

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

The Grant County Drainage Board meeting was held November 14, 2017 in the Grant County Council Chambers. Gordon Gough called the meeting to order at 11:01 a.m. Other members present were, Kenny Cates, Pat Pinkerton and Grant County Surveyor Jim Todd. Mark Bardsley and Richard Cox were not in attendance.

APPROVAL OF MINUTES:

Kenny Cates made a motion to approve the minutes, as corrected, from the October 31, 2017 meeting as presented; Seconded by Gordon Gough. Motion carried with support 2-0, with Pat Pinkerton abstaining due to not being in attendance.

APPROVAL OF CLAIMS:

Jim Todd presented the claims as follows:

Chronicle Tribune \$28.68 Carey Tile of Brushy Run; \$8,311.49 in the red

Chronicle Tribune \$14.20 Fadley & Owl; \$7,259.70 in the red

Chronicle Tribune \$28.68 Isaiah Tile & Hodson; \$628.33 in the fund

Chronicle Tribune \$28.14 Winger Drain; \$1,363.56 in the red

Chronicle Tribune \$18.49 Cleopas & Haines; \$49.31 in the red

Chronicle Tribune \$28.14 Wigger Tile; \$613.35 in the red

Chronicle Tribune \$28.14 Poe Drain; \$1,275.96 in the red

Chronicle Tribune \$116.52 Fadley & Owl; \$7,259.70 in the red

Chronicle Tribune \$38.86 Barren Creek; \$90,026.25 in the fund

Rayl Engineering \$4,050.00 Barren Creek; \$90,026.25 in the fund

Rayl Engineering \$420.00 Fadley & Owl; \$7,259.70 in the red

Redman Excavating \$18,179.75 Dillon Winslow Tuttle; \$705.88 in the fund

Kenny Cates made a motion to approve the above claims as presented; seconded by Pat Pinkerton. Motion carried with support 3-0.

OLD BUSINESS:

Little Creek – Request future maintenance to cut the trees; \$2,127.63 in fund

Little Crane Pond

There are no updates on Little Crane Pond at this time.

Hummel Creek

There are no updates on Hummel Creek at this time.

Big Deer Creek – Terril Fetz = Request maintenance

Jim Todd informed Gordon Gough that he and Gordon need to go look at this; Gordon stated that they need to do this before the next meeting.

NEW BUSINESS:

Jim Todd informed the Board that he had sent out 8 invitations for quotes.

Taylor Creek – Quotes - \$44,411.00 in the fund

Enyeart Construction

Brushing, bottom cleanout, seed through woods areas and spray stumps.

Quote #1

N 00 S to S 900 W bridge (7,650 feet) \$36,337.50

Quote #2

900 W south bridge to treatment plant (10,882 feet) \$65,292.00

Redman Excavating

Quote #1 \$43,987.50

Quote #2 \$92,497.00

Jim Todd explained that they knew there was not enough in the maintenance fund to do it all, so therefore, they broke it up into two phases. Jim added that 900 W south bridge to the treatment plant is the work that needs done

the most. Jim feels that the best solution at this time would be to table these quotes and send another one out and try to go from 300 S to the treatment plant. Pat Pinkerton made a motion to table the quotes until next meeting; Seconded by Kenny Cates. Motion carried with support 3-0.

Thompson Ditch – Quotes – \$59,217.00 – in the fund

Jim Todd stated that the Thompson Ditch is a 4,490 foot clean out that was already brushed last season.

<u>Enyeart Construction</u>	\$ 7,049.00
Rip rap per ton – installed	\$ 38.50
<u>Keith Sullivan Excavating</u>	\$13,800.00
Rip rap per ton – installed	\$ 39.55

Gordon Gough asked Jim if he knew how many tons of rip rap to complete this work; Jim replied that he had requested the amount of rip rap per ton because he knows of a couple of wash outs. Jim added that there is money in the maintenance fund to complete this work, there is \$59,217.00 in the fund. Jim Todd recommended to the Board that they use Enyeart Construction for this job. Pat Pinkerton made a motion to award this contract to Enyeart Construction; Seconded by Kenny Cates. Motion carried 3-0.

Little Creek – Quotes – \$2,127.00 + \$4,500.00 (fall) – in the fund

This quote is for brushing only.

<u>Enyeart Construction</u>	\$14,575.00
<u>Redman Excavating</u>	\$ 6,500.00
<u>Bragg Excavating</u>	\$10,720.00

Jim Todd informed the Board that currently there is \$2,127.00 in the maintenance fund, but it should bring in about \$4,500.00 in the fall. Jim recommended to the Board that they use Redman Excavating for this job.

Kenny Cates made a motion to award this contract to Redman Excavating; Seconded by Pat Pinkerton. Motion carried 2-0 with Gordon Gough abstaining due to the fact that his brother has land in Little Creek water shed and feels it may be a conflict of interest to vote on this motion.

OTHER BUSINESS:

Harper Ditch – Public Hearing

Jim Todd informed the public that the current maintenance rate for the Harper Ditch is \$1.00 per acre with a \$5.00 minimum, which brings in about \$4,019.00 per year. Then Harper has 3,904 benefiting acres. The proposed increase of \$10.00 per acre, \$150.00 home site with a \$100.00 minimum for an eight year collection would bring in approximately \$49,844.00 per year. This ditch is currently \$24,535.00 in the red. Jim added that there were two home sites that are objecting. Jim reviewed the objections with 6% of the home sites and .49% of the benefited acreage objecting.

David Devore 7579 W 700 S, Swayzee

Mr. Devore is before the Board regarding the Harper Ditch. Mr. Devore stated that during discussions with numerous land owners, they feel that \$5.00 per acre should be adequate for an eight year collection. Mr. Devore added that it will almost be out of the red after the first year of collection. With the \$5.00 per acre, it would build up over \$130,000.00 if not used, and this should be adequate to keep this ditch maintained. Mr. Devore did not discuss the home site rate, just the tillable rate. Jim Todd recommended a minimum of \$25.00 for small acreage.

Guy Logan 7830 S 900 W, Swayzee

Mr. Logan stated that he has a problem with the amount for home sites. He added that it is not right for someone with an acre with a home on it would pay the same amount as a farmer with 15 acres, which is a productive land. Gordon Gough asked Mr. Logan what he would like to see for a home site charge; Mr. Logan replied that he would rather do away with the home site charge. Jim Todd explained that county has a lot of ditch taxes and variations over the years, there are a lot of drains that a home site has not been applied to, but over the last couple of years, the newer ones charge home sites. Jim

adds that Huntington County's highest is \$75.00 per home site. Gordon Gough explained that part of the reason for the home site charge is because you put water into the system every day, but the farmers only put water into the system when Mother Nature gives it. Mr. Logan stated that he does not feel that he benefits because his house will not flood and his road is dry. He added that just because other counties charge a home site, does not mean that we have to. Mr. Logan said that \$150.00 is a real burden; it is half of what he pays in taxes every year. He suggested that something in the \$10.00 to \$20.00 range would be more acceptable. Jim Todd stated that if we went to a \$5.00 per acre, we could have a \$25.00 minimum, and that would cover anything under five acres. Kenny Cates reminded Mr. Logan that he uses the stool and washes dishes and that water has to go somewhere. Gordon Gough informed Mr. Logan that if a farmer has a large chunk of land with a home on it, he is paying the home site as well; Mr. Logan does not feel that he should have to pay it either. Gordon wanted to reassure Mr. Logan that the Board is not picking on the home owners and taking care of the farmers, it is all the same. Kenny Cates reminded him that he produces water every day; he does have a septic tank and even taking a bath.

Richard Young 7731 W 600 S, Swayzee

Mr. Young informed the Board that he is retired and lives on a fixed income and the \$150.00 per home site is too much. Mr. Young informed the Board that Mr. Devore's property is by his; Mr. Devore and his family do a great job of maintaining that ditch. He added that he sits high above the creek and it is 100-150 yards south of his back door. The one on the west side of his property is at least 200 yards. Mr. Young does not see how, even if he flushed his toilet all day long, would cause a water problem. He said that he does not think that the water from his property would reach the creek. He feels that the tile may even be crushed. He asked Mr. Devore, but he could not remember. Mr. Young had all his trees along with his fence removed and has all of his property landscaped. Kenny Cates responded that his water goes someplace. Gordon Gough asked Mr. Young's recommendation for a home site charge; he replied that he thinks \$30.00 to \$35.00 would be fair. Mr. Young asked about his property taxes and if they cover this; Gordon informed him that property taxes cover the property but there is for the ditches and it keeps the

ditches working. Jim Todd explained that the Indiana Drainage Code has its own set of ditch laws and that the ditch tax is a separate tax governed by the Drainage Board in each county. Mr. Young asked when this came into effect; Jim responded it started in 1965. Gordon Gough added that there are a lot of farmers that have been taking care of these ditches on their own for a long time.

Josh Carey 7886 S 900 W, Swayzee

Mr. Carey stated that he is here representing several people, totaling over 200 acres. Mr. Carey added that it cost money to move water. He feels that \$25.00 home site with \$5.00 per acre. Mr. Carey asked about a spray program, Jim Todd told him to get prices for a spray program and bring in front of the Board. Gordon Gough stated that he would like to see the maintenance funds get enough in them to implement a spray program for the entire county. Kenny Cates stated that Huntington County will spray the north 1/2 one year and then the south 1/2 the next. Kenny Cates added that the State Board of Accounts has come in and told the Board to bring up the maintenance funds to repay the General Drain Improvement funds to remove these ditches from a negative balance.

Guy Logan 7830 S 900 W, Swayzee

Mr. Logan approached the Board again asking why, if Mr. Devore has been keeping the ditch up, is it in the red. Jim Todd responded by stating that we had a reconstruction a few years ago and the engineering was not applied to auditor's office.

Rhonda Price 9287 W 600 N 27, Converse

Mrs. Price stated that she has 93 acres with ponds and is in support of the \$5.00 suggestion by David Devore. She agrees that there is a problem that needs fixed. Mrs. Price already pays into the Keaton and Relfe and now the Harper.

John Kincaid 7509 W 500 S, Swayzee

Mr. Kincaid stated that he had sent a letter of objection to the Drainage Board office. He had asked that it be read. Mary Weesner informed Mr. Kincaid that

his letter was read and it was determined that since he is paying a home site charge on the Keaton Ditch. Mary let him know that his assessment for the Harper Ditch has been changed, removing the home site charge. Mr. Kincaid is not opposed to getting this ditch running, it has never run right. He feels that the amount proposed is excessive and would rather see \$5.00 per acre with a \$25.00 minimum. Kenny Cates stated that he cannot make a motion or vote on this issue since he has water in the Harper Ditch, but he recommends \$5.00 per acre with a \$75.00 for home site assessment. Kenny added that David Devore has maintained his portion of the Harper on his own with no reimbursement; we need to get these ditches out of the red so that work may be done to improve them. Pat Pinkerton stated that the difference between \$75.00 per home site and \$25.00 is only \$1,600.00 per year; not a very big difference. Pat Pinkerton made a motion to assess the Harper Ditch at \$5.00 per acre, \$25.00 home site charge and \$25.00 minimum for an eight year collection; seconded by Gordon Gough. Motion carried 2-0 with Kenny Cates abstaining due to land in the Harper Ditch water shed.

Jim Todd needed to address the Board regarding the Auditors office. Jim alerted the Board that Chris Hancock, previously with the Auditors office, had been given the Drainage Board certifications with an assessment roll of the new rates for all the public hearings that we had been having over the past couple of years by Mary Weesner, but it turns out, that after Mr. Hancock had left the Auditors office, the certifications with assessment rolls were nowhere to be found. It is safe to assume that Mr. Hancock possibly threw them away. Mary Weesner informed the Board that a couple years ago as she was taking some certifications to Mr. Hancock that he informed him that he did not want them, he did not need them and did not want to take from her. Mary informed Jim Todd who then in turn, called Mr. Hancock and informed him that he has to have the Board signed certifications on file of any changes in the ditch assessments and that Mary Weesner will continue to bring them to him. Mary Weesner added that when giving them to Mr. Hancock he would throw them on his window ledge. Jim and Mary informed the Board that Mary has to research all the public hearings for the last three years and copy the certification with Board signatures and attach them to assessment rolls and take them back to the Auditors office and give them to Angie Jarvis. Gordon

Gough stated that he feels Mark Bardsley needs to address this situation to the commissioners and to the auditor. Jim Todd informed Gordon that they still do not have a ditch person yet in the auditor office and one needs to be assigned.

ADJOURN:

Kenny Cates made a motion to adjourn at 12:02 p.m.; Seconded by Pat Pinkerton motion carried with support 3-0.

The next scheduled meeting to be held is November 28, 2017 at 11:00 am

Minutes recorded by Mary R. Weesner

MINUTES APPROVED:

****ABSENT****

MARK BARDSLEY

GORDON GOUGH

****ABSENT****

RICHARD COX

KENNY CATES

PAT PINKERTON