



SURVEYOR'S OFFICE  
**Hamilton County**

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February 1, 2023

To: Hamilton County Drainage Board

RE: William Lehr Drain, J.S. McCarty Arm Phase 1 Reconstruction

Attached are the construction drawings, drain map for the reconstruction of the John S. McCarty Arm Phase 1 of the William Lehr Drain.

Based on a history of poor drainage and chronic standing water, the John S. McCarty Arm watershed was studied, and solutions were developed to improve drainage in the watershed. This project is the first phase of the recommendations from the study.

Regulated drains in the area consist of the following main and arms of the William Lehr Drain:

- Booth Zeis Arm
- John S. McCarty Arm
- Booth & White Arm
- Joseph & Brooks Arm

These drains are located in Sections 1, 2, 3, 11, and 12 of Township 18 North, Range 5 East in Wayne Township of Hamilton County Indiana.

The reconstruction project will take place in Section 2 and Section 3 of Township 18 North, Range 5 East in Wayne Township and will reconstruct portions of the Booth Zeis 2004 Extension Arm, the John S. McCarty 2004 Extension Arm, the John S. McCarty 1994 Relocation Arm, the and the John S. McCarty Arm of the William Lehr Drain.

The main Booth Zeis Arm, the J.S. McCarty-George Steffey Arm, the J.S. McCarty-George Steffey 1982 Relocation Arm, the J.S. McCarty-Isaac Caylor Arm will not be affected by the reconstruction project. The portion of the John S. McCarty Arm upstream of Station 25+40 will not be affected by this project. 90-feet of the John S. McCarty 1994

Relocation Arm between Stations 62+30 and 63+20 will be removed. A bulkhead and breather will be installed at the proposed top-of-bank of the new open ditch. The John S. McCarty 1994 Relocation Arm between Station 63+20 and 64+75 and between Stations 75+27 and 78+39 will not be affected by this project. The John S. McCarty Arm between Station 64+75 and 75+37 will not be affected by this project. The Booth Zeis 2004 Extension Arm upstream of the point where the John S. McCarty 2004 Extension Arm discharges to the Booth Zeis 2004 Extension Arm will not be affected by this project.

The John S. McCarty Arm needs reconstruction at this time based on the condition of the drain due to its age, lack of adequate capacity, and significant standing water issues within the watershed and the Town of Clarksville.

The attached plans, dated May 27, 2022, were prepared by VS Engineering, Inc. and reviewed by the Hamilton County Surveyor's Office. The project will dredge a portion of the existing open ditch of the Booth Zeis 2004 Extension Arm, dredge the John S. McCarty 2004 Extension Arm, dredge a portion of the John S. McCarty 1994 Relocation Arm, construct a new open ditch along the south side of State Road 38 east of Boden Road, and convert a section of the John S. McCarty Arm from tile to open ditch. The project is consistent with the recommendations of the April 2015 Hydraulic Study completed by VS Engineering.

The project will improve the flow characteristics of the drain, provide an increased capacity outlet for all areas within the watershed that experience flooding, better drain the soil of the agricultural fields served by this drain, and allow the implementation of future projects consistent with the recommendation of the 2015 hydraulic study.

I have made a personal inspection of the Drain. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a public highway, and be of public utility; and that the costs, damages and expenses of the proposed drain will probably be less than the benefits accruing to the owners of land likely to be benefited.

### **History**

The John S. McCarty Drain was established per a Viewer's Report dated October 5, 1900.

The Booth Zeis Drain was established per a Viewer's Report dated April 9, 1898.

The JS McCarty Drain was placed on maintenance in 1968. [See Hamilton County Drainage Board Minutes Book 1, page 33]

The Booth Zeis Drain was placed on a maintenance program in 1973. [See Hamilton County Drainage Board Minutes Book 1, page 97]

A project to relocate a portion of the John S. McCarty Drain was approved at hearing during the March 28, 1994 meeting of the Hamilton County Drainage Board. [See Hamilton County Drainage Board Minutes

Book 3, pages 234-235; Addendum Book 1, Pages 220-221; Addendum Book 1, Page 246]

The Booth Zeis Drain was made an arm of the William Lehr Drain and extended a length of 751-feet at hearing during the June 28, 2004 meeting of the Hamilton County Drainage Board. [See Hamilton County Drainage Board Minutes Book 7, pages 480-481] Before it was combined with the William Lehr Drainage Shed, the Booth Zeis Drain Drainage Shed consisted of 2,748.45-acres and 977-lots [See Hamilton County Drainage Board Minutes Book 7, pages 480-481]

The John S. McCarty Drain was made an arm of the William Lehr Drain and extended a length of 181-feet at hearing during the February 28, 2005 meeting of the Drainage Board [See Hamilton County Drainage Board Minutes Book 8, pages 211-215] Before it was combined with the William Lehr Drainage Shed, the John S. McCarty Drain Drainage Shed consisted of 569.20-acres and 41-lots [See Hamilton County Drainage Board Minutes Book 8, pages 211-215].

A contract for a hydraulic study of the John S. McCarty Watershed was awarded to VS Engineering in the amount of \$28,100.00 at the May 12, 2014 meeting of the Hamilton County Drainage Board [See Hamilton County Drainage Board Minutes Book 15, page 413].

At the September 28, 2015 meeting of the Hamilton County Drainage Board, VS Engineering presented the hydraulic study and outlined various alternatives for improving drainage within the John S. McCarty drainage Shed. [See Hamilton County Drainage Board Minutes Book 16, pages 311-315].

At the April 11, 2016 meeting of the Hamilton County Drainage Board, the Surveyor recommended to the Board that Alternate 6B of the hydraulic study, consisting of open ditch and drain replacement/upsizing be implemented. The estimated cost for this Alternate was \$1,493,000. [See Hamilton County Drainage Board Minutes Book 16, Pages 507-509].

At the May 9, 2016 meeting of the Hamilton County Drainage Board, a contract with VS Engineering for surveying services in the amount of \$58,100.00 was approved. [See Hamilton County Drainage Board Minutes Book 16 page 551].

At the May 8, 2017 meeting of the Hamilton County Drainage Board, a contract for professional services with VS Engineering for the design of the first phase of the John S. McCarty Arm reconstruction, in the amount of \$62,843.00, was approved. [See Hamilton County Drainage Board Minutes Book 17, page 341].

At the January 22, 2018 meeting of the Hamilton County Drainage Board, filter strips were established at hearing for both sides of the portions of the William Lehr Drain, the JS McCarty Arm, and the Booth Zeis Arm that cross Parcel 12-11-03-00-00-006.00. [See Hamilton County Drainage Board Minutes Book 18, pages 25-29].

At the June 14, 2021 meeting of the Hamilton County Drainage Board, the Board approved seeking appraisals for the required

easements from Irving Materials, Inc. [See Hamilton County Drainage Board Minutes Book 20, page 55].

At the November 22, 2021 meeting of the Hamilton County Drainage Board, the Board approved the appraisals for the easements needed from Irving Materials, Inc. [See Hamilton County Drainage Board Minutes Book 20, page 232].

At the November 28, 2022 meeting of the Hamilton County Drainage Board, the bid date for the reconstruction project was set for January 9, 2023. [See Hamilton County Drainage Board Minutes Book 21, page 94].

Five (5) bids were received for the reconstruction project at the January 9, 2023 meeting of the Drainage Board. The bids received were:

Company	Bid Submitted
Hoosier Pride Excavating, Inc.	\$855,464.36
Morphey Construction, Inc.	\$525,000.00
Indiana Earthworks, LLC	\$738,845.97
Conexco, Inc.	\$971,234.80
Indiana Excavating Services, LLC	\$486,896.13

The apparent low bid was \$486,896.13 from Indiana Excavating Services, LLC. There is a 120-day hold on the submitted bids to allow for a public hearing based on the received bids. [See Hamilton County Drainage Board Minutes Book 21, Page 119].

#### **Existing Conditions**

The existing JS McCarty Arm functions but is undersized by today's standards. The tile is 123-years old and has exceeded the expected service life of such a tile. Routine maintenance is required for the tile to function. The 51 work orders completed since 2000 total \$123,448.93.

The undersized tile does not effectively drain the root zone of the adjacent agricultural lands. An adequately drained root zone relieves stress on plants and provides aeration to the root system, which potentially increase production/yield of the acreage.

The town of Clarksville experiences significant areas of standing water and poor drainage.

The April 2015 watershed study by VS Engineering further outlines the poor drainage of the watershed. The study identifies numerous areas of standing water and flooding, collapsed/obstructed tile in two locations, and roadway overtopping.

#### **Drainage Complaint and Work Order History**

Based on a search of the County's database for drainage complaints, there have been sixty-three (63) Drainage Complaints logged into the County's database for such complaints since 2000. The complaints are listed below.

DC #	Date Created	Description	Location
2000-00010	3/29/00	Blow Holes	SR 38 and Middletown Ave.
2001-00084	6/7/01	Broken Tile/Hole	S of 166th St & E of Church
2002-00101	4/10/02	Standing Water	N of Clarksville on Durbin Rd
2002-00146	4/25/02	Broken Tile	W of Durbin Rd & N of SR 38
2002-00456	10/29/02	Blow Holes	Southside of Clarksville in Horse Lot
2003-00100	4/1/03	Broken Tile	166th St & Olio Rd
2003-00145	4/17/03	Broken Tile	13455 E SR 38; Behind Barn
2003-00174	5/2/03	Blow Holes	Mystic Rd & SR 38
2003-00264	5/27/03	Blow Hole	13998 Hill St, Noblesville
2003-00613	10/29/03	Broken Tile	N of Clarksville on Durbin Rd
2003-00677	12/4/03	Blow Holes	SR 38 and Mystic Rd
2004-00125	4/7/04	Culvert Collapsed on IMI Property	N of SR 38 & E of Middletown Ave
2004-00202	4/28/04	Blow Holes (2)	13655 SR 38, Noblesville
2004-00264	6/11/04	House Flooding	14107 Hill Street, Noblesville
2004-00365	7/28/04	Soil Erosion from Excessive Water	N of 166th St & W of Olio Rd

2005-00219	4/19/05	Broken Tile/Holes	W of Olio Rd & SR 238
2006-00085	3/16/06	Blow Holes	SR 38 & Durbin Rd
2006-00231	5/19/06	Blow Holes	SR 38 & Olio Rd
2006-00415	10/23/06	Drain Clogged	S of SR 38 & N of Durbin Rd (Vine St)
2007-00003	1/2/07	Blow Hole	166th St & Olio Rd
2007-00203	4/16/07	Blow Hole	N of 166th St & W of Olio Rd
2007-00230	4/23/07	Blow Hole	SR 38 & Middletown Ave
2008-00013	1/14/08	Broken Tile	E of Boden Rd & S of SR 38
2008-00152	4/21/08	Tile Exposed	W of Prairie Baptist & S of SR 38
2008-00331	7/8/08	Blow Hole	S of 166th St & E of Olio Rd
2009-00361	8/3/09	Pipe Damaged	SR 38 & Durbin Road R/W
2009-00448	11/17/09	Blow Holes	S of SR 38 & W of Olio Rd
2010-00340	11/17/10	Tile Blow Out	S of SR 38 & W of Olio Rd
2011-00394	10/13/11	Set Breather on Tiles	SR 38 & Durbin Rd
2011-00399	10/20/11	Broken Tile	S of SR 38 & SE of Mystic Road
2012-00162	4/17/12	Blow Holes (2)	S of SR 38 & W of Olio Rd
2012-00328	10/24/12	Sink Hole	N of SR 38 & E of Middletown Ave
2013-00094	3/20/13	Blow Holes	SR 38 & Olio Rd
2013-00156	4/19/13	Needs Dipped Out at Open Ditch	N of SR 38 & E of Middletown Ave

2014-00528	12/16/14	Blow Holes	E of Boden Rd & E of Durbin Rd
2015-00154	4/20/15	Broken Tile	S of SR 38 & E of Boden Rd
2015-00518	11/30/15	Broken Tile	N of SR 38 & W of Durbin Rd
2016-00090	3/30/16	Blow Holes	SR 38 Between Boden Rd & Olio Rd
2016-00394	10/12/16	Standing Water	S of 166th St & E of Olio Rd
2017-00009	1/13/17	Driveway Collapsed (Hole)	N of SR 38 & NE of Olio Rd
2017-00012	1/17/17	Yard Flooded	S of 166th St & E of Olio Rd
2017-00056	2/23/17	Hole Along Shoulder of SR 38	On SR 38, E of Olio Rd
2017-00111	3/31/17	Yard Flooded	S of 166th St & E of Olio Rd
2017-00175	4/27/17	Broken Tile	S of SR 38 & E of Boden Rd
2017-00212	5/4/17	Flooding	SW of SR 38 & Durbin Rd
2018-00033	2/22/18	Broken Tile	N of SR 38 & E of Durbin Rd
2018-00151	4/23/18	Blow Holes	W of Olio Rd & S of SR 38
2018-00346	9/10/18	Flooding	14141 SR 38
2018-00404	10/22/18	Drain Clogged	S of SR 38 & W of Vine St
2019-00099	3/22/19	Blow Holes	SR 38 & E of Boden Rd
2019-00286	5/21/19	Water Not Draining	Olio Rd, S of SR 38
2019-00412	6/26/19	Water Not Flowing at Breather	166th St & Olio Rd

2020-00147	4/10/20	Neighbor placing dirt on property	14141 East SR 38
2020-00256	5/19/20	Drain clogged	South of SR 38 and West of Vine
2020-00508	12/2/20	Flooding	16605 Durbin Rd
2021-00232	5/24/21	Basement flooding	SR38 and Durbin Road
2021-00388	10/25/21	Water in crawl space	South of SR38 and west of Durbin Road
2021-00390	10/25/21	Yard is flooded	North of 166 <sup>th</sup> and west of Olio Road
2022-00101	3/11/22	Clearing being completed	South of SR38 and east of Boden Road
2022-00124	3/22/22	Standing water/broken tile	South of SR 38 and east of Olio Road
2022-00271	5/16/22	Broken tile	South of SR38 and west of Olio Road
2022-00304	5/25/22	Hole	South of SR38 and west of Olio Road
2022-00488	10/26/22	Hole	South of SR38 and west of Olio Road

Based on a search of the County's database for work orders, there has been a total of fifty-one (51) work orders since 2000 with a total value of \$123,448.93. The Work Orders are listed below.

Work Order #	Type of Repair	Cost	Date Complete
2000-00064	Two (2) Holes and Tile Installation	\$916.50	6/12/00
2001-00069	Large Blow Hole Repaired	\$773.00	1/10/03
2001-00101	Blow Hole	\$281.70	1/10/03
2002-00063	Restored Flow of Tile Blockage	\$5,466.00	8/12/03
2002-00209	Blow Holes Repaired	\$456.00	8/13/03



2003-00056	Broken Tile Replacement	\$2,287.80	1/13/05
2003-00087	Broken Tile	\$1,922.00	1/14/05
2003-00257	Tile Install and Two (2) Loads of Fill Dirt	\$1,123.00	1/20/05
2004-00048	Broken Tile Replacement	\$1,187.00	12/9/05
2004-00110	Broken Tile Replacement	\$1,461.50	12/9/05
2005-00109	Broken Tile Replacement	\$858.00	12/1/05
2005-00183	Repair & Restore Tile Blockage	\$4,950.25	12/2/05
2006-00058	Blow Holes Repaired	\$2,475.25	10/27/06
2006-00132	Jet & Root Cut Tile	\$209.00	11/1/06
2007-00007	Tile and Box Structure Installation	\$9,226.81	1/18/07
2007-00008	Jet the Tile	\$312.50	1/18/07
2007-00118	Broken Tile Replacement	\$822.00	12/18/07
2007-00142	Two (2) Holes and Tile Installation	\$672.00	12/21/07
2007-00203	Jet the Tile for Proper Flow	\$567.25	1/18/08
2008-00034	Broken Tile Replacement	\$545.00	3/25/08
2008-00198	Broken Tile Replacement	\$935.50	8/26/08
2008-00275	Broken Tile Replacement	\$529.00	12/24/08
2009-00228	Tile Breather Reset	\$193.00	1/25/10
2009-00298	Several Blow Holes Repaired	\$620.00	1/13/10
2010-00056	Blow Hole Repaired	\$291.10	5/25/10
2010-00269	Two (2) Blow Holes Repaired	\$620.00	11/22/11
2012-00016	Set Breathers on Tile	\$599.00	4/23/12

2012-00017	Two (2) Blow Holes Repaired & Tile Installed	\$1,057.00	1/22/13
2012-00151	Blow Holes Repaired & Tile Installed	\$1,593.00	1/14/12
2012-00298	Tile Repair	\$646.80	11/19/14
2013-00079	Tile Repair	\$12,351.90	5/31/13
2013-00117	Dredge Open Ditch	\$2,441.50	9/23/13
2015-00031	Clearing, Tile Install/Replacement, Breather Install	\$9,483.65	4/27/15
2015-00159	Blow Hole Repaired	\$922.00	6/23/15
2016-00055	Several Blow Holes Repaired & Breather Install	\$966.50	4/11/17
2016-00123	Blow Hole Repair & Reset Str. Casting	\$606.48	5/10/16
2017-00023	Blow Hole Repair in Driveway	\$4,387.25	12/21/17
2017-00029	Tile Repaired at Blockage	\$5,163.25	12/21/17
2017-00030	Jet & Root Cut Tile	\$1,575.00	3/14/17
2017-00057	Repair Large Hole in Shoulder of SR 83	\$1,127.57	4/12/17
2017-00139	Blow Holes Repaired	\$2,229.50	6/13/19
2018-00043	Filter Strip Installation	\$768.00	6/12/18
2018-00062	Tile Repair & Installation of Box Structure	\$21,017.10	6/13/19
2018-00097	Jet Tile to Remove Blockage	\$450.00	5/15/18
2018-00124	Blow Hole Repair	\$1,766.61	6/12/18
2018-00270	Blow Hole Repair	\$7,075.45	10/23/18

2018-00313	Jet Line to Remove Blockage	\$481.25	12/5/18
2019-00079	Two (2) Blow Holes Repaired	\$2,012.86	6/11/19
2019-00229	Tile repair	\$2,520.25	7/15/19
2020-00415	Tile Repair	\$2,102.85	12/8/20
2021-00025	Surface grading	\$403.00	4/7/21

### **Reconstruction Project**

The project is the first phase of an overall project to improve drainage in the watershed and the Town of Clarksville. The project will convert a portion of the existing John S. McCarty Arm from a tile to an open ditch to improve the capacity of the drain; widen an existing roadside ditch as new regulated drain; construct a short segment of new open ditch regulated drain; and dredge segments of the open ditch portions of the existing John S. McCarty Arm and Booth Zeis Arm between Boden Road and the William Lehr Ditch.

The open ditch will have a bottom width of 6-feet from Construction Drawing Station 10+00 to Station 41+75. The bottom width will be 4-feet from Construction Drawing Station 41+75 to 68+05. Bank side slopes will be 2:1 along entire the length of the open ditch. There will be a short transition between the bottom widths near Construction Drawing Station 41+75.

More specifically, the project includes the dredging of 718-feet of existing open ditch; the construction of approximately 1,041-feet of new open ditch along an existing roadside ditch; the construction of 3,698-feet of new open ditch to replace existing tile (a total of 4,739-feet of open ditch); the construction of four (4) farm crossings consisting of a total length of 244-feet of 60" CMP; clearing of fences and other improvements within the existing regulated drain easement; removal of 90-feet of existing regulated drain tile that is not along the alignment of the new open ditch; surface water pipes with animal guards as needed; tile drain extensions with animal guards as needed; one (1) breather; one (1) tile bulkhead; construction phase erosion and sediment control measures including two (2) construction entrances, rip-rap, filter strips, and ditch seeding.

The existing portion of the existing John S. McCarty Arm upstream of Station 25+40 will outlet to the new open ditch. The George Steffey Arm will outlet to the new open ditch.

Across parcels 12-11-02-00-00-028.000, 12-11-02-00-00-024.001, across a portion of parcel 12-11-02-00-00-023.001, and across a portion of parcel 12-11-02-00-00-021.000 the excess soil material generated from the project will not be spread within the regulated drain easement. The excess soil material from the project will be

hauled and stockpiled at a location to be determined by Irving Materials, Inc.

For the remainder of the project, excess soil material generated from the project shall be spread within the limits of the existing easement so as not to negatively affect the existing surface drainage flow.

#### **Easements**

Except for the following parcels, the project will occur within existing regulated drain easement or right-of-way. Additional easement is required across the following parcels:

Parcel No.	Owner	Easement Acreage
12-11-02-00-00-028.000	Irving Materials, Inc.	1.628-acres
12-11-02-00-00-024.001	Irving Materials, Inc.	0.121-acres

At this time the county has been in negotiation with Irving Materials, Inc. since July 7, 2021 for the needed easement.

#### **Permits**

As this project will convert a tile drain to an open ditch drain and the dredging work is being completed within existing regulated drain easement and the dredging work does not substantially change the characteristics of the drain to perform the function for which it was designed and constructed, no permits are required from Indiana Division of National Resources, Indiana Department of Environment Management, or U.S. Army Corps of Engineers.

#### **Filter Strips**

20-foot filter strips are hereby established across the following parcels:

Parcel No.:	Owner	Side of Open Ditch
12-11-02-00-00-028.000	Irving Materials, Inc.	South
12-11-02-00-00-024.001	Irving Materials, Inc.	South
12-11-02-00-00-023.001	PMB Enterprises, Inc.	Both

12-11-02-00-00-022.000	PMB Enterprises, Inc.	Both
12-11-02-00-00-021.000	PMB Enterprises, Inc.	Both
12-11-02-00-00-017.000	Schuler, James T & Mary Louise h&w 1/2 int & Marcia Ann Sexton 1/2 int jtrs	Both
12-11-02-00-00-015.000	Boram, Lynn A & Ernestine	Both

### **Changes to the Drain**

The stationing referenced in this report is based on the historic stationing listed in the County's GIS database.

A portion of the Booth Zeis 2004 Extension Arm, the John S. McCarty 2004 Relocation Arm, and a portion of the John S. McCarty 1994 Relocation Arm between Boden Road and the William Lehr Ditch will be dredged with this project. The dredging work, a total length of 718-feet, will not change the length of these drains.

The existing culvert under Boden Road between Station 79+54 and 78+50 will not be reconstructed with this project.

The work between Stations 78+50 and 78+39 of the John S. McCarty 1994 Relocation Arm will not change the length of the drain.

Starting at Station 78+39, 1,336-feet of new open ditch regulated drain will be constructed, increasing the length of the drain by 1,336-feet.

Between Stations 62+30 and 55+50, the John S. McCarty 1994 Relocation Arm will be reconstructed as an open ditch. The existing tile will be removed as the new open ditch is constructed. The work will not change the length of the drain.

Between Stations 55+50 and 25+40, the John S. McCarty Arm will be reconstructed as an open ditch. The existing tile will be removed as the new open ditch is constructed. The work will not change the length of the drain.

The John S. McCarty 1994 Relocation Arm between Stations 62+30 and 63+20, a length of 90-feet, will be removed by this project with the construction of the new open ditch and will decrease the length of the John S. McCarty 1994 Relocation Arm by 90-feet. A bulkhead and breather will be installed on the existing tile at the resulting top-of-bank of the new open ditch.

The project includes the installation of rip-rap on the west bank of the William Lehr Ditch. This incidental work does not change the length of the drain.

The net increase in length of the William Lehr watershed is 1,246-feet.

**Construction Cost**

The lowest bidder was Indiana Excavating Services, LLC. Based on the bid received, the cost of construction for this project is \$486,896.13 and is outlined below.

Line Item	Item Description	Quantity	Unit	Unit Cost	Total Cost
BB-1	Clearing	LS	1	\$ 23,712.00	\$ 23,712.00
BB-2	Fence Removal	LF	320	\$ 7.41	\$ 2,371.20
BB-3	Regulated Drain Tile Removal	LF	90	\$ 74.70	\$ 6,723.00
BB-4	Maintenance of Traffic	LS	1	\$ 2,995.20	\$ 2,995.20
BB-5	Open Ditch Construction	LF	2331	\$ 21.96	\$ 51,118.76
BB-6	Open Ditch Construction - IMI Spoil Disposal Area	LF	2408	\$ 25.90	\$ 62,367.20
BB-7	Open Ditch Dredging	LF	718	\$ 35.73	\$ 25,654.14
BB-8	60" CMP with Granular Backfill	LF	244	\$226.55	\$ 55,278.20
BB-9	Surface Water Pipe with Animal Guard and CMP End Section	EA	14	\$ 2,535.30	\$ 35,494.20
BB-10	8" CMP Tile Drain Extension with Animal Guard	EA	3	\$ 1,164.15	\$ 3,492.45
BB-11	15" CMP Tile Drain Extension with Animal Guard	EA	1	\$ 1,688.13	\$ 1,688.13
BB-12	18" CMP Tile Drain Extension with Animal Guard [Regulated Drain Outlet]	EA	1	\$ 1,566.24	\$ 1,566.24
BB-13	24" CMP Tile Drain Extension with Animal Guard [Regulated Drain Outlet]	EA	1	\$ 2,627.05	\$ 2,627.05
BB-14	6" CMP Breather	EA	1	\$ 3,196.20	\$ 3,196.20
BB-15	Bulkhead Existing Tile	EA	1	\$ 1,884.72	\$ 1,884.72
BB-16	Revetment Rip Rap with Geotextile	TON	1090	\$ 55.61	\$ 60,058.90
BB-17	Revetment Rip-Rap in Reno Mattress with Geotextile	TON	227	\$129.52	\$ 29,401.04

BB-18	Construction Entrance	EA	2	\$ 2,211.25	\$ 4,422.50
BB-19	Farm Crossing [12", #2 Stone]	TON	305	\$208.40	\$ 63,562.00
BB-20	Fence Repair	LF	230	\$ 32.72	\$ 7,525.60
BB-21	Seeding Type 1; Ditch Seeding [with fertilizer?]	ACRE	4.8	\$ 4,025.00	\$ 19,320.00
BB-22	Seeding Type 2 Area; Filter Strip (with fertilizer and straw mulch)	ACRE	4.3	\$ 4,025.00	\$ 17,307.50
BB-23	Work Under Power Lines	LS	1	\$ 5,060.00	\$ 5,060.00
<b>Total</b>					<b>\$486,896.13</b>

### **Total Project Costs**

The total cost of the project includes construction costs, contingency costs, easement acquisition costs, and professional service costs. The total cost of this project is \$8,58,211.18. The various costs are outlined below:

	<b>Item</b>	<b>Cost</b>
1	Construction Cost	\$486,896.13
2	15% Construction Contingency	\$73,034.42
3	Clearing for project under WO-2022-00091 and WO-2022-00145	\$22,191.25
4	Appraisal Services	\$3,140.00
5	Easement Acquisition [Based on SBJC for 1.749-acres dated 11/10/21]	\$34,700.00
6	Hydraulic Study Professional Services	\$28,061.00
7	Survey and Design Professional Services	\$110,189.00
8	Construction Professional Service including Staking, Grade Checks, and As-Built Drawings [Estimate]	\$100,000.00
	<b>Total Project Cost</b>	<b>\$858,211.80</b>

**Project Funding**

The maintenance fund balance for the William Lehr Watershed is currently \$1,070,183.24.

\$79,793.00 of the maintenance fund is already committed for other contracts leaving an available balance of \$990,390.24.

To date the costs for the above items 3,4,6 and 7 have been paid by the maintenance fund. These line items amount to \$163,581.25.

The William Lehr Watershed Maintenance Fund currently receives \$149,134.98 annually from maintenance assessments.

Per IC 36-9-27-45.5, the Board may utilize 75% of the current balance of this fund for the work which would be \$742,792.68. The remaining costs for the project is \$694,630.55.

I recommend that the cost of this project be paid from the William Lehr Maintenance Fund as allowed by IC 36-9-27-45.5. Funding the project in this manner would negate the need for a reconstruction assessment on the residents within the portion of the William Lehr Watershed that would benefit from this project.

I believe that no damages will result to the landowners by the reconstruction of this drain. Damages are set a zero (0).

I recommend the Board set a hearing for this reconstruction for March 27, 2023.

Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pil



STATE OF INDIANA     )  
                              )   ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**William Lehr Drain, J. S. McCarty Arm Phase 1 Reconstruction**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **William Lehr Drain, J. S. McCarty Arm Phase 1 Reconstruction** came before the Hamilton County Drainage Board for hearing **on March 27, 2023**, on the Reconstruction Report consisting of the report and the Schedule of Damages and Assessments. The Board also received and considered the written objection of an owner of certain lands affected by the proposed Reconstruction, said owner being:

Evidence was heard on the Reconstruction Report and on the aforementioned objections.

The Board, having considered the evidence and objections, and, upon motion duly made, seconded and unanimously carried, did find and determine that the costs, damages and expenses of the proposed Reconstruction will be less than the benefits accruing to the owners of all land benefited by the Reconstruction.

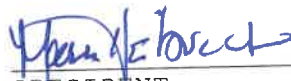
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.

The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.


Wherefore, it is ORDERED, that the proposed Reconstruction of the **William Lehr Drain, J. S. McCarty Arm Phase 1 Reconstruction** be and is hereby declared established.

Thereafter, the Board made inspection for the purpose of determining whether or not the lands of any owners had been erroneously included or excluded from the Schedule of Assessments. The Board finds on the basis of the reports and findings at this hearing as follows:

HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

ATTEST:

  
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***William Lehr Drain, J.S. McCarty Arm  
Phase 1 Reconstruction***

NOTICE

To Whom It May Concern and: Fellowship Baptist Church  
LLC 16760

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **William Lehr Drain, J.S. McCarty Arm, Phase 1 Reconstruction** on **March 27, 2023** at **9:15 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed by the Drainage Board have been filed and are available for public inspection in the office of the Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

STATE OF INDIANA     )  
                              ) SS                   BEFORE THE HAMILTON  
                              )  
COUNTY OF HAMILTON )                   DRAINAGE BOARD

IN THE MATTER OF **William Lehr Drain, J. S. McCarty Arm**  
**Phase 1 Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **March 27, 2023** adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

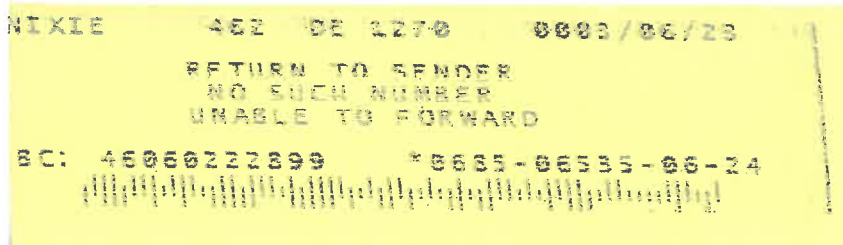
BY: Mark Heirbrandt  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY

OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 February 24, 2023

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **William Lehr Drain, J.S. McCarty Arm, Phase 1 Reconstruction.**

Fellowship Baptist Church  
 12860 E State Road 38  
 Noblesville, IN 46060



Under the Indiana Drainage Code, all land which drains directly, or indirectly, may be assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefited. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

You are hereby notified that the reconstruction report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor. The chart below contains your proposed assessment and your percentage of the total reconstruction assessment.

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **William Lehr Drain, J.S. McCarty Arm, Phase 1 Reconstruction** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefited	Damages	Reconst. Assmt.	% of Total Acres Ben	Maint. Assmt.
12-11-02-00-00-027.000					
S2 T18 R5 0.12Ac	0.12	Zero	*	0.02%	*
* Reconstruction to be paid with current maintenance funds.					
* No change in current maintenance assessment rates.					

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at **9:15 A.M. on March 27, 2023** in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall, and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

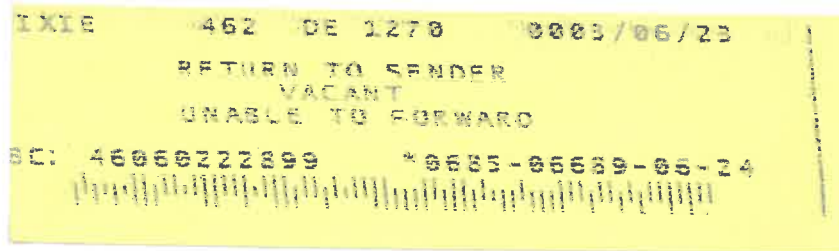
HAMILTON COUNTY DRAINAGE BOARD  
 One Hamilton County Square, Ste. 188  
 Noblesville, IN 46060-2230

*For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to [www.hamiltoncounty.in.gov/drainageboardnotices](http://www.hamiltoncounty.in.gov/drainageboardnotices).*

OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 February 24, 2023

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **William Lehr Drain, J.S. McCarty Arm, Phase 1 Reconstruction.**

LLC 16760  
 16760 Lehr St  
 Noblesville, IN 46060



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Description of Land	Acres Benefited	Damages	Reconst. Assmt.	% of Total Acres Ben	Maint. Assmt.
12-11-01-03-01-022.000					
S1 T18 R5 Clarksville Original Lot Pt 2	0.22	Zero	*	0.04%	*
* Reconstruction to be paid with current maintenance funds.					
* No change in current maintenance assessment rates.					

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HAMILTON COUNTY DRAINAGE BOARD  
 One Hamilton County Square, Ste. 188  
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