

DRAINAGE BOARD MEETING:

October 19, 2015

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

Clarence Hensley, President
John Landers, Vice President
Shannon Henry, Member
Stan Willis, Chief Deputy, County Surveyor
Brandon Murphy, 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 entertained a motion for the approval of the September 21, 2015 Drainage Board minutes. Mr. Henry moved for approval. Mr. Landers seconded the motion. **Motion passes 3-0.**

OLD BUSINESS:

Mr. Willis stated that he and Phil are meeting with the owners of the golf course, along with Sheldon Dynes, with Pritchett's Backhoe on Wednesday morning to go over the erosion of the ditch at Crestview, and also to get a cost for putting gabion baskets in at that location. Mr. Willis informed the Board that the golf course is willing to pay for one-half of the expense.

NEW BUSINESS:

Jeff Beeson, 12121 W. Woodcreek, Yorktown, IN approached pending permission from the Drainage Board to proceed with cleaning of a ditch. Mr. Beeson stated as follows:

The Board members should have a packet of materials and pictures that he furnished to them. Mr. Beeson stated the drainage ditch runs alongside his property, and he wanted to go over what they have done to the ditch. Mr. Beeson stated that on the north end, there was swamp willows completely blocking the drainage as water came down the drain; swamp willows would grow to the water and then fill it in repeatedly. He stated that on the south end where it is all brown (in the picture), the cattails were taking over along with other weeds so it became a swampy area. Mr. Beeson stated on page two, you could see what it looked like in the summertime. He stated that he had a person out there mowing around the swamp willows and he has mowed about 10-feet on each side of the cattails. Mr. Beeson stated that is the narrowest point of where the cattails were, at the worst point, they are about 30 or 40-feet wide. Furthermore, he stated on the third page, you could see what it looked like when it floods, you can see the swamp willows and the cattail patch completely in the middle of the drain. On the bottom, you can see where they started to clear it out, and then they stopped pending the Board's approval. On the next page you can actually see what I am trying to do, it is a nice mowable ditch that will allow the water to flow freely. He stated that this is one block away from his property in the same neighborhood. Mr. Beeson stated he planned to add more rip rap rock, on both ends of the ditch, and the grass will help the soil erosion that the cattails are causing. The elevations I have given you a copy of the elevations just to show you the flow is nice and gentle, and is a 2.6-foot drop from one end to the other. He stated they have had a laser level out there and have shot it. He stated that on the very last page, you can see the work that has been started and the view from one end where the work has been stopped and has not been completed. Mr. Beeson stated he is asking for the Board's approval to finish this project and hopefully get the grass seed going before winter and before he has soil erosion problems next spring. He stated the ditch is basically dry nine months out of the year, but we do have some spring and summer water in there.

Mr. Henry asked if his plan is to add rip rap on the Jackson Street side and Woodcreek Drive. Mr. Beeson stated that is correct, and stated just as you see in the other picture, it is to make it look like that where it is mowable with rip rap on both ends so we do not have soil erosion problems.

Mr. Hensley stated he looked at the ditch the other day and it looked like a good plan. Mr. Beeson said thank you sir.

Mr. Hensley entertained a motion. Mr. Henry makes a motion that the Board allow Mr. Beeson to proceed with his work. Mr. Henry asked Mr. Beeson if he was digging any more in this ditch and the dirt had not been removed yet. Mr. Beeson answered, "Correct". Mr. Henry stated we can see by his elevation shots with the addition of the rip rap on edges of both Jackson Street and Woodcreek, that is my motion, let him proceed. Mr. Landers seconded. **Motion passes 3-0.**

Request for Partial Abandonment of Tributary 6 of the Dora Wilhelm Ditch

Hal Ashton, Land Surveyor, 325 W. Washington Street, Muncie, IN approached and distributed pictures to each Board member. Mr. Ashton stated that he is representing some folks that own a piece of ground out here that has already been given a right-of-way for a large storm sewer to be constructed right along Morrison Road, and it turns out there is also a tributary to the drain that goes across their property that amounts to a 7-inch tile. He stated, “Obviously, the 48-inch tile that has been put down Morrison Road has replaced that 7-inch tile”. Furthermore, Mr. Ashton stated the 7-inch tile’s origin is right at Bethel Pike as you can see, and it only crosses Bethel Pike to the south side then it flows north, so it has been replaced by the 48-inch pipe. He stated these folks would like to ask if the Board would consider abandoning a portion of the drain that is on their property. Mr. Ashton stated he made a sketch and it shows Bethel Pike and Morrison Road, and shows the new easement right along the west side of Morrison Road that runs south of Bethel, then runs back north, and then the place where it crosses Morrison Road to the east. Mr. Ashton stated that is the 48-inch sewer, so the area is well served at this point. He stated that all of that took place about the year 2000, and at the time, they created a new easement, and they did not bother to vacate the old easement. Mr. Ashton stated that Mr. Etchison is asking for the Board to consider abandoning a portion of that drain.

Mr. Hensley stated that as he understands it, he is putting in a larger drain. Mr. Ashton stated a bigger drain is already in. Mr. Hensley asked how large it is. Mr. Ashton stated that it is 48-inch. Mr. Hensley asked how much of the ground will be covered with blacktop or cement. Mr. Ashton stated there is no plan together at this time, but there will be a plan in the future.

Mr. Henry asked Mr. Ashton if he was asking the Board to abandon the 7-inch tile. Mr. Ashton stated yes, just the drainage easement from Bethel Pike north to the north part of the Etchison’s land. Mr. Henry stated that he is not interested in abandoning the 7-inch tile, and asked Mr. Ashton if there is any way possible they could move the tile. Mr. Ashton stated that it is likely the tile has no function; and the 48-inch pipe has replaced it. Mr. Henry stated that it is a possibility that it does function. Mr. Ashton stated that it does not serve anyone else it just serves the Etchisons.

Stan Willis stated the 48-inch pipe that Mr. Ashton is talking about is stormwater pipes. Mr. Ashton confirms it is stormwater. Mr. Willis stated that is different than the county’s regulated drainage. Mr. Hensley stated there is a sanitary line there also. Mr. Ashton stated there is a sanitary line there and the 48-inch pipe was put in by the drainage board.

Mr. Henry stated with his experiences, he is not in favor of abandoning that tile. He stated, “We can say that it does not have a purpose, but until, in his opinion, we see physical proof that it does not have a purpose, he is not willing to vote to abandon it”. Mr. Henry stated in previous situations, I have seen old field tiles and things of that nature that people are real quick to cut or disconnect thinking they have no purpose, but it ends up creating a water problem somewhere, and stated he is not willing to do that. Mr. Ashton stated he could see that it is within 300-feet of the larger drain. Mr. Henry stated he can see that, and that is why he was asking if they could

move that 7-inch drain or put larger drains somewhere. Mr. Ashton stated actually, what they wanted to do, legal drains like this have a 150-foot wide drainage easement, these folks want to develop the land, and that 150-foot easement voids the opportunity for quite of bit of the land. Mr. Ashton stated he is sure they could move the 7-inch tile to their west boundary, but feels that any type of development that would go in there, would not utilize that 7-inch drain, but would go to the 48-inch tile.

Mr. Hensley stated he does not see why they would want to abandon the tile if they are not going to use it. Mr. Willis stated that the property has the county's tile on it and they are unable to build. Discussion between Mr. Landers, Mr. Hensley and Mr. Willis held. Mr. Willis stated that he felt they will have to end up moving the drain. Mr. Hensley asked Mr. Ashton if he had said that the owners would not be doing anything with the property for a period of time. Mr. Ashton stated they have it for sale at this time. Mr. Henry stated it is not marketable with the county's easement and tile running through it. Mr. Ashton agreed. Mr. Hensley asked if there was any other input and no one came forward. Mr. Hensley entertained a motion.

Mr. Henry moved that the Board not abandon the tile, but stated if the owners or Mr. Ashton would come forth with some type of alternative plan for the 7-inch tile, he would be more than happy to look at it. Mr. Landers seconded the motion. Mr. Hensley voted no. Mr. Henry and Mr. Landers voted yes. **Motion passed 2-0. (After the meeting, the Board Secretary was informed by Mr. Hensley that he did not mean to vote no on this motion, because he also did not want to abandon the tile).**

Scott Lasiter was called and did not appear. Mr. Lasiter's issue is tabled and reset for November 16, 2015 at 2:30 p.m. **The Board agreed 3-0.**

Replacement of Culvert over Schram Ditch

Chris Beres, Bridge Engineer, with AECOM, One Indiana Square, Indianapolis, Indiana approached and stated that they contracted with INDOT to replace a small structure on U.S. 35 over the Schram Ditch. He stated the preliminary plans, which were submitted, that on pages six through eight, have the preliminary design, including the hydraulic data. Mr. Beres said the plan is to replace the existing box culvert located at that location, which is badly deteriorated and which is a similar structure with a slightly larger opening. He stated a little bit of roadwork would be completed at that location to increase the safety of the road. Mr. Beres said they are just asking that the Board approve those plans as shown. Furthermore, he stated the hydraulic analysis for the hydraulic data shows that switching from the existing structure to the one proposed will reduce the Q-100 backwater elevation by roughly 3 to 4-inches.

Mr. Henry asked Mr. Beres if INDOT was paying for all of this work. Mr. Beres stated yes

they would be. Mr. Henry moved for approval of the replacement of the structure at U.S. 35. Mr. Landers seconded the motion. **Motion passes 3-0.**

Reduction of Easement-Oakville, Indiana

Rick Penix 5921 E. County Road 422 South, Muncie, IN, approached the Board and stated that he is here on behalf of Mike and Kathy Smith, and has been hired as a contractor to do some work for them. Mr. Penix stated the Smiths would like to put a new garage along the ditch, which is just east of their property where their existing garage had been. Mr. Penix stated the former garage has been removed, and they would like to put another one in. He stated in order to do that they must get an easement reduction to put another back in the same footprint. Mr. Penix stated that they are going to go a little further away from the ditch with the replacement and is asking for permission to go forward with this project.

Mr. Henry asked if they were moving further from the easement three and one-half (3½) feet. Mr. Penix stated yes. Mr. Penix stated the ditch is on the east side of the property and they would be moving where the existing structure used to be, but are moving 3-foot 6-inches over, but the structure will be pretty much the same footprint as the old structure. Mr. Henry stated we have a 75-foot easement and he is coming over 3½ feet. Mr. Henry stated he does not have a problem with Mr. Penix doing that. Mr. Henry moved that the Board approve the request of Mr. Penix. Mr. Landers seconded. **Motion passed 3-0.**

Norm Miller Property

Shannon Henry stated the county had Arnolds Professional Lawncare working on the ditch on Norm Miller's property, and it is a very hairy one, and is really grown up. Mr. Henry stated he believed the county has already spent approximately \$10,000.00 for that portion of work. Mr. Willis agreed. Mr. Henry stated that it is going to cost approximately another \$10,000.00 to finish the ditch, and he stated he knows one of the property owners was really pushing to get this done. Mr. Henry stated he wanted to bring this up and make the Board aware of it, and that he is in favor of going ahead and finishing the job.

Mr. Hensley entertained a motion. Mr. Henry made a motion to have Arnold's Professional Lawncare finish that project. Mr. Landers seconded. **Motion passes 3-0.**

Bob Shroyer, 7110 E. Centennial, Muncie, Indiana, approached and stated that this spring he put in several feet of tile that he had gotten from Dague's located in Muncie. He stated he was back numerous times to pick up more tile, and each time Dague's kept commenting about how

much tile was going to the county through the Surveyor in fixing different tiles throughout the county. Mr. Shroyer stated that we happened to have a very wet spring and he wanted to thank the Surveyor and the Drainage Board for putting all that time in at numerous places. Mr. Shroyer stated it did not benefit him that much, but he was glad to see the county actually fixing tile. Furthermore, Mr. Shroyer commented that he has a friend that lives in Madison County, and his name is Dallas Conrad, who lives on 600 North approximately two miles west of I-69. He stated that he was over at his place this spring and there was a lot of ground that was under water, approximately 100 acres, and he stated that he asked him, "What in the world is the matter here anyway"? Mr. Shroyer stated that Mr. Conrad told him that there was an individual that received permission from the Madison County Drainage Board to put a pond in over a county ditch, and then he put a small outlet off of that pond to continue on to drain his ground. Mr. Shroyer stated when we had so much rain this spring, the pond filled up and then it started flooding more ground, so he just wanted to caution the Drainage Board to be careful about approving ponds where they might cause a lot more trouble up stream. Mr. Shroyer stated this is a prime example and the pond was put in properly by the specs that were approved, but it is hurting many people. Mr. Shroyer did state that he did appreciate how the Drainage Board and the Surveyor do things, and stated, "The odd thing about our Surveyor now is he is in the office most of the time". He stated that many of our Surveyors in the past have only come in once every two weeks or so, but this individual has been in a considerable amount of times. Thank you.

Mr. Willis stated too bad Mr. Taylor was not here to hear this. Mr. Hensley stated that they have been talking about producing a pond ordinance.

MAINTENANCE CLAIMS:

Mr. Hensley entertains a motion to approve the maintenance claims as submitted. Mr. Henry moved to approve the claims. Mr. Landers seconded the motion. **Motion passes 3-0.**

ADJOURNMENT:

The meeting adjourned at 2:54 p.m.

Clarence Hensley, President

John Landers, Vice President

Shannon Henry, Member

Cindy Harty, Recording Secretary