

# REGULAR DRAINAGE BOARD MEETING:

August 15, 2016

**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  
William Whitehead, Member  
Charles Whitehair, Member  
Phil Taylor, 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 MINUTES:**

**Mr. Hensley** entertained a motion for the approval of the July 18, 2016 Drainage Board Minutes.

**Mr. Whitehead** moved for approval. Motion seconded by Mr. Whitehair. Mr. Henry abstained from voting since he was not present at the July meeting. **Motion passed 4-0.**

## **OLD BUSINESS:**

**Mr. Taylor** stated that last month's meeting he proposed an increase at the rate of twenty-five percent (25%) for the watershed assessments. Mr. Taylor stated that the Spring draw was received on approximately the first of August, and he now feels that there is enough money to proceed with their work. Mr. Taylor stated that he withdraws his previous request and asked that the matter be placed on hold at this time.

**Mr. Hensley** asked if they needed to vote on Mr. Taylor's request for withdrawal. Attorney Murphy stated he did not feel that would be necessary, and stated, "It can just be withdrawn".

## **NEW BUSINESS:**

**Mr. Murphy** stated he believed that Mr. Taylor had an issue with regard to a drain at County Road 400 North and Morrison Road, and welcomed Mr. Taylor to inform the Board more about that.

**Mr. Taylor** stated that the county has a flooding problem at Mike McCoy's home at 4605 West County Road 400 North, Muncie, Indiana, which they are hoping to help the county highway department correct. Mr. Taylor informed the Board that they have been working with Angie and Heather of the Engineer's Office, and Troy of the highway department to correct this matter. Mr. Taylor proposed the county start at the west of Mr. McCoy's property, install approximately a 12-inch tile, and run it to the county's ditch, which is Jake's Creek. Mr. Taylor also proposed to debrush along County Road 400 West. Mr. Taylor stated there is a wooded area at that location, which would give them some drainage, and run the tile to the breather that he proposed they put in. Mr. Taylor stated that they would need the property owners to appear at the next Drainage Board meeting, to get their permission to proceed. Mr. Taylor stated the Board would need to vote on this to make it a legal drain. Mr. Murphy stated his concern was without having a hearing, we would be working on private property, which he felt would be inappropriate unless the Board voted on the whole plan to make it part of the regulated drains. Mr. Murphy recommended that the appropriate way to handle it would be notify, by certified mail, both the affected property owners and set a hearing for the next Board meeting.

**Mr. Henry** stated if they decide to proceed, the county would take possession of that property, and the owners would have to be informed that each property would be losing 75-feet or at least we would have a 75-foot right-of-way and asked if the property owners would pay for this project. Mr. Henry asked Mr. Murphy if that was correct. Mr. Murphy stated that if the county is taking it into the regulated drain system, not necessarily. Mr. Henry stated that he has been involved with several situations working with the county highway department, and stated, "Those guys work hard to try to get water off the roadway, and in this particular case that is what the problem is, there is water on the road." Mr. Henry stated that he felt that whenever there is a situation where this Board can work with the highway department, and the county as a group can come together to try to alleviate a problem and the homeowners would give the county those right-of-ways to do the work, it would be inappropriate to charge them. Mr. Hensley asked about the length of the tile. Mr. Taylor stated it would be from County Road 400 to the county ditch, which is approximately 825-feet.

**Mr. Whitehead** stated that at the next meeting, would Mr. Taylor put a proposal together to show the costs and estimates, so the Board would understand what they are looking at. Mr. Taylor stated they are looking at approximately \$7,500.00 for the purchase of the pipe and installation. Mr. Taylor stated that would be the Surveyor's cost and does not include what the highway department's cost would be. Mr. Taylor stated all that is needed is a swale to run the water to the breather, which would run into this pipe, which would then run to the river. Mr. Taylor stated that he could get more figures for the Board if needed. Mr. Whitehead stated that

would be appropriate.

**Mr. Murphy** recommended that the Board vote to set a hearing on this matter. Mr. Henry stated for the betterment of the drainage in that area, he would make a motion that the Board move forward with this and set a hearing set. Mr. Landers seconded the motion. **Motion passed 5-0.**

**Mr. Murphy** stated he would follow up with a letter by certified mail to both landowners informing them that the Board is having this hearing at the time of our next Drainage Board meeting.

### **MAINTENANCE CLAIMS:**

**Mr. Hensley** entertained a motion for the approval of the maintenance claims as presented. Mr. Henry so moved. Mr. Whitehead seconded. **Motion passed 4-0.**

### **ADJOURNMENT:**

The meeting adjourned at 2:39 p.m.

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Clarence Hensley, President

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John Landers, Vice President

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William Whitehead, Member

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Charles Whitehair, Member

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Cindy Harty, Recording Secretary