

# GRANT COUNTY DRAINAGE BOARD

## 401 SOUTH ADAMS STREET

## MARION, INDIANA 46953

The Grant County Drainage Board meeting was held January 14, 2020 in the Grant County Council Chambers. Mark Bardsley, Chairman, called the meeting to order at 11:00 a.m. Other members present were Gordon Gough, Kenny Cates and Pat Pinkerton. All members were present.

### **APPROVAL OF MINUTES:**

Pat Pinkerton made a motion to approve the December 31, 2019 minutes as presented. Seconded by Richard Cox; motion carried with support 4-0; Kenny Cates abstained since he was not present at this meeting.

Mark Bardsley informed the Board that since it is the first meeting of the year, the Board needs to elect the Chairman and the Vice-Chairman.

Kenny Cates made a motion to keep Mark Bardsley as Chairman and Gordon Gough as the Vice-Chairman. Seconded by Richard Cox; motion carried 5-0.

### **APPROVAL OF CLAIMS:**

Jim Todd presented the claims as follows:

Rodney Gunning \$85.24 Haw Fork of Grassy Fork; \$85.24 in the fund

Kenny Cates made a motion to approve the claim as present; Seconded by Pat Pinkerton. Motion carried with support 4-0; Gordon Gough abstained since he has land in the Haw Fork of Grassy Fork water shed.

## **OLD BUSINESS:**

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

Hummel Creek  
There is nothing new to report at this time.

## **NEW BUSINESS:**

Jocinah Creek – quote for Mark Glessner from Nolan Holloway

Jim Todd stated that Mark Glessner requested that Nolan Holloway clean out 4,215 feet of Jocinah Creek. Mr. Glessner received a quote priced at \$2.00 per foot and the spoil will be leveled at a manageable level to farm over the spoil. All outlet pipes will be flagged and if any get broken off they will be repaired. Any tree branches in the way of dredging will be brushed back. The total quote is \$8,430.00. Jim Todd added that there is \$16,000.00 in the fund. Jim showed the Board a map on what would be dug out from the highway to the headwall. Richard Cox made a motion to approve the quote from Nolan Holloway; seconded by Gordon Gough. Motion carried with support 5-0.

## **OTHER BUSINESS:**

Doyle Ferguson – Public Hearing

Jim Todd stated that this has been cleaned years ago by the land owners and has never been on maintenance. Jim has received a petition for maintenance; adding that this watershed is 1,383.95 acres with 13 home sites. The petitioned rate is \$25.00 per acre, this rate would bring in \$34,598; home sites would be \$50.00, bringing in \$650.00 annually. At this rate, this would bring in \$35,271.00 per year. Jim Todd informed the Board that there was one objection to

the proposed maintenance. The objection was from a land owner John and James Bollinger with 28.83 acres; this is .02% of the Doyle Ferguson water shed.

Jim added that Raymond Bair has put together some estimates for this. This would take about two years to collect enough money to do the whole thing; possibly after collecting for one year, we can borrow the rest from the General Drain Improvement Fund.

Raymond Bair explained to the Board that the he figures that this is to get the work done quicker without having to bring up all the money at once. Once it is stabilized erosion wise, it could be put on a spray program, adding that the assessment can be adjusted to dredge it every five years and keep it sprayed. Jim Todd stated that the total is 17,023 feet. Jim added that we could get quotes in the fall and we would have to put it in the red for about one year, the next year the fund would bounce back. After the maintenance is done and paid for, the land owners can petition the Board to lower the maintenance rate. Richard Cox asked Jim if they have figured a cost to do this; Jim stated that it is about \$63,600.00.

Mark Bardsley opened the meeting for the public to speak.

Harrold Turner approached the Board regarding the maintenance assessment of the Doyle-Ferguson. He stated that his property starts at the head of Black Creek, but when it forks back west the problem is that it gets sediments in it that it is starting to eat out the banks. He added that the woods by Olyinger's are the ash trees are dying. He keeps one side fairly clean through the woods. There is not a lot of brush. Mr. Turner stated that he is the one that is petitioning this. Richard Cox asked Mr. Turner what he thinks is a good rate after the project is done; he replied that he would like to wait until the time comes. Jim Todd stated that the third year when it goes back into the black, they can petition to lower the rate. Jim said that he will send letters out to contractors telling them what they expect and then they will receive quotes.

Mark Hummel is before the Board. He asked Jim Todd since they don't have contractor bids or quotes, is this just a guess; Jim stated that it is a guess. He wants to know what happens if the estimates come in different than what he came up with; Jim said that they

would have to wait until the money comes in, if it is more. Mr. Hummel feels that it should be set on a three year collection and not a four year collection. He does not feel there is a need for a four year collection. Gordon Gough reiterated that the money collected for the Doyle-Ferguson can only be used on the Doyle-Ferguson.

Jan Waite, daughter of John Bollinger is present before the Board. She stated that she did send a letter of objection. She said that this rate would cause a hardship and they do not see a benefit from the ditch. She said that the ditch runs through her property but she cannot get to the back half through the woods. Several years ago, someone came through there and logged a bunch of trees. She would like the proposed amount to be lowered as much as possible. Kenny Cates explained to Mrs. Waite that the county has a 75' easement on each side of the ditch. If the county would have taken the trees down, they would have sent letters to the land owners informing them that this was going to be done.

Public portion is now closed.

Gordon Gough brought up the proposed rate, Jim Todd stated that maybe they could lower the home site rate. Richard Cox stated the woods gets the same assessment as good farm ground, Gordon agreed.

Kenny Cates made a motion to accept the proposed rate of \$25.00 per acre, home site rate of \$50.00 with a minimum of \$25.00, for a four collection shut-off. Seconded by Gordon Gough, motion carried with support 5-0.

Jim Todd explained that this certified assessment roll will be taken to the Auditor's office and a ditch tax will be added this year. Jim added that this fall, he will send out letters and receive quotes from contractors. After the work is completed and the fund is no longer in the red, land owners can come back and ask for a rate reduction.

## Sweetser Improvement & Enoch Lee – Public Hearing

Jim Todd informed the Board the Sweetser Improvement & Enoch Lee has never been on maintenance. Jim stated that we have received a petition for maintenance on this ditch. The Sweetser Improvement & Enoch Lee is 17,774 feet in length.

At \$25.00 per acre and \$50.00 per home site, that would bring in \$37,854.50 per year. This would be a four year collection shut-off. There is 1,466 acres and 24 home sites in this water shed. Jim added that he has an estimate for brushing and clean out for about \$77,312.00.

Adam Swagger is before the Board. Mr. Swagger stated that he is present representing his father. He asked if the county has a way to truck off the debris from the spoils from the ditch; Jim Todd stated that we can do that, Gordon Gough added that it would cost extra to do the job, but it can be done. Jim said that the other option would be to spread it out, but then it would need to be grass seeded. Jim feels that this most likely would cost more than trucking it out in to the fields. Mr. Swagger stated the other issue he has is that back when the reconstruction was done and they dug the ditch, they made it pretty close to the house; the top bank of the creek is about ten feet from the house. The banks have been sliding in and there is an area by the house, now making the Creek about five from the house. Mr. Swagger suggests a six foot culvert with a rip rap on it to alleviate further problem. He added that if they used the maintenance money for material, he could do the work. Gordon Gough asked Mr. Swagger how they got permission to build a house that close to the ditch; Mr. Swagger stated that it was done a very long time ago and that the ditch was much farther away from the house. Kenny Cates asked what kind of pipe is thinking of using; Mr. Swagger stated that he was thinking of using a steel culvert. Mr. Swagger is in favor of the work, but has concerns about the integrity of his father's house.

Delbert Turner spoke up stating that Mr. Swagger does have a problem and wondered if instead of putting in a pipe, that they could just reroute the ditch; Jim Todd stated that it is running pretty

straight through there and that they would have to put a bend in it and it would also require an engineer because it would be considered a reconstruction. Mr. Turner stated that Mr. Stoller has almost 400 acres and quite a problem with muck. Mr. Turner added that Mr. Stoller wants to get this started ASAP, even if we need to take out a loan; Mark Bardsley stated that due to the State Board of Accounts, we cannot do loans. Richard Cox asked Mr. Turner if one of the land owners can pay their predicted share up front; Mary Weesner informed Richard that they would not be able to change the tax records and that the land owner would still get billed for it. Charles Neal approached the Board to speak. Mr. Neal stated that he had talked to the Board last fall regarding the Enoch Lee where it goes under the road; he stated that it is about a four foot tile and there is only four to six inches open. When it rains, the water ponds; he has pictures that he has passed around to the Board members. He added that it doesn't take much rain. Jim Todd told Mr. Neal that he went out there and looked at the situation and has discussed it with David White from the Grant County Highway Department. Jim stated that in his opinion is that the pipe is too small and it got put in a hole.

Jim Todd told Mr. Neal that after the 2020 fall collection, they will send out for quotes and invite the land owners to this meeting. Kenny Cates stated that need to discuss whether or not to include the crossing by the Swagger house; adding that it is really not part of the project. Richard Cox stated that if they went out and look at this situation, they would include it in the project.

Mr. Neal told the Board that he wants to go through there and clear it out, is it okay that he cuts down some trees; he was told that they are his trees, he can cut them back, but do not throw them in the ditch. Richard Cox made a motion to approve the proposed maintenance as advertised; seconded by Pat Pinkerton. Motion carried 5-0.

Kenny Cates stated that he would like the area around the Swagger house be looked into and determine the size of pipe that would be needed and how it can be corrected. Mark Bardsley asked Jim Todd if he could figure this; Jim said that he would like to

work with Adam Swagger about this. He would like Mr. Swagger to come up with a plan and estimated cost; we may have to have an engineer come in to look at it and approve the plan.

#### Joint Drains Collection – Board Approval

Mary Weesner submitted the Joint Drains that is to collect for 2020 for the inbound collections.

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

#### Auditor Issue

Mark Bardsley stated that he is aware that we have had some difficulties with the Auditor's office. Mary Weesner explained to the Board several instances, one of which she stated that she did a claim to pay back the General Drain Improvement Fund for a loan that was made to the Maintenance fund. The claim was for \$8,691.54. As Mary was going over the monthly reports, she noticed that the money was taken out of the Maintenance fund like it was supposed to be, but then it was put right back into the Maintenance fund, not the General Drain Improvement Fund as directed. Another instance, the Surveyor's office turned in a claim for cornerstones and they did not put an account number on the claim. So instead of asking the Surveyors office, they took the \$7,500.00 out of the drain maintenance fund. Cornerstones have nothing to do with the Drainage Board. Another instance is regarding Rodney Gunning, he was the man that collected the money from land owners to work on the Haw Fork. Mary Weesner took two checks to the Auditor office with a paper stating what account these payments were to be put into; instead of putting them into the Maintenance Fund as directed, it was put into the General Drain Improvement Fund; these two checks totaled \$15,439.88. Mary then told the Board that the Auditor's office changed several of their ditch numbers; this has also been corrected now. Mary also brought up that two days of pay were not on her check per her time sheet. Angie Jarvis assisted making

the time sheet since I was not sure how to include the two days of sick bank pay. Mrs. Jarvis then explained to the person doing payroll what was going on, but it still was not done correctly, shorting Mary two days of pay. Because it was over looked, it will be another two weeks until those two days are paid. Mark Bardsley stated that he wanted these instances to be on record.

## **ADJOURN:**

Gordon Gough made a motion to adjourn the meeting at 12:38 pm; seconded by Pat Pinkerton. Motion carried with support 5-0.

The next scheduled Drainage Board meeting to be held will be January 28, 2020 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