

**MONROE COUNTY
DRAINAGE BOARD**

Wednesday July 7, 2021 at 9:00
AM This meeting was held
virtually.

MEMBERS PRESENT: Bob Autio, Lisa Ridge, William Riggert, Trohn Enright-Randolph (*ex officio*)

MEMBERS ABSENT: James Faber

STAFF: Kelsey Thetonia (MS4 Coordinator), Donna Barbrick (Secretary), Jackie Nestor Jelen (Planning), Erica Pena (Stormwater Inspector), Technical Services Dept.

OTHERS: James Healey, AJ Willis (Bynum Fanyo)

I. Call to Order

Bob Autio called the meeting to order.

II. Approval of Minutes for: June 2, 2021

Autio had a question about the last word in the draft minutes. Donna Barbrick made a note of the revision. **Trohn motioned to approve the minutes. Autio seconded the motion. Bill Riggert was having an audio issue however, he voted YEA in the meeting chat. VOTE: RIGGERT AYE, AUTIO YEA, RIDGE YEA. Minutes approved unanimously (with one revision).**

III. Public Input for Items not on the Agenda

Autio asked Kelsey Thetonia, is Ginger Davis still on board to become a member of Drainage Board (DB). Thetonia said I've been working with the commissioner's office but I think the holdup is vacation times. She said I apologize for the delay. Autio said I am glad to hear it is still in process and that's okay.

IV. New Business

a. Drainage Easement Waiver Request – 4279 N Hull Dr. +*

Thetonia said she had a write-up of the situation. She said this is a new development, Highland Park Estates, and this is a new house on a new lot. She said the buyers are asking if they can install a fence in a drainage easement area. She said there is a small HDPE pipe that runs from the storm inlet on North Hill Drive and carries that runoff from the road over to this detention pond. She said there is a yard inlet as well on this property. She said there is also a sanitary sewer easement on the west side of the property and on the south side of the property. She said this area is not meant to be an emergency overflow conveying surface water, except for all the runoff that they get from the rooftops flows between the side swales. She said the emergency overflow area is actually located at the end of the cul de sac. She said from what I can tell, the easement serves to make sure the pipe is protected and make sure it is accessible for maintenance, as well as making sure that there is access to the pond. She commented that those pipes are prone to damage so I would request that the fencing straddle the pipe and that it would be hand dug around that pipe. She said we want to make sure that it is not damaged and then, if it is, the homeowner would be responsible for it. She said I looked at the drainage area for the yard; it is capturing runoff from the backyard and side yard. She said the fencing should not encroach on the area outside of Lot 108 including the common area easement to the west because we cannot have any fencing within that drainage easement. She said an open grate fence is recommended within drainage easements so that we do not need to cut a hole in the bottom or whatever; it allows water to flow freely and it is easier to pull out sticks or debris. She said anything with the fence will be the responsibility of the homeowner to make sure that we

are able to access it. She said we always need to make sure those permissions are in place in case of an emergency.

Lisa Ridge asked are the property owners okay with all of these conditions. James Healy spoke. He said everything that was stated sounds fine and reasonable. He said we were planning to put up a standard steel fence because we have a 75-pound dog and a two-year-old and we would like to be able to keep them within the fence. He said the drainage easement does cut off a large majority of the yard and unfortunately, we were not told about it at closing so we are hoping to be able to get this waiver passed and we would be fine with putting up a large enough gate that could get a vehicle in, if necessary, for maintenance. He said we are fine making sure that we get somebody to hand dig around the pipes to prevent any damage to that line.

Autio said thank you. He said I appreciate your agreement with those conditions and, yes, it would be good to keep the dog and the child in. He said I think those are good conditions. **He said I would be happy to make a motion to provide a drainage waiver with the conditions.**

Jackie Nester Jelen spoke. She said I wanted to note that if the owner wanted to put any structures within any of the easements we would not issue any kind of permit because it is an easement. She said if there is anything that is over 120 square feet or has a permanent foundation, we would review that and at that point, they would have to go through a similar process before getting a permit. She said additionally, I wanted to know whether you wanted us to follow up with a developer to amend the O&M manual for the subdivision. Thetonia said thank you, Jackie from Planning; I do not see a need to amend the O&M manual. She said I know that they are still on the ground working in the development but typically that is something that we can keep in our records.

Trohn Enright-Randolph said I am curious about one of the exhibits and the fact that it looks like some of these structures are built out but with the bird's eye view it is just a dirt lot. He said I think we can help you get the aerials so when you do screen captures like this, we can actually see some of these homes developed. He talked about PIC telemetry data. Thetonia said this area is all built up so I can confirm that this imagery is out of date.

Autio asked if there was a second on the motion he proposed to grant the waiver based on the conditions listed. Riggert seconded the motion. VOTE: AUTIO YEA, RIDGE YEA, RIGGERT YEA. Motion carried. Autio said thank you for participating and I hope the installation goes smoothly.

b. Angelina Ln. Extension (Major Subdivision) – Preliminary Drainage Plan +*

Thetonia said this is going to the Plan Commission in August for a major subdivision. She said it is only two lots but it is a large area. She said as a condition of the major subdivision the Highway Department is having them extend. She said currently where the road ends there is a gravel, one-lane road to access the CBU sanitary station but they are going to be extending this road and building it out with storm sewers and curbs. She said they submitted their preliminary drainage plan to us for a recommendation to the Plan Commission. She said I would like to get it through this month; if you still have questions on this, we could technically still bring it to the August meeting. She said this is covering the road extension and any development of the lots would require their own drainage plans. She said she would go through the conditions. She said a karst study has been completed but it was determined that there are no karst features or any signs of karst. She said it has a large drainage area, there is a flow line that goes along that existing gravel road to the woods line here, but it does all flow through underneath the railroad tracks with three 48-inch culverts. She said within Chapter 761 the Drainage Board (DB) needs to approve any removal of trees as part of a new detention area. She said I do not think I saw that in the preliminary plan,

but if they do need to remove trees, then I recommend the replacement of trees at least one-to-one. She said Terry Quillman did look at this and had some minor comments. She said the pond will meet the critical drainage area release rates because this is in the Jack's Defeat Creek watershed. She said obviously the drainage would be limited by the capacity of the culverts under the railroad. She said we made it clear that each separate lot as it is developed will require its own drainage plan.

AJ spoke, representing the project. He said Kelsey did a good job explaining the project. He said I just want to give a few quick comments. He said we are committed to meeting the critical watershed requirements. He said our pond is only going to be taking the water from the roadway extension; we are going to maintain the existing basins and create a bypass routing to the culvert. He said in the future these two lots could be industrial and, in that case, each lot can have their own drainage plan. He said there is a pond off site to the southeast that was done a few years ago and that pond is catching a lot of offsite flow from the southeast. He said however, we are still going to be designing assuming that point has no functionality so we have conservative calculations.

Autio said the pond that is catching some of the drainage is not on this plan, then. Trohn said I would like to speak to that pond on the southwest area. He said it is categorized as a wetland. He said on the data sets I have from the State they have it as a wetland and we have been upping the protection of wetlands across the state recently so we probably want to make sure that we deal with that component of this site in accordance with rules and regulations set forth. He said I am not sure if that means we have to leave it as it is or it has to go into a conservation area but it is listed here. He said I don't know if Elevate is going to have this data, which is from the State of Indiana map. There was a discussion of an area with a homestead pond and low-lying areas. Thetonia said it might be a good idea to do that wetland delineation.

Autio asked are you asking for approval of the preliminary drainage plan right now. Thetonia said yes, the approval of the preliminary drainage plan, which would then go to the Plan Commission in August as a recommendation.

Autio said do I have a motion to approve the preliminary drainage plan with the conditions listed. Riggert said so moved. Ridge said I will second. VOTE: AUTIO YES, RIDGE YES, RIGGERT YES. Autio said there is an approval of the preliminary drainage plan based on the conditions. He said thank you for this work, Kelsey; I think it looks thoroughly covered.

c. Policy for hybrid/virtual attendance +*

Thetonia talked about a resolution for electronic attendance for meetings. Autio said I read the House act and it is dense. Thetonia said it will give us the ability to do hybrid meetings, which means we will need a quorum with the president attending in person for the DB. She said if one of us can't make it in person, they can attend electronically and still cast a ballot vote. She talked about a 360-degree camera set up on the table in the conference room and having the meeting pulled up on the screen and being able to have electronic participation for the public. She said this requires half of the board present.

Trohn said there are a few other notable things. He said I've been on four bodies now that have adopted this. He said I am a non-voting member here but in all the other meetings, I have deferred to the desire of the board. He said I think it's notable that you can only miss two or you can only attend virtually two consecutive meetings, so you will have to be present on a third one. He said I am a non-voting member on a couple boards so I don't know if you actually need voting members present for a quorum or if I can attend and that does allow us to proceed even though I am not a voting member. Autio said since you mentioned quorum I assume that means voting members and I am happy to attend in person. There was a discussion of preferences of attending in person or electronically. Autio said it might require some communication on the board members' part and tracking attendance. Thetonia said I will be tracking

attendance; it's only five of you. She said Donna Barbrick recommended that when we begin a meeting to state who is there, either virtually or in-person, so that it is part of the record if we ever need to go back and count how many virtual meetings someone has attended, we would have that record available and I think that was a great suggestion. She said maybe when I sent out the calendar invite, if you need to attend virtually let me know and I will track all that. Autio said I think including it in the minutes is a great suggestion. Trohn said I think bullet point three or section three might be good for you to read over real quick, Mr. Autio, since you are the chair or president. He said it gives you some authority on how to proceed and set up the meetings. Autio said so unless the DB demands that somebody shows up, I can pretty much say right off I am fine with any staff member who wants to attend electronically, as well as members of the public or other members of the board. He said I have appreciated the electronic format that allows us to continue meeting and still be socially distant.

Autio motioned to approve the electronic attendance policy for public meetings Resolution 2021-1. Riggert seconded the motion. VOTE: AUTIO AYE; RIGGERT AYE; RIDGE AYE. Autio said the resolution passes and I guess we will get to see you call in person.

V. Old Business

a. Monroe County Public Library – Presentation of Final Drainage Plan +

Thetonia said DB saw the preliminary plan for the public library southwest branch back in May and we set some conditions for this because it is located in the Clear Creek drainage area. She said the developers expressed some concern about meeting those critical drainage area rates because they have a large building, a large parking lot and are trying to preserve the trees on the rest of the property that had been intentionally planted and are managed by some folks who are did not want the trees removed. She said to keep the footprint small they had to be creative with how they would manage the water on the site. She said they came to us with a plan for both underground retention and above ground detention. She said we approved their preliminary design and I wanted to bring this back to the DB if they could not meet those conditions with their final design that was based on feedback from Terry Quillman who reviewed the plan. She said I am bringing it back to the DB with a presentation of the final plan, not requiring a vote because they were able to meet all the requirements and Terry gave some very positive feedback on this report and the plan. She said this is currently at 90% design so they will be finishing things up, based on our final feedback; Terry had some very minor comments. She said I think it is a great outcome and we are happy that a public project is able to provide a lot of protection. She said using these detention methods, it is just slightly higher than the proposed release rates would have been but still more stringent than just meeting their pre-developed condition so I absolutely appreciate the library going through this for us and for the downstream community, where we know that there are obviously flooding issues that we are trying to mitigate. She said we still have the underground detention and the above ground pond, and we are addressing issues about access to the underground facility because we know that it is easy to forget about what you do not see all the time, so making sure there are proper access ports and a system for cleaning out parking lot grit and whatever gets collected in it. She said brought up the plans to display for DB. She said anything spilled in the parking garage would be captured and be separate from water captured from the fields. She said the runoff from the rest of the site goes to the retention pond on the east side. She said this was able to help them meet the restraints that they agreed to. She said one kind of weird thing about this is that we do have a bypass pipe here to capture runoff from Gordon Pike. She said the reason for that is that Andy was concerned that if they were to capture all the runoff from Gordon into the pond, the pond would have to be too big.

Thetonia said I think it will be a great asset for this side of town, with the middle school and everything. She asked if anyone had any questions. Autio said I did take a drive by there on a rainy day and I think

this is a great plan for that site and if you can pass on the thanks to all of them who worked on this. He said the addition of the detention basin and coming pretty close to meeting the requirements and then to have all that discharge going to the existing wetland I think will be an asset for the whole watershed. He said I think it is impressive.

Trohn said when this first came to DB I spoke about Minimum Control Measure #6 Good Housekeeping - what the county is doing on county property and county projects such as this and I am very happy that they took steps to lead by example. He said I am happy that they heard the DB out, took our concerns seriously, and came back with a plan that is going to retain more of the stormwater runoff than what was first presented, so thank you.

Ridge said I just want to say I know we have our Fullerton Pike Phase III project in coordination and we have met with Bill Riggert and the engineering firm. She said we worked closely with them on this project for driveways and things of that nature and a brand new roundabout. She said we are also working with the commissioner's office on sidewalk extensions from County Club down to the Gordon Pike Rogers Street roundabout area so pedestrians have an avenue to get the library safely.

VI. Staff Reports

a. Discuss flooding event on June 18, 2021

Thetonia said I want to introduce Erica Pena, stormwater inspector. She said she has been coming out in the field with me to inspect already installed infrastructure and we are starting to look at many newly installed plans and she is going to be helping us keep tabs on new infrastructure as well as regular inspections of post-construction measures.

Erica Pena spoke. She said I am excited to be in a permanent position. She said I was a stormwater intern a few years ago so it kind of feels like coming home, in a way, but I am excited to have new role and to start tackling some of those post-construction permanent features and make sure they are maintained as they should be. She said I look forward to meeting you all in person. Autio said welcome.

Thetonia spoke about a storm on June 18th. She said the department has been very busy with calls for downed trees and the past couple weeks have been nonstop for the stormwater crew and myself because it brings to light many of the drainage issues in some of the low areas and areas of flooding in the county. Autio said I am here at the north end of the county; I saw an estimate that we had close to seven inches of rain and we were cut off. He said I have been helping some of my neighbors with flood damage and it was almost as bad or in some cases worse than the 2008 flood. Thetonia said on the west side had about seven inches. She said the 100-year flood, with our new tables, would be 5.1 inches over five hours and we absolutely met or exceeded that. She said I was out at Fieldstone dam with Jason that night to close the gates to the dam but I know it was overtopping. She talked about flooding at the terminal sinkhole and some houses that were flooded. There was a discussion about a FEMA buyback program.

Trohn said Christopher Burke (CB) did a study for the City back in 2017-2018 to show critical infrastructure that would be flooded during a 50-year event, 100-year event, and 500-year event. He said at the very end they showed safe routes and I think that is something we can continue to think about, creating a map to show safe routes for roads when we have these events. He said right now we have a static map but CB did a study for the City so I would be very curious what it might take to see a study like that countywide. Ridge said I think it would be something to look at and maybe present to SWMB for hiring the services of CB for a study like that.

(Ms. Ridge excused herself at 10:03 a.m.)

Autio said regarding safe routes, to get to our home we may literally have to hike through the state forest in order to stay dry. He said there is actually a story about Homer Hacker, who named Hacker Creek and who drowned in a storm in the early 1900s, so we have been dealing with this for a while.

Thetonia said we have the draft plan that pointed out many of the areas where roads flood frequently and cut off access for homeowners. She spoke about a possible update to the long-range plan.

b. Stormwater Management Ordinance and Technical Standards update

Thetonia said I do not have much to update about the new ordinance and technical standards, other than that the State should be releasing new permits in early July. She said we discussed it with the Stormwater Management Board and held off on any type of approval until August, giving me more time in case the State does release those general permits because it would not make sense to pass a new ordinance and then have to rewrite certain parts of it and pass it again. She said I will be sending you the Technical Standards; I have to finish going through Terry's comments. She said hopefully next month I will have more of an update for you.

VII. Adjournment

a. Date of Next Meeting: Wednesday August 4th, 2021 at 9:00 AM

Autio said if there is nothing else we will adjourn and we will see each of your bright smiling faces in person so I look forward to that.