

MORGAN COUNTY DRAINAGE BOARD

*January 6, 2003
11:30 A.M.*

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

REORGANIZATION OF BOARD

Jeff Quyle made a motion to nominate Norman Voyles as Chairman of the Morgan County Drainage Board. Seconded by Brian Goss. Motion carried 3-0.

Jeff Quyle made a motion to nominate Brian Goss as Vice-Chairman of the Morgan County Drainage Board. Seconded by Norman Voyles. Motion carried 3-0.

Jeff Quyle made a motion to nominate Shelli Adams to be recording secretary for the Morgan County Drainage Board. Seconded by Norman Voyles. Motion carried 3-0.

DRAINAGE BOARD FEE SCHEDULE ORDINANCE

Per Mr. Brock, this is a \$25.00 filing fee to file a petition for removal of obstruction. Mr. Quyle clarified with Mr. Brock that if a reasonable drainage issue is identified, the fee would be returned to the person filing the petition. Mr. Brock further explained that it is hopeful that this fee would deter a "fueing neighbor" situation. He stated that when someone comes in to file, he would go over the petition before accepting the fee to see if it pertained to Indiana Code. He wanted to note for the record that the fee is extremely reasonable compared to Hendricks and Johnson County who each charge a fee of \$250.00. Mr. Foley stated that he was comfortable with the draft ordinance. A decision was made by the board to wait until next month to approve this ordinance as the board wanted to establish exactly what fund that the monies would be deposited. Jeff Quyle made a motion that the proposed ordinance to establish a fee for petitions for removal of obstructions be amended to include language that states that any fees collected and retain by the county shall be deposited into the ditch maintenance fund. Seconded by Brian Goss. Motion carried 3-0. After further review of the statute, Mr. Foley determined that the language in the statute states that the monies collected would go into a designated fund without specification needed in the ordinance. Therefore, the amendment was not needed. Jeff Quyle made a motion to rescind the proposed amendment to the ordinance establishing the fee for petitions for removal of obstructions so that there would not be language included instructing where the funds should be deposited. Seconded by Norman Voyles. Motion 3-0. Jeff Quyle made a motion to adopt the ordinance establishing a fee for petition for removal of obstruction in mutual drains and natural surface watercourses. Seconded by Brian Goss. Motion carried 3-0.

BID PROCESS FOR DITCH CLEAN OUT

Mr. Quyle clarified that the reason that this issue is being addressed is that the surveyor was given \$100,000.00 for ditch maintenance. Mr. Brock stated that these monies would be used primarily for Nutter and Sartor Ditches. Per Mr. Foley, the first step would be that the surveyor would have to submit a report (Classifications of Drains by the County Surveyor) to this board classifying the needs of the ditches. The classes are as follows: in need of reconstruction, in need of periodic maintenance, or should be vacated. Once this is completed, two types of processes can be considered. They are reconstruction and maintenance. Mr. Foley gave some details from the code regarding the differences of these processes. He stated that he understood from Mr. Brock that the process that is being considered for Nutter Ditch is maintenance. Mr. Foley stated that the surveyor is obligated to put together an annual estimated cost of periodic maintenance with some further information. Then the board needs to prepare a schedule of assessments that includes a description of each tract that benefited from the maintenance with the address of the owner and the percentage of the estimated cost to maintain the drain to be assessed each tract of land. Mr. Foley went into a little further detail regarding the statute and stated that the board had a lot of options regarding this issue. Mr. Foley stated that

regarding the bid process, the threshold amount is \$75,000.00. If the estimated cost of the contract is \$75,000.00 or above, then a legal notice and proper advertising according to code must take place. If the contract is under \$75,000.00, the county has the option to advertise. If the county chooses not to advertise, they must submit three written

invitation with specifics to bid on the project seven days prior to the bidding due date.

The board also has the option to waive the bid bond or assurity. Mr. Brock stated that his estimate is under \$75,000.00 for Nutter Ditch. Mr. Voyles clarified with Mr. Brock that the area of Nutter Ditch involved would be from Highway 39 to just before the gravel pit (approximately 1200 feet). There was some discussion regarding the type of funds that need to be established in order to proceed with this procedure. Mr. Brock stated that he would file all of the appropriate notices with IDEM and/or DNR. Mr. Brock stated that that he would come to the board at the next meeting with the needed report in hand in order to proceed with this process.

ACCESS TO MAPPING (Surveyor)

Per Mr. Brock, in order to complete tasks (i.e. identifying parcels affected by ditches and drains) for Phase II, he is going to need access to mapping, which he does not have at this time. Mr. Quyle clarified that Mr. Brock is seeking approval to have the data staff change his system in order for him to have view access only to the available mapping in the county. Jeff Quyle made a motion to have the county data administrator make it possible for the surveyor to view the county mapping. Seconded by Brian Goss. Motion carried 3-0.

DITCH COMPLAINT (701 S. Home Avenue; Martinsville)

Mr. Brock stated that he received a report that there is tree in the ditch by this residence. Due to the snow, he has been unable to check out the complaint. He stated that the planned on looking at the site today. He stated that if a tree is in the ditch, the county is responsible for removal of the tree.

REPORT ON PHASE II – NPDES

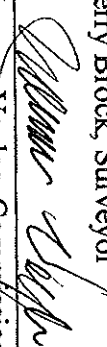
Mr. Brock supplied the board with packets regarding Phase II (NPDES). He stated that according to a recent letter he received from IDEM, Morgan County is in Phase II (Stormwater – Clean Water Act). Mr. Brock stated that the intention of the Clean Water Act is protect the waters of the USA by clear up pollution in rivers, lakes, etc. He stated that there are several requirements that the county will have to meet. He stated that he had a call into the state to see if only specific areas had to be addressed. He stated that the mapping that he supplied shows where the urban area has been identified. However, Mr. Brock stated that he believed that the entire county would have to comply to the rules of phase II, not just the urbanized areas. There was some discussion about the timing of the project and due dates for paperwork. Mr. Brock gave the board information regarding seminars pertaining to this topic. He stated that one of the first actions needed to be taken is to pass two ordinances (storm drainage ordinance & erosion ordinance). Some of the other items that need to be completed are all drains need to be put onto a digital mapping system (GIS) and all tiles and drains coming into creeks and ditches that are 10 inches and above needed to be located and placed on the mapping. The board recognized that this was going to be a tedious, lengthy, and costly process. Per Mr. Brock, it is estimated that the cost per household is \$2.00 to \$8.00 per year. The county would need to come up with this sum of money. He stated that this is a federal mandate that is totally not funded. He stated that no federal or state funds are available. Mr. Brock clarified that he would communicate with all of the cities and towns involved to have them all be a part of one permit submission. Mr. Brock stated that he would attempt to get an expert to give a presentation to the board in the near future.

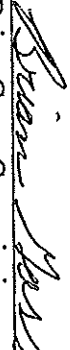
ADJOURNMENT

Jeff Quyle made a motion to adjourn. Seconded by Norman Voyles. Motion carried 3-0.

MORGAN COUNTY DRAINAGE BOARD

Terry Brock, Surveyor


Norman V oyles, Commissioner


Brian Goss, Commissioner


Jeff Guyle, Commissioner