

**MORGAN COUNTY DRAINAGE BOARD**

*August 29, 2008  
11:00 A.M.*

DRAINAGE BOARD MEMBERS PRESENT WERE: NORMAN VOYLES (Commissioner), JEFF QUYLE (Commissioner), BRIAN GOSS (Commissioner), PETE FOLEY (County Attorney) and TERRY BROCK (Surveyor).

**AUGUSTA LANE / LANDERSDALE ROAD POND**

Jeff Quyle stated that there is a small pond on property at the intersection of Augusta Lane and Landersdale Road that is close to Landersdale Road. The overflow this summer has been discharging onto Landersdale Road. Terry Brock stated that there are two small ponds in the area and he would work with Jimmy Waggoner, Morgan County Highway Superintendent, and investigate the situation.

**SARTOR DITCH EASEMENT**

Terry Brock stated that his office was notified by the City of Martinsville that a FEMA mobile home had been moved into the Sartor Ditch easement. Mr. Brock received a letter from FEMA asking that the county allow the mobile home to stay there for a maximum of 18 months. Several trailers sustained damage in the June flood and were removed. FEMA placed a trailer for a flood victim family within the 75 ft. Sartor Ditch easement and the family is already living in it. Mr. Brock stated that Sartor Ditch is a county regulated drain that drains the entire east side of Martinsville. Indiana Code 36-9-27.33 sets the 75 ft. easement and also states that no permanent structures, fences, or trees are allowed in the easement. Mr. Brock noted that there are several trailers that are within the easement and they have been there for several years.

Norman Voyles noted that both park owners, Walter Jordan who owns Spring Valley, and Terry Hart, who owns Sun Valley, along with Tanger Pratt from FEMA, were present. Mr. Voyles asked how many mobile homes within the easement were flood damaged and had to be removed. Senator Richard Bray, representing Walter Jordan, stated that Sartor Ditch was installed in the 1890s. Mr. Brock stated that the ditch was cleaned below State Road 37 in May and the area by the north trailer park was cleaned about seven years ago. The plat assigns the duty of maintaining the ditch banks to the trailer parks. Senator Bray stated that the owner has moved the banks and dredged the ditch, including pulling out refrigerators and many other dumped items. Senator Bray stated that there are four or five families whose mobile homes were destroyed and would like to move new ones back in to the lots they previously occupied. John Hayden, park manager, stated that there were 14 mobile homes within the easement on one side and 5 on the other side.

Mr. Brock stated that the ditch will be cleaned again within the next few weeks and the contractor will have to put the equipment in the ditch in some places because the easement has been encroached upon and is not accessible. Senator Bray asked how much room they actually need in order to clean the ditch. Mr. Brock replied that they need enough room for the trucks. One area of the Spring Valley Park has mobile homes encroaching on one side of the easement, but there is an access road along the other side that allows for access; accessibility is limited in Sun Valley. Mr. Voyles asked if the trailers that are being replaced could be turned and set parallel to the ditch. Mr. Brock stated that some of the trailers were actually over the ditch, and in one place, part of a deck was built in the ditch.

The Board reviewed aerial plat maps of the area to determine which mobile homes could be turned and which mobile homes were being removed due to flood damage. The Board determined that even if the mobile homes were turned, they would still be within the easement, but access to the ditch would be greatly improved. Mr. Hayden stated that the owner was very willing to do whatever was necessary in order to improve the access. Jeff Quyle made a motion that Lot #2 and Lot #4 would remain empty, units on even numbered Lots #6 through #22 would be turned to run parallel to the ditch, at a distance as far from the top of the ditch as possible, the park owner would pay for the removal of debris and dredging materials as the ditch is cleaned, and the plan will be submitted to the surveyor for approval before taking final action. Pete Foley stated that the Board is essentially granting a waiver from the 75 ft. easement requirement and termed it the Spring Valley Variance. Seconded by Brian Goss. Motion carried 3-0.

Terry Hart and the Board reviewed the plat map lot by lot along Sartor Ditch with Mr. Brock pointing out the areas that are not accessible for ditch maintenance. After discussing the issue, Jeff Quyle made a motion to: 1.) Leave the FEMA trailer in place until the occupant leaves, not to exceed 18 months. The mobile home on this lot (#50 and 52) will then be turned lengthwise,

parallel to the ditch at the maximum distance possible from the top of the ditch. 2.) As the present occupants leave Lots #54, 56, and 58, these lots shall remain empty. 3.) Lots #30, 32, and 34 (flood damaged trailers) shall be replaced by trailers that will be parallel to the ditch, at the maximum distance possible from the top of the ditch. 4.) All other trailers on lots adjacent to the ditch shall be turned parallel to the ditch, at the greatest distance possible from the top of the ditch, as they become vacant. 5.) Subject to approval by the Morgan County Surveyor's Office. Pete Foley stated that a transfer of ownership would be a triggering event that would require the mobile home to be moved. Seconded by Brian Goss. Motion carried 3-0. Norman Voyles asked Ms. Pratt if this action was agreeable. Ms. Pratt stated that it was. Mr. Foley stated that he would draft the waiver and would also include plat maps.

#### MINUTES

Jeff Quyle made a motion to approve the April 7 and May 5, 2008 minutes. Seconded by Brian Goss. Motion carried 3-0.

#### SAND CREEK KNOLL

Terry Brock stated that IDEM inspected Sand Creek Knoll on August 26, 2008 and recommended that the Stop Work Order be removed and that construction be allowed to continue. Mr. Brock stated that there were several issues on the site that have all been corrected.

#### STORMWATER COORDINATOR

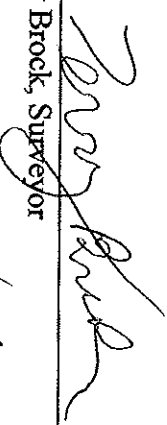
Terry Brock stated that he has hired a new Stormwater Coordinator, Bill Dials who was previously the Stormwater Coordinator in Tippecanoe County. Mr. Dials first day will be September 8<sup>th</sup>.

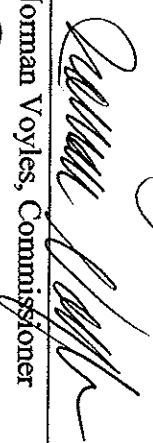
Mr. Brock stated that the MS4 entities will co-permit this year.


#### ADJOURNMENT

Jeff Quyle made a motion to adjourn the Drainage Board. Seconded by Brian Goss. Motion carried 3-0.

#### MORGAN COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
Terry Brock, Surveyor

  
\_\_\_\_\_  
Norman Voyles, Commissioner

  
\_\_\_\_\_  
Jeff Quyle, Commissioner

  
\_\_\_\_\_  
Brian Goss, Commissioner

ATTEST:

  
\_\_\_\_\_  
Brenda Adams, Morgan County Auditor