

GRANT COUNTY DRAINAGE BOARD

401 SOUTH ADAMS STREET

MARION, INDIANA 46953

The Grant County Drainage Board meeting was held June 11, 2019 in the Grant County Council Chambers. Mark Bardsley, Chairman, called the meeting to order at 11:04 a.m. Other members present were Gordon Gough, Kenny Cates and Grant County Surveyor Jim Todd. Richard Cox and Pat Pinkerton were not present.

APPROVAL OF MINUTES:

Kenny Cates made a motion to approve the May 28, 2019 minutes as presented. Seconded by Gordon Gough; motion carried with support 3-0.

APPROVAL OF CLAIMS:

Jim Todd presented the claims as follows:

Rogers Farm Drainage \$987.56 Tappen Tile; \$9,935.67 in the fund
Chronicle Tribune - \$15.18 Hardy Tile; There is no maintenance fund
Chronicle Tribune - \$15.18 Simmons Tile; \$3,543.94 in the fund
Morelock Wildlife Control \$500.00 Hollis-Daughtery; \$4,540.77 in the fund

Right of Way Management \$1,200.00 Lugar Creek & Tribs;
\$126,316.62 in fund

Redman Excavating \$747.50 Sims Franklin; \$69,118.56 in the fund
Grant County Treasurer \$171.32 Loan from GDIF to Maintenance account

Grant County Treasurer \$164.62 Loan Repayment; from Maintenance to GDIF

Byron Cook Excavating \$947.00 Stoney Creek; \$13,290.58 in the fund
Byron Cook Excavating \$1,048.00 South Prong Dry Fork; \$2,149.91 in the fund

Byron Cook Excavating \$940.00 Brumfield & Minnick; \$18,614.99 in the fund

Byron Cook Excavating \$1,372.00 Ten Mile; \$7,146.72 in the fund
Byron Cook Excavating \$1,184.50 Clark Tile; \$11,060.73 in the fund
Right of Way Management \$350.00 Little Black Creek; \$357.46 in fund

Gordon Gough made a motion to pay the above claims as presented; Seconded by Kenny Cates. Motion carried 3-0.

*****Gordon Gough to abstain*****

Don Hill \$540.00 Little Creek; \$13,009.84 in the fund

Kenny Cates made a motion to approve the above claim from Don Hill as presented; Seconded by Mark Bardsley. Motion carried 2-0 with Gordon Gough abstaining due to having land in the Little Creek water shed.

OLD BUSINESS:

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

Hummel Creek - Matt Mead of Christopher Burke Engineering is present before the Board today regarding Hummel Creek. Mr. Mead stated that he is present today to answer any questions that the Board may have regarding the proposal that he has presented for the bidding of the removal for the illegal Hummel Creek crossing. Mark Bardsley told Mr. Mead that one thing they were shocked by was the cost factor; the Board figured it would be a lesser amount for the plan instead of the entire scope of work. Mr. Mead responded to Mark stating that the request he received from Drainage Board attorney, Joe Leone asked for a bid packet for the removal and that would involve the development of all construction documentation. This would include the full set of design construction plans, regrading and the only surveying that they have is the survey done by Miller Surveying six years ago. Mr. Mead agreed that it is expensive, but it is everything that the construction would need to develop their own bid; they will need to know how much cutting and filling they are going to have to do. Mr. Mead added that it is the full package, also it incorporates in

the development of the documentation, there is also bidding assistance where they will go over the bids to make sure that they are complete, making a recommendation based on what they feel will be the most cost effective and best firm to complete the work. He added that due to the delays after the court order was obtained, all of the permits have now expired and now they will need to submit approval from IDEM, DNR and Army Corp again; there is additional funding in the packet for the permits. Jim Todd asked Mr. Mead if this includes getting the other access up to bid; Mr. Mead answered stating that this shows what it would be to go up the easement, opposed to the existing access drive. Jim Todd asked if this will be an actual bid; Mr. Mead stated that this will not be a bid, it will be a cost estimate from a surveyor, a cost estimate from a geo tech company and what all will be necessary. There will be a full wetland breakdown because their original assessment only went a certain distance from the site because outside of that, they did not think they were going to need it because he assumed that the access drive would be the primary access to get to the illegal obstruction. Mr. Mead added that with the former Perez property is no longer a viable access site, it has to be extended even further to come in off of Bocock Road near the bridge. Jim Todd hopes that this information will show a judge that it is detrimental to the environment to go through the wetlands. Jim added that the Board will have to deal with Environmental Management and there will be mitigation for replanting trees or the soil being compressed. Mr. Mead agreed with Jim, adding that there are a lot of wetlands in that area and also a geotechnical analysis will be needed because most of that soil in there is sand and you don't want your haul road collapsing into the creek. Mr. Mead has assessed that area with his survey contractor and received a rough estimate on a quote on that and it is about three times what it would be required to just use the detailed survey at the site. He added that he has not spoken to a geotechnical contractor, but he is anticipating that it is going to be fairly expensive because of the density of the vegetation. You would have to clear the vegetation to get equipment such as a drill rig back in there to take core samples. Mr. Mead added that anything

that is done to access the road, the Board will have to mitigate that, adding that if it is a woods/wetland area, which it is, that would be more than a one-to-one mitigation, we would have to mitigate off-site as well. He stated that anything, such as trees that is over ten inches will have to be replaced. There are mattings that could be placed down over wetlands, but that is if the subsurface makes this a viable option. Gordon Gough asked Mr. Mead if we can access the land owner that is causing us to spend all this money; Mr. Mead replied that is a question for our attorney. Mark Bardsley stated that Mr. Mead has met multiple times with the landowner giving different objectives and they have all been rejected as well. Jim Todd said that it is important to convince the judges that it is not feasible to go up the wetlands when there is a road that gives access right to the problem. Mark added that he believes that our attorney would like us to do this to seal the deal with the judge. Kenny Cates asked Mr. Mead what the time frame is to do all this, Mr. Mead answered that it would be 90 days after notice to proceed they would have the final packet prepared. Kenny Cates stated that since we have to do this, we will eliminate Mr. Ott from doing this with his own contractor; Jim Todd added that we offered that already, a few years ago. Gordon agreed, adding that the Board will select who will do the work. Kenny Cates made a motion to proceed with Christopher Burke Engineering and Mark Bardsley is to sign the contract; Seconded by Gordon Gough. Motion carried, with support 3-0.

Cart Creek – Estimate for brush & tree removal (Andy Rickner)

Jim Todd informed the Board that he has the estimate and it reads as follows; forty feet back from our tile, 300 feet in length is \$1,350.00 from Rickner Drainage. Jim added that he would like to see the Board proceed with this. There is \$33,050.00 in the Cart Creek maintenance fund at this time. Gordon Gough asked Jim Todd if there are tree roots in there; Jim replied there is. Mr. Rickner has fixed all the breaks that he can at this time. Gordon Gough made a motion to allow them to work on the Cart Creek for \$1,350.00; Seconded by Kenny Cates. Motion carried with support 3-0.

NEW BUSINESS:

Lugar Creek & Tribs – Joe Blue

Jim Todd informed the Board that Joe Blue had requested to do 1,985 feet of brushing and dipping and then another 2,183 feet on his other farm. He was supposed to bring some estimates to today's meeting, but he is not present. This topic has been tabled.

Drake Tile – Brian Shafer – petition for public hearing & Estimate

Jim Todd stated that he talked to Brian Shafer earlier and for forty-something years they have been fighting this tile. They put a grass waterway on the back end but the tile is breaking down. The current rate is \$3.00 per acre and there are 202 acres in the Drake Tile water shed. This has a 16" tile that was put in 1915. At the current time, there is about \$1,000.00 in their maintenance fund. Jim added that Mr. Shafer could not be present today, but he has turned in a petition for a public hearing. Mr. Shafer received an estimate from Scott Rogers; we would have to take some more quotes for this. In Jim's opinion, this just gets it to Mr. Shafer's property; it still needs to go another 1,000 to 1,200 feet until it gets to the county road. Gordon Gough asked Jim Todd how many land owners are there on the Drake Tile; Jim told him that there are eight land owners. Jim added that he has compromised the tile by shaving the dirt off. Gordon Gough made a motion to have a public hearing on August 27, 2019, \$140.00 per acre, \$50.00 home site with a minimum of \$50.00 for an eight year collection. Seconded by Kenny Cates; motion carried with support 3-0.

Broadview Drive – County Highway issue – Bill Pickering

Mr. Bill Pickering appeared before the Board along with his neighbor Stephen Barley. He is present today regarding a neutralized drain that is at the end of his driveway. He added that Broadview Drive goes downhill all the way down to him and it has become his responsibility to clear the drain. In the last week, the road has flooded three times, adding that it is well known that this is the highest consistent flooding place in the county. Mr. Pickering told the Board that Jim Todd had referred him to Pat Pinkerton at

Marion Utilities, adding that Pat was very helpful to his situation. Jim added that he talked to Pat as well. He said that they blew it out and ran a camera through and that there is something construction-wise in the way. Mr. Pickering stated that when they ran the camera through, it showed a very clean pipe all the way to Chapel Pike and to State Road 15. Jim Todd added that the State had put a bigger surface pipe under the highway. Mr. Pickering added that the last time he was out cleaning the drain there was no draw whatsoever. He added that Jim Todd told him it could be roots blocking it. He said that when they ran the camera, they determined that there is a "hankie" connection at the end of his driveway that involves three different elements. First of all, there is a 90° bend from the drain from his house over to the 30" tile that runs down the length of Broadview, going uphill and backwards. Jim Todd stated that he thought they had run the sewer jet; Mr. Pickering said that they didn't need to, when they ran the camera through it, it was amazingly clear. Jim Todd said that this is a mutual drain, the commissioners accepted the road and the tile as their responsibility, there is no drainage easement either; this is why it falls under the Highway Department and it has never been made a county tile. Gordon Gough asked whether or not this is a Drainage Board problem, Kenny Cates replied that it is not. Mr. Pickering had a 3' sink hole a few years ago and the Highway Department would not take care of it so Wendell Cates repaired it. There is documentation stating the commissioners accept this as their responsibility, Mark Bardsley added that since they have this documentation, it's the commissioners responsibility, it's a done deal. Mark Bardsley stated that Jim Todd has a document from 1958 that states the county commissioners accepted this as the Highway Department responsibility. He added that it is in writing and has been acknowledged and it needs to go in front of the commissioners and they will tell the Highway Department to get this done.

OTHER BUSINESS:

Commissioner Mike Burton approached the Board regarding the 2020 budget for the Drainage Board. Mr. Burton stated the budgets need to be turned in by Friday, June 14, 2019. Mark Bardsley informed the Drainage Board that they are in process of preparing the budgets. One thing Mark wanted to walk through; he said that most things are not going to change. He added that he hopes the Board agrees they need to push the envelope on the Drainage Board Secretary's pay. She is being paid the lowest level in the county. Mark Bardsley said that she has been assuming more responsibility from the auditor's office regarding putting information into the system. Mark would like to put the Drainage Board secretary's salary at whatever the lowest salary is in the auditor's office. Mark Bardsley is asking the Board's permission to put this into the Drainage Board budget. He added that there is the stipend for the Board members, would they like to try to buck that amount up; Gordon Gough stated that he would rather it just stays the same. Gordon added that he would like to see Mary Weesner get a raise for all that she does and she makes the Board's job so much easier. Kenny Cates agrees with Gordon. Kenny Cates added that the Board is getting into a lot more now with her than they used to, such as all the public hearings to raise the ditch assessments. Jim Todd added that Mary is doing all the ditch postings rather than wait for the auditor office, this allows for more accurate ditch balances.

ADJOURN:

Kenny Cates made a motion to adjourn at 12:02 P.m.; Seconded by Gordon Gough; motion carried with support 3-0.

The next scheduled Drainage Board meeting to be held will be June 25, 2019 at 11:00 am

Minutes recorded by Mary R. Weesner

MINUTES APPROVED:

MARK BARDSLEY

GORDON GOUGH

ABSENT

RICHARD COX

KENNY CATES

ABSENT

PAT PINKERTON