

# REGULAR DRAINAGE BOARD MEETING:

September 17, 2018

**President, William Whitehead, called the meeting to order. Members present at the meeting were the following:**

William Whitehead, President  
Dick McIntire, Member  
John Landers, Member  
Tom Borchers, Surveyor  
Stan Willis, Inspector/Chief Deputy  
Brandon Murphy, Attorney  
Cindy Harty, Recording Secretary

**President William Whitehead** opened the meeting by welcoming the audience and inviting them to participate in the pledge of allegiance.

## **APPROVAL OF MINUTES:**

**Mr. Whitehead** entertained a motion for the approval of the August 20, 2018 Drainage Board Minutes.

**Mr. Landers** moved for approval. Motion seconded by Mr. Henry. **Motion passed 4-0.**

## **OLD BUSINESS:**

**Mr. Whitehead** addressed Mr. Borchers and asked if he had any old business to present to the Board today.

**Mr. Borchers** stated that there is no old business to discuss today.

## **NEW BUSINESS:**

### **Appointment of Member to Standing Committee Between Delaware County Drainage Board and the Muncie Sanitary District**

**Mr. Whitehead** asked Mr. Borchers if there was any new business to introduce to the Board today.

**Mr. Borchers** stated that the Board needed to make an appointment to the *Joint Committee* between the Delaware County Drainage Board and the Muncie Sanitary District.

**Mr. McIntire** moved to appoint Shannon Henry to said Board. Mr. Landers seconded the motion. **Motion passed 5-0.**

**Ms. Cheri Willis** approached and stated that her husband and she have a home at 608 N. Manhattan, which they just acquired. She stated the home was previously her dad's, whom had it for sixty years. Ms. Willis stated that they have an open ditch that runs from Delawanda, Biltmore and Manhattan, and it runs straight into the railroad. Ms. Willis stated that they all pay ditch assessments out there of \$10.00 per lot, per year, and it has been a decade since anything has been done to that ditch. Ms. Willis stated the yards are flooded, and they have neighbors who have water is in their basements, and they have other residents and neighbors where it has flooded and damaged their foundations, and that is just structural damage. She stated that it washed away a lot of the soil in their yards, so their yards flood badly. Furthermore, she stated then we have the issue of not being able to go into our yards because of the mosquito beds, and mosquitoes are bad anyway, but when you add this flooding, even when it is a small amount of rain, this ditch floods. Ms. Willis further stated that the flow is not good and the ditch is starting to grow over, which is keeping the water from flowing. She stated that they have worked on this problem for about two months. Ms. Willis stated, "We've had the Surveyor's out, the City Sanitary out and she had been talking to the Mayor, and stated that when the surveyors were out, they made maps, and found what is needed. Ms. Willis stated what we would like to see done is a pipe run through, covered with dirt, and then there won't have to be anymore maintenance, that should take care of everything. She stated across the street on Manhattan when they built that house 40 or 50 years ago, the contractor illegally filled in the ditch that drained to the railroad, so that blocks everything, and now comes back into the residents' properties. Ms. Willis stated, "We are here today to see if we need to be on an agenda, and we are just on a quest, so we do not know who to talk to, but I have been with Mayor Tyler several times getting recommendations. Ms. Willis stated that is our issue."

**Mr. Whitehead** asked Mr. Borchers if he was familiar with this issue.

**Mr. Borchers** stated that he is not familiar with the situation, but what his office needs to do is go out and make sure it is a county regulated drain.

**Mr. Whitehead** informed the Willis' they need to go to the Surveyors Office and find out who the ditch belongs to, either the county or someone else. Mr. Whitehead informed the Willis' after doing that then

we can work with you and get it taken care of.

**Ms. Willis** asked what their next step would be.

**Mr. Borchers** instructed Ms. Willis to come downstairs to his office and they will gather their information, and will get out and take a look at the ditch. Mr. Borchers stated, "Basically what is going to happen is it is an open ditch and we can work with it within the confines of maybe doing some maintenance, whether it be mowing or dipping or something of that nature." Mr. Borchers stated that would be the suggested route, but if it is something as far as wanting to put in a tile, that would be reconstruction and that would have to be paid for by the people who drain into that tile.

**Ms. Willis** stated she would be happy with having the ditch dug out.

**Mr. Borchers** stated hopefully regular maintenance can be done on it, and all they have to do is come down to his office or call, giving their name, address, and telephone number, then they will get out and take a look at it. Mr. Borchers stated, "As I said, with all this rain, we have been behind, so it might not be until next week that we get out there, but at some point, we will get out there and if it is something easy to do, it will be assigned to a contractor, and we will go from there."

**Ms. Willis** stated that her question is, "I do not know all the legalities and all of that, and is this something when we pay this ditch assessment, it is for maintenance of the ditch, right?"

**Mr. Borchers** stated, "Correct."

**Ms. Willis** asked isn't there a period of time, whether it be every three, four, or five years that they come out and do something to the ditch?

**Mr. Murphy** stated only if it is a county regulated drain.

**Ms. Willis** stated that Mayor Tyler said it was. She stated that she called the county this morning looking for a Gary Redneour, who is in the city sanitary, surveyor's office, but stated she has never dealt with the county yet.

**Mr. Borchers** stated well if it is a regulated drain, we will get out there and take care of it, and if it's not, by law we cannot do anything with it, it would have to go to the City Sanitary or Stormwater. Mr. Borchers stated, "After the meeting, I can take down your number or you can come down to the office where they will actually look it up on a map and see where it is."

**Ms. Willis** stated, "So we just sat through the meeting and then we go down stairs to . . ." Mr. Borchers instructed them to go to room 203.

**Mr. Henry** stated that the Holt Ditch runs back there, but is a little ways from their location. Mr. Henry asked Ms. Willis if there is a railroad track behind or close to her home. Ms. Willis stated that there is a railroad track back there. Mr. Henry stated that he sees the railroad. Mr. Willis stated that the railroad is east of their property. Mr. Henry asked if they are talking about the ditch that is on the other side of the railroad track, or is there some small ditch behind their home. Ms. Willis stated the way it runs, it goes to Delawanda, and it runs directly beside their property. Mr. Henry asked if it ran along the railroad. Ms. Willis stated that she thinks it goes to the railroad, from east to west.

**Mr. Whitehead** thanked the Willis' and instructed them to get with the Surveyor's Office to try to figure

out where the ditch is, and get it resolved. Ms. Willis stated that Mayor Tyler stated that they (the Board) and the city cooperate with each other on other things. Mr. Borchers agreed. She stated that Mayor Tyler is willing to cooperate and work as partners in this and stated that she does not want to get into the politics of that. Thank you.

**Mr. Whitehead** asked if there was anyone else who wanted to address the Board.

### **Hiatt Ditch**

**Michelle Cook** approached and stated that her and her husband purchased some property on the 1400 Block of North Petty, and stated that it needs two (2) culverts. Ms. Cook stated that they have spoken with Joe Schneider and he has given them a letter saying what he would do to get into the property. She stated, "I guess I needed to come to this meeting to get approval for two (2) culverts."

**Cindy Harty**, Secretary, stated that she has spoken with Michelle Cook, and informed Mr. Borchers that this is the lady she told him about and that Joe Schneider would be doing the work.

**Mr. Borchers** asked if Mr. Schneider sized it up to match it. Mr. Borchers stated that he was sorry this was not on the Agenda, but basically they bought a piece of property and to access it they need to put some culverts in over the county ditch. He stated Joe Schneider sized them to the size and specifications that they need, so it would be his recommendation that the Board approve the work, which will be done by Joe Schneider in putting the culverts in. Mr. Borchers stated that it is over one of our ditches.

**Mr. Henry** asked Ms. Cook if she had the letter from Joe Schneider and if he could see it. Cindy Harty informed the Board that Ms. Cook would need to get a permit through the City of Muncie Street Department to put the driveways in.

**Mr. Whitehead** asked if they need to make a motion to approve this. Mr. Borchers stated, "Yes, since they are building over one of the county's ditches." Mr. Henry stated that it looks like they are putting in a 3-foot by 30-foot, and asked Mr. Borchers if this was correct. Mr. Borchers stated he believed so. Mr. Henry stated that they are also putting in another 4-foot by 30-foot. Mr. Borchers stated if he remembered correctly after speaking with Joe Schneider, it would be the same size on both sides.

**Mr. Landers** asked who would be doing the work. Stan Willis stated, "Joe Schneider, who is one of our regular contractors." Mr. Henry stated that it looks good to him and the Board must approve them putting in the pipes because it is in one of the county's ditches. Mr. Borchers stated that is correct.

**Mr. Henry** moved to approve and allow them to put the culvert pipes in the county's ditch. Mr. McIntire asked, "They are not asking us to pay for it are they". Mr. Borchers stated not at all, they just need permission to do so.

**Mr. Landers** seconded the motion. **Motion passed 5-0.**

## **MAINTENANCE CLAIMS:**

**Mr. Whitehead** entertained a motion for the approval of the maintenance claims as presented.

**Mr. Henry** moved to approve the claims as submitted. Mr. McIntire seconded. **Motion passed 5-0.**

**Mr. Whitehead** asked everyone to keep Dink (Clarence Hensley) in his or her thoughts and prayers, because he had some heart surgery last week.

## **ADJOURNMENT:**

The meeting adjourned at 2:50 p.m.

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William Whitehead, President

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Shannon Henry, Member

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Dick McIntire, Member

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John Landers, Member

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Cindy Harty, Recording Secretary