

MORGAN COUNTY DRAINAGE BOARD

*March 7, 2005
11:17 A.M.*

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

DINWIDDIE MINOR PLAT

Ross Holloway, Holloway Engineering, was present to request approval of a drainage plan for a minor plat consisting of two lots located off of Turner Road, south of Hadley Road. Mr. Holloway stated that the plat was approved by the Plan Commission pending minor issues; which flood zone the plat is in, the need for run-off calculations, and verification of what was used to establish data. Terry Brock stated that the comments from DLZ were very minor and recommended that the plan be approved. Jeff Quyle made a motion to approve the drainage plan pending for Dinwiddie Minor Plat pending the issues mentioned by DLZ were corrected. Seconded by Brian Goss. Motion carried 3-0.

PHYLLIS SMITH FIRST MINOR PLAT

Ross Holloway presented the drainage plan for Phyllis Smith First Minor Plat. Mr. Holloway stated that this three-lot plat is off Bingham Road, close to County Line Road. Mr. Holloway stated that this plat also needs the flood zone area, run-off calculations, and information on what was used to establish data. A discussion followed on requirement for septic systems. Terry Brock stated that DLZ has made minor comments on the plan. Brian Goss made a motion to approve the drainage plan for Phyllis Smith First Minor Plat. Seconded by Jeff Quyle. Motion carried 3-0.

CLOSEY'S MINOR PLAT

Mr. Holloway stated that this plat, now renamed Hickory Hills Estates, has received preliminary approval from the Plan Commission, subject to a provision to provide water. Mr. Holloway requested approval of the drainage plan. Terry Brock stated that some of the comments his office had was that there needed to be a swale, and there should be an easement for the run-off on three of the lots. Jeff Quyle made a motion to approve the drainage plan as presented with the provision that the items listed in the comments are corrected. Seconded by Brian Goss. Motion carried 3-0.

INDIAN CREEK LEVY

Terry Brock stated that a complaint regarding this levy was first heard before the Board in April of 2004, then again in June of the same year. Mr. Brock stated that the Schoolcrafts, who own the property on Lower Gap Road, built a levy that caused water to back up. Mr. Brock stated that the levy is within the jurisdiction of DNR since it is within the flood way. Mr. Brock stated that DNR wrote a letter of violation last Monday and the owners of the levy have 30 days to appeal. If they do not appeal, they have 60 days to remove the levy. Mr. Brock stated that the county did not build, nor does it maintain the levy. Norman Voyles stated that the only thing the Board could do is to help the communication process. Dale Coffey, an attorney representing Mike and John Fewell, stated that the levy is causing damage to the Fewell's property and Mahalassville Road. Mr. Coffey stated that they would appreciate the help with communication, but would also like the Board to be more proactive in fixing the road. Pete Foley stated that there two concerns regarding this issue, one is the damage that is being done to the road, and the other is safety. Brian Goss made a motion to send a letter to DNR regarding the damage that has occurred to the road because of the levy. Seconded by Jeff Quyle. Motion carried 3-0. Terry Brock stated that he would contact DNR every week for an update.

BIG BEND ROAD OBSTRUCTION

Larry Smith, Morgan County Engineer, stated that the tornado that went through a few years ago left a lot of debris in Crooked Creek close to the bridge on Big Bend Road. Approximately 300 feet downstream, water is backing up and flooding property. Terry

Brock stated that the area around the bridge was cleaned up after the tornado, but downfall trees are now causing an obstruction. Pete Foley stated that the Drainage Board was the proper authority if the backup was harming person "A" but on the land of, or caused by person "B." Mr. Foley stated that the Board would have jurisdiction if a complaint were filed and there were two landowners involved. Mr. Brock stated that he was not sure how many landowners were involved. Mr. Foley stated that they needed to obtain more facts before acting on this issue.

FOXRUN UPDATE

Joe Huff was not able to attend; Gary Stipcak was present to represent him. Mr. Stipcak is a resident of Foxcliff South and owns land in Foxrun. Mr. Stipcak stated that there are issues with dams on property being developed by Perry Cruse. Mr. Stipcak stated that the dams on this property overflow during heavy rains. Mr. Stipcak stated that in 2004, IDEM sent specifications to Mr. Cruse on how the dams should be taken care of, but these guidelines have not been followed. Mr. Stipcak stated that when water was running over Mapletum Road in January, the county worked on the road, but the water comes from the lake where the dam is not constructed properly. Terry Brock stated that he and Wade Amos had recently looked at this area and the dams are all in very bad shape, there is no emergency spillway and the backsides of the dams have erosion. One dam on the east side has several lakes above it; if one dam breaks they'll all break. Mr. Brock stated that the dam on the east side is at least ten feet higher than the homes in the area. Pete Foley stated that the Commissioners could write a letter to IDEM expressing their concern over the safety of the roadway. Mr. Foley stated that the ultimate issue of the dams is IDEM's jurisdiction. Mr. Brock stated he would like to send a letter to IDEM stating his concern with the safety of the dams. Bill Herring, who is a resident of the area, stated that two to three dams to the south of Mapletum Road pose a potential hazard to the residents of Foxcliff South. Mr. Herring stated there is another dam right at the edge of Mapletum Road that has a long discharge pipe that parallels the road. The upper end of the pipe is in the upper end of the pond and the lower end is on the downstream side of the dam. Mr. Herring stated that the pipe is sending sediment to a development to the north of Mapletum Road. Brian Goss made a motion to send two letters, one from the Drainage Board and one from the Commissioners, to IDEM. Seconded by Jeff Quyle. Motion carried 3-0.

Terry Brock stated that he has also looked at the Painted Hills area and a similar problem is occurring there. He has advised the residents there to contact DNR.

STORMWATER PROGRAM UPDATE

Wade Amos, Erosion Control Tech, handed out a Stormwater Program Update. The Stormwater Quality Management Plan was submitted to IDEM on February 2nd. Mr. Amos stated that he has not yet heard back from IDEM on the status of the plan. Mr. Amos reviewed the update information with the Board. Mr. Amos stated that there needs to be an ordinance in place that spells out what the penalty is for discharging anything except stormwater into waters of the state. Mr. Amos stated that one of the requirements is for the county to check discharge pipes after 72 hours of dry weather; he will be doing this sometime this summer. Mr. Amos stated that legislation was passed that allows counties to develop stormwater utilities as a way to fund stormwater related activities. Mr. Amos also mentioned that the \$68,000 the county pays to West Central Solid Waste District could be paid by fees from the utility. Brian Goss asked about the need for a street sweeper. Mr. Amos replied that the focus of Phase II is to minimize the sediment as well as the pollutants that end up in the creeks and rivers. Jeff Quyle asked how utility fees would be billed. Mr. Amos stated that an agreement with an electric co-op or adding it to tax bills could be possible.

WHITE LICK CREEK CONTAMINATION

Terry Brock stated that he has looked at an area in Brooklyn on White Lick Creek that is contaminated. Mr. Brock stated that he is working with IDEM to help get funds to clean it up. Wade Amos stated that the property was used as an illegal dump for many years. The attorney general was unable to find the previous owner and now they have no responsible party to clean up the property. Mr. Brock mentioned the possibility of having the owner donate the property as a park when it is cleaned up.

STRAWBERRY LANE/LETTERMAN ROAD

Brian Goss mentioned that there are some trees along Letterman Road (what used to be Strawberry Lane) in the creek. Mr. Brock stated he would look into the issue.

ADJOURNMENT

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

MORGAN COUNTY DRAINAGE BOARD

Terry Brock
Terry Brock, Surveyor

Norman Voyles
Norman Voyles, Commissioner

Brian Goss
Brian Goss, Commissioner

Jeff Quyle
Jeff Quyle, Commissioner

ATTEST:

Mae Cooper
Mae Cooper, Auditor