

MORGAN COUNTY DRAINAGE BOARD

March 4, 2013

10:30 A.M.

Drainage Board members present were: Norman Voyles, Don Adams, and Brian Goss. Also present were: Terry Brock, (Surveyor), Bill Dials, (Storm Water Coordinator), Deb Verley (Administrative Assistant), and Pete Foley (County Attorney).

Storm Water Coordinator / Ditch Update

Bill Dials stated that the Surveyor's Office received a request from INDOT and the City of Martinsville to allow storm water drainage from the Ohio Street and State Road 37 area into Sartor Ditch. Currently there is a 36" pipe that runs down Ohio Street and dumps into Sartor across from Dairy Queen. The state's new plan is to install a 48" pipe, connect to a manhole and install an additional 36" drain under SR 37 to connect to Sartor Ditch. They cannot get the proper fall under SR 37 with a 48" pipe and there would not be enough cover over the pipe. The request was submitted by GAI Consultants. The project will be a cost share between the city and the state, \$1.4 for the state and \$200,000 or \$300,000 from the city. Mr. Dials noted that there is no water quality aspect in the proposed plan and this would fall under Martinsville's MS4 area. Mr. Dials showed drawings of the plan. Norman Voyles asked if these plans would change when I-69 comes through. Mr. Dials stated that he hoped they were keeping those changes in mind. The Board studied the plans and Brian Goss made a motion to allow the new pipe into Sartor Ditch. Motion seconded by Don Adams. Motion carried 3-0.

Mr. Dials stated that he will be issuing a Stop Work Order for a project on Mann Road. An individual is building a home, barn, and pond and has exceeded the amount of land that can be disturbed without a permit. The property owner signed a statement that he would not be disturbing more than half an acre, but the entire three-acre plot has been disturbed.

Don Adams mentioned a location on Wyatt Road where there seem to be some drainage and erosion issues. Mr. Dials stated that the property is in the buffer zone, but the county has jurisdiction over the storm water drainage. He visited the area and will discuss the issue with Mr. Nail.

Mr. Dials stated that he inspected Nutter Ditch last week and the contractor is slowly working north of Hacker Drive. On the day he inspected it, the contractor dredged approximately 50 to 60 feet and it was looking pretty sloppy so they called the owner. The work was good until this point and the owner stated that the usual operator was out with pneumonia.

Request for Variance

Mr. Mike Purcell, who owns the property at 1045 Center Street in Martinsville, stated that on October 15, 2012, a fire destroyed his garage. The original garage was 20 feet from the edge of Sartor Ditch (which is in the 75' ditch maintenance easement). In order to rebuild the garage, he would need a variance from the Drainage Board. The original garage was built in 1988. The Board studied pictures and drawings and Terry Brock stated that the power line is over the area and most of the maintenance would be on the other side of the ditch. Mr. Brock stated that there are three options that the Board can take: 1. Refuse the request, 2. Grant the variance and reduce the drainage maintenance easement (the statute states that there must be at least 25 feet), or 3. Grant an encroachment as long as there is a Hold Harmless Agreement. Mr. Purcell stated that he would sign an agreement. Mr. Brock stated that there is a \$250 fee for the encroachment or for the variance. Mr. Brock stated that it was his recommendation that the Board grant an encroachment rather than giving up the 75' right of way. Norman Voyles stated that after looking at the property, the easement should not be granted for any further than the corner of the house. Mr. Brock stated that they would not have the big equipment in on that side of the ditch, there is more room on the other side to get the equipment into the area. They would however, need room to remove trees. Don Adams made a motion to approve option three, granting Mr. Purcell an encroachment on a regulated drainage easement. Brian Goss stated that he would second the motion, but only because the garage burned; they should stick by the ordinances or throw the book out the window. Norman Voyles stated he agreed with Mr. Goss's comments. Motion carried 3-0.

Brian Goss stated that the Surveyor's Office inspected the site, Mr. Voyles inspected the site, and the county had expenses involved. Mr. Goss stated that it would only be fair to the taxpayers that the county be reimbursed and made a motion to assess \$150.00 of the \$250.00 fee. Motion seconded by Don Adams. Motion carried 3-0.

Minutes

Brian Goss made a motion to approve the February 4, 2013 minutes. Motion seconded by Don Adams. Motion carried 3-0.

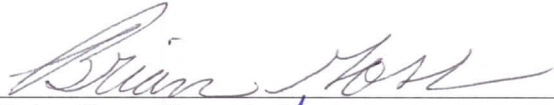
Adjournment

Brian Goss made a motion to adjourn the meeting. Motion seconded by Don Adams. Motion carried 3-0.

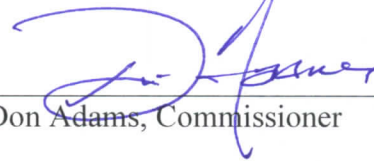
MORGAN COUNTY DRAINAGE BOARD



Norman Voyles, Commissioner

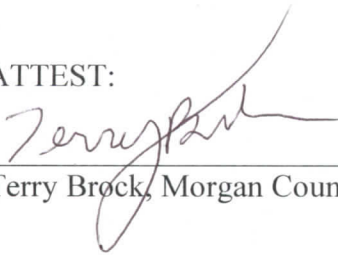


Brian Goss, Commissioner



Don Adams, Commissioner

ATTEST:



Terry Brock, Morgan County Surveyor