

JOHNSON COUNTY DRAINAGE BOARD
MINUTES
November 8, 2018

The Johnson County Drainage Board met Tuesday November 8, 2018 @ 6:00 p.m. in the Auditorium of the Courthouse Annex.

Members present : Rick Chase , Kevin Walls, Andrew Cochrane, Bob Etter

Others present : County Surveyor Gregg Cantwell Recording Secretary Connie Reynolds

Rick Chase called the meeting to order.

Minutes: Mr. Walls motioned to approve the minutes from October 2, 2018 meeting as mailed. Seconded by Bob Etter. Motion carried by a vote of 4/0.

OLD NEW BUSINESS:

**LW JONES LEGAL DRAIN
RE- ESTABLISHED TO REGULATED DRAIN**

Gregg Cantwell Johnson County Surveyor introduced Chris Jones City of Greenwood, Chris present the information to re-establish LW Jones Legal Drain

Mr.Jones stated information on maps submitted. City of Greenwood will be paying for all cost of re-establishment of legal drain.

Rick Chase asked why the there establishment is necessary. Mr.Jones stated being a previous regulated drain it is necessary for future projects in the watershed.

Assessments will be renewed in the future for any maintenance.

Roger Young Drainage Board Attorney stated all the requirerments for re-establishment of legal drain.

Discussion followed on statutes.

NOTICES MUST STATE ALL INFORMATION TO INDIVIDUAL LANDOWNER.

City of Greenwood will pay assessments for a set amount of time.

Notices will be sent by the City of Greenwood stating time for hearing on January 2, 2019

Mr.Chris Jones stated the assessment will be paid until the 2 times assessments have been met.

All reconstruton will be paid by City of Greenwood

Discussion followed on all assessments in the future.

Set for hearing with plans submitted on January 2 2019 meeting.

**Motion to set public hearing on January 2, 2019 by Kevin Walls seconded
By Bob Etter. Motion carried by a vote of 4/0.**

DR- 3376-18

NEW BUILDING EAST GRASSY DITCH

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Gregg Cantwell Johnson County Surveyor stated information on mr.Paul Nessess request ot build a house / business on easement area of East Grassy Legal Drain.

Mr.Nesses has requested previously for approval. The site has been revised to move septic system out of easement area, building to remain as planned which is 30 ft into the 75 ft from the bank of easement.

Rick Chase stated an approval for a permanent structure has never been approved before , his concern is the part of building may have to be removed if any serious maintenance is needed. Owner will be responsible for any damage

Discussion followed on what the final deed of property will need listed for future ownership suggestion of a covenant stating facts of land which will be recorded.

Motion to allow encroachment of easement for building structure on East Grassy Legal Drain, Structure is being built 30 ft into easement Recorded deed is to have a covenant stating all information for future Ownership.

Copy of recorded deed with covenant to be issued to Office of Attorney Roger Young. Motion approved by Andrew Cochrane ,seconded by Kevin Walls Motion carried by a vote of 4/0.

DR- 3387-18 CASEY HEIRS MINOR PLAT REVISED PREIMINARY – FINAL

Bob Etter will not vote on this petition Paul Maurer of Maurer Surveying presented the petition. Mr.Maurer stated a correction on calculations on previous approval dated May 1, 2018

Allen Kirk Johnson County Planning and Zoning presented his information on revised plats Letter dated October 30, 2018 states a revision presented by Maurer Surveying. The revisions indicate a smaller amount of conversion to grass is required to meet the Subdivision Control Ordinance.

Mr.Kirk states the revised design assumes that except 5,000 square feet of impervious coverage , Lots 1, 2, 3 and the remaining tract will each convert 1.0 acres from farmland to grass. Board Approved language reflecting the design condition will be added to the final plat.

Mr.Kirk recommends approval

Motion to approve as presented by Kevin Walls seconded by Andrew Cochrane. Motion carried by a vote of 4/0.

DR- 3388-18 UMBARGER FEED MILL – COMMERCIAL - FINAL

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Mark Thorpe of Weihe Engineers presented the petition. Mr. Thorpe stated all requirements have been addressed.

Allen Kirk Johnson County Planning and Zoning presented his information for Final approval. Letter date October 29, 2018 states Preliminary Approval was granted October 2, 2018

Mr. Kirk stated the petitioner has provided a proposed plan for infrastructure improvements on a 24.2 acres parcel, including construction of two new buildings, parking lot, and drainage improvements. The design also includes future development on the site.

The proposed site contains approximately 24.2 acres, the proposed site development does not include the Special Flood Hazard area along Amity Ditch Legal Drain. The post developed design calculations submitted are for approximately 18.7 acres for the site

Mr. Kirk stated the detention pond outlets into the Amity Ditch floodplain. The effect of flooding in Amity Ditch has been evaluated for the pond outlet pipe and includes an emergency spillway set above the pond's 100 elevation. All storm structures do meet The Subdivision Control Ordinance requirements.

Mr. Kirk stated the petitioner has provided an Operation and Maintenance (O&M) Manual for the drainage system after construction, including the detention pond and outlet structure.

The O&M Manual must be signed and recorded prior to Final Approval.

The proposed 24 – 24 acres parcel has been signed and recorded prior to final approval.

Mr. Kirk recommends Final approval with all issues being addressed.

Motion to approve as presented by Kevin Walls seconded by Andrew Cochrane, Motion carried by a vote of 3/0.

NEW BUSINESS:

**SHELBY COUNTY SURVEYOR
FISHER TUCKER SHIPP LEGAL DRAIN**

The Shelby County Surveyors Office sent a letter requesting 2019 assessments from the property owners in Johnson County.

Gregg Cantwell stated previous minutes requesting assessments are not available.

Attorney Roger Young stated assessments were applied before there was a Drainage Board. Mr. Young stated information not clear what is needed. There hasn't been an assessment in approximately 23 years.

Mr. Young stated there possibly a need to have a public hearing.

Statutes will need to be researched before any assessments will be processed.

Possibly instruct Auditor to start assessments for 2019. Per Mr. Young.

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Discussion followed on why assessments were not collected in 23 years.

Mr. Young suggested Vacation of Legal drain.

Gregg Cantwell stated a list of home owners will be available for December 4, 2018 meeting.

Discussion with more information will continue at December 4, 2018 meeting

NEW BUSINESS:

Kevin Walls stated concerns about new construction of subdivisions and or businesses in Johnson County and how it effects the drainage in Legal Drains.

Gregg Cantwell stated plans are sent when it effects a legal in the area of petition.

Roger Young stated not all developers relay information of building of Subdivisions of Business

Mr. Young stated he has sent letter after letter to most developers to send information to those effected.

Kevin Walls stated Johnson County is developing at a fast pace, if it keeps up it will cause several problems with water flow on roads fields , properties etc.

MEETING SCHEDULE FOR 2019

Motion to approve for year 2019 by Kevin Walls seconded by Andrew Cochrane Motion carried by a vote of 4/0.

Motion to adjourn:
Motion by unanimous vote.

Respectfully submitted

Rick Chase Chairman

Connie Reynolds Recording Secretary

