

GRANT COUNTY DRAINAGE BOARD

401 SOUTH ADAMS STREET

MARION, INDIANA 46953

The Grant County Drainage Board meeting was held November 13, 2018 in the Grant County Council Chambers. Mark Bardsley, Chairman, called the meeting to order at 11:03 a.m. Other members present were Gordon Gough, Kenny Cates, Pat Pinkerton and Grant County Surveyor, Jim Todd. Richard Cox was not in attendance.

APPROVAL OF MINUTES:

Kenny Cates made a motion to approve the October 30, 2018 minutes as presented. Seconded by Pat Pinkerton; motion carried 3-0 with Gordon Gough abstaining due to not being in attendance at the October 30th meeting.

APPROVAL OF CLAIMS:

Jim Todd presented the claims as follows:

Chronicle Tribune \$16.79 Barren Creek & Tribs; \$120,650.11 in the fund
Chronicle Tribune \$16.24 Taylor Creek; \$31,244.10 in the red
Chronicle Tribune \$15.14 Echelbarger & Zirkle; \$306.23 in the red

Pat Pinkerton made a motion to approve the above claims as presented; seconded by Gordon Gough. Motion carried with support 3-0 with Kenny Cates abstaining.

OLD BUSINESS:

Little Crane Pond – Approval of resolution

There is nothing new to report

Hummel Creek

Mark Bardsley informed the Board that the necessary information has been submitted to our attorney that was requested. Mr. Leone will be giving the Drainage Board a finalized draft of the petition going back into the courts. Mark asked Mary Weesner to email Mr. Leone asking the status of the latest revision and request a copy when it has been completed.

***Mark Bardsley read an email that was just sent to Mary Weesner stating that the attorney (Joseph Leone) has made some changes to the petition to return to court, the Board agrees to have Jim Todd and Mark read and approve if they approve of the changes.

Elliott Tile – Jeremy Schmitt, Commonwealth Engineering

Mr. Schmitt is present before the Board regarding the area on the west side of the camp grounds where the Elliott Tile runs by. He is present before the Board because they are done with the project and looking to get their permits and need to ask the Drainage Board if there is any possibility for them to connect the campground storm water into the Elliott Tile or if they need to go a different route. Mr. Schmitt added that the options to the town, originally, they had the option to drain to Back Creek, but that would cost somewhere around \$500,000.00. The option to tie the campgrounds into the Elliott Tile would cost the town roughly \$260,000.00, adding that there is a substantial cost difference for the town if they had to run their storm water to Back Creek. Mr. Schmitt said that at one time the campgrounds were a part of the Elliott Tile and was pulled out; he believes that to be around the 1960's. The campgrounds then became part of the town's assessment. Mr. Schmitt said that instead of connecting to the new version of the tile, he wonders if it would be okay to connect the existing tile which continues south. He passed some drawings around for the Board's review. Gordon Gough and Jim Todd discussed the Bennett tile that allowed the campground to tie into it. Mark

Bardsley asked if they city is petitioning on behalf of the campground or are they still acting as an individual entity; Mr. Schmitt answered that the city is petitioning on behalf of themselves and the campground is where the sewers run. Pat Pinkerton asked Mr. Schmitt what size storm sewer they are looking at running; he replied it could be a 12" or maybe a 15", he is fine with putting in a smaller pipe to restrict the flow if the Board wishes. Kenny Cates added that he would like to see them take an 18" tile and run it to Back Creek and then if they wanted to use it for something else, they could. Gordon Gough informed him that the Elliott has not been turned over to the Board as of yet. Mark Bardsley stated his concern that anything done through the Elliott would be a double whammy because they are paying to the city and then they would also be put back on an assessment roll to pay a ditch tax as well since they are sending water down that would have to be maintained. Gordon Gough stated his concern is whether it is sized to handle the extra water. Mark asked how many acres they want to drain into the Elliott; Mr. Schmitt stated he is not sure; it could be between 20 to 30 acres. Pat Pinkerton asked how many feet to go to Back Creek, Mr. Schmitt stated about 3,400. Mark Bardsley said that the Elliott group needs to meet with Mr. Schmitt. Jim Todd stated that Mary Weesner can get in touch with Wendell Cates and try to have the Elliott group come to our next meeting.

NEW BUSINESS:

Little Black Creek – Greg Brankle – request maintenance

Jim Todd informed the Board that Mr. Brankle has a price from Chuck Fullenkamp. Jim added that this area traditionally silts in and it runs from 700 E to 600 E. Jim Todd stated that they currently have Enyeart's working for Jack Greene on Little Black Creek, miles down from this location.

Currently there is about \$9,748.00 in the maintenance fund for this water shed. He added that this is a fall collection that will bring in about \$1,990.00 and then in the spring it should bring in about \$2,800.00. Jim has talked to the contractor and he feels that nobody can beat this price of \$1.00 per foot. Jim Todd said that this is the mile of ditch before the head wall; Gary Endsley, Chris Duckwall, George Detamore and a couple of other's will benefit from this work. Fullenkamp agreed to wait until the money is in the fund. This job

consists of 6,000 feet at \$1.00 per foot. Kenny Cates made a motion to approve the request as presented for Little Black Creek; seconded by Pat Pinkerton. Motion carried 4-O.

OTHER BUSINESS:

2019 Meeting Dates – Board approval

Jim Todd passed out the 2019 Meeting Date schedule for Drainage Board approval. Upon review Pat Pinkerton made a motion to approve the 2019 meeting dates as presented; seconded by Gordon Gough. Motion carried 4-O. The Board has signed the schedule.

Also, Mark Bardsley stated that Kenny Cates is up for renewal as a member of the Drainage Board. Mark has asked Kenny if he would sit another term of four years, Kenny Cates agreed. Mark Bardsley will make the recommendation to the Commissioners.

Echelbarger & Zirkle – Public Hearing

Jim Todd informed the public that there is currently 775 acres that drain into the Echelbarger & Zirkle, also contains 9 home sites. This water shed has been on maintenance quite a few years at 55¢ an acre. There was money spent last season cleaning out the open ditch so that the tile would work. A lot of the Echelbarger & Zirkle is a larger size tile that was put in years ago. The proposed plan is to raise it to \$10.00 per acre with a \$50.00 home site and a \$50.00 minimum for an 8 year collection; this amount would bring in \$8,282.00 annually. The current rate only brings in \$426.00 per year. Jim Todd added that traditionally there are a few holes in the tiles that break every year. There were no objections filed regarding the proposed rate increase. Jim recommended to the Board that instead of an 8 year collection that they could drop it to a 4 year collection and still has enough money in the maintenance fund. Jim stated that Mark Glessner had opened up part of this ditch this year, but we paid him some out of the maintenance fund for this and that put this ditch fund in the red. Jim Todd added that for years, this has not had a good outlet and there has never been enough money to clean out the open ditch, causing the tile to blow up with all that pressure on it. Jim

would like to replace some footage on the end when the money builds up. The discussion is now open to the public.

Echelbarger & Zirkle – Public Hearing (continued)

Max Edgington 7268 W 200 S, Swayzee, Indiana

Charles Edgington 7308 W 200 S, Swayzee, Indiana

The Edgington brothers are before the Board regarding the proposed increase. Max Edgington stated that he is not sure how the Drainage Board comes up with their numbers for the acreage and home sites. He feels that farm drainage is a very important part to having a good crop. He asked why there is such a difference in the acreage rate versus the home site rate; Gordon Gough informed him that the homeowner puts water in every day stating that every time you flush the stool, you take a bath or wash your clothes you're putting water into the drain. Gordon added that the farm ground only takes it when Mother Nature gives it. Max Edgington stated that he does understand that, but there are leech fields around a lot of the home sites and does not agree that this is a proportionate share. Gordon said that the leech field has a perimeter drain around it as well to drain the water away. Mr. Edgington stated that farmers produce a crop for profit and it is important to have good drainage for farm grounds but (inaudible)... He does not agree with Gordon Gough's explanation regarding the cost difference for home versus acreage. Charles Edgington agrees with Max on this issue. Jim Todd asked the Edgington brothers what they would like to see the rates at; his response was inaudible...

Jim Todd informed the public that this land is also on the assessment roll for Taylor Creek but the home sites will only be applied to the Echelbarger & Zirkle. Jim assured the Edgingtons that there is a charge for home sites on Taylor Creek and the Echelbarger, but if you are on both water sheds and paying the home site for Echelbarger, you will not pay the home site for Taylor Creek, adding that he doesn't want land owners paying 2 home sites. Max Edgington complained that the minimum is \$50.00 on both Echelbarger and Taylor Creek. Jim Todd replied that he would like to see the minimum lowered for Taylor Creek to maybe \$10.00 instead of the advertised \$50.00.

Mark Bardsley explained that the Board can always lower the rate from what was advertised but they cannot raise it. On another topic, Max Edgington stated that he has seen chunks of culverts removed while the fiber optic lines are being installed; he has seen this on many occasions. He explained that he talked with one of the line installers informing him that there is drainage lines being damaged and asked what they were going to do about it; the installer told him to file a complaint with the company and then they would come out and take care of it. Mr. Edgington added that in the meantime, water is backing up and crops are being damaged. He would like to see this addressed in such a way with the fiber optic company before things keep getting torn up. Kenny Cates explained that the Drainage Board passed a law stating that they have to chain them in after getting a permit from the County Highway Department. If they do not get a permit they will be fined. Jim Todd explained that the maintenance money is used only for the drain that it was collected for. He told the gentlemen that they can always call the Drainage Board office and speak to Mary Weesner; she is responsible for tracking the money. If there is a problem with the drain, we can have the work done with the maintenance fund. Pat Pinkerton asked Jim Todd whether there are many objections for Taylor Creek; Jim stated that we have received a few. Kenny Cates explained that Taylor Creek will need to be \$50.00 per home site since the other drains in Swayzee are costing that. The Board is concerned about the people that are paying on Echelbarger & Zirkle and Taylor Creek. Jim Todd recommends lower the minimum rate on Taylor Creek so that people that are paying on multiple drains not being charged excessive amounts. Pat Pinkerton made a motion to accept the assessment of \$10.00 per acre, \$50.00 per home site and \$50.00 minimum for a 4 year collection. Seconded by Gordon Gough; motion carried with support 3-0 with Kenny Cates abstaining due to having land in the Echelbarger & Zirkle water shed. Pat Pinkerton wanted to make it clear that the home owners would only be charged a home site charge one time if on both Echelbarger & Zirkle and Taylor Creek.

Taylor Creek

Mary Weesner asked the Board about Taylor Creek objections. She stated that the Indiana Drainage Code states that written objections are to be submitted

to the Drainage Board office no later than five (5) days before the public hearing; this is also stated on the notices sent to the public. The question is since the Grant County office are closed on Friday November 23rd, the deadline for written objections, can we accept them on Monday November 26th. Mark Bardsley stated that if we get any in the mail, they must be post marked by Friday, November 23, 2018 in order to be accepted. Mark added that anything that should come in on Monday November 26th needs to be marked with a time stamp.

ADJOURN:

Kenny Cates made a motion to adjourn at 12:20 a.m.; Seconded by Gordon Gough; motion carried with support 4-0.

The next scheduled Drainage Board meeting to be held will be November 27, 2018 at 11:00 am

Minutes recorded by Mary R. Weesner

MINUTES APPROVED:

MARK BARDSLEY

GORDON GOUGH

ABSENT

RICHARD COX

KENNY CATES

PAT PINKERTON