## CLINTON COUNTY DRAINAGE BOARD



165 Courthouse Square Frankfort, IN 46041

Scott T. Shoemaker, President Cory Boyles, Vice President Bert Weaver, Member

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January 28, 2016

STATE OF INDIANA, SS: COUNTY OF CLINTON,

IN THE MATTER OF PRAIRIE CREEK REGUALTED DRAIN #576

## ORDER

The matter of the proposed increase in annual maintenance assessments for the above named regulated drain came before the Clinton County Drainage Board for hearing on January 28, 2016. Notice was given by mail to all affected landowners. The Surveyor presented a classification report for the drain in which he deemed the drain in need of maintenance. The Surveyor further provided his Surveyor's Report for the drain that included his original proposal to increase the assessment rate to \$3.00 per acre with a \$50.00 tract minimum. The Surveyor then provided an Addendum to the Surveyor's Report in which he proposed an alternate rate increase to \$3.00 per acre with a \$15.00 tract minimum. Thirty-six landowners filed written objections. Landowners Larry Clinton, Larry Sherer, John Hinshaw, George Ponton and Charles Calvert testified in objection to the original proposal. Landowner Frank Perkins testified in favor of the original proposal. The Board further considered the comments of the affected landowners.

The Board having considered all the evidence and being duly advised finds that the current rate of assessment is insufficient to sustain a positive balance in the maintenance fund of said drain and that an increase in the maintenance assessment is necessary.

It is therefore ORDERED, that the original proposed increase in maintenance assessment be modified to a \$15.00 tract minimum.

It is FURTHER ORDERED, that the annual maintenance assessment for all land affected by the subject drain be increased to \$3.00 per acre with a \$15.00 tract minimum, effective for calendar year 2016, until modified, rescinded or terminated as provided by law;

and it is FURTHER ORDERED, that the Office of the Surveyor mail copies of this order to all affected landowners and certify the schedule of assessments to the Auditor of Clinton County for 2016.

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Scott T. Shoemaker, President