

## MORGAN COUNTY DRAINAGE BOARD

*June 2, 2003  
11:30 A.M.*

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

### DRAINAGE COMPLAINT - RON JOHNSON

Mr. Johnson was present and explained that his backyard is flooding and presented the Commissioners with pictures. Mr. Johnson's property is located in Martinsville at 100 Hillview Drive by Shireman Estates. There was much discussion about the specifics of this problem amongst the board and Mr. Johnson. Mr. Johnson stated that this problem has existed for some time. He stated that it has made it impossible to have a septic system and he had to annex into the city for sanitary sewer service. He stated that he wants the problem corrected. Mr. Foley inquired about drainage easements. It is unknown at this time if any drainage easements exist. There was some discussion about possible solutions. Mr. Voyles inquired about the responsible party for this matter. Mr. Brock stated that this is not a regulated drain. Mr. Foley, County Attorney, stated that the Drainage Board's jurisdiction would be regulated drains. Mr. Foley stated that unless the obstruction was down in the ravine, the county would not have jurisdiction. He further stated that the question is whether this is the cause of an obstruction or if it is the cause of improper site drainage at the swale. There was also some discussion whether the city should be involved as Mr. Johnson's property was annexed into the city. Mr. Foley stated that if the Board was compelled to take action, the status of all of the easements needed to be determined. Mr. Voyles stated that it appeared that more research needed to be completed regarding easements before a decision could be made. Mr. Johnson disclosed that Cinergy was going to be doing some work in the utility easement in the near future. Mr. Goss had some concern about working on this issue until the utility had completed their work. Mr. Foley reiterated that this board has very little jurisdiction over this issue, as the culvert is a highway department matter. Jeff Quyle made a motion to table the drainage complaint filed by Ron Johnson of 100 Hillview Drive until the July meeting of the Morgan County Drainage Board in order to complete research regarding easements. Seconded by Brian Goss. Motion carried 3-0.

### INDIAN CREEK VILLAGE – ROD STAFFORD

Per Mr. Stafford, section one of Indian Creek Village is already completed with 58 lots. He stated that Mr. Drapalik has now established the eastern property line, and this is why he is coming to the commissioners for approval at this time regarding sections 2 & 3. The commissioners and Mr. Brock reviewed the plat map with Mr. Stafford and discussed the subdivision's affect on Cemetery Ditch. Mr. Stafford stated that because bigger houses are being built, the distance from the back of the building pad to the top bank of the ditch is 36 feet, which is within state guidelines. Mr. Stafford stated that they have agreed to clean 1600 to 1700 feet of the ditch at no cost to the County. Terry Brock recommended that new plat maps be presented before the Board showing where the top of the ditch bank is and where the building line is on each lot. Mr. Stafford stated that they plan to excavate the ditch from Mrs. Hur's culvert, down to four tenths of a foot deeper than her culvert, to allow for sediment from agriculture fields and construction runoff. Jeff Quyle made a motion to approve a variance to allow Indian Creek Village Section Two and Section Three, to reduce the set back requirements to 36' from the existing top of the Ditch bank to any permanent structure, including fences. Seconded by Brian Goss. After a short discussion, Mr. Quyle amended his motion to say that the Board would approve the same variance for Section Three along Cemetery Ditch and Buckskin Trace, provided that the plat is brought back to the Drainage Board within 180 days. Seconded by Brian Goss. Mr. Brock stated that the variance should be included on the plat and it would then be signed. Motion carried 3-0.

### DRAINAGE COMPLAINT Trout/Basin

Mr. Dave Trout of GMT was present to discuss a drainage complaint that Ruth Bastin has filed. Mr. Trout stated that he is working with Terry Brock and Ms. Bastin to solve the issue. Mr.

Trout reviewed plans that Mr. Drapalik prepared showing the area north of Paragon that is of concern. Jeff Quyle made a motion to table the drainage issue regarding GMT, pending surveyor research. Seconded by Brian Goss. Motion carried 3-0.

**NUTTER DITCH**

Terry Brock stated that he has received a letter from DNR for final approval for Nutter Ditch. Norman Voyles asked when the work would begin. Mr. Brock stated that it will be about 1-1/2 weeks.

**MINUTES**

Jeff Quyle made a motion to approve the minutes for the March 4, June 3, August 5, and December 2, 2002 meetings, and the January 6, 2003 meeting. Seconded by Brian Goss. Motion carried 3-0.

**ADJOURNMENT**

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

COUNTY DRAINAGE BOARD

MORGAN



Terry Brock, Surveyor



Norman Voyles, Commissioner



Brian Goss, Commissioner



Jeff Quyle, Commissioner

ATTEST:



Mae Cooper, Auditor