

# GRANT COUNTY DRAINAGE BOARD

401 South Adams Street  
Marion, Indiana 46953

The Grant County Drainage Board meeting was held April 29, 2025, in the Grant County Council Chambers. Chairman Chuck Poling called the meeting to order at 11:01 am. Other members present were Vice-Chairman Richard Cox, Gordon Gough, Kenny Cates, Pat Pinkerton, Drainage Board Secretary Mary Weesner and Grant County Surveyor Raymond Bair.

## APPROVAL OF MINUTES:

Pat Pinkerton made a motion to approve the minutes as presented from the April 8, 2025, meeting; seconded by Richard Cox. The motion passed 4-0 with Chuck Poling abstaining as he was not in attendance at the April 8<sup>th</sup> meeting.

## APPROVAL OF CLAIMS:

Chuck Poling read the claims as follows:

Grant County Treasurer \$32.38 Loan from GDIF to Maintenance Fund  
Nolan Holloway \$3,189.43 Potter Creek; \$89,415.44 in the fund  
IMI Aggregates \$1,547.09 Lugar Creek; \$113,432.54 in the fund  
IMI Aggregates \$999.86 Lugar Creek; \$113,432.54 in the fund  
John's Repair Service \$1,000.00 Lugar Creek; \$113,432.54 in the fund  
John's Repair Service \$1,360.75 Lugar Creek; \$113,432.54 in the fund  
John's Repair Service \$7,391.20 Lugar Creek; \$113,432.54 in the fund  
John's Repair Service \$794.00 Lugar Creek; \$113,432.54 in the fund  
John's Repair Service \$464.00 Lugar Creek; \$113,432.54 in the fund  
John's Repair Service \$3,024.00 Lugar Creek; \$113,432.54 in the fund  
John's Repair Service \$308.00 Lugar Creek; \$113,432.54 in the fund  
Tom's Excavating \$635.00 Berkhart Swagger; \$6,788.03 in the fund  
Redman Excavating \$455.00 Pollywalk; \$12,126.27 in the fund  
Matt Carey Farms \$291.00 Haw Run; \$4,172.79 in the fund

Kenny Cates made a motion to approve the above claims as presented; seconded by Gordon Gough. The motion carried unanimously 5-0.

**\*\*\*Kenny Cates to abstain\*\*\***

Cook Excavating \$5,280.00 Pipe Creek; \$146,667.41

Richard Cox made a motion to approve the above claim as presented. The motion was seconded by Gordon Gough. The motion carried 4-0. Kenny Cates abstained due to having land in the Pipe Creek watershed.

**OLD BUSINESS:**

Little Crane Pond – Approval of resolution

Mary Weesner informed the Board that she was told by the Drainage Board attorney that he had spoken with the Marion Utilities, and they are going to monitor the drain this spring to determine its needs and will then get back with us.

Little Crane Pond – Lora Marshall – Obstruction

Lora Marshall is present today before the Drainage Board regarding the firepit that is in the drainage easement. Gordon Gough asked Ms. Marshall if she had gotten Drainage Board approval before putting the firepit in the easement; she stated that she did not. She went on to say that last fall she hired who she believed was a reputable contractor to put in the firepit on the back of her property. She added that she did not realize until the surveyor came out that it was in the drainage easement. Ms. Marshall stated that the firepit is 15' from the edge of the bank. She stated that she and her brother, Andy Rickner, met with Wendell Cates and Raymond Bair on site last week. She added that they had made an agreement to increase her easement to 50' to allow for the spraying, the dredging and the mowing. She said that the pit was pushing \$3,000.00 to install. She felt that she could rely on the contractor to do all the research and the permits that are required. Ms. Marshall said that the cost to relocate the firepit is way in excess of what she originally paid to have it installed. She said that she took 2 trees down that she felt impeded the mowing, adding that Andy said he could get equipment in and out of there okay. Kenny Cates asked Ms. Marshall if she had received a letter from the Drainage Board attorney, Kyle Persinger; she stated that she did but her, Andy, Wendell and Raymond came to an agreement already.

Kenny informed her that they cannot speak for the Board. Kenny Cates told her that the firepit needs to be moved back; either she moves it, or we move it. She responded that unfortunately it is not an easy task, and it was a lot of money. Kenny informed her that the Indiana Drainage Code states that the easement is to be up to 75'; it is 40' through her property. She told Kenny that Raymond Bair suggest that they increase it to 50' so that it will come past the firepit so that there is room on both sides of the firepit to get around so there would not be any obstruction. Kenny informed her that the Indiana Drainage Code is that anything that cannot be moved, cannot be in an easement. Ms. Marshall asked about the pool next door and whether or not Job & Holly had Board permission, he explained to her that before construction, they went to several meetings asking for a variance and possibly signing a hold harmless agreement, which they did. Ms. Marshall said that she is willing to sign one as well. Kenny Cates stated that the surveyor is supposed to come out there to see what is going on and then report it to the Board. Kenny added that the best way now is for her to have it moved, she replied that it is not feasible or financially possible. Gordon Gough told her that when you buy a property, you need to find out where the boundaries are and apparently she did not. Kenny reminded her that there is a timeline on the letter she received from the Drainage Board attorney. Wendell Cates is now before the Board. He stated that he will not deny that he told her that he would try to work with her for 3 years if she would move it with a 50' right of way in. He added that he feels that the Drainage Board needs to help them out by holding the line. Kenny Cates stated that this is a Drainage Board issue, not a farmer issue nor a surveyor issue. We need to maintain that ditch through there. Kenny asked Raymond Bair if he and Jim Todd had been out there when it first started. Raymond said that when they went, some of the foundation had already been started and some of the blocks where already in he is not sure of how long after that she received a letter about it being in the drainage easement. Wendell Cates reminded Raymond that he had sent pictures on August 2, 2024, and it was not finished. Richard Cox asked Raymond if she was notified then; Raymond said at some time after that, but he does not know the time frame of when a letter was sent out. Richard Cox asked Ms. Marshall if she received a letter last year; she said that she did not, Jim Todd came out and talked to her

Raymond Bair stated that he knows it is not his vote and does not get to vote on it, but he has excavation experience, and he still thinks Wendell Cates can get through there with the firepit and maintain the ditch with it there. He added that if she is willing to give him an extra 50' to go around and when Andy cleaned it last time, he had trees to go around that aren't there now. He added that every five to eight years that ditch will need to be dredged, and the dirt hauled down, you can't put it in people's yards. The dirt will need to be hauled down. Gordon Gough made a motion that the Drainage Board pursue this and the removal of the obstruction. The motion was seconded by Kenny Cates and carried unanimously 5-0.

## **NEW BUSINESS**

Jesse Tippey – Discussion - \$2,158.35 in the maintenance fund

Raymond Bair passed a map around to the Board (a copy of the map is attached to these minutes in the Drainage Board office). He informed the Board that this is a 12", 10", 8" tile put in a long time ago. He explained that on his map, the area in the bottom right, he is assuming this is Jesse Tippey. He questions whether it dumps in to "inaudible", before it gets to the road or whether it dumps at the road. The pink dotted lines are drains from the backs of the houses, both directions. They appear to dump into his solid orange line on the map, which is not Jesse Tippey, but they are on the assessment roll. Raymond is asking if it is okay to spend the money from the Jesse Tippey maintenance fund to investigate this to determine if the Jesse Tippey joins the other tile or if it goes by itself. He stated that he has Eric Bragg at the road trying to take his jetter and camera up the tile, it is a single wall 24" tile and it would not go upstream because of roots. He is wanting Eric to float the camera through, going downstream to see where the laterals come in. Ed Blinn, representing Bankview Farms, is present before the Board. Both of these ditches were put in in the 1980's. Prior to that, it was an open ditch back to the property line 200'. Mr. Blinn state that in a 24" plastic, 200'. Somewhere along the line, the southwest was an open ditch too, but it was an old 12" clay that Joe Seward put in new, and he does not know how they connected. Another neighbor come in and put another plastic line in and ruined what was left of the original one by sticking holes in it and then filled the holes with river rock, boulders and concrete. That tile is above grade to where

the water flows out of the field and all he is catching is the surface water. Mr. Blinn said that he does have it all dug up now so that he can see what the problem is, but it has turned into a nightmare. He said that Raymond Bair told him that they have already spent money on the neighbor's 8" out of the Jesse Tippey maintenance fund and that is a private tile. Mr. Blinn stated that there is one thing he does not want to get into, the county paying from the maintenance fund for their private drainage ditches. Raymond said that he would like to dig into the Jesse Tippey at the back of Mr. Blinn's property at the edge of the house lot and the farm field, find it and camera. Richard Cox made a motion to allow the surveyor to investigate this problem as he sees fit. The motion was seconded by Gordon Gough and passed unanimously 5-0.

#### **OTHER BUSINESS:**

##### Back Creek – Simeon Ehm – Proposed project

Simeon Ehm of Commonwealth Engineering is present before the Board regarding the wastewater improvement project in Fairmount, Indiana. Mr. Ehm passed packets around to the Drainage Board. This project involves 36" and 42" interceptor that will be primarily on the east side of Back Creek. He reviewed the packet with the Board (packet is attached to these minutes in the Drainage Board office) stating that the new interceptor will relieve the existing interceptor network, which is heavily stressed and undersized, and as a result, it tends to overflow so increasing the size will allow for greater transport to the wastewater treatment plant. Bud from Fairmount stated that the interceptor will be placed farther from the watershed than the one that is there currently, increasing the ease of working in the creek. Richard Cox made a motion to allow them to work in our easement on Back Creek in the Fairmount area. The motion was seconded by Pat Pinkerton and carried unanimously 5-0. Mr. Ehm asked the Drainage Board if there is any other permitting necessary to move forward; Raymond Bair stated that there is not, to his knowledge.

Hummel Creek – Quotes - \$56,334.10 in the maintenance fund

The quotes received are as follows:

John's Repair Service - \$40,050.00

B.E. Power Excavating - \$47,380.00

Xtreme Excavating - \$26,028.00

Gordon Gough made a motion to accept the quote from Xtreme Excavating for brushing on Hummel Creek in the amount of \$26,028.00. The motion was seconded by Pat Pinkerton and carried with support 5-0.

Thompson Branch –Quotes - \$113,432.54 in the maintenance fund

The quotes received are as follows:

John's Repair Service - \$31,326.00

B.E. Power Excavating - \$31,399.37

Xtreme Excavating - \$19,824.75

Pat Pinkerton made a motion to accept the quote from Xtreme Excavating for brushing and dredging on Thompson Branch of Monroe in the amount of \$19,824.75. The motion was seconded by Richard Cox and carried 5-0.

Cart Creek

Mary Weesner asked Raymond Bair about Cart Creek and whether we can set a hearing date. Raymond said that he is ready to set a date but would rather wait until the next meeting to set a date.

North Branch of Waters

Mary Weesner stated that Brent Newhouse contacted her about holding a public hearing to raise the maintenance rate on North Branch of Waters and needs to know how long it will take the surveyor's office to go over the assessment roll. Raymond said that it should not take that long. Mary asked Raymond if it would be okay to select a date in July to hold a hearing and Raymond said that would be fine. She recommended July 8, 2025, or July 29, 2025, to the Board. Richard Cox said that he thinks July 29, 2025, would work, that way it will give the farmers plenty of time to get done. Richard Cox made a motion to set the public hearing date for July 29, 2025, for the North Branch of Waters; seconded by Chuck Poling and carried 5-0.

## Middlefork Upper Drain – Public hearing

Raymond Bair read the surveyor report regarding Middlefork Upper Drain (626B). There is no maintenance currently being assessed on this drain. The request is for \$10.00 per acre, \$50.00 per homesite, \$25.00 per parcel with a minimum of \$25.00 for an eight collection shut off. This is a joint drain with Madison County with 3,008.71 acres in Grant County, 1,427.58 in Madison County. Madison County has waived their rights regarding the Middlefork Upper Drain.

Chairman Chuck Poling opened the meeting for the public to speak. Mr. Ed Titus is before the Board; he stated that the tile runs through his yard to the ditch. He said the ditch if full, adding that when the ditch fills up, his yard floods. There are trees down along the ditch as well, even down to the county line. Mr. Titus said all the farmers keep plugging field tile into the ditch. Raymond Bair informed him that this fund would be used to remove the trees from the ditch to give them better drainage. Mr. Titus stated that he wouldn't mind paying if they would do something. An unnamed landowner stated that when it rains hard, you can literally watch it come in from Madison County, flooding the whole area, when it fill the fields, it then ends up flooding his backyard.

Ms. Sara Cox is present before the Board. She owns Leisure Farms and Shady Nook Farms. She stated that Middlefork goes right through her farm. She added this would be a substantial increase in her property tax bill; approximately 30% to 40% more. She stated that she really doesn't have a water problem as surface water just takes a little more time to get away. Her family has always took care of and maintained; Richard Cox said that everybody took care of it like her family did, we wouldn't have this problem. Ms. Cox stated that she does have an issue with the Drainage Board, not having agendas online as she has been trying to watch for when this hearing was taking place. Richard Cox asked her if she received a letter regarding this hearing; she said she did but does not want to have an excavator show up on her property that something is happening, she wants to be part of the process as a major landowner. Kenny Cates made the motion to approve the recommendation for the rates of \$10.00 per acre, \$50.00 per homesite, \$25.00 per parcel with a minimum of \$25.00 for an eight collection shut off. The motion was seconded by Richard Cox and passed unanimously 5-0.

**ADJOURN:**

Richard Cox made a motion to adjourn the meeting at 12:35 pm; seconded by Pat Pinkerton. Motion carried with support, 5-0.

The next scheduled Drainage Board meeting to be held will be May 13, 2025, at 11:00 am and 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 29, 2025, as presented:*

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**Chuck Poling**  
**Chairman**

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**Richard Cox**  
**Vice-Chairman**

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**Gordon Gough**

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**Kenny Cates**

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**Pat Pinkerton**