

# REGULAR DRAINAGE BOARD MEETING:

July 15, 2019

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

William Whitehead, President  
Shannon Henry, Member  
Dick McIntire, Member  
John Landers, Member  
Tom Borchers, Surveyor  
Stan Willis, Inspector/Chief Deputy  
Brandon Murphy, Board 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 June 17, 2019 Drainage Board Minutes.

Mr. Henry moved for approval. Motion seconded by Mr. McIntire. **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 there is no old business to address this date.

## NEW BUSINESS:

### Thurston Ditch

Mr. Borchers stated that Wes Del Community School is expanding the parking lot and making some improvements, and they requested permission to tie-in to the Thurston Ditch, which is an open ditch that runs to the north of Wes Del High School. Mr. Borchers stated that it is a large open ditch, it flows nicely, and he does not see a problem with a tie-in. Mr. Landers asked what size they are using to tie-in. Mr. Borchers stated that he believed it was 15-inch, but he cannot remember off the top of his head, and the copied plans are too small for him to see. Mr. Henry asked Mr. Borchers if that ditch flowed well. Mr. Borchers stated, "Yes."

Mr. Henry moved to approve the request of Wes Del High School for the tie-in to the Thurston Ditch. Mr. McIntire seconded the motion. **Motion passed 4-0.**

## Kilbuck Creek

**Mr. Borchers** informed the Board that Giant Eagles for GetGo, the former Ricker's location, are requesting a reduction of easement on the Kilbuck Creek, which runs on all sides of the gas station. He stated they are expanding to include diesel pumps, which will fall within our 75-foot right-of-way. Mr. Borchers stated he believed they requested a reduction to 40-feet from the centerline. He stated the majority of the stuff that will be on our right-of-way is just pavement and curbs, so we will have plenty of room for maintenance, or whatever we need to do on that ditch. Mr. Borchers gave a favorable recommendation as far as letting them have their reduction of right-of-way beyond the west and north side of that ditch.

**Mr. Whitehead** asked if a representative for Giant Eagles was present, and if so, would they like speak on the matter.

**Brad Schoeff of Weihe Engineers, 10505 N. College Avenue, Indianapolis**, approached and stated that he and Josh Rodgers are here on behalf of Giant Eagle and the GetGo brand. Mr. Schoeff stated they would like to expand the property to the south in the grassy field, and put a diesel fueling canopy enclosure at that location, then connect it to the parking lots up to the main building. Mr. Schoeff stated there would be an additional driveway to the main street to the west. Mr. Schoeff stated, "As mentioned, the 75-foot drainage easement does come on to the property substantially and it impedes on their ability to expand, so we will have a perimeter drive all the way around, and we have a planner to that affect and would be happy to share it with you today." Mr. Schoeff stated it shows that their perimeter drive would be in place, which could potentially be used by the county, as well as for access to get to that ditch if needed. He stated, "We do have a couple of questions about what could be done in that 75-foot easement, but if the request for the 40-foot easement is approved, that would remove all of the questions that we brought with us today on what we can and cannot do within that 75-feet." Mr. Schoeff stated, "They are just trying to expand, add the diesel fuel canopy, add a couple of drives, and create an actual scale system for the large over road truck drivers, and who knows who else might use it, but that is a pretty big item and situated to the south of the site." He stated that in order to get the trucks through the diesel canopy, while driving a big swing to get them around to the scales, is what helped to put us in that 75-foot easement. Mr. Schoeff stated if they could have that reduced to be closer to their curbage, all of the structures would then be removed out of that drainage easement and that is their big concern. He stated, "We would like to be able to expand and use this site for what it is today and progress forward. Therefore, a reduction would substantially help the Giant Eagle program for the GetGo."

**Mr. Henry** asked to see their plans. Mr. Schoeff furnishes the Board with the site plans.

**Mr. McIntire** asked where their stormwater would go. Mr. Schoeff stated, "Right now there is discussion, and he did not know if the members of the Board have been to the location, and explained there is an in-line swale with a trench drain along the bottom, like a vegetative detention system to the south of the current facility, and they would be reworking the site a little bit with Giant Eagle when they get back because their layout impedes on that a little bit. What they would like to do is expand upon that detention and take advantage of the open space that they have and expand to have more of a detention basin rather than going underground with chambers or a pipe system. Right now, we are tentatively looking to expand what is out there to incorporate in the additional volume that would be going to it."

**Mr. McIntire** asked if it is a detention or retention pond. Mr. Schoeff stated, "That it is a dry basin, so I guess that would be retention." Mr. Schoeff explained that it has a gravel bed at the bottom of the orange perforated tile that than takes it to the control structure. Mr. Schoeff stated, "I think you guys had a pretty hefty rain last night and that ditch was flowing quite well from our visit today." (Discussion between Board members and Mr. Schoeff held that was not recorded).

**Mr. Whitehead** asked if there were any other questions from the Board.

**Mr. Henry** moved for approval of the reduction of easement for Giant Eagles/GetGo. Motion seconded by Mr. McIntire. **Motion passed 4-0.**

**Mr. Borchers** informed Mr. Schoeff that he would have to have the owners record the original reduction of

easement with the Recorder's Office to make it legal and the reduction be to be part of the county's records. Mr. Borchers stated he would e-mail the document to Josh, since he had his e-mail address.

### **Pate-Shoemaker Ditch**

**George Catt, 10301 W. County Road 500 South, Daleville, IN**, approached and distributed topography pictures to the Drainage Board members, and explained his situation as follows:

**Mr. Catt** stated that what you are looking at is his property and those tiles on his property right now. If you flip to page one, this is topography of my land from a couple of years ago before we received our historic rains this year. As you can see, it gets somewhat soggy and wet out in front of the left field; in addition, I circled the back of his field, which has always been under water. He stated that he has been working with Tom for quite some time to get some tile ran out there, and they ran some across the street and opened it up. He stated, "So if you look at that, it looks like a second lake out in the front yard, you will see some lines across it, that has actually dried up thanks to the work that Tom and his people have done." Mr. Borchers stated, "With that being said, there are still some issues; where they dug, which is higher than the rest of the fields, the water that is still out there cannot flow to that drain. In addition, all of the tiles on his property are still broken so nothing is draining."

**Mr. Catt** stated, "I cannot get any of my hay down, because I cannot get any machinery back there, my water table is so high, and every time it rains, my house floods and comes up over my foundation. I put in 60-feet of French drains and it has been dry enough lately, but prior to that I was in my front room with towels and buckets cleaning up water, and it was not fun. In addition, because of the water outside, there is nowhere for it to go. I really need some relief here guys and I need someone to come out and fix some tile. There used to be a ditch in front of all my property that is completely filled with silt and vegetation so there is nowhere for this stuff to go, and I cannot wait much longer, I need to be able to use my land. It is a significant amount of land, I mean I do not have 50-acres, but one-third of my land is under water. I need some help."

**Mr. Henry** asked if any of this is county tile.

**Mr. Borchers** stated as he explained to George, this is a county tile and this tile has been broken down for quite some time. He stated that he thought Pritchett spent two months out there working. Mr. Borchers asked the Board if they remember claims from last month, and the big project that was paid last month, which was for this work. Mr. Borchers stated, "We got the first part of it done and got it opened up to Mr. Catt's property, but it is just a lengthy process, because this has been under water out there for quite a while." Mr. Borchers stated, "I am not saying is not broken down and it does not need help, but it is not something I can fix in three months. I had a guy out there for two months just getting to Mr. Catt's property, but we finally got it opened up to his property, and the next step is to continue because we do have problems on the other side of the by-pass too." Mr. Borchers stated there was no sense in digging on Mr. Catt's property if the tile it flows to, is plugged. Mr. Borchers stated that there is no sense in putting in 8 to 900-feet of tile, which would be about a mile and half to the open ditch to the north, if it is plugged. Mr. Catt stated, "Yes, it is quite a ways." Mr. Borchers stated that they finally got that opened up and it took a few months to complete, and told them the next step is to continue on south. Furthermore, Mr. Borchers said we have some problems at the by-pass too, but it is just something that I could not complete in that amount of time. Mr. Borchers stated it was an ongoing thing that started with let's fix a few sinkholes to a two month fix of a tile that has been broken down for twenty years with no maintenance being done previously. Mr. Borchers stated, "As I explained to Mr. Catt, we are going to continue to work on the problem, and at least we have it opened up to his property so we know it is all flowing that way so then we can continue on back."

**Mr. Catt** stated he did not know there were contractors at his home, but figured they were with the county. Mr. Catt stated he walked out and talked with the contractor, and the guy stated that they would be back until they get all the sinkholes done, and Mr. Catt told him that was cool.

**Mr. Borchers** stated that the contractor was backed up on the job, and it is a factor of getting them back out there,

getting them on the job, and continuing to finish the job. Mr. Borchers stated, "Like I said, this has been a lot bigger job than what we expected."

**Mr. McIntire** asked if this is the problem they talked about where maybe on some place at Mr. Catt's property that water starts running south. Mr. Borchers stated that yes he thought according to the topography, but is not written clearly in the cards from 1908 when it was originally put in. Mr. Borchers stated, "I believe it flows south maybe on his property or right south of him, but I am not exactly sure." Furthermore, Mr. Borchers stated it is a work in progress and I apologize, but like I said, you are trying to fix twenty or thirty years of bad maintenance on tile in a couple months, and we just did not get it all done in time. Mr. Borchers informed the Board it is not that we are going to pull off the job or stop, it is just as soon as they can get them back out there and get them working again.

**Mr. Whitehead** asked Mr. Borchers, "So you are working on it?" Mr. Borchers stated, "Yes."

**Mr. Catt** asked, "So is this something that is going to continue this year?"

**Mr. Borchers** stated, "Yes, the contractor moved off, and I have not talked with him to find out, but I know he has a work order written up for it. Mr. Borchers stated that he would like to keep the same contractor on the job because he is familiar with the spot, is familiar with the tile, and knows how it should be running."

**Mr. Catt** asked if there was a time frame, and stated that if he can get the hay down this year, it would be better. Mr. Catt stated that his main concern is his property actually flooding and stated the insurance company will not pay for it because it is ground water, and he cannot have anyone fix it because it is ground water, not a drainage issue, although it is a drainage issue.

**Mr. Borchers** asked Mr. Catt if he had spoken with the county highway concerning the ditch along the road. Mr. Catt stated that no he had only been speaking with Mr. Borchers on this matter. Mr. Borchers stated that along the front of the road, that is the county highway's ditch, and they have their equipment up and running now. Mr. Borchers stated that he could talk with Angie or Mr. Catt could call her to have the county dredge along the road, and explained his only jurisdiction is the tile that runs through the back of Mr. Catt's property or through the side where the county has fixed it.

**Mr. Borchers** stated, "It is an overwhelming job that I thought would take a week, but they were out there for two months, but was pulled off the job." Mr. Borchers stated that he pushed them to get it opened to Mr. Catt's place working a couple of weekends to get it done. Mr. Catt stated that every time they got out there it rained. Mr. Borchers stated he pushed them to get a new breather, and as far as the tile goes, we will continue to work on it, and it should be work that will be done this year. He stated that he could not give Mr. Catt an exact date of completion. Mr. Catt asked Mr. Borchers if he would follow up with the contractor and contact him within the next couple of weeks. Mr. Catt asked Mr. Borchers to e-mail him as to what the contractor says, and stated that if it cannot happen to September of October, then he could live with that, as long as someone is communicating with him.

**Mr. Borchers** stated that he has a feeling that it is probably going to be that date before they get it completely opened up all the way to the by-pass, and that is what his plan is. Mr. Willis stated that they should be back on the job within two to three weeks. Mr. Catt asked if the plan is to fix all these tiles or certain tiles. Mr. Borchers stated that he wanted to get the big one opened up all the way to the by-pass. (Mr. Borchers and Mr. Catt discussing pictures Mr. Catt shared). Mr. Borchers stated that those were not old tiles shown on the pictures, but the lay of how the water flows. He stated it all comes to that point where we put the breather in, so I thought that would open up a lot of that property. Mr. Borchers stated the picture is of the over-land flow of the topography. Mr. Catt stated that it is completely under water and back in the corner is full of water. Furthermore, Mr. Borchers stated, "It runs from the breather that we put in, and runs south-east to the by-pass, but what I wanted to show you, these are not tiles, it is just the over laying way the water flows, so with all of that going to the point where they put the breather in, I thought that would relieve water more than what it did. I thought all of the water, according to the topography on these maps, that is the way all of the water flows, we have one tile here, I think we have another one coming in back somewhere, but the main tile is the one they have been working on, so that is the one that they will concentrate on." Mr. Catt stated that he has ripped down all of his fences and stated that they could do whatever they had to do.

**Mr. Whitehead** stated that, hopefully, they would get time to get out and get it taken care of.

#### **Heath Ditch**

**Sandy Aul, 3401 S. Hoyt Ave., Muncie, IN**, approached and stated that she is not sure if she is addressing the right board, but assumed that everyone is aware that they have extreme flooding issues out South Hoyt beyond White Road.

**Mr. Whitehead** asked if she had checked with the Surveyor.

**Ms. Aul** stated, “No, I have not.” She stated, “She has done her research just on the IDEM website and out in the field, and is quite aware of the drainage ditches around the Industrial Center, and all of these ditches lead to the retention pond that was originally put out there to drain the old Delco Battery site. She stated that it is now draining over eleven hundred acres of the Industrial Center. Ms. Aul stated this was Franklin Acres properties originally, and these were in a tax sale, and two have since been sold. She stated the one in the center was an original retaining pond (inaudible) up to the EPA, and it did not make the national priority list. This is currently flooding all over the houses on South Hoyt, and all of those people are on wells. Ms. Aul stated, “I have made a complaint with the county health department because I drove by one day, and saw two children, probably 6-years, and 4-years in their back yard playing in those flood waters. Two days later, I witnessed one of the businesses right across the street from me, dump a sewer line, which was clogged, into the stormwater ditch. These ditches are all connected to that Franklin Acres property. Every time we have these heavy rains, these properties flood. I have pictures that I have taken for three years and I have done an extreme amount of research on this. I don’t know if I am in the right place or I’m talking to the right people, but I have some serious concerns for the people whose properties are continually flooded by that retention pond water.”

**Mr. Whitehead** stated that he understands her concerns, but the question he originally asked her about talking with the Surveyor, is to see whose authority it is to handle the problem.

**Mr. Borchers** stated that he believed they have a regulated open ditch out there, but that there is some private drains, even an open ditch, that was put in the old Industrial Center. Mr. Borchers stated, “I think that when I was talking to one of AEP personnel, they were going to expand one of the tiles, and there is an open ditch out there and it is not a regulated drain. A lot of that stuff was put in back when there were buildings and stuff added in there, so it is not really our responsibility. We do have an open ditch and the last time it rained, I did get a call and we went out there and the ditch was full, but it was flowing. At that point it was too much water in there to see if there was some kind of beaver dam, some sort of logjam or something that is slowing it down, but when we were there, that open ditch was flowing. It probably was higher than what it should be, but you could see it flowing.”

**Ms. Aul** asked if he was talking about the open ditch between the two homes, and the surface water that runs underneath Hoyt. Mr. Borchers stated that no, there is an open ditch, and advised Ms. Aul to come to his office after the meeting to look at the drainage maps. Ms. Aul stated that she would be glad to do that, but does not know if she is in the right area to address this issue.

**Mr. Henry** advised Ms. Aul to go to Mr. Borchers’ office after this meeting and they can pull the maps, take a look, and see whose responsibility it is. She stated that like she said, she was horrified to see children playing in that water and two days later watch a business pump out a sewer line into that stormwater ditch, and it all flows to that location. Ms. Aul thanked the board and stated that she would go to Mr. Borchers’ office. Mr. Borchers stated that he could only fix and maintain the regulated drains, and cannot really do much with the other stuff, but advised her to come down and he will bring up the county maps and they can go from there.

#### **Ham-Miller Ditch**

**Sandra Sanchez, 2024 E. DePauw, Muncie, IN**, approached and stated that she is here because of the ditch that runs east of the Muncie Mall, called Muncie Creek. She stated, “That it has not been dredged for a long time, and it over-flooded and it is still coming up, and getting worse every year. She stated there are trees where the banks are gone and the roots are hanging out in it, and stuff is collecting, and this time when we had this storm, the trees

actually fell over on the bank and pulled the wires down. Then we have a neighbor who built a pond in his back yard by the creek for ducks, even though we have a park the ducks stayed in, but they do not now, they come down there. This pond over-flooded along with the creek. Come about four houses down, and we have about twenty some houses along there where people have moved out, they are vacate, and people are coming in and making meth houses out of them. It is just getting worse and worse out there in Morningside, and like her I do not know who to talk to, but something needs to be done. You cannot even see the creek. There are trees that should be cut down and cleared out. You cannot even tell where the banks are because they are full of weeds, nothing is being taken care of out there, and with this pond that he dug in his back yard, the mosquito's are bad, the ducks are in our yard, the ducks are in the garden, and we really just don't know what to about it. I went to the Health Department and talked with them, and the Health Department stated they would meet with the Surveyor because of mosquito's out there. They used to dredge and fix all of that and they would come out and cut all that, but it has been years."

**Mr. Whitehead** stated, "Again, Ms. Sanchez you need to work with Surveyor Borchers, and find out if it is the county's responsibility on the ditch and then hopefully we can find an answer to your situation."

**MAINTENANCE CLAIMS:**

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

**Mr. Henry** moved to approve the claims as submitted. Mr. Landers seconded. **Motion passed 4-0.**

**ADJOURNMENT:**

The meeting adjourned at 2:58 p.m.

\_\_\_\_\_  
William Whitehead, President

\_\_\_\_\_  
John Landers, Member

\_\_\_\_\_  
Shannon Henry, Member

\_\_\_\_\_  
Dick McIntire, Member

\_\_\_\_\_  
Cindy Harty, Recording Secretary