

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

The Grant County Drainage Board meeting was held April 26, 2016, 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, Pat Pinkerton and Jim Todd, Grant County Surveyor; Richard Cox was not present.

APPROVAL OF MINUTES:

Kenny Cates made the motion to approve the minutes from the April 12, 2016 meeting as presented; Seconded by Gordon Gough. Motion carried with support 4-0.

APPROVAL OF CLAIMS:

Bragg Excavating \$462.50 Poe Ditch; \$3,944.00 in the fund
Detamore Farms \$248.04 Mathias/Roods Run; \$1,555.29 in the fund
Chronicle Tribune \$28.95 Wybrew Flanagan; -\$924.46 in the fund
Chronicle Tribune \$28.95 Gossom; \$2,556.52 in the fund
Chronicle Tribune \$28.95 Landess Tinkle; \$3,504.71 in the fund
Chronicle Tribune \$14.87 Brumfield Minnick; \$109.19 in the fund
Chronicle Tribune \$27.38 Brumfield Minnick; \$109.19 in the fund
Chronicle Tribune \$14.87 Point Isabel; \$9.86 in the fund
Chronicle Tribune \$27.38 Point Isabel; \$9.86 in the fund
Chronicle Tribune \$14.34 Powers Drain; \$221.36 in the fund
Chronicle Tribune \$27.38 Powers Drain; \$221.36 in the fund
Chronicle Tribune \$27.38 Leisure Drain; \$859.29 in the fund
Chronicle Tribune \$14.87 Elza Black; \$479.35 in the fund
Chronicle Tribune \$14.87 Stewart Morris; \$717.60 in the fund
Chronicle Tribune \$14.87 Ratliff Tile; \$460.35 in the fund
Van Horn Excavating \$15,181.00 Pipe Creek; \$143,269.93 in the fund

Byron Cook Excavating \$1,330.25 Potter Creek; \$16,892.48 in the fund

Byron Cook Excavating \$1,890.00 Pipe Creek; \$143,269.93 in the fund

Drewry Simmons \$55.00 Hummel Creek; -\$71,291.55 in the fund

Gordon Gough made the motion to approve the claims, excluding the Chronicle Tribune claims for the Powers Drain, as presented; seconded by Pat Pinkerton. Motion carried, with support 4-0. Kenny Cates made a motion to approve the Chronicle Tribune claims for the Power Drain as present; seconded by Pat Pinkerton. Motion carried with support 3-0, with Gordon Gough abstaining due to having land in the Powers Drain watershed.

Gordon Gough asked why the Wybrew Flanagan was in the red; Mary Weesner will research and have the information at the next Drainage Board meeting.

OLD BUSINESS:

Stamper Ditch

Don Wimmer from Wimmer Land Surveys returned to the Board. Mr. Wimmer presented the Board with a map of the plans (also attached to the minutes) showing where the building would be built. He added that he talked to the owner on the east side of the ditch; this building would be about 30x40 in dimension. Mr. Wimmer stated that he has been present in front of the Area Plan Board. There will be a 75' easement on the west side. Gordon Gough asked Mr. Wimmer if he is wanting to bump the easement on the east side down to 30', asking him for about how many feet for the 30' easement; Mr. Wimmer replied that it would be about 90-100' before transitioning back to the 75' drainage easement. After discussion, Jim Todd recommends that the Board grant the easement reduction to 30'. Gordon Gough made the motion to Mr. Wimmer to bump the easement down to 30' as per the drawings that were presented to the Board,

the easement would then go back to the full 75'. Seconded by Pat Pinkerton; motion carried with support 4-0.

Little Crane Pond

Jim Todd informed the Board that he has called Smoke Valley Tree Service, but has not been able to talk to them about the remaining trees on Little Crane Pond. Jim added that hopefully the weather will break, and then they can get in there soon.

NEW BUSINESS:

Dollar General - Drainage Approval

Andrew Rossell of AR Engineering approached the Board. He is here requesting Drainage Board approval. He stated that he knows that the field behind the location, to the south, all drains across this property to the intersection of State Road 26 and Barclay. Mr. Rossell stated that their intent is to redirect the water and to construct an 80,000 cubic feet detention basin to help hold some of the water coming across the field. This basin would be separate from the Dollar General detention basin, which would be another 11,600 cubic foot detention basin. The town of Fairmount's engineer is also reviewing these plans. Pat Pinkerton asked Mr. Rossell about the hard surface water; Mr. Rossell stated that it would go into this basin that hooks into Fairmount's storm system. Gordon Gough asked about the houses that flood; Mr. Rossell stated that they will construct their basin to have a berm and a swale to redirect the water down to this basin. All the water from the south will hit that berm and be redirected to the basin. Jim Todd stated that he and George Camacho went on site to review this and he is ok with this. Jim added that the Board could approve the additional discharge that would go to the Dillon Ditch, but, Jim added that the Board would be reluctant to take on the responsibility of any future reliability. Jim stated that if the town's drain blocks or collapses, this will all flood this area. Gordon Gough asked Mr. Rossell if this land was zoned to the town of

Fairmount; Mr. Rossell stated that it is not zoned in the town of Fairmount. Mr. Steve Niblick, Director the Grant County Area Plan Department was present. Gordon Gough expressed concern regarding the neighbors being flooded out. Gordon added that if the neighboring homes get flooded, it is not responsibility of the Drainage Board. Mark Bardsley asked the Board if they felt that they needed to get some sort of declaration from the town of Fairmount; Pat Pinkerton agreed. Don Wimmer spoke up and stated that the Board should have the town of Fairmount should make up a "Hold Harmless" agreement stating that the Grant County Drainage Board would not be held liable for any damages. Kenny Cates made the motion that the Grant County Drainage Board approves the sight plan contingent on the approval of the Fairmount town council, we will receive the water, will need a "Hold Harmless" agreement with the Fairmount municipality; with that, the Grant County Drainage Board grants their approval; seconded by Pat Pinkerton. Motion carried with support will 4-0.

Little Pipe Creek

Kevin Holcom and Matt Christman of IMI were present before the Board to discuss the ditch project that has been going on the last four years. Mr. Holcom stated that in 2012, they had submitted a plan to relocate the ditch that is in their quarry. The ditch runs right through the middle of their deposit; they have discussed taking the ditch from its beginning at the south end of the quarry straight west to 700 W and then go north with it. They were actually going to cross 600 S at the other end and connect straight in. Through research, they discovered a gas main that would have cost at least \$500,000.00 to relocate. Mr. Holcom stated that they have still followed 700 W, straight north, but instead of crossing 600 S, they have turned east and are going to connect into the existing ditch. He stated that he had talked to David White of the Grant County Highway Department the other day Mr. Holcom had mentioned to Mr. White about possibly

abandoning 700 W as a county road; there are no residences on 700 W. Mr. Holcom had given the Board a map and plans to what he wanting to do. Mr. Christman explained that the proposed shallowest part of the ditch can handle a 100 year flood. The west side of the ditch will have to be used for any maintenance since the east side is crowded. Mr. Christman added that they will rip rap the corners. Mr. Holcom stated that if they do create something that causes a problem, they will fix it. Mark Bardsley asked the Board if they need a new legal description on the new ditch yet; Jim Todd said that they will need the legal description after the ditch is completed. Mark then asked if they were going to abandon the current line; Mr. Christman explained that they will leave it where it is. Jim Todd recommends to the Board that they approve this plan. Pat Pinkerton made a motion to approve the relocation revision as presented, noting that IMI is financially responsible for the work to be completed; seconded by Kenny Cates. Motion carried with support 4-0.

Barren Creek

Jim Todd spoke on behalf of Dave Bettegnies. Mr. Bettegnies has three outlet pipes that were torn off with the new maintenance dig out. Jim added that he does not feel that it is the contractor's fault; they could not see the pipes. Jim Todd recommended that the Board agree to use the maintenance fund to put the pipes back in on the end. Gordon Gough stated that when we do a ditch, it is up to the land owner to mark them. If they are not marked and they get torn out, then it is the land owners responsibility to put them back in, not the contractor. Gordon Gough he would like the land owner to come to a meeting to explain why he feels the Board should be responsible to put the ends back on; Jim Todd stated that he will go out and look at the situation.

OTHER BUSINESS:

Stewart Morris Winegardner - Public Hearing

Jim Todd stated that the current assessment rate on the Stewart Morris Winegardner 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 \$270.00 per year; with the new proposed rate, it would bring in \$5,761.00 yearly. Jim added that he had looked into the files because he knew that the land owners had done some tile replacement with the Drainage Boards approval. Jim noted that he did find where \$31,000.00 worth of work that was done. Mark Bardsley asked if there were any letters of objection; Jim Todd stated that there were no letters received. Dan Carey, 6249 S 600 W, Swayzee approached the Board. Mr. Carey stated they have replaced the tile entirely, adding that they have actually added 40 acres. They have gone all the way to 400 W north of 700 S. Mr. Carey feels that since they spent close to \$150,000.00 on the replacement, the rate should be left as it is and not raised. Jim Todd agrees that this should be left at the current rate because there will be no upkeep, it is all brand new. Pat Pinkerton made a motion to leave the Stewart Morris Winegardner at its current rate of .50¢ per acre with a minimum of \$5.00. Seconded by Kenny Cates, motion carried with support 4-0.

Elza Black Tile - Public Hearing

Jim Todd stated that the current assessment rate on the Elza Black is .50¢ per acre with a minimum of \$5.00. This water shed brings in \$130.50 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 \$2,789.30 yearly with 261 benefited acres. There were no letters of complaint from land owners. No land owners were present to object to the proposed rate. Gordon Gough made the motion to approve the proposed rate of \$10.00 per acre with a \$150.00 home site and a \$150.00 minimum with an 8 year collection. Seconded by Pat Pinkerton, motion carried with support 4-0.

Ratliff Tile - Public Hearing

Jim Todd stated that the current assessment rate on the Ratliff Tile is .57¢ per acre with a minimum of \$5.00. This water shed brings in \$123.16 yearly with 163 benefited acres. 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; this new rate would bring in \$2,482.00 yearly. Pat Pinkerton asked Jim Todd when the last time any work has been done on this tile, Jim replied that he does not recall any work ever being done on it. James Cisney 5190 S 800 W was present before the Board. Mr. Cisney stated he is on a fixed income and feels that \$150.00 would not be easy with their limited income. Gordon Gough explained that is the cost of living in the country and that their water has to go somewhere. It would be about \$12.50 per month. Gordon Gough made a motion to approve the proposed rate of \$10.00 per acre with a \$150.00 home site and a \$150.00 minimum with an 8 year collection. Seconded by Kenny Cates, motion carried with support 4-0.

Honey Creek

Jim Todd presented the Board with a petition for a public hearing for the Honey Creek. Pat Pinkerton made the motion to accept the petition for a public hearing. Seconded by Gordon Gough, motion carried with support 4-0.

Possum Run & the Brown Ditch

Jim Todd informed Mark Bardsley that Mrs. Taylor had been up to his office stating that the Health Department told her that if the ditch backs up then her leach field could go bad. Mrs. Taylor wants David White to replace the pipe that runs underneath. Jim informed her that the Drainage Board is not the one that would decide this; it would be David White. Jim informed the Board that the farmers have been talking about dredging the Brown Ditch with their own money and David White told her if that happens then he would put a bigger pipe in. Jim informed Mark Bardsley that she plans to attend a Commissioners meeting soon.

Hummel Creek

Jim Todd explained that we have received a letter from Matt Meade stating that he has spoken with DNR and found out that we need a permit to remove the pipes. The engineering permit costs shall not exceed \$13,000.00. Mark Bardsley signed "The Order to Proceed" from Matt Meade of Christopher Burke Engineering. Mary Weesner will forward this to Mr. Meade. Pat Pinkerton made the motion to approve the agreement with Christopher Burke t not exceed \$13,000.00. Seconded by Kenny Cates, motion carried with support 4-0.

ADJOURN:

Kenny Cates made a motion to adjourn at 1:16 p.m.; Seconded by Gordon Gough, motion carried with support 4-0.

The next scheduled meeting to be held May 10, 2016 at 11:00 a.m.

Minutes recorded by Mary R. Weesner

Minutes approved:

Mark Bardsley

Gordon Gough

Richard Cox

Kenny Cates

Pat Pinkerton