

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

The Grant County Drainage Board meeting was held November 28, 2017 in the Grant County Council Chambers. Mark Bardsley called the meeting to order at 11:05 a.m. Other members present were Gordon Gough, Kenny Cates, Pat Pinkerton, Richard Cox and Grant County Surveyor Jim Todd.

APPROVAL OF MINUTES:

Kenny Cates made a motion to approve the minutes as presented from the November 14, 2017 meeting; Seconded by Pat Pinkerton. Motion carried with support 3-2, with Mark Bardsley and Richard Cox abstaining due to not being in attendance.

APPROVAL OF CLAIMS:

Jim Todd presented the claims as follows:

Town of Sweetser \$473.00 Keaton Ditch; \$5,810.88 in the fund

Town of Sweetser \$300.00 Ratliff Tile; \$2,075.85 in the fund

Chronicle Tribune \$28.68 Harper Ditch; \$24,545.40 in the red

Enyeart Construction \$2,090.00 Weasel Creek; \$41,074.09 in the fund

CF Excavating \$1,100.00 Lugar Creek; \$59,217.83 in the fund

Richard Cox made a motion to approve the above claims as presented; seconded by Gordon Gough. Motion carried with support 5-0.

OLD BUSINESS:

Little Crane Pond – Nothing new to report

Hummel Creek – Nothing new to report

Big Deer Creek – Terril Fetz = Request maintenance

Taylor Creek – discuss quotes vs. maintenance fund

Jim Todd reminded the Board that we had taken quotes on Taylor Creek awhile back to do work on down to 900 W. Jim added that he feels that it needs cleaned under the next three bridges and on around, but at \$65,292.00, with Enyeart being the lowest bid. Jim said that there is \$44,411.00 in the fund and that Taylor Creek brings in around \$9,700.00 per year. The collection has been shut off. Jim added that if the Board commits to spending this money and getting the treatment plant and the area just north of it cleaned out and take the \$44,411.00, there would still be \$20,881.00 short. Jim stated that the plan is to hold a hearing to raise the maintenance tax on Taylor Creek; currently it is \$1.00 per acre with a \$5.00 minimum. Jim Todd said that if the Board had a hearing next year plus bring in \$9,700.00; adding that this should allow the Board to think about borrowing about \$20,000.00 from the General Drain Improvement Fund. Jim stated that the first phase was \$36,000.00 and that would be down stream and that we would have to put that off until we had a public hearing next year. Jim added that it is important that the treatment plant drain properly, adding that they have been written up before. Gordon Gough feels that there may be a lot of objections from the people in Swayzee. Mark Bardsley asked if there had been a request to spend the money and do the work, Jim stated that the town has requested the work to be done. Kenny Cates added that he would like to see the work done soon. Gordon Gough made a motion to accept the quote from Enyeart Construction and borrow money from the General Drain Improvement Fund to do maintenance on Taylor Creek; Seconded by Pat Pinkerton. Motion carried with support 4-1 with Kenny Cates abstaining due to land on the water shed.

NEW BUSINESS:

New Prairie/ Galatia – Bid letting

Brad Rayl of Rayl Surveying and Engineering is present before the Board regarding the bids for New Prairie and Galatia Ditches. Jim Todd has given the two bids received for mud and silt removal on the New Prairie and Galatia ditches.

Mr. Rayl opened and presented the bids as follows:

Enyeart Construction is \$96,805.00 and the bid is in complete order.

Redman Excavating's bid is 58,692.90 and the bid is in complete order.

Mr. Rayl added that in lieu of a bid bond, Redman's has submitted a cashier's check for 5% of the bid. Mark Bardsley asked how much is in the fund; Jim Todd replied that there is \$90,026.00 in the fund at this time.

Richard Cox made a motion to accept and award Redman Excavating to perform the required work on the New Prairie and Galatia Ditches; Seconded by Gordon Gough. Motion carried with support 5-0.

2018 Meeting Dates – Board Approval

Mark Bardsley reviewed the proposed Drainage Board meeting dates for 2018 that were submitted by Mary Weesner, noting that on May 8, 2018 is Election Day, asking the Board if they want to reschedule a meeting date, also noting that we are off for December 25, 2018 for Christmas. Gordon Gough added that if necessary, a meeting could be scheduled at a later date. Gordon Gough made a motion to accept the meeting dates as presented; Seconded by Pat Pinkerton. Motion carried with support 5-0.

OTHER BUSINESS:

Galatia Tile – Public Hearing

Jim Todd stated that Galatia Tile is a small water shed that drains Lake Galatia. Galatia Tile is 195.219 acres with an annual collection of \$675.66 at \$3.00 per acre, \$10.00 per home site and a minimum of \$5.00 per parcel. Jim stated that the rate was advertised at \$10.00 per acre, \$150.00 per home site with a \$100.00 minimum per parcel. Currently it is in the red by \$25,827.76 due to an unusual situation. Jim explained that the reason this tile is in the red is because a few years after the reconstruction, it was discovered that part of the tile had collapsed to the 16' hill and Paul Baker got that fixed from the General Drain Improvement Fund. Jim Todd stated that we are waiting to hear from Drainage Board attorney Kyle Persinger regarding writing off some of the debts. Jim feels that if any of them deserves to be written off, it would be the

Galatia. Jim added that when the outlet for the lake backs up, it backs water up onto the county road. Mark Bardsley asked Jim what situation would we be in with this if we were able to write off this debt; Jim responded that it still only brings in \$675.00; there are trees growing over the easement. There was a clean excess path from the outlet to the lake. Jim has cleared this outlet himself in the spring. Mark Bardsley asked that if we were to write off this debt, the Board would still have to look at some kind of increase to work on the Galatia Tile; Jim said yes.

Mark Bardsley stated, publicly for the record, he was contacted by Mr. Persinger stating that he received information from the State Board of Accounts, they stated they would flag this as a problem if we tried to reclaim long term debt and take money from the maintenance, adding that if we try to collect from long term debt that was never collected should be written off. Mark feels that the Galatia debt should be written off and look at the objectives for the future.

David DeRossett 4824 E 793 S, Jonesboro

Mr. DeRossett spoke to the Board stating that he owns the land around Lake Galatia. He added that Paul Baker used to maintain the grate and after he passed away, Mr. DeRossett took care of it for about three years. Jim Todd informed him that Mr. Baker maintained this on his own, never using any of the maintenance money. But, when Mr. Hoskins came and dug into that hill where the tile was crushed; that is when it went into the red. Jim added that this maintenance needs to be raised from \$3.00 to maybe \$5.00 per acre. Jim feels that the \$100.00 minimum and the \$150.00 home site are too high. Mr. DeRossett added that he has drug logs out of the Galatia with his tractor, but has never been paid. Jim Todd explained that Mr. DeRossett would need to come in front of the Board with a quote to do the work and also for permission to work on the ditch. Jim told him if he wanted to work up a price to take down the trees around the lane that has grown up and present his price to the Drainage Board for approval. Mr. DeRossett asked how he does this; Mark Bardsley informed him that he would need to get permission from the Drainage Board to work in the easement and put in a bid. Mark Bardsley explained to the public that the Board has to advertise at a top rate, no matter what drain is in question because we can always reduce the rate but never increase it. Gordon Gough made the motion to set the maintenance rate for

the Galatia Tile at \$10.00 per acre, \$50.00 home site with a \$50.00 minimum for an eight year collection. Seconded by Richard Cox, motion carried with support 5-0.

Little Deer Creek – Public Hearing

Jim Todd informed the public that Little Deer Creek is \$4,964.00 in the red. There are 2,779 acres which bring in \$23,309.27 per year with 57 home sites with the proposed rate. Jim added that the current rate is \$7.50 per acre with a \$50.00 minimum. He added that 5 of the 57 home sites and 151.35 of the 2,723.863 acres objected to the proposed rate of \$10.00 per acre, \$150.00 per home site and \$100.00 minimum. Mark Bardsley asked Jim Todd what the reason is for Little Deer Creek to be in the red; Jim replied that at request of home owners, they had to borrow from the General Drain Improvement fund for work that was needed. Gordon Gough added that there were five land owners on the end, he included, and each put in \$8,500.00 to get the job done to the end. Then Darren Bates said that the land owners cannot do this, claims were done to pay back the five landowners their \$8,500.00.

Mark Hasty 1311 W 1125 S, Fairmount

Mr. Hasty approached the Board informing them that he has 90 acres in the Little Deer Creek water shed. He is questioning that the rate for this is \$7.50 per acre, Gordon Gough stated that is what the records show. Mr. Hasty wanted to know how long the projected rate is going to collect; Jim Todd stated that would be up to the land owners, it could be four years or eight. Gordon added that this drain was reconstructed in 1999 and the rate was \$1.00 per acre. They started at one end and worked their way through, but it was not enough to keep up; this is why the five land owners were going to put the money in to complete the work. It has been discovered that this rate is not high enough to cover the work that was done. Gordon Gough informed the public that he will not be voting on this because he has land in this water shed. Mr. Hasty agreed that they definitely need to keep maintaining it, but some of the land owners do not keep their sprayed. He would like for the Board to receive bids to get this sprayed and keep the brush under control. Jim Todd stated that he has talked to Right of Way Management about spraying and was told it was 15¢ - 24¢ per foot and asked if Richard Cox would talk to the gentleman that attended our meeting last year regarding spraying prices; Richard stated that he did get his license and he will speak to him.

Randal Gunyon 10780 S E 00 W, Fairmount

Mr. Gunyon is before the Board regarding the proposed rate increase for the home sites. He stated that he has talked to a lot of land owners regarding this and it seems extremely high to him. He added that he is retired and this is too much and the eight year collection is too long. Mr. Gunyon asked if the water shed extends to the other side of State Road 9; Jim Todd said that some of this water on the east side of State Road 9 does contribute. He has some photos where it floods on his property. He stated that it also floods Mr. Hasty and his fields. Gordon Gough stated that since it is along the highway, that area is responsibility of the highway department. Mr. Gunyon intends to speak to David White of the Grant County Highway Department; the Board informed him that State Road 9 is the responsibility of the State Highway Department. Richard Cox asked Mr. Hasty what he would suggest for a home site; Mr. Hasty stated that Huntington County is \$75.00 per home site. An unidentified man stated that the home sites have perimeter drains and wanted to make the Board aware; Mark Bardsley stated that the water is going somewhere. Jim Todd asked the gentleman if he was in favor of the \$10.00 per acre. Mr. Hasty stated that they were at \$7.50 before. Jim added that at \$10.00 per acre with a \$25.00 would be fair. Gordon Gough added that as he is doing some calculations to see where they need to be, he stated that the first half mile where it goes into Big Deer Creek needs some work done on it, the trees have not been taken off yet. As you go along, some of the trees are coming back because they have not been sprayed. Gordon does not feel that the rate needs to be \$10.00 per acre, Mr. Hasty asked about \$5.00 per acre, and Gordon stated that it would bring in a little over \$13,000.00 and if the home sites were \$25.00 and the minimum was \$25.00 as well, the home sites would bring in around another \$1,400.00. Mr. Hasty added that he does not feel that \$25.00 per home site is enough adding that Huntington County is a \$75.00 on some of theirs. Kenny Cates stated that he would like to see the home site set at \$75.00.

Randal Gunyon 10780 S E 00 W, Fairmount

Mr. Gunyon is before the Board again stating that while he does have a septic system, it is only his wife and himself and they do not put that much into it. He said that they do not create that much sewage waste. Gordon Gough stated that he has figured that if the rate was set at \$4.00 per acre, \$50.00

home site with a \$50.00 minimum, this would bring in about \$14,000.00 per year, which is more than it is bringing in now. Gordon and Mr. Hasty discussed whether they could keep it sprayed for \$14,000.00 per year; they both are willing to try. Kenny Cates asked them if they were going to spray themselves or hire it to be done; Gordon Gough said they keep theirs sprayed but would have to hire someone to spray where the others don't keep sprayed. Amongst Board discussion, Richard Cox stated he would rather see the rate stay where it is rather than lower it as Gordon Gough is recommending. Gordon added that if you keep the spraying done, maintenance should not be a problem. Gordon Gough stated that he and Mr. Hasty would like to see the rate set at \$4.00 per acre, \$50.00 per home site and a \$50.00 minimum for a four year collection; they feel they can keep the ditch in shape at this rate. Pat Pinkerton made a motion to set the maintenance rate for Little Deer Creek at \$4.00 per acre, \$50.00 per home site and a \$50.00 minimum for a four year collection. Seconded by Richard Cox; motion carried with support 4-0 with Gordon Gough abstaining due to owning land in the water shed. Mr. Gunyon asked for notification from the Board of this rate; Mary Weesner informed him that it will be in the Marion Chronicle Tribune listed as the "Findings & Order" for Little Deer Creek.

Maddox Open Ditch – Public Hearing

Jim Todd informed the public that the Maddox Open ditch is currently \$1,034.30 in the red and is on a four year collection. The Maddox collects \$1,985.00 per year with a \$7,940.00 shut off. This has been worked on a lot over the years and it is a small open farm ditch. There is 1,940 acres in the water shed. The current rate is set at \$1.00 per acre with no home site charge and the state minimum of \$5.00; there are 30 home sites along Maddox Open Ditch. Jim stated that there was 64 acres that have objected to the advertised rate of \$10.00 per acre, \$150.00 per home site with a \$100.00 minimum.

Astrid Richwine P.O. Box 134, Van Buren

Mrs. Richwine is before the Board stating that she has 66 acres on the Maddox and she has mailed in a letter of objection. She stated that she has recently inherited the land. Her current assessment is \$27.00 per year to \$660.00 per year. She said that this is way too much of an increase. She asked that when

they spray to be careful of their land. Jim Todd asked her what she would be comfortable with; she said she would be ok with \$2.00 per acre.

Steve Foy 5040 S 1050 E, Upland

Mr. Foy stated that he is new to all of this and would just like to ask a couple of questions. He said that he agrees that the Maddox Ditch needs cleaned out. He asked the Board what is done with all the garbage that it drag to the top of the hill and when will it start. Jim Todd explained that once money is built up in the Maddox Ditch fund. Mr. Foy explained that he and his wife had inherited this land recently and that it is in a ten year grass lands program and that he was informed by the state that whomever does work there and if they tear up the grass, they cannot just throw down rye seed and sow it; they are very particular as to how it is put back together. He stated that there are 10-12" trees in his ditch.

Astrid Richwine P.O. Box 134, Van Buren

Mrs. Richwine stated again that she does not want this increase. Richard Cox informed her that the Maddox needs work but they need to raise the money to get this work done. She added that \$5.00 per acre is too much, maybe just \$2.50.

Michael Roush 7824 N 200 W, Hartford City

Mr. Roush explained that he and his sister own 21 acres. Mr. Roush did submit a letter of objection and is also present today. He feels that \$10.00 per acre is too high, recommending \$5.00 per acre. Mr. Roush stated that all the home owners need to realize that when they turn the tap on, turn the washing machine on or flush the stool, the water goes somewhere. He feels that the home owners need to step up and pay their share if they want to live in the country. Gordon Gough asked Mr. Roush what rate he felt would be suitable for home owners; Mr. Roush replied \$50.00 per home site.

Steve Foy 5040 S 1050 E, Upland

Mr. Foy agrees with Mr. Roush that every time they flush, they want the water to go somewhere, adding the land owners need to pay a little more to lessen the load of the land owners with acreage.

Kenny Cates made a motion to charge \$5.00 per acre, \$50.00 per home site with a \$50.00 minimum for a four year collection. Seconded by Richard Cox; motion carried with support 5-0.

Aaron Newby Tile – Public Hearing

Jim Todd informed the public that the Aaron Newby is \$817.00 in the red. The rate is currently \$1.50 per acre with the state minimum of \$5.00 for a four year collection. There are 781 acres in the watershed with nine home sites, bringing in \$1,082.00 per year. Jim added that of the 781 benefiting acres, 60 acres objected along with one home site objecting. The home site that objected is on the east side, Jim has looked at this parcel and it is on the edge of the watershed. It looks like the water goes to the southeast and then to the northeast; the water would have to go to the west to benefit.

Wayne Chapel 1325 W 600 S, Jonesboro

Mr. Chapel is present today before the Board. Mr. Chapel stated that he has forty acres in the Aaron Newby. He would like to know if the Board is planning on replacing the tile; Jim Todd explained that if the tile breaks down and the land owner requests the work be done. If there is money in the fund, it is first come first serve to get any work done, as the funds permit. Mr. Chapel stated that the 16" is dammed up under the railroad. He added that he would like to see the rate at \$5.00 per acre and either a \$50.00 or \$75.00 per home site fee for a four year collection, Jim agreed. This tile is old and has a lot of issues.

Joe Downam 6940 S 350 E, Jonesboro

Mr. Downam stated that he has just bought the 1.47 parcel with a home and barn. He feels the home site charge of \$150.00 would be too much. He added that when we get the big rains, water stands in the northeast corner of his property. Jim Todd added that it seems that someone put a tile under the road going northeast by there. Jim feels that Mr. Downam's property does not benefit from the Aaron Newby. Jim Todd will research this parcel to determine whether it benefits, if it does not benefit, this parcel will be removed from the Aaron Newby assessment roll.

Richard Cox made a motion to change the rate for the Aaron Newby Tile to \$5.00 per acre, \$50.00 per home site and a \$50.00 minimum for a four year collection. Seconded by Gordon Gough; motion carried with support 5-0.

Grassy Fork Ditch – Public Hearing

Jim Todd stated that just a little bit of Grassy Fork is still on maintenance. This fund is \$1,534.00 in the red. Grassy Fork brings in approximately \$2,122.00 a year. Jim informed the public that they just spent thousands of dollars cleaning this out privately. The work that was done on the end is what put this ditch fund in the red. This watershed consists of 9,934 benefiting acres with 135 home sites. Grassy fork is paying a \$5.00 minimum. State Road 26 to State Road 13 is currently collecting maintenance. Gordon Gough stated that State Road 13 going west needs work done. This hearing is for the entire watershed to the county line. Jim Todd stated that 110.66 of the 10,011.333 benefiting acres and 5 of the 135 home sites sent letters of objections.

Dan Carey 6249 S 600 W, Swayzee

Mr. Carey stated that he and his brother were part of the project on Grassy Fork this last year, stating that they finished the project past Mr. Gough's property to where the creek starts. Mr. Carey feels that \$3.00 per acre and a \$30.00 home site assessment would be fine. He feels that this would generate enough to keep Grassy Fork in great drainage condition.

Michael Kegg 8871 W 800 S, Fairmount

Mr. Kegg stated that he does not have much acreage, just a home site on Grassy Fork. Mr. Kegg does not feel that he has drainage going into the ditch since he has a septic system on his property and he never floods. He would like the Board to lower the home site to \$50.00 rather than \$150.00. Mark Bardsley explained that with a septic system, the leach field releases water into the soil, then that water drains somewhere, usually into the channels that lead to the ditches. Mr. Kegg stated that the closet creek is six blocks to the east.

Linda Schrapper 9451 S 600 W, Fairmount

Mrs. Schrapper told the Board that she lives where Grassy Fork starts. She added that if we get 3" of rain her property looks like a lake with water going up to

her barn. Mrs. Schramer stated that her husband has showed the Surveyor pictures of all the flooding, adding that they canoed across her property. She gets ducks and geese due to the standing water. She added that they put in a large culvert going into a little tile that breaks down all the time. She recently found another break in the tile. She said that she is the first to get flooded and the last one for the water to get off. Mrs. Schramer said that she has always paid the \$5.00 per year assessment. Her husband died a few months ago and the proposed rate is too pricey for her. She would rather see \$25.00 per home site and \$2.00 or \$3.00 per acre. Mrs. Schramer is also paying on the Powers Tile. Jim Todd stated that his office will need to check to make sure that nobody is being double-assessed for home sites such as Mrs. Schramer who is on Grassy Fork and Powers tile.

Loretta Scott 7740 W 900 S, Fairmount

Mrs. Scott stated that she was present last year for the public hearing on the Point Isabel Drain. She currently pays \$150.00 home site for that drain. She also has a property on Grassy Fork and she has three acres with a home site. She does not feel that she should have to pay for two home sites. Jim Todd requested her phone number so that he may contact her after researching her properties. She feels that the proposed \$150.00 for the home site is excessive, especially since she is already paying that for a property on Point Isabel.

Kathryn Ellis 3979 E 1200 S-27, Summitville

Mrs. Ellis stated that she has four properties on Grassy Fork and two of them have home sites. One of her parcels is $4/10^{\text{th}}$ of an acre; with the minimum proposed it would be \$100.00. Her other parcel is $1 \text{ \& } 1/10^{\text{th}}$ acres, which would also be \$100.00; she feels this minimum rate is too high. She asked the Board if the maintenance covers spraying; Mark Bardsley informed her that it is not included at this time but they are working on getting that program started. Mrs. Ellis stated that a lot of the farm lands are tiled every 20 or 40 feet which allows their water to get away faster than the septic systems. She is also concerned with the water getting contaminated with the fertilizer and Round-Up spray. She has learned that Round-Up cause's cancer and she has lost several family members to cancer, feeling it is from the chemicals. Mrs. Ellis would like to see this rate come down. Jim Todd recommended \$3.00 per acre, \$25.00 per home site with a \$5.00 minimum.

Doug Carey 5652 W 700 S, Jonesboro

Mr. Carey addressed Mrs. Ellis, stating that they privately raised \$97,000.00, adding that they did not go to even one home owner. Mr. Carey added that Grassy Fork used to be neglected and it used to be a reservoir and now when it rains, you can walk across it. Mr. Carey added that the project went quickly and everyone was onboard.

Kenny Cates made a motion to set the assessment rate for Grassy Fork at \$3.00 per acre, \$30.00 per home site with a \$5.00 minimum for a four year collection. Seconded by Richard Cox; motion carried with support 4-0 with Gordon Gough abstaining due to having land on the watershed.

Elliott Tile

Jim Todd informed the Board that he has talked with Wendell Cates regarding Elliott Tile. Mr. Cates told Jim that he is ready for phase 3. They are privately collecting the money; it is a \$250,000.00 project. Jim is fine with Mr. Cates doing the work. Jim Todd is sure that Mr. Cates has already received approval from the Drainage Board. Gordon Gough made a motion to approve Mr. Cates putting in the new tile in the New Elliott to replace the old. Seconded by Kenny Cates; motion carried with support 5-0

ADJOURN:

Kenny Cates made a motion to adjourn at 1:27 p.m.; Seconded by Richard Cox motion carried with support 5-0.

The next scheduled meeting to be held is December 12, 2017 at 11:00 am

Minutes recorded by Mary R. Weesner

MINUTES APPROVED:

MARK BARDSLEY

GORDON GOUGH

RICHARD COX

KENNY CATES

PAT PINKERTON