

**CASS & CARROLL COUNTY JOINT DRAINAGE BOARD  
PUBLIC HEARING**

**#60 Updegraph Open  
Clinton & Washington Townships, Cass County, and  
Washington Township, Carroll County  
August 4, 2014**

The Cass & Carroll County Joint Drainage Board for #60 Updegraph Open held a Public Hearing on August 4, 2014, at 2:30 p.m. EST in Room 203 of the Cass County Government Building. Those in attendance were members: Carroll County Commissioner John C. Brown, Carroll County Commissioner William R. Brown, Cass County Commissioner Ralph Anderson, Cass County Commissioner Dave Arnold, Cass County Surveyor Jenny Clark, Attorney John Hillis, and Secretary Vicky Conrad. Absent was Bryan Lewis, Fulton County Commissioner.

Chairman Ralph Anderson called the meeting to order.

**MINUTES**

Dave Arnold made a motion to approve the minutes of the June 3, 2014 meeting. John Brown 2<sup>nd</sup>; motion carried unanimously.

**SURVEYOR'S REPORT**

The Surveyor's Report was given by Jenny Clark, Cass County Surveyor. The purpose for this public hearing is to increase the assessment rate for annual maintenance to be able to provide for periodic maintenance of this drain. The watershed contains a total of 4,441.405 acres with 3,589.924 acres in Cass County and 851.481 acres in Carroll County. An assessment rate of \$3.00 per acre with a \$5.00 minimum is proposed for one year beginning in 2015 and a reduced rate of \$2.50 per acre with a \$5.00 minimum beginning in 2016 and continuing until the fund is at an amount allowed by Indiana Code or until changed by the Cass/Carroll County Joint Drainage Board. The complete Surveyor's Report is on file at the Cass County Surveyor's Office.

Jenny Clark also presented the amended Schedule of Assessments. This was amended at the June 3, 2014, meeting to reflect the proposed assessment increase from \$2.50/acre to \$3.00/acre and \$5.00 minimum for the first year.

A watershed map for Cass County was available for review. A Carroll County watershed map is not on record.

The Surveyor's Supplemental Report and Classification of Drain was presented by Jenny Clark. This was also amended at the June 3, 2014, meeting to show the estimated annual maintenance cost at \$3.00/acre. The complete report is on file at the Cass County Surveyor's Office.

## **WRITTEN OBJECTIONS OR COMMENTS FILED**

No written objections or comments were filed.

## **PUBLIC COMMENTS**

Ben Dillon of Logansport, a landowner in both Cass and Carroll Counties, explained that he previously met with Jenny Clark who was very helpful in answering his questions. He visited the Carroll County Surveyor's Office and confirmed they do not have a map. Mr. Dillon asked about Carroll County's procedure of assigning acres to be charged to the project if they don't have a map. He believes the project is needed but would like to know how these determinations are currently made and how they will be made in the future. The Board explained that the Joint Board levies the assessment; however, the Carroll County Surveyor's Office determines what land is in the Carroll County portion of the watershed. Mr. Dillon believes there are more than 800 acres in the Carroll County watershed. Also, he asked what determines whether water on his farm goes to Huffman Ditch, Big Rock Creek, or Little Rock Creek. The only elevation map he has seen is in 10-foot increments. He questioned how these assessments are made and asked for more details about the project and when it may start. Jenny Clark explained the proposed project limits and that it will probably not start until Fall 2015 until funds are collected. Jenny Clark reported the estimated cost to be \$33,000. Mr. Dillon asked about what has been done with the past assessments. Jenny Clark responded that it had been sprayed; however, the spraying stopped in 2009. He doesn't oppose the project but believes the procedure of determining public assessments and tax increases should be more specific and done on sound information.

Another member of the audience asked how far the project will go into Carroll County. Jenny Clark confirmed that the farm crossing is about one-half mile into Carroll County. During the meeting it was determined that the private farm crossing is on the Stephen Best Trust land in Carroll County and will go to Kokomo Pike.

Patrick O'Donnell of Camden asked if any dredging needs to be done between Rock Creek (State Road 29) where the Conservancy District ends to where this project ends at the farm crossing. Jenny Clark explained that this area was not part of the project as it was requested.

## **SCHEDULE OF ASSESSMENTS**

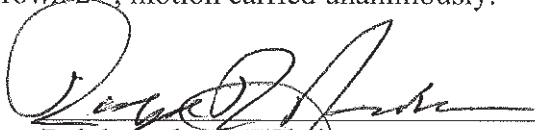
Dave Arnold motioned to adopt the Schedule of Assessments with an assessment rate of \$3.00 per acre with a \$5.00 minimum for the first year. John Brown 2<sup>nd</sup>; motion carried unanimously. Dave Arnold motioned to set the date for the first installment starting with the May 2015 tax installment. Bill Brown 2<sup>nd</sup>; motion carried unanimously.

## **FINDINGS AND ORDER OF THE BOARD**

Jenny Clark read the legal notice of the Findings and Order of the Board. The maintenance assessment rate of \$3.00 per acre with a \$5 minimum will begin with the May 2015 tax installment and will be reduced to \$2.50 per acre with a \$5 minimum beginning in 2016. The complete Findings and Order of the Board is on file at the Cass County Surveyor's Office. Dave Arnold made a motion to adopt the Findings and Order of the Board. Bill Brown 2<sup>nd</sup>; motion carried unanimously.

**ADJOURNMENT**

Dave Arnold motioned to adjourn. Bill Brown 2<sup>nd</sup>; motion carried unanimously.



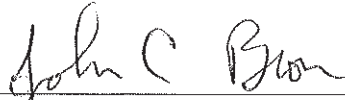
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Ralph Anderson, Chairman  
Cass County Commissioner



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Dave Arnold, Vice Chairman  
Cass County Commissioner



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John C. Brown  
Carroll County Commissioner



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William R. Brown  
Carroll County Commissioner

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Bryan Lewis  
Fulton County Commissioner



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Vicky Conrad, Secretary