

# GRANT COUNTY DRAINAGE BOARD

401 South Adams Street  
Marion, Indiana 46953

The Grant County Drainage Board meeting was held February 8, 2022 in the Grant County Council Chambers. Mark Bardsley, Chairman called the meeting to order at 11:01 a.m. Other members present were Gordon Gough, Vice-Chairman, Pat Pinkerton, Richard Cox, Grant County First Deputy Surveyor Raymond Bair and Drainage Board Secretary, Mary Weesner; Kenny Cates is in attendance via WebEx.

## APPROVAL OF MINUTES:

Pat Pinkerton made a motion to approve the January 25, 2022 minutes as presented; seconded by Richard Cox; motion carried 5-0.

## APPROVAL OF CLAIMS:

Raymond Bair read the claims as follows:

Sullivan Excavating \$2,976.27 Sim Franklin; \$24,601.92 in the fund

Gordon Gough made a motion to accept the above claim as presented; seconded by Richard Cox. Motion carried 5-0.

**\*\*\*Richard Cox to abstain\*\*\***

Christopher Burke \$1,782.88 Hummel Creek; \$191,229.28 in the red

Kenny Cates made a motion to accept the above claim as presented; seconded by Gordon Gough. Motion carried 4-0 with Richard Cox abstaining due to having land on the Hummel Creek watershed.

## OLD BUSINESS:

Little Crane Pond – Approval of resolution  
There is nothing new to discuss

### Hummel Creek

Mark Bardsley stated that we are to the point where we have to decide who we are going to go with for the removal of the obstruction. Mark asked Mary Weesner if there are any updates regarding this issue; Mary stated that we are still waiting to hear from our attorney. Mark Bardsley asked that Mary check in with Mr. Leone and inform him that we are going to award at the next Drainage Board meeting. Mark added that we have sixty days from the time that we open the bids to award; we have given them every opportunity, if they are not going to say that they will give us access, then we have to say that we are committed to this project and move forward. Gordon Gough asked about how we would be able to pay for this; Mark Bardsley said that first we would have to draw from our resources, and we would pay this up front and then we would be reimbursed. Mark added that this will deplete our General Drain Improvement Fund and we will have to ask the council for either ARP money or a general appropriation put into our fund. Kenny Cates asked if we would put this debt on the tax roll; Mark responded that yes, Mr. Ott would have to pay this; nobody else on this watershed will have to pay for his work. Kenny stated that since Mr. Ott is not cooperating, we just add to his taxes. Mark stated that we would put the cost on the property tax and a lien on his property. Gordon Gough asked what would happen if Mr. Ott refuses to pay this; Mark Bardsley informed him that we could actually put his property up for sale in the tax sale. Gordon stated his concern that Mr. Ott has not cooperated so far; what is to say that he will now. Mark said, for the record, at a meeting with Jim Todd, Gary Ott and himself, Mr. Ott's statement to him and Jim was that he wanted us to feel as much pain as he has. So, we may feel the pain up front, but he will feel it in the end if decides to not allow us to use the short/less costly access. Mark added that if we

find ourselves in the position where we will not have the funds, he will have to go ahead and go to the council and tell them that we need funds to cover this project. Richard Cox asked if we could charge him for all the costs from after the court date; Mark Bardsley said that is correct. Kenny Cates asked Mark what about after we take the pipes out, who will they belong to; Mark asked Mary Weesner to ask our attorney about this.

### Solar Ordinance

Ryan Malott, Area Plan Director, is present today via WebEx. Mark Bardsley informed the Board that Ryan Malott gave him an update, stating that they did not have a quorum for the Area Plan meeting, therefore they are not moving forward on an ordinance recommendation. Ryan stated that on YouTube, under Grant County Government, there is a video from the informational event at the High School.

### **NEW BUSINESS:**

There is no new business to discuss.

### ***OTHER BUSINESS***

#### Lomax Ditch

Raymond Bair informed the Board that Wendell Cates understands that we have approved him dredging from Miller Avenue to 38<sup>th</sup> Street, but he wants to go down stream 1,300-1,400' from Miller Avenue to get a better outlet. Mark Bardsley informed the Board that he has watched the work on the Lomax and it is coming along nicely, and he is impressed, they have done a good job, adding that he does not have a problem with paying the invoice to go the additional distance. Raymond Bair stated that it is \$13,160.00 for what he has already done from Miller to 38<sup>th</sup> Street. Pat Pinkerton asked Raymond if there is money in the fund to cover this;

Raymond said that there is about \$51,000.00 in the Lomax maintenance fund at this time. Kenny Cates made a motion to pay the invoice presented and to approve to pay for the continued dipping; seconded by Richard Cox.

Kenny Cates asked if anyone has come in and trapped the beavers; Raymond Bair stated that no one has, to his knowledge. Mark Bardsley stated that he believes that the removal of the beavers will be the homeowners association's problem since it is in their pond and not our ditch. Mary Weesner will get the information for beaver trappers to Mark to forward to the homeowner association. The Board then voted on the motion, 5-0.

#### Pipe Creek Jr – IMI-Vacation of old file

Mark Bardsley stated that we have received a request from IMI to vacate the old file on Pipe Creek. He added that Mary Weesner stated to him that there may not need to be a public hearing to vacate since IMI is the only property owner involved; Mary will speak with Kyle Persinger, Attorney regarding the vacation process.

#### **ADJOURN:**

Richard Cox made a motion to adjourn the meeting at 11:26 a.m.; seconded by Pat Pinkerton. Motion carried with support 5-0.

The next scheduled Drainage Board meeting to be held will be February 22, 2022 at 11:00 am and will be held in the Grant County Council Chambers.

Minutes recorded by:  
Mary R. Weesner  
Drainage Board Secretary

*Minutes approved:*

---

Mark Bardsley

---

Gordon Gough

---

Richard Cox

---

Kenny Cates

---

Pat Pinkerton