

GRANT COUNTY DRAINAGE BOARD

401 SOUTH ADAMS STREET

MARION, INDIANA 46953

The Grant County Drainage Board meeting was held April 9, 2019 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, Richard Cox and Grant County First Deputy Surveyor Raymond Bair. Pat Pinkerton and Grant County Surveyor Jim Todd were not in attendance.

APPROVAL OF MINUTES:

Richard Cox made a motion to approve the March 26, 2019 minutes as presented. Seconded by Gordon Gough; motion carried with support 3-0; Kenny Cates abstained due to not being present at the meeting

APPROVAL OF CLAIMS:

Mary Weesner presented the claims as follows:

Grant County Treasurer \$436.55; loan repayment; Maintenance to GDIF

Grant County Treasurer \$8,585.68; loan from GDIF to Maintenance

Kenny Cates made a motion to pay the claims as presented; Seconded by Richard Cox. Motion carried with support 4-0.

OLD BUSINESS:

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

Hummel Creek

Mark Bardsley stated that according to an email from Joseph Leone, attorney for the Drainage Board regarding the issue of the obstruction and Gary Ott, they asked if the Board would be willing to do some engineering for a crossing over Hummel Creek; Mark stated that if Mr. Ott would like to sue anyone, he can sue the previous owner that sold him the land but the Board is not responsible for designing a crossing. Mark Bardsley added that while we did win in court, but we did not have in the court order the means by which to access his drive and now he has blocked us. That is why we have to go back to court so that the courts can order Mr. Ott to allow us access via his road so that we do not have to build up a \$120,000.00 road in, mat it all down and then pull it out once the obstruction is removed. Kenny Cates asked that if we did have to build the access, would Mr. Ott be responsible for that cost; Mark Bardsley replied that from his understanding, yes. Gordon Gough asked Mark about if the Board were to put a lien on this property; Mark stated that if we were to put a lien on this, it would be locked up. Richard Cox asked how many acres Mr. Ott has in the Hummel Creek watershed. Raymond Bair stated that it appears that Mr. Ott is not inside the watershed. Mark Bardsley asked Mary Weesner if she knew if there is any monies that is owed by Mr. Ott; Mary stated that our attorney is looking into seeing if the Board can bill Mr. Ott for the amounts the Board has accrued since the verdict in the Drainage Board's favor, including attorney fees for the appeal, engineering and permit costs and that Mr. Leone will get back to her. Mark stated that the Board can possibly tell them to remove the obstruction or we will file a lien on the property. Mary Weesner will contact the Drainage Board attorney to check on filing a lien.

NEW BUSINESS:

Haw Run of Grassy Fork – Land owners gifting for tile

Raymond Bair informed the Board that the land owners want to run the money through the Drainage Board. Mark Bardsley questioned if this is against the State Board of Accounts; Mary Weesner explained that this is different. She went on to explain that the land owners are wanting to “gift” the money to the maintenance fund of Haw Run of Grassy Fork and then any and all expenses would be paid through the maintenance fund. The land owners are aware that any money left over cannot be reimbursed when the work is completed and that the money would remain in the maintenance fund for future use. Mark Bardsley was concerned about the bidding process. He asked if they were taking bids or are they doing this on their own; Raymond Bair stated that they were doing this on their own. Gordon Gough is on this water shed and is aware of what is going on, he stated that there is a group of land owners that have gotten together. The land owners felt that it would be better to do it this way rather than have one of them be the treasurer and have to get bonded.

Aaron Newby Tile – Charles Bebout 6574 Wheeling Pike – Water Complaint

Raymond Bair informed the Board that Randy Adkins did some tiling south of Mr. Bebout. The Surveyor's office has been in touch with both of these land owners. These two land owners are supposed to be getting in touch with each other regarding Mr. Bebout hooking into Mr. Adkins' new tile because more than likely the old Aaron Newby goes through muck holes and has probably sunken again. Raymond told the Board that Jim Todd had told him that this has sunken before and probably has sunken again. Mr. Atkins had redone his field to obtain drainage, according to Raymond.

OTHER BUSINESS:

Barren Creek – Pan Handle Eastern Pipe-Line

Gordon Gough stated that since they are doing the Swartz Ditch and that they are going to put a cover over it, they had done the

same on Barren Creek about two years ago. Gordon is showing the Board photos of a pipe line on Barren Creek. While he is unsure how, it is holding up water. Gordon added that north of this on Barren Creek, Presnell sold the pipe line company 20 to 25 acres because the pipe lines are too shallow to farm it. Raymond Bair stated that what he is concerned about is the bags that go across at an angle; if it was flat before, that means that the north side of that is rising, now all the current is on the south side of the creek. Mark Bardsley stated that the Board now needs to make a request of the gas line company to go out with Jim Todd to access what is going on. Kenny Cates stated that back in 1966 they came in and dug way back on each side of this and pulled it over into their trench and poured concrete on it. Kenny added that the Board can make them lower it.

ADJOURN:

Kenny Cates made a motion to adjourn at 11:27 a.m.; Seconded by Gordon Gough; motion carried with support 4-0.

The next scheduled Drainage Board meeting to be held will be April 30, 2019 at 11:00 am

Minutes recorded by Mary R. Weesner

MINUTES APPROVED:

MARK BARDSLEY

GORDON GOUGH

RICHARD COX

KENNY CATES

ABSENT

PAT PINKERTON