

# GRANT COUNTY DRAINAGE BOARD

401 South Adams Street  
Marion, Indiana 46953

The Grant County Drainage Board meeting was held April 9, 2024, in the Grant County Council Chambers. Chairman Mark Bardsley called the meeting to order at 11:07 am. Other members present were Vice-Chairman Richard Cox, Gordon Gough, Kenny Cates, Grant County Surveyor Jim Todd, and Drainage Board Secretary Mary Weesner. Pat Pinkerton was not in attendance.

## APPROVAL OF MINUTES:

Richard Cox made a motion to approve the minutes from the March 26, 2024, meeting as presented; seconded by Kenny Cates. Motion carried 4-0.

## APPROVAL OF CLAIMS:

Jim Todd read the claims as follows:

Morelock Wildlife Control \$700.00 Hollis Daughtery; \$12,163.03 in the fund

Richard Cox made a motion to approve the claim for Morelock Wildlife Control as present; seconded by Gordon Gough. Motion carried 4-0.

*\*Gordon Gough to abstain\**

Redman Excavating \$27,650.00 Big Deer Creek; \$57,572.19 in the fund

Redman Excavating \$1,100.00 Big Deer Creek; \$57,572.19 in the fund

Kenny Cates made the motion to approve the claims as presented; seconded by Richard Cox. Motion carried 3-0 with Gordon Gough abstaining due to having land in the Big Deer Creek watershed.

## OLD BUSINESS:

### Little Crane Pond

Mark Bardsley stated that he still has not been able to get the two attorneys together to discuss Little Crane Pond. Mark added that he was out there, the portion in the city, a few days ago and it is beginning to brush up along there. Richard Cox stated that you would have to go in there by hand to clean it out.

## **NEW BUSINESS:**

Martin Tile - Country Lake Estates - Drainage issue; \$62,895 in the fund  
Jim Todd informed the Board that Country Lake Estates is flooded again and backing up the pond. He added that the Martin Tile does not go all the way to the creek, it stops down at a dead end road. Jim said that he had talked to Herb Spitzer, a representative out there and the \$62,892.00 that is in the maintenance fund is just a drop in the bucket, they would probably need two times that. Jim Todd stated that Pat Pinkerton had talked about coughing up some city funds to match the maintenance fund. Mark Bardsley said that at one point when they started the collection with the idea of draining to the south and Pat had talked about hooking it into the city and taking it north. Jim Todd added that would be a big help. Jim recommended that we need to investigate and see if there is roots or something in there. We had to use \$22,000.00 two years ago when it broke under the street within the addition. Mark Bardsley stated that with the Board's consent, ask that the surveyor do some investigation into the issue.

### Bellevue Tile

Jim Todd stated that he had went out to Bellevue Tile in Jonesboro and the manhole was under water. He stated that there are many, many trees out there. At one time, on the north line, Sullivan's was in and pulled out a root ball and he looked down through there on the other line, there's just tree after tree. Jim added that there is not much in the fund, \$6,204.59, and if there has been a hearing, it has been many years ago. Jim Todd said that they are going to send a letter out telling them they have to go in and pull manhole lids. Mark Bardsley stated that the mayor of Jonesboro had sent him some pictures and that he would forward them to the rest of the Boards.

### Lomax Drain - Bob Tippey & Doug Kingseed-Arbor Homes discussion

Jim Todd informed the Board that he has talked to the beaver guy, he had gotten two beavers and then he got sick and then he misplaced his bill, and that is why we never got a bill from him. He did say that he has returned to check his traps and he did not get any more than the two.

Doug Kingseed is now before the Board regarding the Lomax Drain. He gave the Board members photo packets (attached to the copy of these minutes in the Drainage Board office) and wishes to discuss the area behind Meijer and University Marketplace building. Bob Tippey is also present, he is the homeowner association president. Reviewing the packet with the Board, Doug Kingseed stated that the field that is south of Meijer, you can see where the Lomax comes to the field and drains it in the southeast corner. He added that when they put the addition in, they did work on the open ditch, rerouted it. He said that it appears that there are two open ditches and was wondering which one is the new Lomax;

wanted to know the setbacks and what trees can be cut. He stated that what they are having an issue with is the draining of the water off of the field (referring to the packet; page 1). Mr. Kingseed reviewed the packet and photos with the Board stating that what they did when they put this addition in they ran a 36" tile to the old headwall of the old Lomax (page 2 of the packet). Mr. Kingseed stated that on page 3 of the packet you can see inside the cement structure there are a couple of 8" tile, 10" tile, and a couple 6" tile stacked on top of each other that they cannot get to drain and are currently half full. These tiles are on the south side of 44<sup>th</sup> Street. There are two beaver dams that are causing this tile to be backed up, there is one behind the houses on the south end and the other one is probably 400' or 500' of 38<sup>th</sup> Street. He wants to know how to get rid of the beavers, he needs to contact a beaver trapper; Jim Todd told him that with the Board's approval, he could contact the beaver trapper. Mr. Kingseed asked Jim if he knew which one is the exact Lomax; Jim responded that the way the channels come down, it's got to be the one that ends up down there towards the road. Jim added that he has read the minutes, and this was not vacated and the main channel that goes all the way through, we still have the right of the easement. Wendell Cates said that if we are going to head east, it needs to be a big one, probably a long arm excavator. Jim Todd recommended that we need to take out the beaver dams to let the water go down. He added that once the water goes down the beavers will start to build again, then we can get the trapper in there to trap them. He has already talked to Rick Sullivan of Sullivan's Excavating about getting them out of there because they are such a mess, there is \$50,288.00 in the maintenance fund. There was a discussion regarding the maintenance rate that is being paid by Meijer's. Due to the amount of hard surface area, all their water runs off and has to go somewhere, such as the fields around the store. There needs to be a higher rate for the hard surface run off. Mr. Kingseed stated that he had been up to the city one afternoon and they gave him a PDF layout of all the sewer and water lines; he said that he could email that to the Board members if they want. Kenny Cates stated that the hard surfaces and roofs such as Meijer, Texas Roadhouse, etc. needs to be changed, therefore a public hearing would be necessary. Mark Bardsley asked if the Board may call for a public hearing or do we need someone to petition for a public hearing; Jim Todd stated that he feels the Drainage Board can make that decision. He added that they will work on the assessment roll and bring it back to the Board with some rates, the Board can then critique it and we can set up a hearing for this year. Jim Todd will contact Rick Sullivan of Sullivan Excavating to remove the beaver dams. Mark Bardsley asked how soon we would be able to hold a public hearing to address the merchant's assessments; Jim responded that he would talk to a couple other county surveyors to get a better idea of a rate for the hard surface run-off and then they will start working on a new assessment roll.

## **OTHER BUSINESS:**

### Solar Ordinance - Wendell Cates-Easement issue

Wendell Cates is before the Drainage Board and stated that he wants to discuss the easement on a county drain that is going through a solar field. He added that the previous day, he was working on Cart Creek and the headwall of Cart Creek for the first 1,00 to 1,200 feet has already got a signed agreement with the solar farms. He had went into that farm where the solar farm would be, he then measured on top of the tile where the water is cutting the soil away, he then measured out 75', took a reading and then measured out 150' and took another reading. Over the tile there is a grade of 12.1", off of center at 75' the grade is 9.6", at 150' off of center the grade was 9.3"; so basically, he added, gained two feet of soil by moving that main over 75' to gain the 2' of dirt, he would then need another 30' for equipment to run. Jim Todd asked if the tile was a 30", Wendell responded that currently there is a 24" tile in there and he is going to a 36" tile. Wendell then went on to a different farm on Cart Creek. There is a 3 ½' cover over a 24" tile with a grade of 7.95, at 75' off of center the grade is 6.6 with a gain of 1'5". He added that if they were to move the tile out 150' off of center he would gain 2'6" of cover. Wendell added that he is just trying to prove that we have to protect ourselves when we are trying to work if they are wanting to move the tile out to put in a larger tile. He added that we need to figure out who is going to pay the bill, the farmers can't continually keep paying the bill. Homeowners state that you can't cut the trees, you can't spray my trees, don't spray in the housing addition, etc. Gordon Gough agreed. The issue is not with the homeowners, it is with Arbor Homes that came in and engineered this and we are here fifteen years later trying to fix what they made look really nice. Jim Todd said that it is going to take maintenance on the channel, it needs brushed and dredged; Wendell agreed. Mark Bardsley asked Wendell if there would be an advantage to open ditching in that area; Wendell said he is afraid that there are too many laws that are going to come in and affect them. Wendell compared solar panels to housing additions; they have to figure out who is going to pay the bill. Also, they would tell you not to cut the trees, not to spray the trees, etc. Kenny Cates asked Wendell if he would be satisfied with the 150' easement; Wendell responded that the tile has to be moved clear out to the 75' point and once you put those solar panels in, you will have no room for equipment.

### Davis Moorehead - Kenneth Chance @ 4533 S. Meridian - drainage dispute with Titan Automotive regarding fill

Jim Todd stated that he has been out to look at this situation and has also talked to Pat Pinkerton regarding this. Jim said that he noticed that he had put a pile of dirt there. He added that Pat had said that if you put a line in across that holding pond, it backs up and then he has got water in his yard. Jim informed the Board

that the Davis Moorehead is overloaded, and it would be 515 feet to bring it down. David White did some more side ditching because a lot of that property goes into that side ditch and runs south. Jim stated that he did talk to the guy that owns Titan Automotive one time. Kenneth Chance stated he spent almost \$18,000.0 to get a new roof and gutters on his house, he has never had this problem. He has pictures on his phone. He has to run two sump pumps in his basement now. Mr. Chance added that when they put the black top in there, the water all runs down to his property. They piled dirt up trying to alleviate that issue, but when it fills up it runs around, down the road and into his yard. Mr. Chance would like to know what to do to get the water away from his property quicker. Jim Todd feels that they need to run a side ditch all the way up to Mr. Chance's property. Mark Bardsley will reach out to David White of the Grant County Highway Department to see about dipping there. Mr. Chance fears black mold could occur from the water going into his basement. Richard Cox asked Mr. Chance if it was possible that his septic could be full; Mr. Chance responded that he had just had that cleaned out when they hooked him to city water and sewage. Jim Todd had asked about the drainage of his gutters; Mr. Chance said that they go into a tile that leads out to the old septic tank. Jim said that they cannot prove if after a rain, all that water from the roof is going from gutters to the septic tank and it is filling up, then leaking into his foundation. It is hard to prove if he doesn't have a problem of his own. Mark Bardsley said that we can have David White look at it and we can take the next steps to see what happens. Jim Todd told Mark Bardsley that he would be happy to meet David White out there at his convenience.

#### Little Black Creek

Jim Todd informed the Board that CR 1000 bridge is completely full of cornstalks where the water went down.

#### **ADJOURN:**

Kenny Cates made a motion to adjourn the meeting at 12:23 pm; seconded by Richard Cox. Motion carried with support, 4-0.

The next scheduled Drainage Board meeting to be held will be April 30, 2024, at 11:00 am will be held in the Grant County Council Chambers.

Minutes recorded by:  
Mary R. Weesner  
Drainage Board Secretary

*The Grant County Drainage Board has approved the minutes for April 9, 2024, as presented:*

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**Mark Bardsley**

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**Richard Cox**

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**Gordon Gough**

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**Kenny Cates**

**\*\*\*Not Present\*\*\***

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**Pat Pinkerton**