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April 6, 2022

TO: Hamilton County Drainage Board

RE: **Elwood Wilson Drain E.M. Hare Arm Reconstruction (Revised)**

Attached are the plans, schedule of assessments and drainage shed map, for the Elwood Wilson Drain EM Hare Arm Reconstruction Project.

The Elwood Wilson Drain EM Hare Arm is located in Noblesville Township of Hamilton County and benefits properties in Sections 32 and 33 of Township 19 North, Range 5 East. The drain is currently tiled and is 8,197-feet-feet in length. The EM Hare Arm drainage shed is 765.94-acres. The area subject to assessment also includes acreage in Section 5 of Township 18 North, Range 5 East in Noblesville Township and acreage in Section 34 of Township 19 North, Range 5 East in Wayne Township.

The Elwood Wilson Drain EM Hare Arm discharges to the Home Depot Relocation Arm of the Elwood Wilson Drain on the east side of Presley Drive. The Home Depot Relocation Arm of the Elwood Wilson Drain discharges to the Elwood Wilson Main Ditch which then flows downstream through the Elias Gascho Arm, then flows through the Firestone Reconstruction Arm, and then flows through the Elwood Wilson Main Ditch to Stony Creek.

The attached plans, dated December 17, 2021 were prepared by Clark Dietz, Inc. The plans are for dredging a section of the Elwood Wilson Main Ditch, reconstructing the majority of the Home Depot Relocation Arm of the Elwood Wilson Drain, and reconstructing a portion of the EM Hare Arm of the Elwood Wilson Drain as an open ditch. The project will improve the flow characteristics of the Drain and will allow future reconstruction projects of the remainder of the EM Hare Arm of the Elwood Wilson Drain.

The drain stationing in this report reference the historic stationing of the drain. The project stationing of the construction plans by Clark Dietz does not follow the historic stationing.

I have made a personal inspection of the Drain. Upon doing so, I believe that the drain is practicable; will improve the public health; will 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 Elwood Wilson Drain was established in approximately December of 1891 (Commissioner's Record No. 7, Page 153).

The EM Hare Arm of the Elwood Wilson Drain was petitioned on May 16, 1908. The record includes a Viewers Report dated June 8, 1908 (Ditch Construction Book 1885-1914, Page 323).

The Home Depot Relocation Arm of Elwood Wilson Drain was approved at hearing at the August 27, 2001 meeting of the Drainage Board (Hamilton County Drainage Board Meeting Minutes Book 6, Page 127)

Work Order History

Based on a search of the County's database for drainage complaints, there have been eighteen (18) Drainage Complaints logged in to the County's database for such complaints since 2001. The complaints are listed below.

Job #	Issue	Description	Location
DC-2001-00086	1/17/2002	Breakdown of tile; several holes	East of SR 37 & South of SR 32
DC-2001-00194	10/16/2001	Flooding in area	#18067 Promise Rd, Noblesville
DC-2002-00009	1/17/2002	Blow hole	North of SR 32 & West of Promise Rd
DC-2002-00235	5/14/2002	No headwall on surface drain	North of SR 32 & East of Presley Dr
DC-2003-00577	10/9/2003	Blow holes	181st St & Promise Rd
DC-2003-00639	11/10/2003	Broken tile	North of SR 32 & West of Promise Rd
DC-2006-00300	7/6/2006	Erosion	North of SR 32 & East of Presley Dr
DC-2008-00023	1/29/2008	Broken field tile	North of SR 32 & West of Promise Rd
DC-2011-00428	11/17/2011	Standing water	Near 181st St on both E and W sides of Promise Rd
DC-2012-00134	4/5/2012	Blow holes	North of SR 32 & East of SR 37

DC-2014-00254	5/14/2014	Erosion at gabion baskets	North of SR 32 & East of Presley Dr
DC-2014-00289	5/30/2014	Blow hole	North of 181st St & East of Promise Rd
DC-2014-00505	11/19/2014	Blow holes	North of SR 32 & West of Promise Rd
DC-2015-00238	5/13/2015	Blow hole	Near 181st St & West of Promise Rd
DC-2015-00469	10/8/2015	Rocks and sediment in Breather	North of 181st St & East of Promise Rd
DC-2016-00115	4/14/2016	Seven (7) blow holes	North of SR 32 & East of SR 37
DC-2018-00111	4/5/2018	Water overtopping road on 186th St	On 186th Street & West of Promise Rd
DC-2019-00035	2/1/2019	Drain clogged	North of 181st St & East of Promise Rd

There have been a total of 12 Work Orders since 2001 with a total value of \$19,897.93. The Work Orders are listed below.

Job #	Type of Repair	Cost (\$)	Date Complete
WO-2001-00156	Water boiling up; Investigate tile for blockage	\$3,251.20	1/10/2003
WO-2002-00010	Blow hole	\$294.00	8/12/2003
WO-2003-00239	Several blow holes	\$1,422.10	1/20/2005
WO-2004-00040	Repair holes and investigate tile for blockage	\$885.10	12/9/2005
WO-2008-00042	Several blow holes	\$852.55	2/5/2009
WO-2012-00049	Several holes; investigate tile for blockage	\$1,436.86	4/10/2012
WO-2012-00133	Three blow holes	\$1,485.20	5/29/2012
WO-2015-00008	Blow hole on regulated tile	\$546.00	2/25/2016
WO-2015-00198	Blow hole	\$1,125.70	6/23/2015
WO-2015-00384	Breather full of rocks and sediment	\$813.75	6/24/2016

WO-2016-00167	Seven blow holes	\$1,945.47	8/18/2016
WO-2017-00138	Repair holes and de-brush around structure and easement	\$5,840.00	6/13/2019

Existing Condition

The existing drain is comprised of the original clay field tile constructed in 1908. The 20" portion of the tile between Stations 81+97 and 79+60, just east of Presley Drive, was constructed in 1959. The Drain functions but is undersized by today's standards. The tile is at least 114-years old and has exceeded the expected service life of such a tile. Routine maintenance is required for the tile to function

It is common for ponding to occur after rain events in several of the fields within the watershed. Such ponding and saturated soil conditions affect crop production.

Promise Road, just north of 181st Street, regularly overtops during rain events.

The portion of the Elwood Wilson Main Ditch and the portion of the Home Depot Relocation Arm to be reconstructed with this project have accumulated sediment within the ditch that affects the capacity of the drain.

Reconstruction Project

Each aspect of the reconstruction project is recommended in the Elwood Wilson Drain, EM Hare Arm Hydraulic Study completed by Clark Dietz, Inc. dated December 2016.

The proposed open ditch and culverts were sized for runoff from the 100-year storm event from the watershed in the existing condition. The culverts were sized to convey runoff from the 100-year storm event within the watershed without overtopping the roadways. The open ditch was designed so that the runoff from the 100-year storm event within the watershed would remain below the top-of-bank.

While the project mainly involves the reconstruction of the EM Hare Arm of the Elwood Wilson Drain, certain portions of the Elwood Wilson Main Ditch and the Home Depot Relocation Arm of the Elwood Wilson Drain must also be reconstructed to improve the capacity of the Drain.

The project will be let by the Hamilton County Drainage Board and the construction contract will be managed by the Hamilton County Surveyor's Office.

The project includes the following:

1. Reconstruct the Elwood Wilson Main Ditch between Station 13+06 and Station 7+46 to re-establish the flowline and cross-sectional area of the ditch to improve the capacity of the Drain. The ditch configuration varies through this segment and includes a bag type cast-in-place retaining wall as follows, looking upstream:

Station		Side Slope		Bottom Width (ft)		Retaining Wall	
From	To	Left (H:V)	Right (H:V)	Left	Right	Left	Right
13+06	12+80	2:1	2:1	2	2	No	No
12+80	12+60	Transition	2:1	Transition	2	No	No
12+60	11+81	0.5:1	2:1	4	2	Yes	No
11+81	11+60	0.5:1	Transition	4	Transition	Yes	No
11+60	10+69	0.5:1	0.5:1	4	4	Yes	Yes
10+69	10+48	Transition	0.5:1	Transition	4	No	Yes
10+48	10+10	2:1	0.5:1	2	4	No	Yes
10+10	9+89	2:1	Transition	2	Transition	No	No
9+89	7+46	2:1	2:1	2	2	No	No

2. Reconstruct the Home Depot Relocation Drain between Station 7+29 and Station 0+00 to re-establish the flowline and cross-sectional area of the ditch to improve the capacity of the Drain. The ditch configuration is a 4-foot wide bottom with 3:1 side slopes.
 - i. The 135-foot segment of 21" RCP that currently drains the EM Hare Arm of the Elwood Wilson Drain and crosses Presley Drive will remain and not be reconstructed with this project.
3. Construct new open ditch as part of the EM Hare Arm of the Elwood Wilson Drain. The new open ditch will be constructed between Station 81+78 and Station 79+60 of the EM Hare Arm of the Elwood Wilson Drain. Station 81+78 of the new open ditch of the EM Hare Arm of the Elwood Wilson Drain is also Station 0+00 and the current end of the Home Depot Relocation Arm of the Elwood Wilson Drain. The ditch configuration is a 4-foot wide bottom with 3:1 side slopes. The length of the new open ditch is 218-feet.
 - i. The portion of the existing EM Hare of the Elwood Wilson Drain between Station 80+04 and Station 79+60 will be removed with this project.
 - ii. The portion of the existing EM Hare of the Elwood Wilson Drain between Station 81+97 (the current end of the Drain) and Station 80+04 will be abandoned in place with a bulkhead and breather placed at Station 80+04.
4. Reconstruct the existing EM Hare Arm of the Elwood Wilson Drain as an open ditch between Station 79+60 and Station 62+45. The ditch configuration is a 4-foot wide bottom with 3:1 side slopes. The existing tile will be demolished as the new open ditch is constructed.

5. Construct new open ditch as part of the EM Hare Arm of the Elwood Wilson Drain. The new open ditch will be constructed off of the alignment of the existing tile between Station 62+45 and Station 38+19 of the EM Hare Arm of the Elwood Wilson Drain. The alignment of the open ditch was shifted from the alignment of the existing tile to avoid impacting existing wetlands. The ditch configuration is a 4-foot wide bottom with 3:1 side slopes. The length of the new open ditch is 2,350-feet.
 - i. The portion of the existing EM Hare of the Elwood Wilson Drain between Station 62+45 and Station 60+72 will be removed with this project.
 - ii. The portion of the existing EM Hare of the Elwood Wilson Drain between Station 60+72 and Station 38+63 will be abandoned in place with a bulkhead and breather placed at Station 38+63.
 - iii. The portion of the existing EM Hare of the Elwood Wilson Drain between Station 38+63 and Station 38+19 will be removed with this project.
6. Reconstruct the existing EM Hare Arm of the Elwood Wilson Drain between Station 38+19 and Station 29+92 as an open ditch to improve the capacity of the drain. The ditch configuration is a 4-foot wide bottom with 3:1 side slopes. The existing tile will be demolished as the new open ditch is constructed.
7. The existing tile upstream of Station 29+92 will remain in place and discharge to the new open ditch at this station.
8. A rock chute for surface water flow to enter the new open ditch will be constructed between Station 30+44 and Station 29+22.
9. The installation of three 30-foot wide ditch crossings, per HCSO Detail C-2, as follows:
 - i. 63-LF of 7-foot x 5-foot Reinforced Concrete Box Structure at Station 70+04 on Parcel 10-07-32-00-00-013.001.
 - ii. 51-LF of 5-foot x 4-foot Reinforced Concrete Box Structure at Station 49+93 on Parcel 10-07-32-00-00-007.000.
 - iii. 51-LF of 5-foot x 4-foot Reinforced Concrete Box Structure at Station 43+93 on Parcel 10-07-33-00-00-012.000.
10. The installation of 187-feet of 12-foot x 7-foot Reinforced Concrete Box Structure under the Home Depot Entrance Drive.
11. The installation of 71-feet of 12-foot x 6-foot Reinforced Concrete Box Structure under Presley Drive.
12. The installation of 73-feet of 7-foot x 4-foot Reinforced Concrete Box Structure under Promise Road.
13. The cost estimate includes the installation of 15 surface water pipes with animal guard per HCSO Details OD-8 and O-2. These will be installed on an "as-needed" basis.
14. The cost estimate includes the installation of 95 tile outlets of various sizes with animal guards per HCSO Details O-1 and O-2. These will be installed on an "as-needed" basis.

15. The project will also include clearing of the easement area and removal of existing pavement, culverts, sidewalk, curb, gabion baskets, breathers, hand rail; fence removal and repair; the installation of rip-rap stabilization at various locations and at culvert crossings; temporary erosion control; native seeding areas; seeding for a 20-foot filter strip as noted in the Filter Strip section of this report; seeding and other stabilization of disturbed soil areas; maintenance of traffic; pavement, sidewalk, curb, and handrail repair; special backfill; removal and resetting of existing RCP end sections of tiles that drain to the existing open ditch; and other ancillary construction.
16. The soil excavated with the project will be placed within the adjacent regulated drain easement.
17. The project includes the installation of 2 sanitary sewer manholes, 160-feet of sanitary sewer, and 1 pipe plug for future connection. This sanitary sewer will not become part of the regulated drain system.

Permits

The provisional Regional General Permit, LRL-2019-795-sjk was issued by the Army Corps of Engineers on April 2, 2020. This permit was provisional pending the issuance of the IDEM Individual Water Quality Certification.

The Section 401 Water Quality Certification, IDEM Authorization Number 2020-111-29-ALF-A was issued on May 19, 2020.

The IDEM Authorization fo Construction of Sanitary Sewer System, Permit Approval No. 24344, was issued on January 7, 2022.

Staff of the Surveyor's Office or the Contractor will obtain construction entrance and road closure approvals from the Hamilton County Highway Department or the City of Noblesville.

Construction Cost

The Elwood Wilson EM Hare Arm reconstruction project was approved for letting at the November 22, 2021 meeting of the Drainage Board (Hamilton County Drainage Board Meeting Minutes, Book 20, Page 236).

One addendum was issued. The addendum issued the most current Common Construction Wage Rate determination prior to receiving bids and included a change to the deflection testing specification for the sanitary sewer as a condition of the IDEM Sanitary Sewer Construction permit.

Two bids were received at the Drainage Board meeting on January 10, 2022. One bid was from Morphey Construction in the amount of \$2,478,000. The second bid was from 5 Star Company, Inc. in the amount of 2,729,295.00 as entered on Page BF-3.

Morphey Construction submitted the lowest bid.

From the Morphey Construction bid, the construction cost of the project is estimated to be \$2,478,000.00. With a 15% contingency, the total construction cost is \$2,849,700.00

A detailed cost of construction is outlined below.

City of Noblesville Street Costs					
Line Item	Item Description	Quantity	Unit	Unit Cost	Total Cost
N1	Clearing [Presley Drive Culvert, Pavement, Curb and Gutter, and Sidewalk]	LS	1	\$ 15,000.00	\$ 15,000.00
N2	12 x 6 Box Culvert (Presley Drive)	LF	71	\$ 5,000.00	\$ 355,000.00
N3	Revetment Rip Rap with Geotextile	TON	25	\$ 180.00	\$ 4,500.00
N4	Presley Drive Roadway Pavement Repair	TON	328	\$ 133.00	\$ 43,624.00
N5	Concrete Curb and Gutter	LF	120	\$ 74.00	\$ 8,880.00
N6	Sidewalk Concrete	CYS	15	\$ 100.00	\$ 1,500.00
N7	Hand Rail Pedestrian	LF	144	\$ 300.00	\$ 43,200.00
N11	Maintenance of Traffic	LS	1	\$ 15,000.00	\$ 15,000.00
City of Noblesville Street Subtotal					\$ 486,704.00
15% Contingency					\$ 73,005.60
City of Noblesville Street Total					\$ 559,709.60

Home Depot Costs					
Line Item	Item Description	Quantity	Unit	Unit Cost	Total Cost
HD1	Clearing [Existing Entrance Drive Culvert, Pavement, Curb and Gutter]	LS	1	\$ 100,000.00	\$ 100,000.00
HD2	12 x 7 Box Culvert (Home Depot Entrance)	LF	187	\$ 3,163.00	\$ 591,481.00
HD3	Revetment Rip Rap with Geotextile	TON	33	\$ 180.00	\$ 5,940.00
HD4	Entrance Drive Pavement Repair	TON	243	\$ 140.00	\$ 34,020.00
HD5	Concrete Curb and Gutter	LF	175	\$ 68.00	\$ 11,900.00
HD6	Maintenance of Traffic	LS	1	\$ 5,000.00	\$ 5,000.00
Home Depot Subtotal					\$ 748,341.00
15% Contingency					\$ 112,251.15
Home Depot Total					\$ 860,592.15

City of Noblesville Sanitary Sewer Costs					
Line Item	Item Description	Quantity	Unit	Unit Cost	Total Cost
N8	Sanitary Sewer, Pipe, Type 2, Circular, 21 IN., ASTM F679, PS 46	LF	160	\$ 285.00	\$ 45,600.00
N9	Sanitary Sewer Manhole, Type A, with Casting	EA	2	\$ 12,222.00	\$ 24,444.00
N10	Sanitary Sewer Pipe Plug	EA	1	\$ 3,800.00	\$ 3,800.00
City of Noblesville Sanitary Sewer Subtotal					\$ 73,844.00
15% Contingency					\$ 11,076.60
City of Noblesville Sanitary Sewer Total					\$ 84,920.60

Hamilton County Highway Costs					
Line Item	Item Description	Quantity	Unit	Unit Cost	Total Cost
B13	Maintenance of Traffic	LS	1	\$ 3,500.00	\$ 3,500.00
B14	7 x 4 Box Culvert (Promise Road)	LF	73	\$ 2,000.00	\$ 146,000.00
B21	Promise Road Roadway Pavement Repair	SYS	138	\$ 100.00	\$ 13,800.00
Hamilton County Highway Subtotal					\$ 163,300.00
15% Contingency					\$ 24,495.00
Hamilton County Highway Total					\$ 187,795.00

Elwood Wilson EM Hare Costs					
Line Item	Item Description	Quantity	Unit	Unit Cost	Total Cost
B1	Clearing [General Clearing, Promise Road Culverts and Pavement, Gabion Baskets, Breathers, Trees, Farm Fence]	LS	1	\$ 13,000.00	\$ 13,000.00
B2	Temporary Erosion Control	LS	1	\$ 7,000.00	\$ 7,000.00
B3	Open Ditch Construction	LF	6010	\$ 22.00	\$ 132,220.00
B4	Tile Removal	LF	800	\$ 15.00	\$ 12,000.00
B5	Retaining Wall System	LS	1	\$ 299,731.00	\$ 299,731.00
B6	Surface Water Pipe	EA	15	\$ 2,000.00	\$ 30,000.00
B7	6" CMP Tile Drain Extension with Animal Guard	EA	20	\$ 800.00	\$ 16,000.00
B8	8" CMP Tile Drain Extension with Animal Guard	EA	20	\$ 1,000.00	\$ 20,000.00
B9	10" CMP Tile Drain Extension with Animal Guard	EA	20	\$ 1,100.00	\$ 22,000.00
B10	12" CMP Tile Drain Extension with Animal Guard	EA	25	\$ 1,200.00	\$ 30,000.00

Elwood Wilson EM Hare Costs (cotinued)					
Line Item	Item Description	Quantity	Unit	Unit Cost	Total Cost
B11	15" CMP Tile Drain Extension with Animal Guard	EA	5	\$ 1,500.00	\$ 7,500.00
B12	18" CMP Tile Drain Extension with Animal Guard	EA	5	\$ 2,000.00	\$ 10,000.00
B15	7 x 5 Box Culvert (Private Crossing - Station 54+15)	LF	63	\$ 1,300.00	\$ 81,900.00
B16	5 x 4 Box Culvert (Private Crossing - Station 74+26)	LF	51	\$ 1,200.00	\$ 61,200.00
B17	5 x 4 Box Culvert (Private Crossing - Station 80+26)	LF	51	\$ 1,200.00	\$ 61,200.00
B18	Revetment Rip Rap with Geotextile	TON	579	\$ 100.00	\$ 57,900.00
B19	Rock Chute with Geotextile	LS	1	\$ 15,000.00	\$ 15,000.00
B20	Fence Repair	LF	188	\$ 20.00	\$ 3,760.00
B22	Seeding Type 1 Area (Native Seed Mix)	ACRE	5	\$ 8,500.00	\$ 42,500.00
B23	Seeding Type 2 Area; Filter Strip Only (with fertilizer and straw mulch)	ACRE	3	\$ 8,600.00	\$ 25,800.00
B24	Seeding Type 3 Area (with fertilizer and straw mulch)	ACRE	6	\$ 7,800.00	\$ 46,800.00
B25	Remove and reset 36" RCP End Section	EA	1	\$ 1,500.00	\$ 1,500.00
B26	Remove and reset 24" RCP End Section	EA	3	\$ 1,500.00	\$ 4,500.00
B27	Remove and reset 18" RCP End Section	EA	2	\$ 1,500.00	\$ 3,000.00
B28	Remove and reset 12" RCP End Section	EA	1	\$ 1,300.00	\$ 1,300.00
Elwood Wilson EM Hare Subtotal					\$ 1,005,811.00
15% Contingency					\$ 150,871.65
Elwood Wilson EM Hare Total					\$ 1,156,682.65

Easements

The project will take place within existing regulated drain easements for the Elwood Wilson Drain, the Home Depot Relocation Arm,

and the EM Hare Arm and within the public right-of-way of Presley Drive and Promise Road. No additional easements are required for this project.

The statutory easement over the existing tile of the EM Hare Arm will be shifted between Stations 62+45 and 38+19 and between Stations 79+60 and 81+97 to follow the new open ditch. Between these stations, the existing tile will be removed or abandoned in place. The shifted easement will be 150-feet in width centered on the flowline of the new open ditch. The easement will be shifted on the following parcels:

Parcel No.:	Owner
11-07-32-00-00-016.002	Harger Farms, Inc.
10-07-32-00-00-009.000	Harger Farms, Inc.
10-07-32-00-00-007.000	Caledonia Development, Inc.
10-07-33-00-00-012.000	Fleck, Timothy J & Rebecca J

Filter Strips

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

Parcel No.:	Owner	Side of Open Ditch
11-07-32-00-00-016.002	Harger Farms, Inc.	Both
10-07-32-00-00-013.001	Harger Farms, Inc.	Both
10-07-32-00-00-011.001	Harger Farms, Inc.	Both
10-07-32-00-00-013.002	Harger Farms, Inc.	Both
10-07-32-00-00-009.000	Harger Farms, Inc.	Both
10-07-32-00-00-007.000	Caledonia Development, LLC	Both
10-07-33-00-00-012.000	Fleck, Timothy J & Rebecca J	Both
10-07-33-00-01-001.000	Barton, Douglas D & Julie D	Both
10-07-33-00-00-012.001	Louks, Jason C & Lisa S	Both

10-07-33-00-00-002.000	ATS World Wide Real Estate III LLC [To Station 29+22]	Both
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Changes to the Drain

The reconstruction of the E.M. Hare will replace the existing tile or re-route the flow of water through an open ditch running roughly parallel to the existing tile. The Existing E.M. Hare Arm drain will be removed or abandoned in place between Stations 29+92 and 81+97. This will abandon or remove 5,205-feet of existing drain.

The newly reconstructed and or re-routed open ditch will begin at Station 29+92 and continue down-stream to Station 79+60. The newly constructed open ditch is reflected on the Construction Plans between Plan Station 94+00 and Plan Station 44+78. At this juncture, approximate Station 79+60 of the EM Hare Arm, an open ditch will be constructed to convey the flow of the newly constructed EM Hare open ditch to its confluence with the Home Depot Relocation Arm at Station 81+78. This new open ditch is reflected on the Construction Plans between Plan Station 44+78 and Plan Station 42+60. This will construct an additional 218-feet of open ditch.

With the changes mentioned above, the reconstruction project will have constructed or reconstructed 5,140-feet of drain and will have removed or abandoned 5,205-feet of drain. Therefore, the project will remove 65-feet of drain from the E.M. Hare Arm.

Project Costs

Clark Dietz, Inc. was contracted for Topographic Survey Services of the drain on April 23, 2018. The contract amount was \$63,700.00.

Clark Dietz, Inc. was contracted to provide Engineering Design, Soil Borings, Geotechnical Investigation, and Permitting Professional Services on November 14, 2018. The total value of the contract for these services is \$306,040.00.

A contract amendment for the design of the sanitary sewer design, development of bid documents, and permitting Professional Services was approved on July 26, 2021. The contract amount for these services is \$20,740.00. The cost for these services will be reimbursed by the City of Noblesville.

Clark Dietz, Inc. will be contracted for construction phase professional surveying services. These services include construction staking, periodic grade checks, and as-built drawings. The contract amount is \$126,670.00.

Clark Dietz, Inc. will be contracted for construction phase inspection services. These services include full time construction inspection for the construction of the retaining wall, the box culverts, and the wingwalls. These services include part time construction inspection for the construction of the open ditch. The contract will be a not-to-exceed amount of \$124,080.00.

Clark Dietz, Inc. will be contracted for construction administration services. These services include attendance at progress meetings, shop drawing review, and responding to contractor questions. The contract amount will be a not-to-exceed amount of \$13,240.00

The total value of the project is estimated to be as follows:

Construction	\$2,478,000.00
15% Construction Contingency	\$371,700.00
Professional Services: Topographic Survey [Clark Dietz, Inc.]	\$63,700.00
Professional Services: Design, Geotechnical, Soil Borings, Permitting [Clark Dietz, Inc.]	\$306,040.00
Professional Services: Sanitary Sewer Design [Clark Dietz, Inc.]	\$20,740.00
Professional Services: Construction Staking, Grade Checks, As-Built Drawings [Clark Dietz, Inc.]	\$126,670.00
Professional Services: Construction Inspection [Clark Dietz, Inc.]	\$124,080.00
Professional Services: Construction Administration [Clark Dietz, Inc.]	\$13,240.00
Total Project Cost	\$3,504,170.00

Project Funding

The costs for this project will be paid from the sources outlined below.

1. The cost of the new culvert under the Home Depot entrance drive shall be paid by Home Depot per IC 36-9-27-71. The lump sum cost to be charged to Home Depot is \$860,592.15. This amount includes a base cost of \$748,341.00 (Refer to Line Items HD1-HD-6 of the detailed cost estimate) and a 15% contingency equal to \$112,251.15.
2. The cost for the new culvert under Presley Drive shall be paid by the City of Noblesville per IC 36-9-27-71. The lump sum cost to be charged to the City of Noblesville is \$559,709.60. This amount includes a base cost of \$486,704.00 (Refer to Line Items N1-N7 and N11 of the detailed cost estimate) and a 15% contingency equal to \$73,005.60.
3. The cost for the new culvert under Promise Road shall be paid by the Hamilton County Highway Department per IC 36-9-27-71. The lump sum cost to be charged to the Hamilton County Highway Department is \$187,795.00. This amount includes a base cost of \$163,300.00 (Refer to Line Items B13, B14, and B21 of the detailed cost estimate) and a 15% contingency equal to \$24,495.00.
4. The cost for the Sanitary Sewer shall be paid by the City of Noblesville. Including the construction of the sanitary sewer with this reconstruction project, and payment for this work by the City of Noblesville, was first discussed in an email dated December 8, 2020. The lump sum cost to be charged to the City of Noblesville is \$105,660.60. This

amount includes professional services equal to \$20,740.00, a base construction cost of \$73,844.00 (Refer to Line Items N8-N10 of the detailed cost estimate) and a 15% construction contingency equal to \$11,076.60.

5. A portion of the project will be funded by the Coronavirus State and Federal Fiscal Recovery Funds of the American Rescue Plan. As of the date of this report, the first round of funds from this program is available. The total amount of the ARPA funds allocated for this project is \$200,000.00.
6. The remainder of the total project cost, \$1,590,412.70 shall be assessed equally by acreage over the remainder of the properties that benefit from the reconstruction project. The total acreage to be assessed is 765.94-acres. Based on this estimate, the rate per acre would be \$2.076.42.

To date, the County has paid the invoices for the various professional services from the Elwood Wilson Shed maintenance fund. The costs incurred to date total \$386,776.60. The maintenance fund balance is presently in the red \$382,819.41 due to the payment of these invoices from the Elwood Wilson Shed maintenance fund. The reconstruction assessment plus \$20,740.00 of the lump sum will be transferred to the Elwood Wilson Maintenance Fund.

The Elwood Wilson Shed collects \$47,520.44 annually for maintenance.

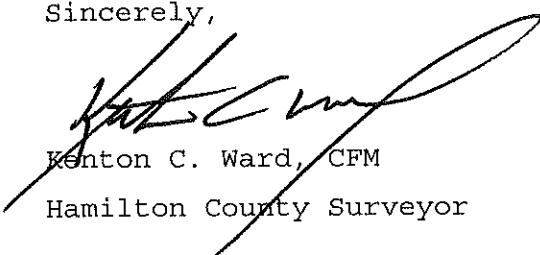
The final costs to be assessed shall be based on the actual construction contract amounts and any approved change orders.

For the costs to be paid by the Hamilton County Highway Department, the City of Noblesville Street Department, the City of Noblesville Sanitary Sewer, and the Home Depot, it is recommended that, at the discretion of the entity being assessed, the assessment be paid as one lump sum or allowed to be repaid over a period of five years, with interest, starting in 2023.

I believe that no damages will result to landowners by the reconstruction of this drain. Therefore, damages shall be set at \$0.00.

I recommend that a hearing be held for this matter on May 9, 2022.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

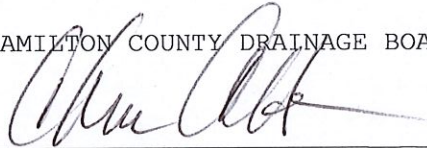
Elwood Wilson Drain, E. M. Hare Arm Reconstruction

Station 80+04 to Station 79+60/Station 81+97 to Station 80+04
Station 62+45 to Station 60+72/Station 60+72 to Station 38+63
Station 38+63 to Station 38+19/Station 29+92 to Station 81+97

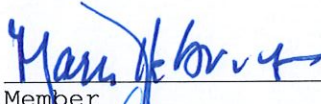
On this *9th day of May, 2022*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Elwood Wilson Drain, E. M. Hare Arm Reconstruction (Station 80+04 to Station 79+60/Station 81+97 to Station 80+04/Station 62+45 to Station 60+72/Station 60+72 to Station 38+63/Station 38+63 to Station 38+19/Station 29+92 to Station 81+97)**.

Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now finds that the costs of continued maintenance to the portion of the above drain exceed the benefits to the real estate benefited by the portion of the drain to be abandoned and issues this order vacating the above section of the **Elwood Wilson Drain, E. M. Hare Arm Reconstruction (Station 80+04 to Station 79+60/Station 81+97 to Station 80+04/Station 62+45 to Station 60+72/Station 60+72 to Station 38+63/Station 38+63 to Station 38+19/Station 29+92 to Station 81+97)**.

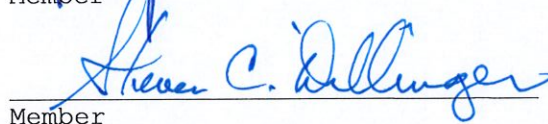
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest:



STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Elwood Wilson Drain, E. M. Hare Arm Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the ***Elwood Wilson Drain, E. M. Hare Arm Reconstruction*** came before the Hamilton County Drainage Board for hearing ***on May 9, 2022***, 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 ***Elwood Wilson Drain, E. M. Hare Arm 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:



ELWOOD WILSON DRAIN, E. M. HARE ARM

Property Owner	Parcel Number	Acres Benefited	Reconst. Assmnt.	% of Assessment
Musselman, Joel & Darlene F.	10-07-33-00-00-029.001	1.15	\$2,387.88	0.15%
	10-07-33-00-00-029.101	11.77	\$24,439.46	1.54%
Mallery, Eula I & Linda	10-07-32-00-00-005.000	6.94	\$14,410.36	0.91%
Totals		19.86	\$41,237.70	2.60%

April 26, 2022

Hamilton County Drainage Board
Suite 188
One Hamilton County Square
Noblesville, IN 46060-2230



Re: Objection to Reconstruction of Elwood Wilson Drain, E.M. Hare Arm

To The Board,

We recently received two assessments of reconstruction of the above mentioned Drain. The first assessment we received, dated February 25, 2022 was in the amount of \$6237.02 to benefit 12.92 acres. We then received a second assessment, dated April 8, 2022 in the amount of \$26,827.34 to benefit 12.92 acres. What a shock!!

After reviewing the Surveyors Report on the above mentioned drain dated February 8, 2022, we feel the statement "that the costs, damages and expenses of the proposed drain will probably be less than the benefits accruing to the owners of the land likely to be benefitted" to be false. We feel the cost outweighs the benefits to our farm.

Our 12.92 acres will never see the benefits of \$26,827.34. We feel that the only real benefit will be to commercial development that exists and to future development. Assigning an assessment in this amount to a small farm as ours, will put a financial burden on us. If developers are pushing the reconstruction, let them carry the cost. They will be the ones to benefit.

We feel that the open ditch will carry ongoing expenses that are not reflected in the Surveyors Report such as, bridges or culverts for farm equipment to reach land locked areas created by the open ditch.

We have heard that sewer and water lines will run parallel with the Elwood Wilson Drain, E.M. Hare Arm Drain. If this is to happen, all field tiles will be cut that feed the drain. Where are the developers' contributions?

Our initial assessment increased 4.3 times. What caused the increase from February 25th to April 8th? What changed? What is to be expected down the road? We live on a fixed income. With today's inflation is this the correct time to be proposing this? If this project is for future development, the developers should bear the cost.

With Respect,

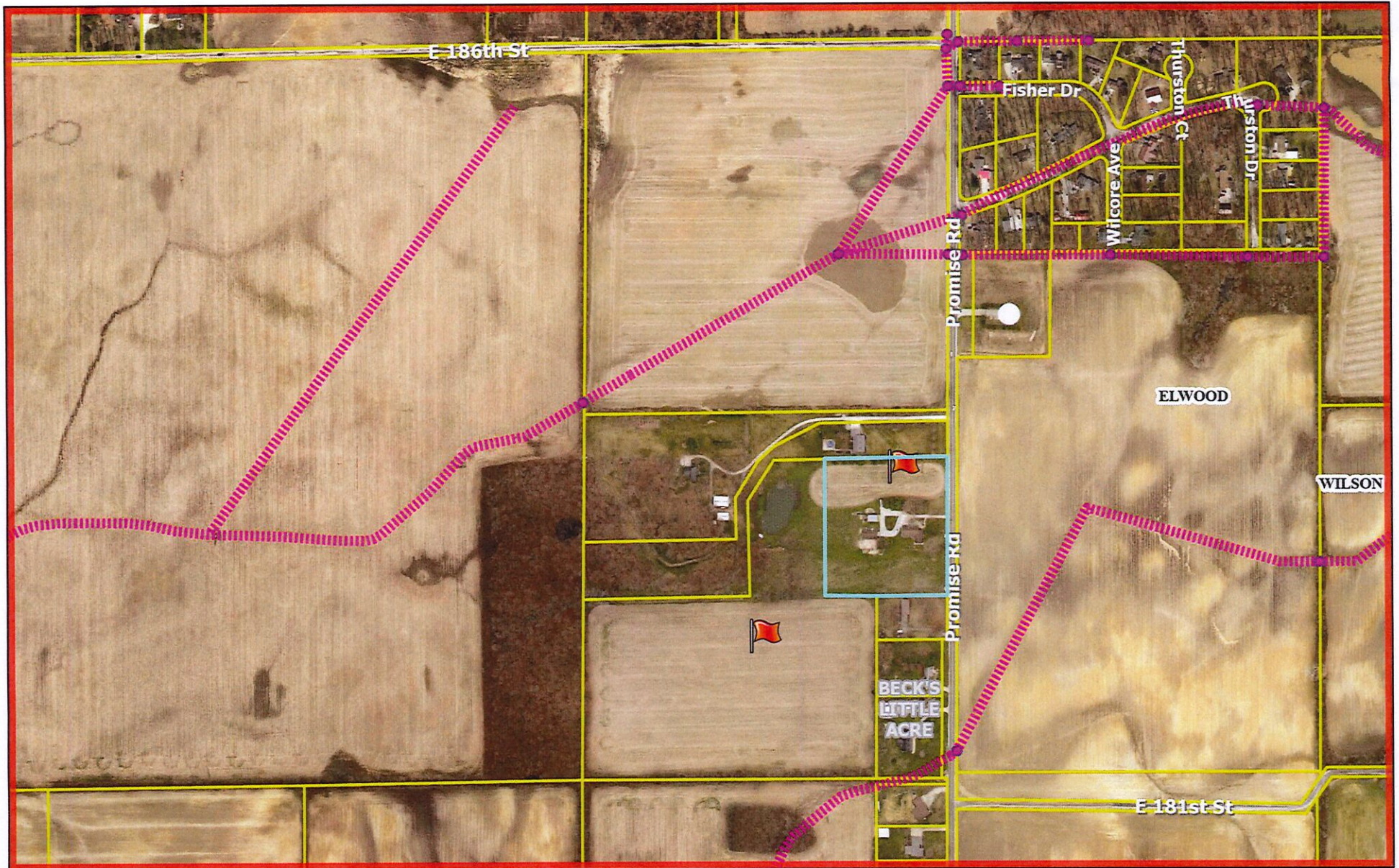
Joel Musselman Darlene F. Musselman

Joel and Darlene F. Musselman
(317)372-9790 or (317)443-6355

10-07-33-00-00-029.001
10-07-33-00-00-029.101

MUSSELMAN
18244 PROMISE ROAD
NOBLESVILLE, IN 46060

Elwood Wilson, EM Hare Arm_Musselman Objection



May 4, 2022

Regulated Drains

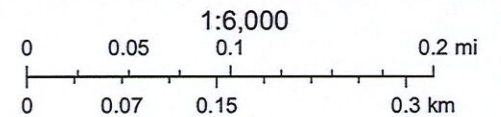
Drainage Structures

----- CLOSED DRAIN

● All Other Structures

Drain Name

▭ Parcels



Author: Hamilton County

Hamilton County compiled this map. Although strict accuracy standards have been employed, Hamilton County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission.

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27 April 2022

Hamilton County Commissioners Office
Hamilton County Drainage Board
1 Hamilton County Square, Suite 157
Noblesville, IN 46060



Subject: Formal Letter of Remonstrance of our Assessment based on Hamilton County Drainage Board Meeting Minutes: Monday 28 March 2022: Elwood Wilson Drain – E. M. Hare Arm Reconstruction.

Hamilton County Drainage Board,

My Mother (Eula I. Mallery) owns the 20-acre parcel south of 186 Street to Presley Drive (Section 32 Township 19 Range 5 East). We object to the cost of our assessment. The \$2,076.42 per acre is an excessive rate to the benefited acreage of 6.94 acres which was re-assessed at \$14,410.36. It would take nearly 10 years to pay off this assessment at the current cash rent. It is our opinion, that the cost out ways the benefit. We believe the cost should be bore by the land being developed where the future proposed tile drain will be located or by Hamilton County or any future developers of our property.

A handwritten signature in black ink that reads "Linda L. Mallery". The signature is written in a cursive style with a long, sweeping underline that extends across the width of the name.

Linda L. Mallery (Co-Trustee)

12618 Oxon Road

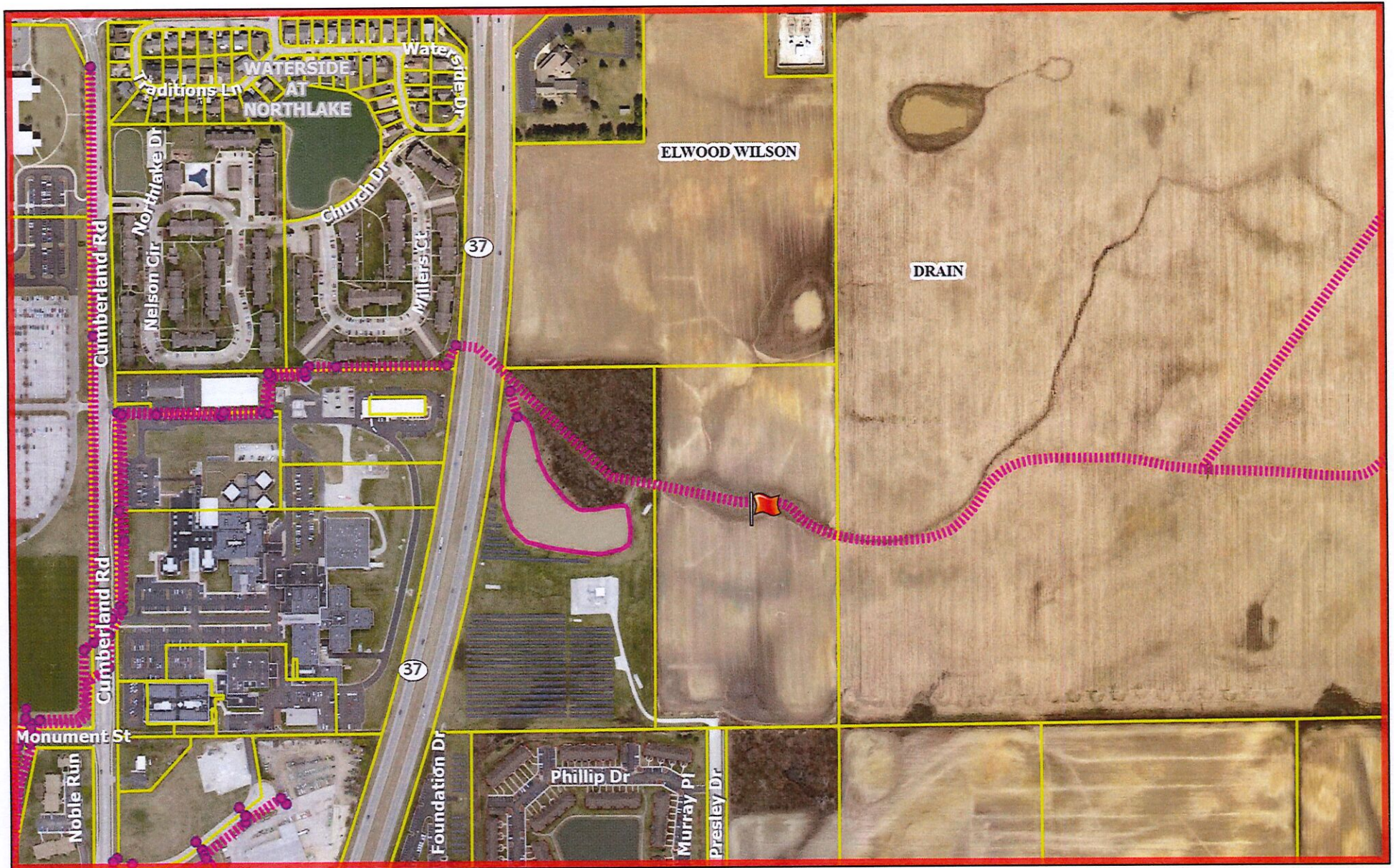
Herndon, VA 20171

703.476.0218

PAVLLM4@MSN.COM

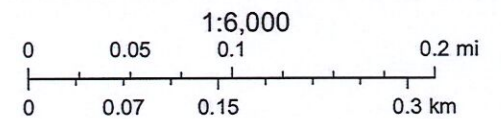
10-07-32-00-00-005.000

Elwood Wilson, EM Hare Arm_Mallery Objection



May 4, 2022

- Regulated Drains Drainage Pool
- - - Regulated Drains Waterways
- - - Swale
- - - - - CLOSED DRAIN
- All Other Structures
- Parcels
- Drain Name
- Regulated Drains
- Drainage Structures



Author: Hamilton County

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BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Elwood Wilson Drain, EM Hare Arm Reconstruction (Revised)

NOTICE

To Whom It May Concern and: Kingsway Equities, LLC

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Elwood Wilson Drain, EM Hare Arm Reconstruction** on **May 9, 2022** at **12:00 P.M.** in Commissioners Court, at the Historic Courthouse, 2nd Floor Historic Courtroom at 33 North 9th Street, 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

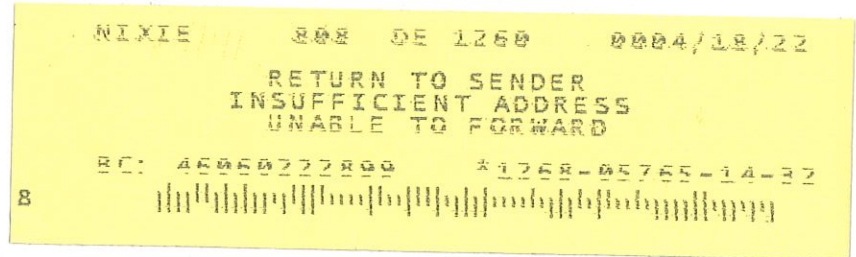
Returned
04/26/22

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD

April 8, 2022

Corrected notice for time of hearing from 9:00 A.M. to 12:00 P.M.

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **Elwood Wilson Drain, E.M. Hare Arm Reconstruction.**



Kingsway Equities LLC
12650 E Briarwood Ave Ste 2D
Centennial, CO 80111

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. 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 **Elwood Wilson Drain, E.M. Hare Arm 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 Benefitted	Maintenance Assessment	Damages	Reconstruction Assessment	% of Reconstruction Asmt	Additional Lump Sum	% of Lump Sum
11-07-32-00-024.901							
S32 T19 R5 Noblesville Commons Lot C 1.00Ac	1.00	*	Zero	\$2,076.42	0.13%	\$0.00	0.00%

- *No change in current maintenance assessment to the Elwood Wilson Drain.
- * A portion of the reconstruction cost will be paid using American Rescue Plan (ARPA) funds.
- *An additional reconstruction assessment will be added to Home Depot, County Highway and City of Noblesville.

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at **9:00 A.M.-12:00 P.M. on May 9, 2022**, 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.

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

IN THE MATTER OF **Elwood Wilson Drain, E. M. Hare Arm**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **May 9, 2022** 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: Christine Altman
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY