 8 \* the annual assessment.

Combining Mill Creek #206 as an arm to Sly Run & correcting road acreage.

\*Proposed acreage of roads will be added to the existing acreage already assessed to Sly Run.

When Mill Creek becomes an arm to Sly Run, future assessments will be made to Sly Run instead of Mill Creek.

The Mill Creek Special Assessment will be collected in 2013.

Rate	Rate	Minimum
Residential/Ag	2.00	15.00
Un-Reg Subd.	5.00	35.00
Regulated Subd.	10.00	65.00
Commercial	10.00	75.00
Roads	10.00	

Parcel	Owner	Desc	Rate	Mill Crk	Ben	Rate	Mill Crk	Ben	Sly Run	Ben	Sly Run	Asmt	Sly Run	Asmt	% of Total
10-06-34-02-02-003.000	Baezhold, Howard K & Sandra L	S34 T19 R4 Mill Creek 8th Lot Pt 63	1.15Ac	Regulated Subd	One Lot	16.00	Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-35-01-01-004.000	Bane, Donald A & Linda F	S35 T19 R4 Mill Creek 8th Lot 57	1.40Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-004.000	Brothers, William F & Kristine S	S34 T19 R4 Mill Creek 10th Lot 84	1.37Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-005.000	Brothers, William F & Kristine S	S34 T19 R4 Mill Creek 10th Lot 85	1.39Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-35-01-01-008.000	Brown, David R & Diana K	S35 T19 R4 Mill Creek 8th Lot 61	1.02Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-35-01-01-007.000	Cannon, J Michael	S35 T19 R4 Mill Creek 8th Lot 60	5.05Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-009.000	Christy, Kevin F & Cindy D	S34 T19 R4 Mill Creek 10th Lot 89	1.24Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-06-003.000	Concannon, Brian D & Susan K	S34 T19 R4 Mill Creek Estates Lot 3	2.91Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-02-005.000	Easters, Lloyd & Beth	S34 T19 R4 Mill Creek 8th Lot 64	1.22Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-001.000	Eyster, Richard A & Janice M	S34 T19 R4 Mill Creek 10th Lot 81	1.55Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-35-01-01-005.000	Friedman, Sheldon J & Cheryl G	S35 T19 R4 Mill Creek Lot 58	2.97Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-014.000	Gilliland, Jerry A & Christina L	S34 T19 R4 Mill Creek 10th Lot 80	1.33Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-03-002.000	Griffith, Gary W & Jeri L	S34 T19 R4 Mill Creek 9th Lot 67	1.13Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
99-99-99-99-99-999.001	Hamilton County Highway Department	Mill Creek 8,9&10, Mill Creek Estates		Road	16.00		Road	16.29	16.29	16.29	\$162.90	\$162.90	5.76%		
10-06-34-02-03-006.000	Harris, Sharon G	S34 T19 R4 Mill Creek 9th Lot 71	1.15Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-006.000	Hebenstreit, Michael J & Sheila M	S34 T19 R4 Mill Creek 10th Lot 86	1.48Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-003.000	Kamin, Keith A & Jody A	S34 T19 R4 Mill Creek 10th Lot 83	1.37Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-02-007.000	Kane, Mitchell A & Heather B	S34 T19 R4 Mill Creek 8th Lot 66	1.14Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-03-001.000	Kellams, Frederick L & Lynn Ellen	S34 T19 R4 Mill Creek 9th Lot 75	1.70Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-06-004.000	Keller, Mark J & Janelle C	S34 T19 R4 Mill Creek Estates Lot 4	3.09Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-02-001.000	Ketcham, Nathan D & Sarah Wood Jr/Rs	S34 T19 R4 Mill Creek 8th Lot P54		Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-35-01-01-006.000	Keyler, Thomas E & Rachelle A	S35 T19 R4 Mill Creek 8th Lot 59	3.10Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-06-002.000	Kitko, Gary A & Valerie S	S34 T19 R4 Mill Creek Estates Lot 2	1.44Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-013.000	Krefta, Ronald J & Julia L Harshman Jr/Rs	S34 T19 R4 Mill Creek 10th Lot 79	1.37Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-35-01-01-003.000	Lagzdins, Janis & Janice	S35 T19 R4 Mill Creek 8th Lot 56	1.06Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-002.000	Mace, Kimberly C & Jerry B	S34 T19 R4 Mill Creek 10th Lot 82	1.47Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-06-001.000	Meyers, Jay & Andrea	S34 T19 R4 Mill Creek Estates Lot 1	1.00Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-03-003.000	Moore, Jason A & Laura K	S34 T19 R4 Mill Creek 9th Lot 68	1.21Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-03-007.000	Moyer, Douglas L & Ann M	S34 T19 R4 Mill Creek 9th Lot 72	1.29Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-03-005.000	Newkirk, Craig A & Cheryl A	S34 T19 R4 Mill Creek 9th Lot 70	1.15Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-008.000	Peterson, Stephen A	S34 T19 R4 Mill Creek 10th Lot 88	1.42Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-007.000	Rau, John F & Joan A	S34 T19 R4 Mill Creek 10th Lot 87	1.65Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-03-004.000	Reynolds, Marc A & Rebecca J Heck	S34 T19 R4 Mill Creek 9th Lot 69	1.14Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-012.000	Richie, Charles W	S34 T19 R4 Mill Creek 10th Lot 78	1.35Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-06-005.000	Robinson, George A & Carla J	S34 T19 R4 Mill Creek Estates Lot 5	3.41Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-011.000	Schillinger, Des E & Laurie A	S34 T19 R4 Mill Creek 10th Lot 77	1.25Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-03-008.000	Slaw, David & Cinda Caldwell Jr/Rs	S34 T19 R4 Mill Creek 9th Lot 73	1.29Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-02-002.000	Smith, Roderick J & Holly M	S34 T19 R4 Mill Creek 8th Lot P55		Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		
10-06-34-02-04-010.000	Stanley, Samuel O & Kristi A	S34 T19 R4 Mill Creek 10th Lot 76	1.41Ac	Regulated Subd	One Lot		Regulated Subd	One Lot	One Lot	One Lot	\$65.00	\$65.00	2.30%		

Parcel	Owner	Desc	Rate	Mill Crk Ben	Mill Crk Asmt	Sly Run Ben	Sly Run Asmt	% of Total
10-06-34-02-02-004.000	Tiernan, Robert W & Cathy A	S34 T19 R4 Mill Creek Lot PT 62	Regulated Subd	One Lot	\$65.00	One Lot	\$65.00	2.30%
10-06-34-02-02-006.000	Trump, Jeffrey A & Lori A	S34 T19 R4 Mill Creek 8th Lot 65	Regulated Subd	One Lot	\$65.00	One Lot	\$65.00	2.30%
10-06-34-02-03-009.000	Zavada, Frank P Jr & Nancy J	S34 T19 R4 Mill Creek 9th Lot 74	Regulated Subd	One Lot	\$65.00	One Lot	\$65.00	2.30%
Parcels: 42				16.00	\$2,825.00	16.29	\$2,827.90	100.00%
				41 lots		41 lots		

Proposed Sly Run - Mill Creek #206 Arm Roads

Rd_Name	Entity	Sub_Sec	Type	Area_Ac	X3
MILL FARM RD	HAMCO HWY DEPT	MILL CREEK SEC 8	SUBDIV ROAD	0.88	2.64
SLY RUN OVLK	HAMCO HWY DEPT	MILL CREEK SEC 8	SUBDIV ROAD	0.91	2.73
<b>Total</b>				<b>1.79</b>	<b>5.37</b>
MILL FARM RD	HAMCO HWY DEPT	MILL CREEK SEC 9	SUBDIV ROAD	0.92	2.76
MILL RUN DR	HAMCO HWY DEPT	MILL CREEK SEC 9	SUBDIV ROAD	0.35	1.05
<b>Total</b>				<b>1.27</b>	<b>3.81</b>
MILL RUN DR	HAMCO HWY DEPT	MILL CREEK SEC 10	SUBDIV ROAD	1.33	3.99
MILL RUN OVLK	HAMCO HWY DEPT	MILL CREEK SEC 10	SUBDIV ROAD	0.35	1.05
<b>Total</b>				<b>1.68</b>	<b>5.04</b>
MILL RUN DR	HAMCO HWY DEPT	MILL CREEK ESTATES	SUBDIV ROAD	<b>0.69</b>	<b>2.07</b>
<b>Total</b>				<b>5.43</b>	<b>16.29</b>