

REGULAR DRAINAGE BOARD MEETING:

November 17, 2014

President Clarence Hensley called the meeting to order. Roll call held. Present at the meeting were the following:

Clarence Hensley, President
John Landers, Vice President
Larry Bledsoe, Member
William Whitehead, Member
Charles Whitehair, Member
Amber Neal for Jake Dunnuck, Board Attorney
Phil Taylor, Surveyor
Cindy Harty, Recording Secretary

Mr. Hensley opened the meeting by inviting all to participate in the pledge of allegiance.

APPROVAL OF THE MINUTES:

Mr. Hensley entertains a motion for the approval of the October 20, 2014 Drainage Board minutes. Mr. Whitehead moved for approval. Mr. Landers seconded the motion. **Motion passes 5-0.**

OLD BUSINESS:

Mr. Taylor informed the Board that he would like to furnish them with a report and update on the J.J. Vance Reconstruction, which is located in Oakville. Mr. Taylor stated that in the pre-meeting the Board and he had discussed this project. Mr. Taylor stated that the costs of the project to date are as follows: Original estimate for Phase I was in the sum of \$25,590.00, plus an additional Phase II estimate fee for \$16,900.00 and removing Task 5 of Phase I, in the sum of \$12,080.00. Mr. Taylor stated the total estimated engineering fees are in the sum of \$41,210.00. Mr. Taylor informed the Board that a couple of phases would be skipped but it would get them where the public landowners meeting can be held. Furthermore, Mr. Taylor stated at that meeting they could find out what the landowners felt about this project. Mr. Taylor stated with

these costs, he is not certain they will do the project, but would like the input of the landowners to get their feelings. Mr. Taylor stated that the reconstruction does need completed, however, he does not think the people at Oakville can afford this project. Mr. Hensley stated it would be at the landowners' cost. Mr. Taylor agreed that the landowners would pay for the project. Mr. Taylor stated that Christopher Burke Engineering is doing an exceptional job for the county and Mr. Taylor stated that he is happy with their work. Mr. Taylor submits the Amendment from Christopher Burke Engineering and he recommended the Board approve this.

Mr. Bledsoe moved for approval of the Phase II of the J.J. Vance Reconstruction project. Mr. Whitehair seconded. **Motion passes 5-0.**

NEW BUSINESS:

Cornerstones

Mr. Taylor stated as previously discussed with the Board, he wants to hire a professional surveyor residing out of Delaware County to complete cornerstone work. Mr. Taylor stated there is no one locally that resides in Delaware County or that votes in Delaware County, so he is looking outside of Delaware County to hire a professional surveyor. Furthermore, Mr. Taylor stated he will probably hire Christopher Burke Engineering to complete the surveying of the cornerstones but will negotiate with them to get the best price from that company. Mr. Taylor stated that he would like to begin the work the first of 2015, and he wanted the Board to be aware of what the state statute was on this matter.

Ordinances for Trash and/or Debris

Mr. Taylor informed Mr. Bledsoe, who was not at the pre-meeting, that they had discussed the problem of his office having problems with debrushing ditches that back up to a neighborhood. Mr. Taylor explained that he is finding that the residents who are on the ditch are throwing items, such as trash, fencing, corner posts, etc., into the regulated ditch. Mr. Taylor stated these items are causing obstructions in the ditch. Mr. Taylor questions whether they would have to go through the Commissioners, the Drainage Board, or the county council to get an Ordinance passed to fine the persons doing this. Furthermore, Mr. Taylor stated he does not want to just send a letter to the resident doing this or slap their hands, but would like to fine them approximately \$500.00 to teach them a lesson. Mr. Taylor stated that apparently the county is going to have to make some examples of some people to get them to realize what they are doing is wrong. Mr. Taylor stated recently his contractors have had to remove obstructions from the ditches to debrush, so that was an added expense and it is getting ridiculous. Furthermore, Mr. Taylor stated that he has found they do not have a problem when the ditch is located in the middle of a cornfield, but when the ditch is located or backs into an addition. Mr. Taylor asked

Mr. Bledsoe if he would have to come before the Commissioners or can, this Board implement some type of policy on that issue.

Mr. Bledsoe stated that in referring back to the Drainage Law, he believes there is a statute that states that the Surveyor has the right to remove the obstruction and if the Surveyor could prove who put the obstruction in the ditch, then he could bill the landowner or the culprit. Mr. Bledsoe stated as far as fining someone, the Ordinance would have to be set up by the County Commissioners who would have to set up a fund for the money to be deposited in, and then those monies would be used to clean-up the debris, but he is unaware how that would contradict other Drainage statutes. Mr. Bledsoe recommended that Mr. Taylor study the Drainage Law closer concerning that issue.

Mr. Hensley stated that you would have to prove who did it. Mr. Taylor stated that when it is in back of your home it's pretty obvious because you are not going to let your neighbor three houses down come and put these items in the ditch behind your home. Mr. Taylor stated that he would like to get something done so he will look into the Drainage Law on this matter.

Mr. Bledsoe stated that Mr. Taylor probably has the right to remove the obstruction and bill the landowner or whoever created the obstruction. Mr. Taylor stated that Morningside Addition is a good example, and stated that they have taken out twenty-five grocery carts from the ditch in that area. Mr. Taylor stated he has spoken with Bob York, President of the Neighborhood Association, and instructed Mr. York to see if the police can patrol that area and find the person or persons doing this. Mr. Taylor stated that is another reason to debrush those ditches so landowners cannot hide trash and debris in them.

MAINTENANCE CLAIMS:

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

ADJOURNMENT:

The meeting adjourned at 1:11 p.m.

Clarence Hensley, President

John Landers, Vice President

Larry Bledsoe, Member

William Whitehead, Member

Charles Whitehair, Member

Cindy Harty, Recording Secretary