

# REGULAR DRAINAGE BOARD MEETING:

**April 21, 2014**

**President Clarence Hensley called the meeting to order. Present at the meeting were the following:**

Clarence Hensley, President  
John Landers, Vice President  
Larry Bledsoe, Member  
Charles Whitehair, Member  
William Whitehead, Member  
Phil Taylor, County Surveyor  
Stan Willis, Chief Deputy-County Surveyor  
Jake Dunnuck, Board Attorney  
Cindy Harty, Recording Secretary

**Mr. Hensley** opened the meeting by welcoming the audience and inviting them to participate in the pledge of allegiance.

## **APPROVAL OF THE MINUTES:**

**Mr. Hensley** entertains a motion for the approval of the March 17, 2014 Drainage Board minutes. Mr. Whitehead moved for approval. Mr. Bledsoe seconded the motion. **Motion passes 5-0.**

## **OLD BUSINESS:**

**There is no old business presented to the Board this date.**

## **NEW BUSINESS:**

*Jeff Stephens Request to Tie-In to Trib. 2 of the William Current Ditch*

**Jeff Stephens** does not attend meeting this date, so Mr. Taylor addressed his request.

**Mr. Taylor** stated that he and his Inspector, Stan Willis, were out at that location this morning. Mr. Taylor informed the Board that he does not have a problem with Mr. Stephens tying-in to that ditch as long as Mr. Stephens takes before, during, and after pictures of the installation of the pipe. Mr. Taylor stated that Mr. Stephens needed to furnish the Surveyor's Office with those pictures so he knows that the project has been done correctly. Furthermore, Mr. Taylor stated that when the work is being done, Mr. Willis and he would be out at the location to make sure the work is being completed properly. Mr. Landers asked what size tile Mr. Stephens would be installing. Mr. Taylor stated he believed it was probably an eight or ten-inch pipe, and possibly smaller than that.

**Mr. Taylor** stated the next subject is Jerry Shroyer who has requested to tie-in to the J.S. Williamson Ditch.

**Jerry Shroyer** approached the Board and stated that he just purchased a property and he would like to hook into the Williamson Ditch at that location. Mr. Taylor stated that he and Mr. Willis went to the location this morning and he does not see a problem with Mr. Shroyer doing that. Mr. Taylor requests that Mr. Shroyer get a camera and take pictures of the project, with Mr. Shroyer furnishing before, during, and after pictures to the Surveyor's Office. Furthermore, Mr. Taylor stated the pictures would serve as documentation that the tie-in was done and done correctly. Mr. Taylor stated that if Mr. Shroyer had a problem on the day of installation, for him to call his office, and he and/or Mr. Willis would come out. Mr. Taylor asked Mr. Shroyer if he knew what size pipe the ditch was. Mr. Shroyer stated that it is 8-inch pipe. Mr. Taylor asked Mr. Shroyer if he had any idea when he might be installing it. Mr. Shroyer stated within a week or two.

**Mr. Bledsoe** asked Mr. Taylor if the current drains could handle the additional water with no problem. Mr. Taylor stated yes.

**Mr. Bledsoe** made a motion to approve the requests of Jeff Stephens and Jerry Shroyer as submitted. Mr. Landers seconded. **Motion passes 5-0.**

**Rick Yencer, 3100 North 500 West, Muncie, Indiana** approached the Board and stated that he raised this issue this morning concerning people who logged on their website, The Muncie Free Press, about flooding issues of the Muncie Creek, between Creekside and Bill McCoy Ford. Mr. Yencer stated that according to Mark, a friend of his who works at McCoy, Elgin is under water and the drainage detention pond built years ago, has exceeded its capacity. Mr. Yencer stated that a couple of the residents at Creekside said that they are having serious flooding problems with the creek, with some of the microbursts of rain, which has happened recently. Mr. Yencer stated that Jeremy Ball, on-site manager of Creekside, was unable to attend the meeting today, but would like to get his telephone number on the record. He stated that Mr. Ball's telephone is 288-4242. Furthermore, Mr. Yencer stated that Mr. Ball would entertain any discussion that the government could have to solve some of the flooding. Mr. Yencer stated that they have had some property damage to cars at McCoy Ford because of the flooding of the Muncie Creek.

**Mr. Yencer** stated that the second issue he would like to bring before the Board is located near where he resides. Mr. Yencer stated he raised this issue with the Surveyor's Office last year. Mr. Yencer stated that a swamp is forming on Jackson Street just west of Morrison, which he believes has been caused by a pipe that is broken under Jackson Street and it does not allow the water to flow to the Hiatt Ditch. Furthermore, Mr. Yencer stated that one lane on Jackson was flooded for a week after the recent thunderstorm and it is impeding traffic. Mr. Yencer stated that he knows all property owners pay property taxes for drainage, and informed the Board they need to go out and look at the area, and use the landowners' taxes to make their land work. He stated the drain would take over Jackson Street if they do not drain the 100-acres south of Elmcroft. Mr. Yencer stated he wanted to bring those issues to the attention of the government so something could be done at both locations.

**Mr. Bledsoe** asked Mr. Taylor or Mr. Willis if they would like to address those issues.

**Mr. Taylor** stated he would like to address both. Mr. Taylor stated that the drain on Elgin behind Bill McCoy Ford is not a county regulated rain, but he has spoken with Duke Campbell from the City Street Department concerning the flooding issues. Mr. Taylor stated that when the Ford Dealership was built they decided to put in a swale instead of a retention pond. Mr. Taylor stated the last talk he had with Duke Campbell, Mr. Campbell informed him they were going to try to get the Muncie Sanitary District to dip the ditch. Furthermore, Mr. Taylor stated that Mr. Campbell asked him for his recommendations, and Mr. Taylor stated he told Mr. Campbell that the ditch needed dipped. Mr. Taylor stated the county could not do the dipping because it is not the county's responsibility.

**Mr. Taylor** stated the West Jackson Street flooding issue is also the City of Muncie's and he has spoken with Mr. Campbell concerning this matter. Mr. Taylor stated that he told Mr. Campbell that the county has a drain in that area, but it is to the west of where the flooding is occurring. Mr. Taylor stated the location Mr. Yencer is speaking about is east of that location. Mr. Taylor stated that he and Mr. Landers also discussed this matter previously. Mr. Taylor stated he recommended to Mr. Campbell that a ditch be made going east on Jackson Street to run to that ditch, and that should solve their problems. Furthermore, Mr. Taylor stated that approximately one week ago, he spoke with Mr. Campbell, and Mr. Campbell told him that he was aware of the problem, and it is on his list to be done. Mr. Taylor stated both problems are a city issue. Mr. Bledsoe asked Mr. Taylor if Duke Campbell was going to do the ditching for that particular problem on Jackson Street. Mr. Taylor stated Mr. Campbell is aware of the problem, and said Mr. Campbell was to get the Sanitary District out there to ditch. Mr. Taylor stated that it would just take a little swale to get the water flowing to the creek. Mr. Hensley stated that it does flood easily because he has seen it many times.

**Mr. Yencer** stated approximately six months ago the Sanitary District stated that they were getting out of the drainage business in the City of Muncie because they had complaints from some former landowners or others about doing work on the ditches. Mr. Yencer stated even though the ditches may be legal drains, which require county work, the Sanitary District has been doing a lot of the work lately. Furthermore, Mr. Yencer stated some problems or disputes have

been held over the ditch in Halteman Village. Mr. Taylor recommended that Mr. Yencer speak with Duke Campbell. Mr. Yencer stated that he would follow it up with Mr. Campbell. Mr. Yencer stated the flooding problems are not going to go away and he knows the Sanitary District is spending millions to try to bring attention to those issues. Mr. Yencer stated that he hoped the local government would also address these flooding problems. Mr. Taylor stated that if the problem is the county's jurisdiction, the matter is addressed immediately. Furthermore, Mr. Taylor stated that his office has a waiting list because the winter was so hard, and they are doing work, which should have been done last December.

**(Jodie enters the meeting after the Muncie Creek matter had been discussed).**

**Jodie**, a resident at Creekside approached the Board and stated the flooding is bad on Elgin Street. Rick Yencer stated he has already spoken to the Board on this matter and informed Jodie they will have to address the city on the matter. Mr. Yencer stated that something needed to be done quickly because transportation cannot get in and out of Creekside. Mr. Yencer again stated that he knows it is a city issue, but anything they can do to help would be appreciated.

**Jodie** asked what the city needed to do at Elgin. Mr. Taylor stated that he had spoken with Duke Campbell of the Street Department, and they figured out it was not a county problem. Mr. Taylor stated that years ago when Bill McCoy Ford was built instead of putting a holding pond in for the water, they put a swale in, which takes the water to the street. Mr. Taylor explained that once the water flows under the street, it then flows to the creek. Mr. Taylor informed Jodie that his last conversation with Duke Campbell, Mr. Campbell said the city was going to dip the ditch from the eastside by the woods by McCoy Ford to Elgin Street and up to McGalliard. Mr. Taylor stated that the ditch is clogged with a lot of mud, which comes from the farm fields. Mr. Taylor stated he was told the city was going to get the Sanitary District to dip the mud from the ditch. Jodie asked when Mr. Taylor had spoken with Mr. Campbell. Mr. Taylor stated it was approximately two or three weeks ago. Mr. Taylor stated that their conversation was about the West Jackson Street problem and Elgin Street problem, and he suggested that they also speak with the Mayor concerning this issue.

**Mr. Yencer** stated that he did speak with the Mayor and the Mayor told him they would talk with the county to figure out the jurisdiction of the ditch. Mr. Yencer stated he thought Mr. Taylor had already spoken to the city about the problem. Mr. Taylor stated that yes, he had spoken with Mr. Campbell and this ditch is not the county's jurisdiction. Mr. Taylor suggested that Mike McCoy would benefit if he were to help finance the fix. Mr. Yencer stated that he has not spoken with Mike McCoy lately. Mr. Taylor reiterates that the ditch is not a regulated drain for the county. Furthermore, Mr. Taylor stated that he also has spoken with Bob Shroyer whose dad originally owned the farm property, and Mr. Shroyer acknowledged that all the water comes off the field down to that ditch.

**Mr. Bledsoe** stated that the county could only spend monies on county ditches, and stated that it is illegal for the Board to spend any funds if it is not a regulated drain. Furthermore, Mr. Bledsoe stated that if it had been determined a county ditch, the county would have dipped it as soon as the weather had broken. Mr. Bledsoe recommended that they contact the Mayor to get these

matters resolved. Mr. Yencer stated he would appreciate anything they could do.

**Kathleen Elliott** approached and stated she is a landowner in the northeast part of the county and her address is 7211 East County Road 125 North. She stated she is located on the south side of 425 North between 400 East and 500 East. Ms. Elliott stated that she is here because her eighty acres is almost diagonally split by Campbell Creek. Ms. Elliott stated that approximately 40 acres is on the south side of Campbell Creek and the other half of the land is on the north side of Campbell Creek. Ms. Elliott stated that she is requesting permission to put a bridge across Campbell Creek so she might have access to her other portion of land. Ms. Elliott stated the type of bridge she would need is something that would support a tractor. Mr. Hensley instructed her to go to the Surveyor's Office after the meeting and the Surveyor would take her application and process it. Ms. Elliott thanked the Drainage Board.

### **MAINTENANCE CLAIMS:**

**Mr. Hensley** entertains a motion to approve the maintenance claims as submitted. Mr. Bledsoe so moved. Mr. Whitehair seconds the motion. **Motion passes 5-0.**

### **ADJOURNMENT:**

The meeting adjourned at 1:19 p.m.

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Clarence Hensley, President

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John Landers, Vice President

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Larry Bledsoe, Member

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Charles Whitehair, Member

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William Whitehead, Member

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Cindy Harty, Recording Secretary