

**GRANT COUNTY DRAINAGE BOARD  
401 SOUTH ADAMS STREET  
MARION, INDIANA 46953**

The Grant County Drainage Board meeting was held May 9, 2017 in the Grant County Council Chambers. Chairman Mark Bardsley called the meeting to order at 11:03 a.m. Other members present were Gordon Gough, Kenney Cates, Richard Cox, Pat Pinkerton and Grant County Surveyor Jim Todd.

**APPROVAL OF MINUTES:**

Kenny Cates made a motion to approve the April 25, 2017 minutes as presented; seconded by Pat Pinkerton. Motion carried with support 4-0. Richard Cox abstained since he was not present at the April 25, 2017 meeting.

**APPROVAL OF CLAIMS:**

Jim Todd reviewed the claims as follows:

R. Cates Farms \$3,640.00 Doty Ditch; \$2,842.72 in the fund  
Adam Swagger \$960.00 Thompson Ballinger; \$6,147.37 in the fund  
CF Excavating \$392.00 Point Isabel; -\$2,561.00 in the fund  
\*Collecting about \$4,500.00 in May 2017  
CF Excavating \$1,126.00 Point Isabel; -\$2,561.00 in the fund  
\*Collecting about \$4,500.00 in May 2017  
CF Excavating \$1,152.00 Potter Creek; \$23,550.84 in the fund  
CF Excavating \$208.00 Powers Ditch; \$15.02 in the fund  
\*Collecting about \$5,000.00 in May 2017  
Byron Cook \$2,455.00 Drake Ditch; \$2,601.49 in the fund

Richard Cox made a motion to approve the above claims as presented, excluding CF Excavating for the Powers Ditch; Seconded by Gordon Gough. Motion carried with support 5-0.

Kenny Cates made a motion to approve the CF Excavating claim for the Powers Ditch; Seconded by Richard Cox. Motion carried 4-0 with Gordon Gough abstaining due to having land in the Powers Ditch water shed.

## **OLD BUSINESS:**

### Trenching Ordinance

David White, Superintendent for the Grant County Highway Department is present before the Board regarding the trenching ordinance. Mr. White has met with the attorney, Kyle Persinger. In his meeting with Mr. Persinger, the following was discussed:

Section 2 Part A; Mr. White stated that he does not have a problem doing the highway right of way, but regarding permits, if it does not have anything to do with the highway, then he does not have the authority to okay the work. He does not want to be responsible.

Section 2 Part B; Mr. White stated that if it is not on the highway or the right of way, it needs to go to the Drainage Board, Jim Todd agreed. Mr. White added that later in Part B, it talks about proof of insurance and workman's comp, he wants to know if they have to have proof at the time, and Mark Bardsley stated that they do require this at the time of the permit. Kenny Cates felt that some farmers may have a problem with acquiring a million dollar bond. Pat Pinkerton stated that anytime someone does work in the right of way, you are responsible. You want to make sure that whoever is doing the work has adequate coverage otherwise, the County could get sued.

Section 2 Part C; Mr. White stated he wanted this section changed from ten days to thirty days.

Mr. White feels that for the road right of way, it needs to be surveyed by a licensed surveyor because it is hard to say when the right of way was established. Mark Bardsley asked if Mr. White wants proof of a licensed survey brought to the Surveyor's office; Gordon Gough added that it takes quite a bit of time to get a survey done.

Section 3: Regarding inspections, Mr. White would like it to say that the Highway Department should not have to do the inspection if it is not in the road right of way, it would be whoever issued the permit. Jim Todd added that he could do the permitting and inspecting for the Drainage Board.

Section 2 Part C; Mr. White added that the part regarding the notice to be given to the land owners prior to the construction, this should only be the people that the work is being done on their property.

Mark Bardsley stated that he would have Kyle Persinger put all this together and then they could go through it again.

Gordon Gough added that they need to have an open cut so that if they cut into a tile they can repair it.

### Brown Ditch

David White stated that there is a land owner that wants him to put a bigger pipe in on the Brown Ditch. Jim Todd stated that there are only two land owners that actually own property on the Brown Ditch; they need to decide if they want to put on maintenance or pay for the repairs themselves. Jim added that the landowners would be assessed since they benefit as well. Jim stated that he has given the land owners an assessment roll and a petition for a public hearing; they have not yet turned in the petition.

### Fadley & Owl

Mark Bardsley informed the Board that he has pictures from behind the school with standing water. Gordon Gough stated that the Board will have to borrow the money and we need to make sure that the interest is added in for the assessments. Mark Bardsley will check with Kyle Persinger for an update for the bidding for the banks for our June 13<sup>th</sup> meeting. State Board of Accounts requires three bids from the banks.

### Little Creek

Jim Todd stated that there is nothing new to report and that we will do the work needed when the funds become available.

### Little Crane Pond

Jim Todd stated that he has the legal description and the water shed that would be vacated.

### Hummel Creek

Jim Todd informed the Board that Matt Mead called him asking where the Board stands on Hummel Creek; Jim asked Mr. Mead to please be on stand by for the meeting for Mr. Mead, Mark Bardsley and Mr. Ott.

### Big Deer Creek

Jim Todd informed that Board that this is on stand-by until there is money in the fund for work that needs to be done.

## **NEW BUSINESS:**

### Knates Branch of the Keaton, Keaton Ditch and Cleopas & Haines

Jim Todd has a map that he presents to the Board. Jim is speaking on behalf of David Devore. Jim explained the Knates is a tributary to the Keaton. The Keaton and the Ratliff are on maintenance. Jim explained that he does not want the homeowners to double-up on the home site assessment of \$150.00. Jim presented the assessment rolls that have been completed. The Ratliff also flows into the Keaton, but it was reassessed last year. The Board discussed a rate of \$10.00 per acre, same as the Ratliff. The Board has set hearing dates as follows; The Cleopas & Haines hearing will be August 8, 2017 and the Knates Branch of Keaton and the Keaton Ditch will be held on August 29, 2017. Richard Cox made a motion to hold these public hearings on the above listed dates; Seconded by Pat Pinkerton. Motion carried with support 4-0 with Kenny Cates abstaining due to owning land in the watershed of Keaton Ditch.

## **OTHER BUSINESS:**

Jim Todd wants to inform the Board that Gary Owens, who owns a pond on 300 N, had an agreement with land owners to lower his pond. With the Board's blessing, Jim would like to call Mr. Owens and remind him that this needs to be done.

### Pollywalk

Jim Todd stated that he has the figures that the Board requested from the Madison County Surveyor. Jim added that Grant County has 3.05 miles and Madison County has 3.13 miles, Grant County has 1,010 benefited acres while Madison County has 1,701 benefited acres and Grant County has 16,090 feet of ditch and Madison County has 16,500 feet. Jim stated that if nobody wants to be on a joint board, then the Drainage Board needs to waive their rights. Gordon Gough feels that Grant County needs to be represented, Richard Cox agrees. Neither would like to sit on the joint board. Jim Todd asked Gordon if he would like to talk to the surveyor from Madison County before making a decision. Gordon stated he would call the surveyor and talk with him and discuss results at the next meeting.

### Brown Ditch

Rosalinda Taylor 3944 N 500 W, Marion is present before the Board. Mrs. Taylor informed the Board that she had approached them a year ago regarding a drainage issue. Mrs. Taylor stated that the farmers had come together and paid for all the work to be done, which made a huge difference on her property. She has spoken to David White about enlarging the culvert. She asked if there is any code or bylaw that if not everybody is in agreement, can they be forced into doing the work. Jim Todd told her that he gave the land owners an assessment roll and it is up to them to petition the Board for a public hearing. If there was a ditch tax, the Board could force the work to be done. Mrs. Taylor asked about sinkholes at her friend's property on the Possum Run; she wants to know if there is any money in that fund. Jim responded that where the sink holes are that she is speaking of is on a private tile and maintenance money cannot be used on a private tile.

### Barren Creek

Gordon Gough asked about the clearing of New Prairie and the Galatia. Jim Todd stated that they had not yet discussed where to start until he has researched. Jim will send out letters to let the land owners know that he will be on their land.

**ADJOURN:**

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

The next scheduled meeting to be held is May 30, 2017 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