

GRANT COUNTY DRAINAGE BOARD

401 South Adams Street
Marion, Indiana 46953

The Grant County Drainage Board meeting was held December 9, 2025, in the Grant County Council Chambers. Chairman Chuck Poling called the meeting to order at 11:00 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:

Gordon Gough made a motion to approve the minutes as presented from November 25, 2025, meeting; seconded by Richard Cox. The motion passed 3-0, Chuck Poling and Pat Pinkerton abstained since they were not present at the November 25, 2025, meeting.

APPROVAL OF CLAIMS:

Chuck Poling read the claims as follows:

Enyeart Construction \$5,805.40 Little Black Creek; \$23,747.66 in the fund
*The Board needs to vote on \$4,000.00-Contractor will request balance

Raymond Bair stated that this invoice is one invoice but for more than one project. Chuck Poling explained to Raymond that he cannot do it that way, it needs to be broken down. Chuck added that there are 5 landowners on the invoice; Raymond said that if they separated, it would be 20 different claims. Mary Weesner stated that if it is 5 landowners, it would be 5 claims, not 20, Chuck agreed. Raymond responded that there are 4 different landowners and they kept track of it, this is what Jim Todd approved of before he left. Chuck Poling stated to Raymond that from here on out, the property owner needs to come before the Board and not just him saying that this needs to be done. Chuck added that this is how it used to be run and this is how we will do it again. Raymond told Chuck that it is a \$4,000.00 project; Chuck said that it is a \$5,800.00 invoice. Raymond stated that the rip rap was a separate item that was approved. He stated that he understands what Chuck is saying but does not understand why. Chuck stated that the lawyer said that it is over his limit. Raymond responded that if he looked at the maps that he provided, if he had stopped at the \$4,000.00, Enyeart would have pulled out and then come back and charged \$500.00 to \$800.00 more to remove \$300.00 worth of trees. Chuck informed him that when he knew if it was going to be over his \$4,000.00, he should have come to the Board and asked for the additional;

Raymond responded that they would have to wait 2 weeks for a response. Raymond argued that he would have to move out and he would not do it, it would have cost \$800.00 to do a job that would have been \$300.00. Chuck stated that this is how the attorney advises it to be done and that is how he wants it done. Raymond informed Chuck that he is one vote, and he does not have veto powers. He added that the Jack Green rip rap was a separate approved item on our approval list. He informed Chuck that he had wanted him to make an approval list, so he made an approval list, and Jim was on it for the logs and Raymond approved a separate item for the rip rap. He said that if he looked at the map, the rip rap is upstream from the logging project. The logging project completes a whole section that is brush where the top section does not have brush, but you want him to move out and come back later and charge more to do the same project. We have had 3 things about this, about him going over \$4,000.00, he may not go over \$4,000.00. Raymond informed that the other one that he is referring to, Chuck, gave him approval at the meeting, it just was not in the minutes. He told Chuck that if he would watch the YouTube video, he said he clearly asked him if Richard was to go to the project and look at the dam, and if he said that it needed to be done, if they were ok. Chuck cut in stating that if it is an emergency, Raymond informed Chuck that it was an emergency. Chuck reminded him about the Bragg job in Jonesboro, and he was told that he needed to call somebody. But what he did was take advantage of a log jam which is something we deal with every day. The job in Jonesboro was an emergency. Richard Cox stated that he was on the same page with Raymond. Chuck stated that 2 times now he has called him out for the same thing, he reminded him that he is the President, this is how it is going to go, this is what our lawyer said, and we must do it by the law. Raymond is approved for up to \$4,000.00. Chuck stated that the Board can make a motion to pay the bill or just pay the \$4,000.00. Richard Cox asked if the bills were broken down, would that work? Chuck said yes, that is how it is supposed to be done. Raymond Bair stated again that it would be 20 bills then. He added that some of the properties had more than one log jam. Mary Weesner informed him that the invoice can state the property owner and that (example) 3 log jams were removed. Richard Cox stated that we should pay the whole bill and be done with it and motion that the Board pay the entire claim in the amount of \$5,805.40. The motion was seconded by Pat Pinkerton and passed 5-0. Chuck Poling stated, for the record, Raymond Bair, don't go over the \$4,000.00

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

Cook Excavating \$1,380.00 Pipe Creek; \$159,169.96 in the fund

Cook Excavating \$2,760.00 Pipe Creek; \$159,169.96 in the fund

Gordon Gough made a motion to approve the claims as presented. The motion was seconded by Pat Pinkerton and carried 4-0 with Kenny Cates abstaining due to land in the Pipe Creek watershed.

OLD BUSINESS

Long Branch - Arthur Roden & Eric Fiacable BNRG – Revisit of discussion

Andy Buroker, attorney for the Faegre Drinker is present before the Board. He stated that he is the attorney for this project and has been on this project for over two years. He wanted to introduce the gentlemen that are with him today. Arthur Roden, US Head of Development from BNRG is present. Also present is Eric Fiacable, project engineer, of Kimley Horn is responsible for the drainage report and the large summary (a copy of the summary is in the Drainage Board office). Mr. Buroker stated that he wanted to summarize their request with the Board. He said that they are asking for the Board's consent to discharge to three legal drains for storm water run-off, the Brewer, Himelick and Long Branch. There will be planted sod underneath the panels rather than agricultural uses. He is asking for approval of the eight crossings over regulated drains, four of them are underground. The underground crossings will be 36" below the tile. As far as the above ground crossings, they will be over tiled drains, not open drains. All improvements will be outside of the 150' drainage right of way. This is not county zoning; therefore, the county ordinance does not apply. State Code 26-36-927-15 says that regulated drains are under the Drainage Board jurisdiction. Section 16 of the same statute states private and mutual drains are not Drainage Board jurisdiction. Mr. Buroker informed the Board that Gas City Mayor, Bill Rock, is present today as well. This area was annexed into Gas City; one part in May of 2025 and the southern part in August of 2025. The city has reviewed the plans and specs, and they are stricter than the state ordinance.

Arthur Roden is now before the Board. He reviewed the locations for the crossings on the map.

Eric Fiacable is now before the Board. He reviewed the maps with the Board regarding the drainage. Chuck Poling asked him if there were going to be sleeves, he said that it would be conduit. Kenny Cates stated that when they put in a solar farm, they run a ditch all the way around it, is there a way to check for old ditches? There may be some that are a hundred years old. Kenny added that Olinger used to farm that. Mr. Fiacable stated that he has been in touch with the property owners and they had given them hand drawn maps showing them approximately where the private tiles exist. Mr. Buroker stated that the property owners are leasing their property to BNRG; Olinger, Kirkwood, and Presnall. The property owners are fully involved.

Raymond Bair informed Mr. Fiacable that on the west side of 600, south of the railroad, he has pattern tiled that field. He responded that Himelick is not operational at all. Raymond informed him, on the map, where the Himelick goes. That tile runs along the road on the east side, and it comes down to the woods on the east side of 600. Raymond added that on the north side of Farmington Road, we do have water coming across the road trying to

get to the Long Branch through that area. Chuck Poling stated that he feels that they should replace the pipe if they are crossing it and that way, in the future, if there were an issue with the tile, they would not have to mess with that area, especially the wires etc. Mr. Fiacable stated that they would do that, he proposed that they would replace 50 feet of the tile at the four crossings. Raymond Bair asked if they were going to be boring or trenching; Mr. Roden informed him that they would be trenching, Raymond stated that they like trenching better. Mr. Roden stated that the only time that they would bore would be at crossings and railroads. Gordon Gough asked them how many acres are going to have solar panels, Mr. Roden informed him that there would be roughly 60 acres and the properties have been annexed into Gas City. Richard Cox made a motion to approve the plans from BNRG as presented and modified during this discussion. The motion was seconded by Pat Pinkerton and passed 4-1 with Gordon Gough voting Nay.

NEW BUSINESS

Cleopas & Haines – Denver Reeve – Variance request

Denver Reeve of Sims, Indiana is present before the Board requesting a variance on a drainage easement. He is wanting to build an addition where his current deck is. He is requesting that it remain at 57 feet, adding that the distance from the drain to the deck will not change, he will be adding 6 feet to the east and 6 feet to the west, and it will be no closer to the drain. Pat Pinkerton asked Mr. Reeve how many other houses in his area are already in the 75' easement, Raymond Bair said everyone is. Richard Cox made a motion to reduce the easement to 57 feet as needed; seconded by Pat Pinkerton. The motion passed 5-0.

OTHER BUSINESS

Bellevue Tile – Reschedule public hearing date

Mary Weesner stated that February 24, 2026, would be the earliest date to reschedule the public hearing for the Bellevue Tile. Mary Weesner confirmed with Raymond Bair that the assessment roll was good; he questioned the commercial site that Mary found. He asked if the city hall for Jonesboro should be acreage, homesite, or commercial rate since it is a municipal, adding that if it is commercial, it is not commercial. After a brief discussion, the Board stated that it is indeed commercial. Pat Pinkerton made a motion to reschedule the Bellevue Tile public hearing to February 24, 2025. The motion was seconded by Gordon Gough and carried 5-0.

Drainage Board Member Appointments – Gordon Gough-Pat Pinkerton

Chuck Poling informed the Board that they need to reappoint Gordon Gough and that Pat Pinkerton is retiring and will no longer serve on the Drainage Board after the December 30, 2026, meeting. Richard Cox asked if we need someone from Marion Utilities to serve on the Board, Pat informed him that he doesn't think that it is required and that there is no one that would do it right now. Chuck said that he felt we could put Doug Kingseed on the Drainage Board in Pat's place. Kenny Cates motion to appoint Doug Kingseed to the Drainage Board starting January 2026. The motion was seconded by Gordon Gough and passed unanimously 5-0.

Pat Pinkerton made a motion to reappoint Gordon Gough to the Drainage Board. The motion was seconded by Kenny Cates and carried 4-0 with Gordon Gough abstaining. Chuck Poling informed the Board that he will now take the two appointments before the Commissioners for their approval.

ADJOURN:

Kenny Cates made a motion to adjourn the meeting at 11:58 am. The motion was seconded by Pat Pinkerton and carried 5-0.

The next scheduled Drainage Board meeting to be held will be December 30, 2025, at 11:00 am and will be held in the Grant County Council Chambers.

The Grant County Drainage Board has approved the minutes as presented for December 9, 2025:

Chuck Poling
Chairman

Richard Cox
Vice-Chairman

Gordon Gough

Kenny Cates

Pat Pinkerton

Minutes recorded by:
Mary R. Weesner
Drainage Board Secretary