

Montgomery County  
Drainage Board Meeting

May 10, 2023

The Montgomery County Drainage Board met on Wednesday, May 10, 2023, at 9:30 a.m. at the Montgomery County Government Center at 1580 Constitution Row, Crawfordsville, Indiana.

Chairman Dave Rhoads, followed by the Pledge of Allegiance, called the meeting to order.

Board members in attendance were Chairman Dave Rhoads, Vice Chairman John Frey, Matt Mitchell secretary and members Doug Mills & Lance Sennett. Present were Tom Cummins, Surveyor and Attorney Dan Taylor, Vicki Emmert, Secretary was not present

Also, present were Steve Akers, Tom McMurry, Tom Klein, Brenda Foster, Todd Barton, Ben Cody, Stan Hamilton, DeAntha Wright-Thornburg, Tory Thornburg, Bill Jeffers, Andy Biddle and Bob Cox (Journal Review).

**Approval of Minutes**

John Frey moved, seconded by Doug Mills, to approve the April 12, 2023 minutes. Motion carried, 5-0.

**Hearings**

None

**Petitions**

Tom Cummins – reported receiving a petition to attach to the **Arthur Fraley 2 #709** from D-O LLC located in Madison Township. Used overhead projector to display the area. Mr. Cummins recommends approving the petition as submitted. Lance Sennett moved, seconded by Dave Rhoads to approve the petition to attach to the Arthur Fraley 2 #709 as submitted. Motion carried, 5-0.

**Old Business**

**William Shelley #706 Reconstruction update**

Tom Cummins – reported on gathering numbers and information to put together a schedule of assessments that makes sense and at this point, has been unable to do that. Surveyor recommends an assessment based on an impervious surface metric, and has submitted a request to the Crawfordsville Stormwater Dept., for impervious surface data from the watershed area. The method of assessment used for the **Foster Fletcher #573** will not work for this project, as it was primarily agricultural with a small amount residential and commercial. The **William Shelley #706** is more residential, commercial, industrial with very little agricultural. No hearing can be set today.

Dave Rhoads – opened the **William Shelley #706** to the public for comments.

DeAntha Wright-Thornburg – spoke of her concerns

Dave Rhoads – reported with some history of the **William Shelley #706** concerning when it was put back on assessment.

Tom Cummins – reported just recently received the necessary programming to upload “keyword searchable” minutes to the County website. There is no lack of transparency of the minutes to the public. They are always available in the office.

Dave Rhoads – reported we are still in the process of creating an assessment rate. At this point in time it cannot be given out.

Tom Cummins – reported uploading the minutes on line is a curtesy and not required by law.

Mayor Todd Barton – addressed the Board, acknowledged the problems of the William Shelley drain, and discussed possible funding sources. The City is willing to be a partner, with an inter-local agreement between the City and the County. Willing to contribute significantly to make this project happen.

Requests that the Board designate a member to work with the City, to spell out the parameters.

John Frey – We could vacate this drain and you can take charge of the problem.

Dave Rhoads – How long to get an answer on funding. Expressed concern about why the City has not looked into funding, after being a part of this plan over the last few years.

Mayor Todd Barton – was suggesting the County look for funding, not the City

Dave Rhoads – explained how the County secured grant funds for the **Claude Moody #583** drain, in Mace; explained the difference; because Mace is unincorporated, the County is the governmental body in Mace. The Shelley drain is almost entirely within the City limits. Asks the Mayor if they have pursued any grant monies.

Mayor Todd Barton – unable to secure grant funds for a County project, they are ineligible.

Doug Mills – expressed concern that every time we get to the point of getting something done with this drain, something stops us.

Mayor Todd Barton – confirms that the inter-local agreement will fix this problem.

Dave Rhoads – reports that the Army Corps of Engineers estimated this project cost at approximately three million dollars, back in the 1980's.

Tom Cummins – cautions the Board that any delay could result in an increase to the estimate, based on the current market forces.

Tom Klein – reports that the County Commissioners have authorized \$250,000.00 from the American Rescue Plan Act Fund to be utilized for this project.

Tom Cummins – reports that the Commissioner's appropriation and the INDOT reimbursement were both reflected in the spreadsheet balance.

Dan Taylor – reported that the Board has some time, and recommends appointing a member to work with the City.

John Frey – would need a deadline, if delaying the project to pursue grant money.

Dan Taylor – agrees and confirms that can be in the inter-local agreement.

Doug Mills – concerns about the project construction schedule, and the project being delayed for possibly a year. Reports that we have not had a heavy rain event in a while and the problems can be forgotten.

Dan Taylor – reported that it's possible that the City and County cannot come to an agreement, in which case the County can move forward as planned.

Tom Cummins – reported that the Board had an inter-local agreement with the City in the past, on the **Foster Fletcher #573 reconstruction**. TIFF funds were used to offset the costs to the landowners.

Dave Rhoads – appoints Doug Mills as liaison to work with the City.

#### **Charles McFarland #545 – Reconstruction report**

Tom Cummins – requests the Board change the date of their June meeting, from June 14<sup>th</sup> to June 21<sup>st</sup>, to allow for the necessary mailings for upcoming reconstruction hearings.

**Doug Mills moved, seconded by John Frey, to move the Drainage Board meeting to Wednesday, June 21<sup>st</sup>, 2023 at 9:30 am at the Government Center in the Commissioners meeting room. Motion carried, 5-0.**

Tom Cummins – reported that the initial design, estimate, and schedule of assessments are completed, and recommends setting a reconstruction hearing for the **Charles McFarland #545** at the June meeting. Explains that the reimbursement from INDOT is required by the Drainage Code.

Dan Taylor – clarifies that the drains were there first, and that is why reimbursement is required by the code.

**Doug Mills moved, seconded by Matt Mitchell, to set a reconstruction hearing for the Charles McFarland #545, for June 21<sup>st</sup>, 2023 at 9:30 am at the Government Center in the Commissioners meeting room. Motion carried, 5-0.**

#### **Richard Virts #560 – Reconstruction report**

Tom Cummins – reported that the initial design, estimate, and schedule of assessments are completed, and recommends setting a reconstruction hearing for the **Richard Virts #560** at the June meeting.

**John Frey moved, seconded by Dave Rhoads, to set a reconstruction hearing for the Richard Virts #560, for June 21<sup>st</sup>, 2023 at 9:30 am at the Government Center in the Commissioners meeting room. Motion carried, 5-0.**

#### **James Wilson #588 – Reconstruction report**

Tom Cummins – reported that the initial design, estimate, and schedule of assessments are completed, and recommends setting a reconstruction hearing for the **James Wilson #588** at the June meeting.

**Lance Sennett moved, seconded by John Frey, to set a reconstruction hearing for the James Wilson #588, for June 21<sup>st</sup>, 2023 at 9:30 am at the Government Center in the Commissioners meeting room. Motion carried, 5-0.**

#### **Other Business**

None

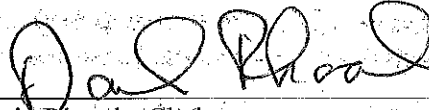
#### **New Business**

None

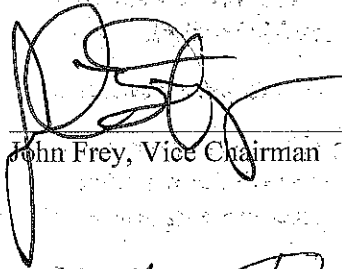
**Public comment**

Dan Taylor – reports that he will have a summary of any new legislation affecting the Drainage Board, at the next meeting.

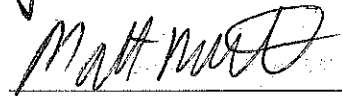
**John Frey moved, seconded by Lance Sennett to adjourn the meeting at 9:58 am. Motion carried, 5-0.**



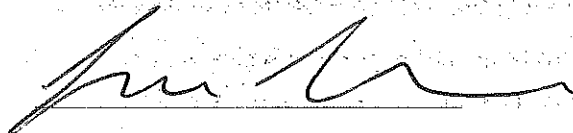
David Rhoads, Chairman



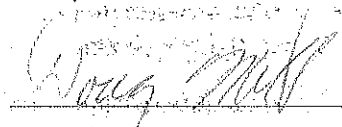
John Frey, Vice Chairman



Matt Mitchell, Secretary



Lance Sennett, Member



Doug Mills, Member