

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

The Grant County Drainage Board meeting was held October 9, 2018 in the Grant County Council Chambers. Mark Bardsley, Chairman, called the meeting to order at 11:00 a.m. Other members present were Kenny Cates, Gordon Gough, Pat Pinkerton, Richard Cox and Grant County 1<sup>st</sup> Deputy Surveyor Raymond Bair.

**APPROVAL OF MINUTES:**

Kenny Cates made a motion to approve the September 25, 2018 minutes as presented. Seconded by Gordon Gough; motion carried 4-0; Richard Cox abstained due to not being present at this meeting.

**APPROVAL OF CLAIMS:**

Raymond Bair presented the claims as follows:

Bragg Excavating \$2,980.00 Swartz Ditch; \$7,745.38 in the fund

Bragg Excavating \$1,378.85 Rigdon Tile; \$12,097.46 in the fund

Grant County Treasurer \$38,975.93; Loan to Maintenance fund from GDIF

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

**OLD BUSINESS:**

Little Crane Pond – Approval of resolution

There is nothing new to report

### Hummel Creek

Mark Bardsley informed the Board that we are still waiting to hear from Joseph Leone, Drainage Board attorney.

### **NEW BUSINESS:**

Pressler Ditch (Lugar)—Mic Roush—maintenance request; \$107,619 in the fund Mic Roush 7824 N 200 W, Hartford City is before the Board requesting maintenance on the Pressler Ditch.

Mr. Roush stated that John Enyeart of Enyeart Excavating has given a quote for work that Mr. Roush would like done on the Pressler Ditch. Raymond Bair informed the Board that the quote was for \$4,080.00 for 540 feet along 600 E to slope the banks back to 2:1 because the bank keeps sliding in and they have to keep redoing it. Mr. Roush feels that if they could lay it back further then it can't slide in anymore. Then there is another \$3,127.00 to dig 1.780 feet for the bottom dipping down to where it junctions with Tippy Ditch. Mic Roush stated that he purchased the farm in 1995 or 1996; not long after the purchase, Art Bair of Bair Excavating dipped it out because it was filled up and starting to back up. Not long after being dipped out, it started sliding in. Mr. Roush added that 3 or 4 years ago Byron Cook Excavating went in and dipped it out again, however they did not pull the bank back on the east side for some reason. Mark Bardsley stated that there is over \$100,000.00 in the maintenance fund. Gordon Gough asked Mr. Roush if he feels that this will help solve the problem; Mr. Roush replied that John Enyeart seems to think that it will greatly help the problem. He added that another problem he has seen over the last three years is the neighbors on the southwest corner of the intersection has taken out brush along the ditch which causes more flow coming onto him across the intersection, with a lot more velocity. Raymond Bair informed the Board that the part that runs along the road, when it gets filled, it starts to go back and forth, eating away on the road side also. Mr. Roush said that Jim Todd has spoken with Mr. White of the Highway Department and he didn't seem to want to help, even though there is highway right of way on the west side of this ditch, south of the intersection. Raymond Bair stated that there is a tile that comes across CR 600 and then runs north to the Pressler Ditch on the east side of CR 600. Raymond added that this tile

may not be big enough in size to handle the volume that's coming down there. Kenny Cates asked the Board if the maintenance fund was going to take care of it or should they see if the county highway department will take some of it. Mark Bardsley then asked Mr. Roush if there are any utilities running along there; Mr. Roush stated that I&M has a line running east and west and then head north.

Kenny Cates made a motion to allow Mr. Roush to have Enyeart Excavating do the work requested in the quotes for the Pressler Ditch in the amount of \$7,207.00; Seconded by Richard Cox. Motion carried with support 5-0.

\*Mark Bardsley will get with David White from the Highway Department to coordinate the work.

Gordon Gough asked Mr. Roush how the water gets into the open ditch from the corner; Mr. Roush stated that it comes in from the tile under the road with some coming off the road at the intersection. Gordon asked if it is washing out there and Mr. Roush said that it is not because there is rip rap there.

#### Jocinah Creek-Arndt Mueller-discuss CAFO

Arndt Mueller 5747 Red Fox Drive, Marion is present before the Board regarding the proposed CAFO (concentrated animal feeding operation) on Jocinah Creek. Mr. Mueller has brought the Board members a hydrogeological analysis of the proposed Holloway CAFO (a copy is attached to these minutes in the Drainage Board office) along with aerial photos of the land. Mr. Mueller added that one of their concerns is drainage, in particular, the field where the CAFO will be sitting. He added that he has talked with Jim Todd and Raymond Bair in the Surveyors office and Mr. Todd concurred that he thought this was a very poor site to put a CAFO. Mr. Mueller stated that Mr. Todd suggested that he look at a soil survey of Grant County. Mr. Mueller reviewed some slides and soil surveys of the land. He added that the chart shows severe ponding in the proposed area. He also showed the Board photographs that were taken after the rain on Friday showing the flooding and standing waters. Mr. Mueller reviewed the report with the Board. He cited items from the report such as on page 1; Two of the satellite sites are characterized by problematic terrain featuring sloping, historically eroded soils that drain directly into Mississinewa tributaries, and another lies in a groundwater recharge area, whereas the Holloway site is situated within a

prominent depressional wetland with extremely poor surface drainage that leads to a prolonged seasonally high water table and ponded surface conditions. Also, on page 9; another problematic issue with this site is wetness. The large size and inward groundwater flow towards this almost totally enclosed wetland complex will make it exceptionally difficult, and perhaps impossible; a) to keep the facility dewatered, due to the continually large volume of surface runoff and shallow groundwater flowing into the site and b) to time manure applications to avoid wet soil. Here, it must be noted that impacts to both surface and groundwater resources are to be expected should the water table rise and/or the field become ponded shortly following a manure application. In any case, the idea put forth in the application that the site can be drained with a simple 4" perimeter tile is laughable on its face, given the bowl-like topography, poorly drained surface soil, and large volume of incoming surface runoff and groundwater.

Mr. Mueller asked the Drainage Board if they would communicate with the Area Plan Commission to help reinforce the idea that this is not a great site to put a CAFO and that the proposed fix of a 4" tile isn't possibly going to resolve the issues. Mark Bardsley wants to contact Jim Todd regarding the Drainage Board's jurisdiction. Mark added that he does not feel that it would be a problem for the Board to make some kind of a statement to Area Plan, but it is up to the Board and what they feel is appropriate. Mark Bardsley added that he and Jim previously discussed that if there is water coming into the Jocinah Creek, then as the Board has done with other groups, there would have to be some kind of a drainage plan that would need Drainage Board approval. Mark Bardsley stated that he needs to discuss with Jim Todd and gather information and to verify that the Board has jurisdiction before the next Area Plan Commission November 5th meeting. Mr. Mueller stated that he introduced an amendment to the ordinance stating that they should give churches the same consideration that is given to a school. The current ordinance states that you have to be two miles from a food processing plant, you have to be one mile from a school; he would like to include churches in the one mile distance. Gordon Gough added that churches are not occupied as often as schools are every day. Mark Bardsley recommended that the Drainage Board take this issue under advisement until they can get a full report from Jim Todd and then further discuss this at the October 30<sup>th</sup> meeting,

coming up with a recommendation. Nobody has asked about putting anything into the ditch, Mark added, including a 4" pipe and he would like to know where it is going. Ron Mowery 5440 E 350 N, Marion, approached the Board regarding the proposed CAFO. Mr. Mowery stated that there is a common misconception of those opposing this particular CAFO are anti-farmer, nothing can be farther from the truth. Mr. Mowery explained that he and his wife had bought ten acres in 1968 from Jerry Losure. Jerry and his family had a 2,200 pig CAFO only 1/2 mile from him, adding that he was right in the middle of it. Mr. Mowery continued by saying that Jerry & Sue continued to live where this CAFO is located. Six years later Amy Beebe has taken over the farming operation and they farm 3,000 acres. In 1971 Mr. Mowery sold 8 acres to Jerry Losure so he could side his house and purchase windows. He stated that the difference between the CAFO he is talking about and the proposed CAFO is that the Losure CAFO was a family run operation where they farmed the ground, lived on the ground and raised the pigs on the ground as opposed to Mr. Holloway's CAFO is that he will not live on the grounds, he is living with his mother on Shalimar Road. Mr. Mowery said that one of the primary owners of the LLC is Gary Ott; he is 80% of this particular hog farm. Mr. Mowery mentioned that there is a court order against Mr. Ott that has been defied by Mr. Ott and now the Drainage Board has to spend more money to litigate this further, is this what we want behind such an operation. He stated that while he knows nothing about drainage, he does know that when he steps out on his deck and Amy Beebe has put the product on the ground, he just turns around and goes back into the house, the smell is offensive. And the proposed CAFO is much larger and surrounded by 700 homes, many of which are doctors. There are plenty of locations in Grant County that are far away from homes.

Mr. Mueller stood up and stated that he is very pro-farmer. He owns 42 acres and he has spent more than \$700,000.00 on his home and property. He added that he has Roger Bragg who is a respected citizen of this county, cuts his grass; it used to be alfalfa, a couple times a year and hauls it off.

Mr. Mueller stated that he does not get a penny from that grass; he just wants the land taken care of. He wanted to reiterate that he is not anti-farmer; he just feels this is a very bad choice for a location.

Kenny Cates asked where this stands now with Area Plan, Mark Bardsley

informed him that Area Plan is in the process of review and will make a decision of some sort November 5<sup>th</sup>.

Joe Austin, 5590 North Wabash Road, Marion is before the Board regarding the proposed CAFO. Mr. Austin told the Board that he lives less than 700 yards from the proposed site. He added that his nearest neighbor was Charlie McIlwain, and he made a life time project of maintaining the northern slope away from this CAFO, this leads down to Jocinah Creek. He worries knowing that some of the water is going north.

Mark Bardsley said that the Board will need to decide after talking to Jim Todd and questioned whether the Holloway's have any kind of drainage plan that would need approval from the Drainage Board.

Wilma Austin, 5590 North Wabash Road, Marion stood to speak to the Board. She said that she has lived in her house for 51 years and in the neighborhood 56 years and in their entire time living there, the area where Mr. Holloway is wanting to put this facility, has flooded and had a pond in that field forever. Sometimes they farm around it and sometimes the crops fail, but there is always standing water in that field right where he is proposing to put his facility.

### **OTHER BUSINESS:**

There is no other business to discuss

### **ADJOURN:**

Kenny Cates made a motion to adjourn at 11:47 a.m.; Seconded by Gordon Gough; motion carried with support 5-0.

The next scheduled meeting to be held will be October 30, 2018 at 11:00 am

Minutes recorded by Mary R. Weesner

**MINUTES APPROVED:**

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MARK BARDSLEY

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GORDON GOUGH

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RICHARD COX

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KENNY CATES

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PAT PINKERTON