

MORGAN COUNTY DRAINAGE BOARD

*November 4, 2002
11:30 A.M.*

DRAINAGE BOARD MEMBERS PRESENT WERE TERRY BROCK (Surveyor),
NORMAN VOYLES (Commissioner), JEFF QUYLE (Commissioner), AND JANICE
BACON (Commissioner).

MORGAN SHADOWS ESTATES

Terry Brock had an Erosion Control (Rule 5) Plan for the board to review. There was some discussion about the specifics of the plan. Per Mr. Brock, soil and water conservation district has already approved this plan. He also stated that maintenance would be covered in their covenants. He indicated that the natural flow of water is to the south. Mr. Brock elaborated further about the future subsurface drain and answered other questions from the commissioners. Janice Bacon made a motion to approve the Morgan Shadows Drainage Plan. Seconded by Jeff Quyle. Motion carried 3-0.

FEE SCHEDULE DISCUSSION – DRAINAGE COMPLAINTS

Mr. Brock stated that he has recently had some discussions with several surveyors throughout the state and discovered that Morgan County is one of the only counties that does not charge a fee for a petition for removal of obstruction (drainage complaint). Mr. Brock stated that it covered the costs of the visit that is generated by the complaint. Mr. Brock further explained that once the complaint is labeled a legitimate complaint, the petitioner would get the fee amount refunded. According to Mr. Brock, this would help to eliminate a circumstance of neighbor fighting against neighbor. Mr. Brock stated that other counties charge up to \$250.00; however, he is recommending a \$25.00 fee at this time. Mr. Quyle wanted to know what warrants a legitimate complaint. The county has jurisdiction over our ditches and creeks per Mr. Brock. He stated that the county does not have jurisdiction over private drains and mutual drains; however, the board can make a ruling concerning these drains. Then the parties must take this ruling to court. Mr. Brock stated that more than likely each complaint would need to be assessed on a case-by-case basis, and this would be in writing on the complaint form. Per Mr. Brock, the fee would be collected at the time of filing the petition in the surveyor's office. He stated that the other fees in question would have to be addressed after the subdivision ordinance is in place. Janice Bacon made an motion to have the county attorney draft an ordinance which would allow the drainage board to charge a fee for submitting a petition for removal of obstruction noting that the fee is refundable should the petition be valid. Seconded by Jeff Quyle. Motion carried 3-0.

BIDS FOR DITCH CLEAN OUT - DISCUSSION

Mr. Brock stated that the county needs to establish a procedure to generate bids for clean out of Nutter Ditch and other major ditch clean outs in the future. Mr. Quyle clarified that the council allotted \$100,000.00 for ditches/drainage in the surveyor's budget. Mr. Voyles mentioned the possibility of using the monies from the state (riverboat fund). However, this funding would not be available until approximately August of next year. Per Mr. Foley, state statute would dictate the procedure for bidding out this ditch job. Mr. Foley discussed some requirements for bidding. Mr. Brock stated that as soon as the procedure is established, he would like to begin the process. He stated that January and February would be a good time to pursue this as most construction companies are available during this time and the pricing may be better. Ms. Bacon clarified from Mr. Brock that the state could require the county to clear the ditch. Mr. Voyles clarified from Mr. Brock that the state is going to assist the county with the wetland issue. Jeff Quyle made a motion for the drainage board through the Morgan County Surveyor to seek bids for cleaning out Nutter Ditch focusing on the parts of the ditch that the surveyor's feels is the highest priority. Seconded by Janice Bacon. Motion carried 3-0.

GRAVEL PITS

Mr. Quyle stated that he, the county surveyor, and the county plan director have had some discussion regarding the next wave of gravel pits seeking to do business in Morgan County. Per Mr. Quyle, there have been some suggestions that those gravel pits that have not yet been established as a business should be required to appear before the drainage board to seek approval of a drainage plan. Per Mr. Quyle, that is a regulatory mechanism to the county to hold some power and influence over the operation of gravel pits in Morgan County. Mr. Brock agreed that the county could ask for a drainage plan from the gravel pits and require approval from the drainage board prior to digging. Mr. Brock stated that he has made contact with a couple of gravel pits regarding this situation (Eagles Landing and Prairie Materials Sales). Mr. Vyles asked about the current status of the Cox site. Per Mr. Quyle, this is currently being used as a storage site to dump foundry waste, which state law prohibits the county from controlling through some land use control mechanisms. Janice Bacon made a motion for the county to create an ordinance requiring gravel pits to appear before the drainage board with a drainage plan including an established fee. Seconded by Jeff Quyle. Motion carried 3-0.

ADJOURNMENT

Jeff Quyle made a motion to adjourn. Seconded by Janice Bacon. Motion carried 3-0.

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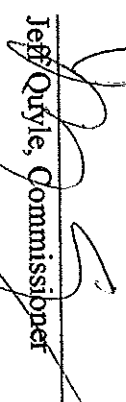
Terry Brock, Surveyor



Norman Vyles, Commissioner



Janice Bacon, Commissioner



Jeff Quyle, Commissioner