

GRANT COUNTY DRAINAGE BOARD
401 South Adams Street
Marion, Indiana 46953

The Grant County Drainage Board meeting was held December 29, 2015, in the Grant County Council Chambers. Chairman Mark Bardsley called the meeting to order at 11:04 a.m. Other members present were Gordon Gough, Kenny Cates, Richard Cox, Pat Pinkerton and Jim Todd, Grant County Surveyor.

APPROVAL OF MINUTES:

The November 24, 2015 minutes with corrections were signed by the Board. Richard Cox made the motion to approve the minutes from the December 8, 2015 meeting as presented; Seconded by Kenny Cates. Motion carried with support 5-0.

APPROVAL OF CLAIMS:

There were no claims for approval.

OLD BUSINESS:

Little Crane Pond

Mary Heaton and Judy Heaton were present. Jim Todd informed the Board that Smoke Valley Tree Service is still on Little Crane Pond working on the tree removal. Jim told the Board that Al Harker was in the office to see him the previous day; Mr. Harker let Jim know that he still has one big tree behind his property that is supposed to come down. Jim Todd added that with the ground being this wet from all the rain, they need to wait so that they do not tear into any of the landscaping. Mary Heaton addressed the Board stating that she had talked to one of the tree guys and was told that there are still a few trees that need to come down towards the east. Ms. Heaton added that there are a lot of trees down, but they have not hauled them away. She was concerned they would get paid before the job was

completed; Mark Bardsley stated that they would not get paid off until the job was complete. Jim Todd also stated that there is still \$8000.00 to be paid to Smoke Valley, but they would not be paid until the job has been completed and he has checked the job. Gordon Gough asked the Board if they are still working on the process to get a portion of Little Crane Pond turned over to the city since it is not a farm drain anymore, it is a residential drain. Mark Bardsley responded stating that the attorneys are talking but Mark has not yet received any status from our attorney. Gordon wants to get the lawyers moving on this issue. Mary Heaton asked the Board about if the drainage gets turned over to the city is it still going to be a drainage ditch; Mark Bardsley answered Ms. Heaton stating that it will become a ditch that will be under control of the utility company and not the Drainage Board. Ms. Heaton then asked if there would still be taxes; Pat Pinkerton replied that it would fall under the category of the storm water bill.

NEW BUSINESS:

Simons Tile

Adam Sieber had asked to be on the agenda for today's meeting, but he was not in attendance. Jim Todd stated that several years ago there was a public hearing but a lot of the landowners were in opposition. Jim added there is \$8,096.00 in the fund. Jim said that both the pipes were below the ground line and there needs to be a plan to put in a swale or open ditch then there would be no reason to replace pipes. Jim stated that there was an estimate from Joe Seward to replace the tile, that estimate was \$130,000.00. Mark Bardsley asked Jim if Mr. Sieber has been to a Drainage Board meeting in the last month or so, Jim Todd responded that he has been to a meeting recently. Mark Bardsley recommended that this will be tabled until Mr. Sieber can come before the Board with a presentation. Jim Todd recommended a contract deputy to come up with a drainage plan that would take care of the surface water; the

tile is from 1914. This will be tabled until Mr. Sieber is in attendance with a presentation.

Harper Ditch

The Board was given a packet from Bryan Kirkpatrick with photos outlining the issues on the Harper Ditch. There are many beaver dams causing blockages and problems. (Packet attached to minutes) Jim Todd informed the Board that the Harper Ditch has \$15,158.00 in the maintenance fund.

Bryan Kirkpatrick 13961 E Road 300 S, Greentown, approached the Board. Mr. Kirkpatrick stated that his property is almost on the Howard/Grant County line. In Howard County this ditch is called Prairie Run but it is Harper Ditch in Grant County. Mr. Kirkpatrick informed the Board that he has located a beaver dam as big as a combine. He added that after he had cleared the beaver dam out, a couple days later there was 3 more dams built. Mr. Kirkpatrick has been trapping the beavers. Mr. Kirkpatrick stated that he has an estimate from Van Horn Excavating for \$4,100.00; this is to cut out trees on both sides of the ditch and dispose of them. Van Horn's will also treat the cut stumps with approved chemicals. This would be done south of 800 S on both sides. There is another estimate to do the same work on the north of 800 S on both sides; there is a large cottonwood tree on the north end that is to stay. This estimate is for \$4,300.00. Mr. Kirkpatrick does not feel that the cottonwood trees need to come down. Mr. Kirkpatrick has spoken to his neighbors and they support what he wants to do. Gordon Gough agrees that it needs to be done. Jim Todd feels that we need to do both. Gordon Gough stated that there will still be enough money in the fund if there are any issues that occur. Gordon Gough made the motion to approve the 2 bids that Mr. Kirkpatrick brought in for the Harper Ditch; one bid for \$4,300.00 and another for \$4,100.00; also allowing them to work in our right-a-way and get the work done. Seconded by Richard Cox; motion carried with support 4-0, with Kenny Cates abstaining due to

land on the water shed. The bids were given to Mary Weesner. Mr. David Devore is present asking to work on his section of the Harper Ditch. Gordon Gough made the motion to allow David Devore to work on his section of the Harper Ditch, clearing it out at his own expense. Seconded by Pat Pinkerton, motion carried with support 4-0, with Kenny Cates abstaining due to land on the water shed.

Enoch Lee Open Ditch

Brent Kennedy 3053 N 1100 E, Van Buren is present before the Board requesting a variance for a pole barn. Jim Todd has a photo and had Mr. Kennedy show the Board where the pole barn would be placed. Gordon Gough asked Mr. Kennedy how much does he want the easement to be reduced; Mr. Kennedy replied he would like to go down to 20 feet, that way the pole barn would not be out in the field reducing his crops. Jim Todd explained that 25 feet is the lowest that it can go according to Indiana Drainage Code, Mr. Kennedy stated that he would be ok with that. Gordon expressed concern about what the trees will be like in 25 years or so; stating a tree could fall on the building if the trees are ever dropped; Mr. Kennedy stated that it is what it is. Jim Todd added this is not on maintenance; there was a public hearing in the past and the land owners objected. The variance would be 60 feet in length. Richard Cox asked Mr. Kennedy about the width of the filter strip; Mr. Kennedy stated that it is 60 feet; Richard asked if he was going to leave it there and Mr. Kennedy stated that it would but would have gravel in front of it. Jim Todd stated that this is a small narrow water shed and is unlikely to come out of its banks. Gordon Gough would like something signed stating the land owner is responsible for any trees that may fall on the building, present and future. Mr. Kennedy stated he would take care of the trees and keep them sprayed. Richard Cox made the motion to reduce the easement along this ditch to 25 foot as requested as long as the owner clears the trees on that side of the ditch, for the length of the building. Jim Todd added that nothing permanent can be put

in the remaining 25 foot easement, Mr. Kennedy stated that he understands. Seconded by Pat Pinkerton; motion carried with support 5-0.

Big Deer Creek

Jim Todd informed the Board that Brian Cates is doing some maintenance work and there is a land owner that has a tile that drains his basement. This tile is only one foot deep and homeowner is concerned that Mr. Cates will crush the tile if he drives over it. Jim added that the Board needs to vote on letting Mr. Cates run over the tile and if it crushes then who would be responsible either the homeowner or the maintenance fund. Pat Pinkerton asked if the tile was in our easement; Jim stated that it is in the easement and without Drainage Board approval. Mark Bardsley stated that makes it a private tile, adding that Brian Cates has the Board's permission to work in the right-of-way. Gordon Gough added that if the land owner wants to pay extra to Mr. Cates to drive around the home to avoid the tile that is fine, but the land owner is responsible for the tile that was put in without Drainage Board approval.

Jim Todd stated that there is another issue on Big Deer Creek. Jim stated that the land owner could not attend the meeting. This regards Doug Broyles. They asked for Jim Todd's permission to send out letters to get quotes on a half mile clean out. This is in Madison County, but Grant County is in charge of the money and the work. Jim would like to know if he can get information together for them, Mark Bardsley said that if fine.

OTHER BUSINESS:

Kenny Cates asked the Board when they will start scheduling public hearings for maintenance. Mark Bardsley stated that at our January 12th meeting the Board could select some dates.

Jim Todd stated that Richard Cox is up for reappointment.

Mary Weesner presented the Drainage Board schedule for 2016. November 8, 2016 is in question due to being Election Day and the county building is closed. Richard Cox recommended that we leave it open and decide at a later date whether the meeting needs to occur or not. Kenny Cates made a motion to accept the 2016 Drainage Board schedule, seconded by Gordon Gough. Motion carried with support 5-0.

Kenny Cates made the motion to recommend to the commissioners Richard Cox for another four year appointment on the Drainage Board; seconded by Pat Pinkerton. Motion carried with support 4-0 with Richard Cox abstaining.

Jim Todd informed the Board that he had talked to Jerry Losure the other day. Jim had sent him an assessment roll for Buck Run down stream where they cleaned it out last time. It would be up to Mr. Losure and the land owners if they were to go farther into the woods, depending upon what they want to pay.

Jim Todd explained to the Board that he had talked to Tammy Miller from the Auditor's Office regarding the Drainage Board interest. Jim stated that the money can be moved into the General Drain Improvement Fund or into the individual drain that collected. Kenny Cates stated that he feels that the interest money should be moved to the General Drain fund and the next collection should go to the individual drains, Gordon Gough agrees. Mark Bardsley would like to discuss using some of the money for a vehicle for the Surveyor, Jim Todd, to use. Jim added that it does not need to be as big as the Suburban, he does need off road availability. Jim is going to get quotes.

ADJOURN:

Kenny Cates made a motion to adjourn at 12:01 p.m.; Seconded by Gordon Gough, motion carried with support 5-0.

The next scheduled meeting to be held January 12, 2016 at 11:00 a.m.

Minutes recorded by Mary R. Weesner

Minutes approved:

Mark Bardsley

Gordon Gough

Richard Cox

Kenny Cates

Pat Pinkerton