

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Fax (317) 776-9628

Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

April 4, 2013

To: Hamilton County Drainage Board

Re: U.G. Mitchner Drain, Setters Run #293 Arm

Upon review of the U.G. Mitchner Drain watershed area, I believe that the Setters Run Drain should be made an arm to the U.G. Mitchner Drain, as the Setters Run Drain discharges to the U.G. Mitchner Drain. This would eliminate the double maintenance assessment on these tracts currently assessed for both the Setters Run Drain and the U.G. Mitchner Drain.

The Setters Run Drain was created per my report dated April 18, 1996 and approved by the Board at a hearing on July 22, 1996 (See Drainage Board Minute Book #4, pages 266 to 267). At present the Setters Run Drain maintenance assessment affects 51.59 acres and 177 lots. The rates of assessment for the drain are set at \$5.00 per acre with a \$15.00 minimum. This rate collects \$3,081.36 annually and the balance within the fund is \$7,159.95. There are no outstanding work orders for this drain at this time.

The following maintenance assessments shall be set for the U.G. Mitchner Drain:

1. 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.

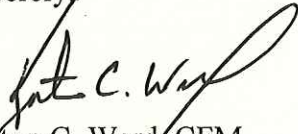
The total annual assessment for this arm will be \$12,847.70.

The current balance of the Setters Run Drain shall be kept separate and these funds expended for needed maintenance on the Setters Run Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the U.G. Mitchner Drain maintenance fund.

Future assessments for the drainage area of the Setters Run Drain will be made into the U.G. Mitchner Drain maintenance fund. No further maintenance collections for the Setters Run Drain shall be made after 2013 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for June 24, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenton C. Ward". The signature is fluid and cursive, with a large loop at the end.

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER


CONCERNING THE MAINTENANCE OF THE

U. G. Mitchner Drain, Setters Run Arm

On this 24th day of June, 2013, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **U. G. Mitchner Drain, Setters Run Arm**.

Evidence has been heard. Objections were presented and considered. The Board then adopted the original/amended Schedule of Assessments. The Board now finds that the annual maintenance assessment will be less than the benefits to the landowners and issues this order declaring that this Maintenance Fund be established.

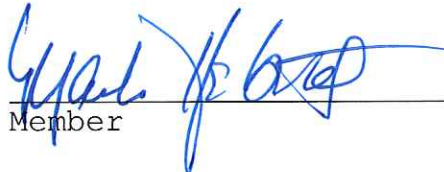
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

U. G. MITCHNER DRAIN, SETTERS RUN ARM

Property Owner	Parcel Number	Benefit	Current Assessment	Proposed Assessment	Number of Notices Mailed	% of Total
Koning, Brian T. & Doreen M.	08-10-17-00-02-062.000	One Lot	\$15.00	\$65.00	193	0.51%
Connolly, Stephen R. & Julie M.	08-10-17-00-02-038.000	One Lot	\$15.00	\$65.00		0.51%
TOTALS		2 Lots	\$30.00	\$130.00	193	1.02%

June 12, 2013



Hamilton County Drainage Board
One Hamilton County Square, Ste 188
Noblesville, IN 46060

Ref: U.G. Mitchner Drain, Maintenance Assessment Increase
S17 T18 R4 Setters Run 1st Lot 62

In regards to the proposed annual assessment increase, we would like to object to the increase of our charge from the current \$10 to the proposed \$65 (a 550% increase)

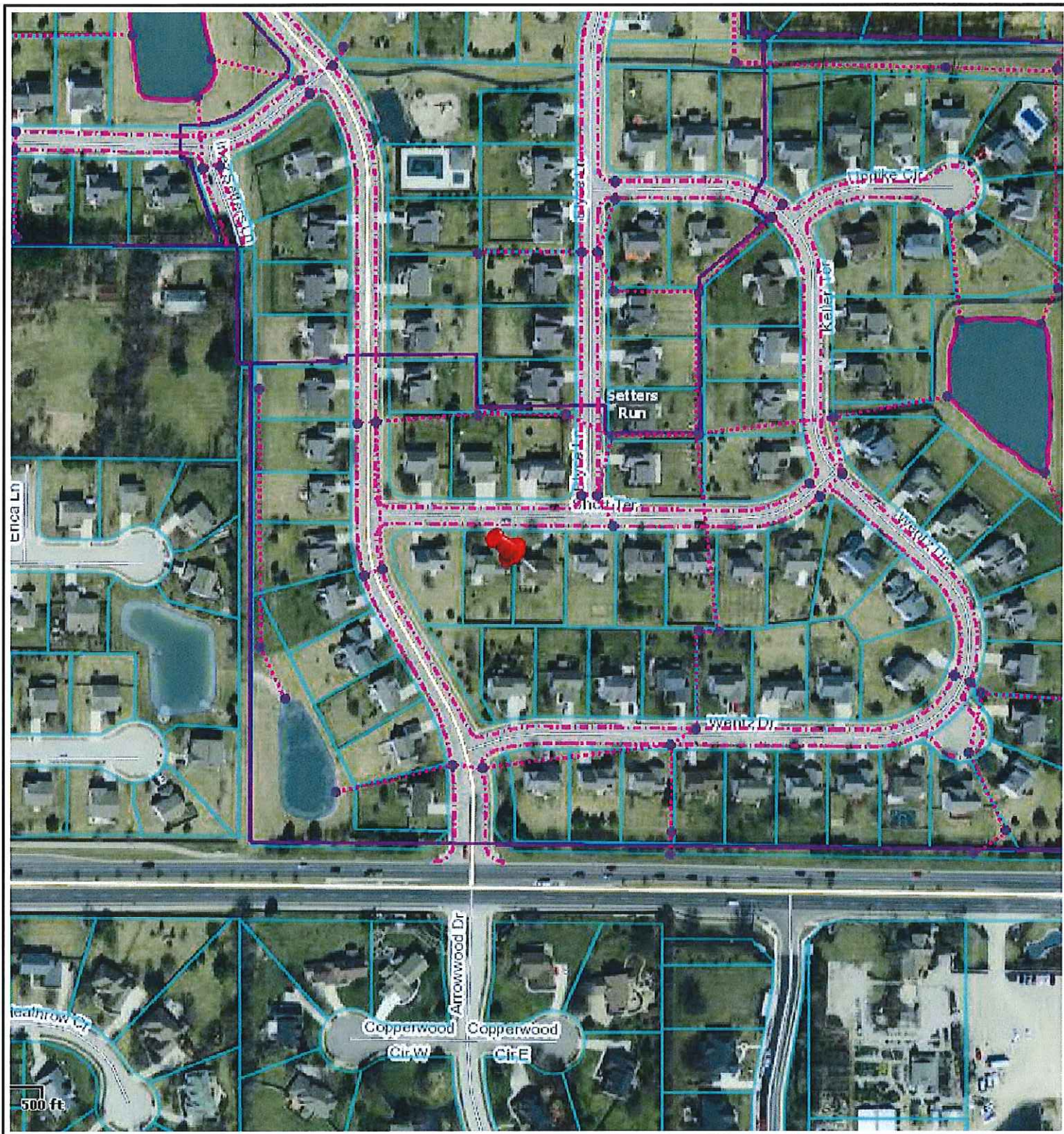
The copy of the surveyor's report shows that our property is part of the U.G. Mitchner Drain Setters Run #293 Arm. The notice and report does not provide information on what is causing the need for the annual assessment of the drain to increase from \$50,284 to \$83,234 (a 66% increase) and the Arm portion to increase from \$3,081.36 to \$12,847 (a 317% increase). Our suspicion is that it is due to the increased development by Bridgewater surrounding the Setters Run edition. At this point in time, much of the land is not designated as lots and suspect that the increased drainage and retention ponds in the new developments are causing the lots to receive a significantly higher charge. Specifically, we object to the Setters Run #293 Arm having to bear the same proportion of the increase as the lots directly in the U.G. Mitchner Drain area due to the cause of the needed increase. Without a reason given for the disproportionate increase (550% increase for our assessment) or listing of benefits received, we object to assessment increase.

Sincerely,

A handwritten signature in black ink, appearing to read "Doreen and Brian Koning".

Doreen and Brian Koning
4219 Short Terrace
Carmel, IN 46033
317-706-0209
dkoning@fhlbi.com

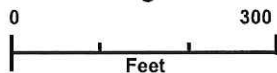
08-10-17-00-02-062.000



Hamilton County

This is My Map

Printed: Jun 25, 2013



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County of
Hamilton
 Indiana
www.hamiltoncounty.in.gov

Stephen & Julie Connolly
4401 Wentz Drive
Carmel, IN 46033
June 14, 2013



Office of Hamilton County Drainage Board
One Hamilton County Square, Ste. 188
Noblesville, IN 46060

To Whom It May Concern:

We received a notice of a proposed increase in the Setters Run drainage assessment. From the information on the drainage board website, it appears that the Setters Run drain will become a part of the U.G. Mitchner drain, into which it already drains. This would decrease the amount of work assessing the drain since only one drain will be assessed instead of two. We do not feel that decreasing the assessment time and management warrants an increase in fees. In Westfield, we already have one of the highest tax rates in Hamilton County.

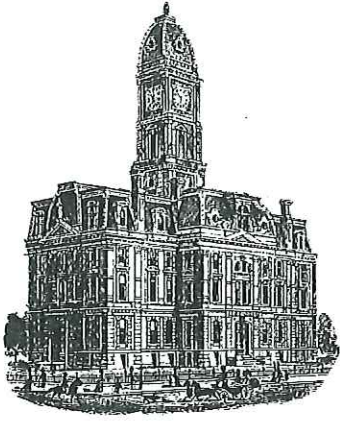
Please take this into consideration when reviewing this proposal.

Sincerely,

Stephen Connolly
Julie Connolly
Stephen & Julie Connolly

08-10-17-00-02-038.000

U.G. Mitchner, Setters Run Arm



SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Fax (317) 776-9628

Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

June 28, 2013

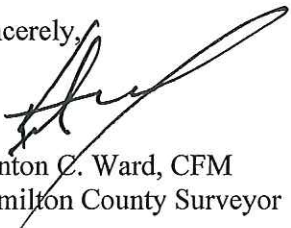
Stephen & Julie Connolly
4401 Wentz Drive
Carmel, IN. 46033

RE: U.G. Mitchner Drain, Setters Run Arm

At its meeting on June 24th the Hamilton County Drainage Board considered your objection to on the above referenced hearing. At that meeting the Board approved the combination and rate increase. The total objections filed against the proposal amounted to 1.02% of the drainage shed.

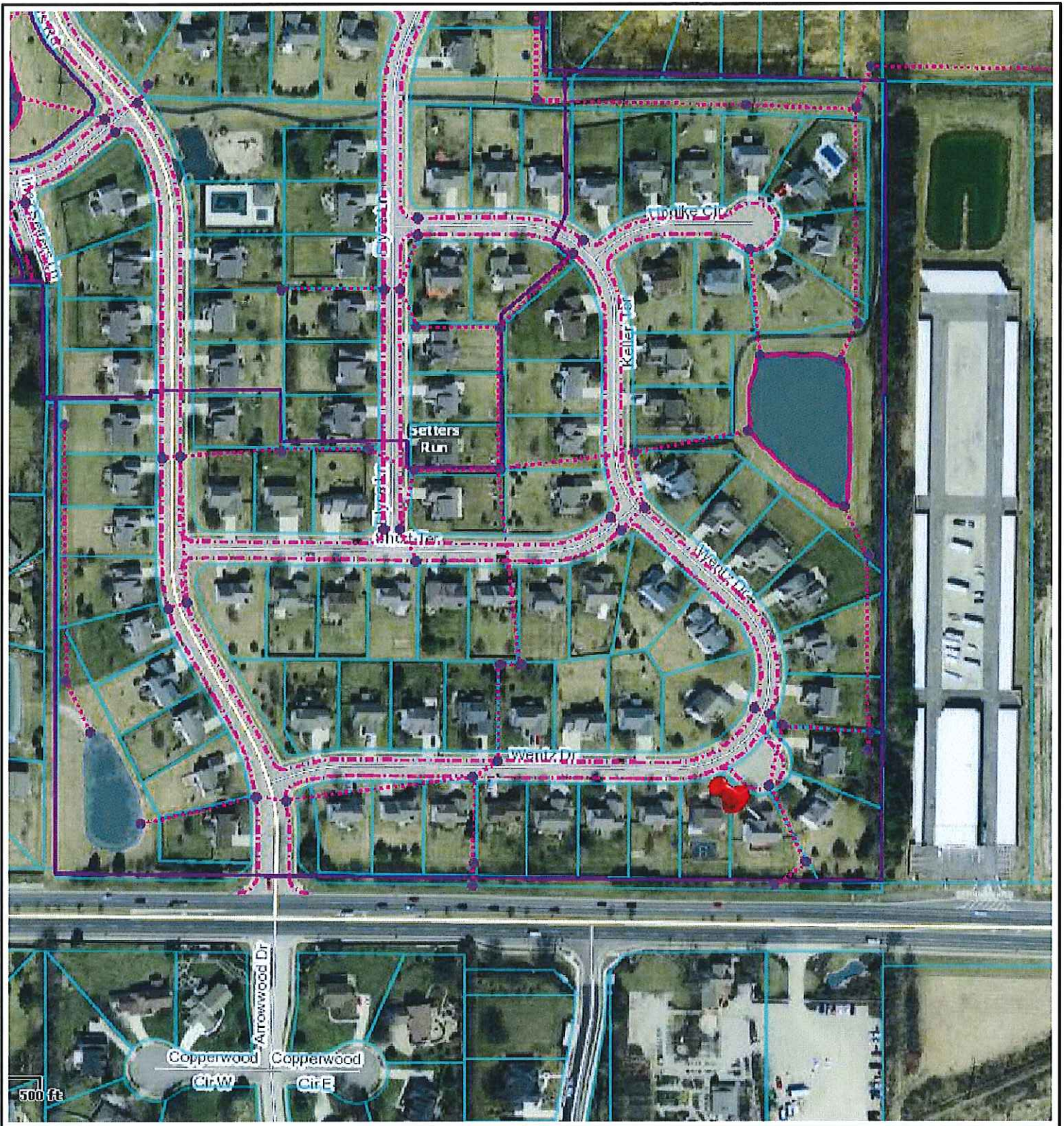
Please be aware that the decrease in assessment time was but a minor part of the proposal. With the computer program the county utilizes for this additional work is negligible. The main reason for the combination is to benefit the property owners in Setters Run. If the combination did not occur the property owners in Setters Run would be paying an additional \$65.00 annually because they would be double assessed. The \$65.00 rate is the standard rate in Hamilton County for lots within subdivisions in which the drainage facilities within the subdivision are part of the regulated drain system.

Sincerely,



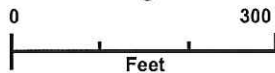
Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll



Hamilton County This is My Map

Printed: Jun 25, 2013



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County of
Hamilton
Indiana
www.hamiltoncounty.in.gov

RETURNED

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
May 24, 2013

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the
U.G. Mitchner, Setters Run Arm.

Blair, Pamela Jane
3810 Brasseur Ln
Carmel, IN 46033

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 benefitted. From time to time the assessments may be increased or changed. The chart below contains your proposed assessment and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

The Drainage Board has received a maintenance report and schedule of assessments which affects your land. You are hereby notified that the maintenance 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 Surveyor has estimated that the annual cost of periodically maintaining the entire drain is **\$12,847.70**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 08-10-17-00-04-057.000 Rate: Regulated Subd				
Description	Acres Benefitted	Current Assessment	Proposed Assessment	% of Total
S17 T18 R4 Setters Run 3rd Lot 171	One Lot	\$15.00	*	0.51%

*This parcel will be assessed one assessment of \$65.00 per year after Setters Run becomes an arm to the Mitchner Drain.

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:05 A.M. on June 24, 2013** on the Surveyor's maintenance report and the proposed schedule of assessments. The law requires that any objection must be written and filed not less than five (5) days before the above hearing on the ground that benefits assessed are excessive. Written evidence in support of objections may also be filed. The failure of any owner to file an objection constitutes a waiver of his right to thereafter object on such ground to any final action of the Board. On or before the hearing date the Surveyor or any owner of lands named in the schedule of assessments may cause written evidence to be filed in support of or in rebuttal to any objection filed.

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

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.

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

U. G. Mitchner Drain, Setters Run Arm

NOTICE

To Whom It May Concern and: Blair, Pamela Jane

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **U. G. Mitchner Drain, Setters Run Arm** on **June 24, 2013** at **9:05 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana, and which construction and maintenance reports of the 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 Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

U. G. Mitchner Drain, Setters Run Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **June 24, 2013** has issued an order adopting the Schedule of Assessments, filed the same and made public announcement thereof at the hearing and ordered publication. If judicial review of the findings and order of the Board is not requested pursuant to Article Eight of this code within twenty (20) days from the date of this publication, the order shall be conclusive.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

