

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

The Grant County Drainage Board meeting was held April 12, 2016, in the Grant County Council Chambers. Chairman Mark Bardsley called the meeting to order at 11:02 a.m. Other members present were Gordon Gough, Kenny Cates, Pat Pinkerton, Richard Cox and Jim Todd, Grant County Surveyor.

**APPROVAL OF MINUTES:**

Richard Cox made the motion to approve the minutes from the March 29, 2016 meeting as presented; Seconded by Gordon Gough. Motion carried with support 4-0, with Mark Bardsley abstaining.

**APPROVAL OF CLAIMS:**

Bragg Excavating \$526.86 Herbst Tile; \$2,624.37 in the fund  
Van De Water Farms \$360.72 New Bell Tile; \$2,073.12 in the fund  
Christopher Burke Engineering \$1,222.50 Weasel Creek; \$174,572 in fund  
Enyeart Construction \$40,000.00 Barren Creek; \$130,724.56 in fund

Pat Pinkerton made the motion to approve the claim as presented; seconded by Kenny Cates. Motion carried, with support 5-0.

**OLD BUSINESS:**

Fadley & Owl

Brad Rayl of Rayl Engineering and Surveying was present before the Board per the Board's request. Mr. Rayl stated that since the last Drainage Board meeting that he has further evaluated the preliminary cost estimates. Mr. Rayl handed out to the Board, preliminary

construction cost estimates and per acre rates for replacing the lower 4,000 feet of the Fadley & Owl regulated tile drain from the outlet headwall to the eastern limits of the Oak Hill School property. A copy is attached to these minutes. Mark Bardsley asked the Board when they feel that they should request Mr. Rayl to return to attend a Drainage Board meeting to answer any questions; May 31, 2016 is the date the Board feels is adequate. Mr. Rayl said that he would be in attendance for that meeting.

### Little Crane Pond

Jim Todd informed the Board that the ground is still too wet at this time. Jim has called the tree company, but they have not called him back. Gordon Gough asked if we are any closer to vacating part of Little Crane Pond to the city of Marion; Mark Bardsley stated that due to the tragic accident involving Mr. Stephenson, the other attorneys are picking up his case load at this time.

## **NEW BUSINESS:**

### Jocinah Creek

Duane Phipps appeared before the Board representing his son Gail Phipps of LaFontaine, Indiana. Jim Todd explained that they want to put a waterway in our easement; there is a bad erosion spot. Jim feels that it would really benefit Jocinah Creek. This watershed is on maintenance. Jim Todd reviewed a map of the watershed to the Board. Mr. Phipps stated this is a project that is cost-shared through the Soil & Water Conservation office. It would be 2,000 feet of waterway with a 10" tile with a structure at the inlet and then the toe wall will go into Jocinah Creek. The estimated cost of this project is close to \$50,000.00. Mr. Phipps asked the Board permission to put the toe wall in Jocinah Creek. Jim Todd recommended the Board approve Mr. Phipps request. Richard Cox made the motion to give permission to Mr. Phipps to work in the right of way, at their cost. Seconded by Gordon Gough; motion carried with support 5-0.

## **NEW BUSINESS:** (Cont.)

### Butler Lee

George Detamore approached the Board regarding the Butler Lee. He stated that there is a 15" tile that all you can see of it is 2" because it is plugged so badly. Mr. Detamore added that the head of the ditch is washed in. He is requesting permission to brush one side of the ditch and then dip 150-200', he would also like to put some rip-rap at the headwall. Mr. Detamore stated that it is on Mr. Duckwall's property and that Mr. Duckwall will provide the rip-rap if he would do the necessary dipping. Gordon Gough made the motion to allow Mr. Detamore to work in the easement on the Butler Lee for the brushing, dipping and rip-rap at his own expense. Seconded by Kenny Cates, motion carried with support 5-0.

### Crane Pond Sub-division

Deborah Keefe had requested to be put on the agenda, but she did not show; this has been tabled until she is present.

### John McKee Drain

Jim Todd informed that Huntington County has asked Grant County to waive our rights for a public hearing on the John McKee Drain. Jim added that Grant County has 118 acres and Huntington County has 700 acres in the watershed. Gordon Gough made the motion to waive rights to the John McKee Drain; Seconded by Richard Cox. Motion carried with support, 5-0. Mark Bardsley asked if the waiving of rights was only for a public hearing, Jim replied that it is only for the purpose of a public hearing.

### Webster Sub-division

Don Wimmer was present before the Board stating that, per Area Plan Commission it is a 2-1 ratio. Mr. Wimmer stated that per Area Plan, it needs to be a one lot sub-division. Gordon Gough made a

motion to approve Webster Sub-division split; seconded by Richard Cox. Motion carried with support 5-0.

### Stamper Addition

Mr. Wimmer stated that he would like to revisit the Stamper Addition from the last Drainage Board meeting. He fears that if the Drainage Board wants to vacate that ditch, they would be cutting off some agricultural ground. Mr. Wimmer added that there are at least three farms feeding into that ditch. He added that his original request was for a 20' drainage easement but he feels that he could go with a 30' easement. Jim Todd agrees with Mr. Wimmer, he does not feel that the Board should proceed with vacating due to the agricultural ground. Gordon Gough asked if they could reduce the easement just where they are wanting to build and then to maintain the normal easement along the rest of it; Mr. Wimmer stated that would not be a problem. Gordon is asking that Mr. Wimmer return with the exact amount of feet that would require 30' for working space. Richard Cox agreed with Gordon. Mr. Wimmer stated that he would return with this information.

### **OTHER BUSINESS:**

#### Power Drain - Public Hearing

Jim Todd stated that the current assessment rate on the Power Drain is .50¢ per acre with a minimum of \$5.00. Due to the increased cost to maintain this drain, the Grant County Drainage Board would like to raise the assessment to \$10.00 per acre with a \$150.00 home site and a \$150.00 minimum assessment with an eight year collection. At the current rate, it only brings in \$475.00 per year; with the new proposed rate, it would bring in \$10,939.00 yearly. Within a few years, this drain could be replaced. There was one appeal sent in by Matt Patton regarding the home site rate.

Matt Patton 9980 S 600 W, Fairmount, appeared before the Board. Mr. Patton stated that the drainage in the area, especially south of

State Road 26 is pretty bad. Mr. Patton passed out local profiles of the area to the Board (attached to these minutes) for the Board's review. He stated that his concerns are that if the idea is just to keep up with the maintenance, he understands that the cost grows as the tile gets older and older. As far as the appeal on the home site, continued maintenance on the ditch is not going to benefit the home sites. He feels that 15 acres of agricultural land will benefit more than one home site when comparing the \$150.00 assessment. He feels that an open ditch would drain a lot better, even though it would cost some farm ground. Mr. Patton feels that \$35.00 - \$50.00 per home site would be more reasonable with \$12.00 per acre of agricultural land for a rate. Gordon Gough explained to Mr. Patton that a home put out water everyday (showers, toilets, septic... etc.) whereas a farm ground only puts out water when Mother Nature delivers. Kenny Cates advised Mr. Patton that the Board cannot raise the rate per acre to \$12.00 when the advertised rate was \$10.00. Mark Bardsley asked he was opposed to the \$10.00 per acre rate; Mr. Patton stated that he was not opposed. Kenny Cates asked Jim how many home sites are there; Jim replied that there are ten.

Larry Schafer 9451 S 600 W, Fairmount came before the Board. Mr. Schafer stated that ever since the huge culvert was put in, he gets flooded more often than before. He stated they put in another manhole, but it goes into the same pipe. This was done by the county highway department. Gordon Gough asked where the manhole is, it is by the culvert. Mr. Schafer added that it get plugged up by corn stalks; Gordon stated that he could clear off the grate. Kenny Cates made the motion to set the rate at the advertised amount of \$10.00 per acre with a \$150.00 home site and a \$150.00 minimum assessment with an eight year collection. Seconded by Richard Cox; motion carried with support 4-0, with Gordon Gough abstaining due to having land in the Power Drain watershed. Mark Bardsley stated that the new rate will not be in effect until spring collections in 2017.

### Point Isabel - Public Hearing

Jim Todd stated that the current assessment rate on the Point Isabel is .65¢ per acre with a minimum of \$5.00. This water shed brings in \$561.65 yearly. Due to the increased cost to maintain this drain, the Grant County Drainage Board would like to raise the assessment to \$10.00 per acre with a \$150.00 home site and a \$150.00 minimum assessment with an eight year collection. The advertised rate would bring in approximately \$10,372 yearly.

Loretta Scott 7740 W 900 S, Fairmount, approached the Board asking where the tile is from her property; Jim Todd responded that it is just to the east of her. She is opposed to the \$150.00 home site rate stating that it would be hard for her to pay that rate. Mrs. Scott asked if the money collected on the Point Isabel has been used for other drains; Jim replied stating that the money collected on the Point Isabel is only used on Point Isabel. Jim added that these records are maintained by the State Board of Accounts and money is never spent on any other drain, only the drain that collected, money can never be "juggled" from one maintenance account to another. Kenny Cates stated that this tile needs repaired but you have to have the money to do it. Kenny Cates made the motion to set the rate at the advertised amount of \$10.00 per acre with a \$150.00 home site and a \$150.00 minimum assessment with an eight year collection. Seconded by Gordon Gough; motion carried with support 5-0. Mark Bardsley stated that the new rate will not be in effect until spring collections in 2017.

### Brumfield-Minnick - Public Hearing

Jim Todd stated that the current assessment rate on the Brumfield-Minnick is \$2.00 per acre with a minimum of \$5.00. This water shed brings in \$1,709.92 yearly. The Grant County Drainage Board would like to raise the assessment to \$10.00 per acre with a \$150.00 home site and a \$150.00 minimum assessment with an eight year collection.

The advertised rate would bring in approximately \$8,892.00 yearly. Jim added that he did receive one letter of objection from Randy Felheim. Mr. Felheim's letter is in regards to the open ditch getting less money spent on it than the tile. Jim stated that in the future they could split the open ditch and the tile, but some landowners would pay on both assessments; this is something that could be discussed at a later date, adding that very little of the open ditch is on maintenance.

Randy Felheim 6378 W 600 N, Marion, came before the Board. Mr. Felheim stated that the maintenance on the open part has been zero compared to the closed part. He would like to know why he is paying the same amount as the ones on the closed tile, they are benefiting from it, but he is not, adding again that there is not maintenance on the open part of the ditch. He is not opposed to fixing the problem. Jim Todd stated that it was years ago, but they did some work north of his property and dug out the head wall. Mr. Felheim stated that was about thirty years ago. Jim added that usually by the time someone would call in to have work done on the open ditch, the money had already been spent on the tile; Mr. Felheim agreed adding that they usually just did the work themselves. Mark Bardsley stating that splitting the water shed would be an entirely different hearing; today is to discuss the assessment rate on home sites and the per acre amount. Mr. Felheim asked why is the home site rate so high at \$150.00, Gordon responded that it was that a home site will put out water every day when doing laundry, taking baths, flushing the toilet, etc....whereas a farm ground only puts out water when Mother Nature delivers. Richard Cox made the motion to set the rate at the advertised amount of \$10.00 per acre with a \$150.00 home site and a \$150.00 minimum assessment with an eight year collection. Seconded by Pat Pinkerton; motion carried with support 5-0. Mark Bardsley added that the new rate will not be in effect until spring collections in 2017.

**ADJOURN:**

Kenny Cates made a motion to adjourn at 12:46 p.m.; Seconded by Richard Cox, motion carried with support 5-0.

The next scheduled meeting to be held April 26, 2016 at 11:00 a.m.

Minutes recorded by Mary R. Weesner

*Minutes approved:*

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**Mark Bardsley**

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**Gordon Gough**

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**Richard Cox**

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**Kenny Cates**

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**Pat Pinkerton**