

MONROE COUNTY DRAINAGE BOARD

Wednesday October 5, 2022
Showers Building Room 106D
Hybrid Meeting with Virtual Attendance via
Zoom

MEMBERS PRESENT: Trohn Enright-Randolph (*ex officio*), Jim Faber, Ginger Davis, Lee Jones, Bill Riggert

MEMBERS ABSENT: Bob Autio

STAFF: Kelsey Thetonia (MS4 Coordinator), Donna Barbrick (Secretary), TSD, Jackie Nester Jellen (Planning), Tammy Behrman (Planning)

OTHERS: Ben Conley

1. **Call to order:** by Bill Riggert in the absence of Bob Autio, president.
2. **Approval of Minutes for June 6, 2022. Trohn Enright-Randolph said I motion to table approval; Davis seconded. VOTE: AYE (unanimous).**
3. **Public Input -none**

4. New Business

a. Drainage Easement Waiver Request – West Hanks Crossing.

Kelsey Thetonia displayed a map to show where the property is located on the west side of town, north of Karst Park. She said this is a request to build a pole barn in the drainage easement. She said according to the original plan there was supposed to be a detention pond on Lot 20. She said two trees would be removed for the construction of the pole barn. She said the fence was built about four years ago. Thetonia said covenants would have to be enforced by the neighborhood association itself; the county cannot enforce those.

Trohn asked about flooding issues. Ben Conley, property owner, said that in the June of 2021 event, their property did not have any flooding. Ginger Davis asked about the drainage easement and its relationship to the existing pond on a neighboring property, if the pond were to fill up and overflow. Thetonia said on inspection some pieces of PVC pipe were found lying on the ground. There was a discussion of whether the detention pond on the plat was ever built. Ben said when the pond fills it spills over to the south with a spillway. Thetonia said there was ditch along the railroad property and possibly a buried culvert that allows flow to the pond. She noted a double inlet and a 12-inch pipe. She talked about previous property owners possibly raising up where the detention pond may have been located. Davis asked how close to the property line the railroad tracks are. Ben said the drainage ditch is outside of my property. He said they built a rain garden about nine feet wide and three feet deep that helps to keep the yard dry.

Jackie Nester Jellen said the Plan Commission records reference preliminary Drainage Board (DB) approval granted in October 1998 with final drainage plan approval subject to the drainage engineer. She said the detention pond was a condition of approval. She said we have communicated with the owner about a plat amendment however, if there was a pond, there it would have to be a preliminary plat amendment to the Plan Commission. She said we had communicated with the owner that this was a first step, to garner DB support, because if they didn't have DB support to either remove the easement or to do some sort of plat amendment through our office, then it was a way to stop the process early. She said if the DB does not support this, then we would not recommend the plat amendment process; we would then recommend a different location or size of the pole barn on the property. Riggert said so we are supposed to decide about putting a pole barn in a drainage way that does not have a detention pond. Davis said if we were to remove a portion of the area, the drainage is working along the railroad tracks. She said I would be okay with removing some of the area but still leave in the areas that are conducting flow.

Riggert commented that the drainage seemed to be working along the railroad track property. Thetonia said we need to provide detention and water quality treatment for the Sinking Creek watershed because the sinkhole is unpredictable. She said my main concern is getting this property owner up to speed on this. She said this decision to me would be the DB admitting that there is no detention happening from this subdivision because we have not enforced it, so what is the county doing to make sure that detention is happening the way it should have been. Davis mentioned the recently built rain garden. There was a discussion of drainage off the cul de sac.

Trohn said there are a lot of different variables with the grading of the neighboring property and the rain garden. He said this is a big discussion; I am not sure that we are in a position to act today. Thetonia said this would essentially be a detention waiver. Trohn said his concern is the railroad bed. There was a discussion of a different site for the pole barn. Jackie said she would be checking the requirements for a setback in a PUD. Thetonia said she would be discussing this with Jackie in Planning. No official DB action was taken on the waiver today.

5. Old Business

a. Karst Ordinance Discussion

b. Monroe County Stormwater Management Ordinance and Technical Standards Manual Revisions

6. Staff Reports/Discussion

a. Summary of Recent Plats and Site Plan Reviews

There was a discussion of ordinance updates and having Siavash Beik (Christopher Burke) speak at a public meeting to go over the proposed ordinance. Davis noted that he lives in California now. Lee Jones said she liked the idea. Thetonia said she would like DB to discuss the stormwater ordinance at our next meeting. She said this ordinance definitely affects anyone who plans to build in Monroe County. Thetonia said the ordinance itself is straightforward and the Technical Standards manual is something that DB can edit. She said the goal was to take everything relating to water quality from the planning ordinance and put it into the stormwater ordinance Chapter 761.

Tammy Behrman spoke. She said we are also going through the CDO revision process. She said we are looking at how sinkholes are defined and how planners and inspectors can detect them. She spoke about a proposal to change the buffer from 25 foot to 50 foot. She said changing it would shrink the amount of buildable area on a property in some instances. She reviewed methods for defining and delineating sinkholes and buffers. She said she was looking for feedback from DB.

Trohn said some surveyors are putting notes on the plat about close contours and sinkholes. He said some of the professional surveyors are walking back from declaring a sinkhole on a property. Thetonia noted that we do not have a geologist on staff for expert assistance. Behrman said we know for a fact about certain farm ponds that were put in and do not hold water and because of the close contours, we assume it is a sinkhole. She said Planning has to have a way to make a quick assessment. Thetonia asked about an appeal process for challenging a sinkhole conservancy area.

Jackie said we have an example on Angels Way. She said the process we talked about was a preliminary plat amendment and going to the DB and they would need a geologist and a karst study. Riggert said I could not make a determination of whether a close contour area is a sinkhole; I would rely on a professional geologist to do a karst study. *(Lee Jones had to leave the meeting).*

Davis said from a minimalist perspective, the definition of a sinkhole is the closed contours. She said the methodology is good to identify them. She said the only true way would be to do ground penetrating

radar. She said the only landform that makes contours like that around here is a sinkhole. She said the problem is when you have multiple sinkholes and sinks together. She spoke about doing an overlay and then buffering out confidential assets such as caves. She said it would take away from developable land. She said it is do-able but it might need to be contracted out. There was a discussion of keeping data internal and private. She commented that the amount of drainage to the sinkhole should be considered for steep and large drainage areas. She said the state of the buffer is important, too, including the quality of the soil. There was a discussion about buffers around the sinkhole. Faber said in Monroe County, there is a lot of clay. Thetonia commented that the county highway department still uses sand on the roads in the winter. Jackie said if we did increase to a 50-foot buffer, we could look into making sure about our section about "no new construction of any of the following shall be permitted within the SCA." She said we may have people rerouting their driveway, which may or may not be a good thing. She spoke about having built-in exceptions in the ordinance. Davis talked about working in Orange County, Indiana, and stormwater practices around sinkholes there including bio retention. Trohn spoke about tracking recorded documents that identify sinkholes.

7. Adjournment

Because some DB members had to leave the meeting, there was a motion to adjourn and a brief discussion of when the DB might convene again. Meeting adjourned at approximately 9:55 am.

Minutes approved: 10/24/2022



President

Donna Barbrick

Secretary