

MORGAN COUNTY DRAINAGE BOARD

October 7, 2013

11:00 A.M.

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

Public Hearing

Norman Voyles opened the public hearing for the Lake Ditch assessments and combination of drains. Terry Brock, Morgan County Surveyor, reviewed the checklist that included conflict of interest, surveyor's report for the periodic maintenance of drains, schedule of assessments, notice of hearing, estimate of annual cost of maintaining drains, assessment letters, public notice, public hearing, evidence heard, and final orders.

Joe Miller, Banning Engineering, presented an updated surveyor's report with the amended assessment roll. Mr. Miller stated that the Lake Ditch Watershed encompasses over 41 square miles, with 90% in Morgan County. The watershed is located in the townships of Adams, Ashland, Gregg, and Monroe and extends slightly into Hendricks County. There are 25 miles of regulated drains, Lake Ditch, Noah K. Mann, Robert Bayliss, Bayliss lateral No.1, Bayliss lateral No.2, Victor Allen, Smith/McClellan, Byrum S. Crone, T. C. Murphy, Oscar G. York, Elvin E. Hurt, and Snake Creek. Mr. Miller recommended combining the drains because they have a uniformity in type, land use, soils, and topography throughout the watershed.

Mr. Miller stated that the \$59,476.35 estimated annual maintenance costs include: 30-year maintenance cycle, inflation, spray program, sediment dipping, tiling, bank stabilization, and surveying and engineering. These items are necessary to ensure that Lake Ditch functions properly and efficiently and provides a benefit to the land owners in the watershed.

The Schedule of Assessments establishes a \$2.00 per acre, with a \$10 minimum, assessment. Each land owner pays an assessment, as well as the Indiana Department of Transportation, Morgan County Highway Department, and Hendricks County.

Terry Brock stated that of the 1,800 letters sent out, five came back with objections: Dorothy S. Gracy, Jack L. Meador, William R. & Kimberly S. Nelson, Michael D. Fisher MD, and Carlin L. & Shirley M. Ganstine. Mr. Brock stated that his office responded to each letter and any issues raised by the letters. Copies of the letters are in the Surveyor's Office files.

Jackie Ferguson, who lives on North Hall Road, stated that he had been in the area all his life and the biggest problem with the ditch was the far southwest corner where it goes into Owen County. Mr. Brock stated that they removed two log jams in the area this summer, but he would contact Owen County and would work with them.

Don Adams made a motion to combine the regulated drains per Indiana Code 36-9-27-41; namely, the Cook Arm of the E. R. Robards Ditch (Lake Ditch), Noah K. Mann, Robert Bayliss, Bayliss lateral No.1, Bayliss lateral No.2, Victor Allen, Smith/McClellan, Byrum S. Crone, T. C. Murphy, Oscar G. York, Elvin E. Hurt, and Snake Creek into one regulated drain for assessment purposes only. Motion seconded by Brian Goss. Motion carried 3-0.

Pete Foley stated that after the Final Order is approved, the amended Surveyor's Report becomes part of the Final Order as well as the amended Schedule of Assessments. Notice of the order must be published and the Surveyor's Office must keep, as a public document that may be inspected and copied, the Findings of Fact, Final Order, Surveyor's Report, and Schedule of Assessments. The assessments would be on the spring 2014 property tax assessments. After hearing and considering all objections and evidence, Brian Goss made a motion to adopt the Schedule of Assessments and Findings of Fact for the Lake Ditch Regulated Drain. Motion seconded by Don Adams. Motion carried 3-0.

Brian Goss made a motion to close the public hearing. Motion seconded by Don Adams. Mr. Goss noted that the assessment will only be used on Lake Ditch, it cannot be used on a different ditch on the other side of the county. Motion carried 3-0.

Storm Water Coordinator Report

Bill Dials stated that IDEM performed an audit on the IDDE portion of the MS4 Program. Mr. Dials thought things went well but they do not have the official audit yet. Mr. Dials noted that they do need to have more employee training and county roadside conveyances in the northern part of the county will need to be mapped. Brian Goss thought this might already exist through the highway department.

The MS4 permit renewal is due November 17th. October 26th they will have a photo contest at the Administration Building.

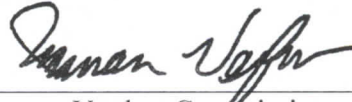
Minutes

Brian Goss made a motion to approve the minutes of the August 5, 2013 meeting. 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.

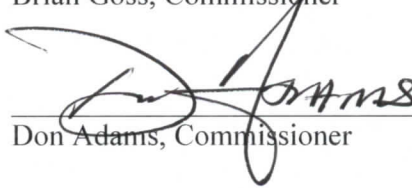
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Norman Voyles, Commissioner



Brian Goss, Commissioner



Don Adams, Commissioner

ATTEST:



Terry Brock, Morgan County Surveyor