

GRANT COUNTY DRAINAGE BOARD

401 SOUTH ADAMS STREET
MARION, INDIANA 46953

The Grant County Drainage Board meeting was held July 28, 2020 in the Grant County Council Chambers. Mark Bardsley, Chairman, called the meeting to order at 11:01 a.m. Other members present were Gordon Gough, Kenny Cates, Richard Cox and Grant County Surveyor Jim Todd. Pat Pinkerton was not in attendance.

APPROVAL OF MINUTES:

Kenny Cates made a motion to approve the July 14, 2020 minutes; Seconded by Richard Cox; motion carried 4-0.

APPROVAL OF CLAIMS:

Jim Todd presented the claims as follows:

LaFontaine Gravel \$91.00 Potter Creek; \$20,303.95 in the fund
LaFontaine Gravel \$93.75 Potter Creek; \$20,303.95 in the fund
Baughman Tile \$5,313.60 Potter Creek; \$20,303.95 in the fund
Chronicle Tribune \$20.88 Burkhardt & Swagger; \$4,364.09 in the fund
Chronicle Tribune \$20.88 Potter Creek; \$20,303.95 in the fund
Bragg Excavating \$14,357.31 Lugar Creek; \$176,489.47

Kenny Cates made a motion to approve the above claims as read; seconded by Richard Cox. Motion carried with support 4-0.

*****Kenny Cates to abstain*****

John's Repair Service \$1,600.00 Matthews-Draw; \$31,302.35 in fund
John's Repair Service \$2,460.00 Matthews-Extra; \$31,302.35 in fund

Richard Cox made a motion to approve the above claims as presented; seconded by Gordon Gough. Motion carried 3-0 with

support. Kenny Cates abstaining due to land in the Matthews Ditch water shed.

OLD BUSINESS:

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

Hummel Creek – Obstruction

Mark Bardsley informed the Board that tomorrow (July 29) there is a hearing before the judge and we will wait to hear from our attorney, Mr. Leone. Jim Todd stated that he has spoken with our engineer, Matt Mead, and he informed Matt that if they should need extra testimony, that he would be attending; he would also be able to explain the drone pictures.

Deer Creek-Bank Erosion-Gary Turner; \$26,605.12 in the fund
Jim Todd informed the Board that there is bank erosion on Gary Turner and Jerry Jenkins properties. Jim said that he has an estimate from Bragg Excavating. Jim added that he met Eric Bragg out there the other day and the erosion is just getting worse. Jim passed pictures around to the Board members to view. Jim Todd said that this is a hard area to work in. Gordon Gough asked Jim how far is this from the house; Jim said probably 30-40 feet. Jim Todd added that the path of the excavator is 11 feet. There is a pine tree that they would like to save; Mr. Bragg is going to try to work around the tree. Gordon Gough said that if the tree is in the easement, we can cut it down. Mr. Turner stated that there is a maple tree on top of the bank; he is willing to cut that down himself and take care of the spoils. Jim Todd said that would make it easier. Richard Cox made the motion to allow Bragg's Excavating to work on the Deer Creek erosion problem; seconded by Kenny Cates. Motion carried 3-0 with Gordon Gough abstaining due to having land on the Deer Creek water shed.

NEW BUSINESS:

Sweetser Improvement & Enoch Lee-Eric Neal-Maintenance request \$21,442.00 in the fund

Mr. Eric Neal is present before the Board today regarding a maintenance request for the Sweetser Improvement & Enoch Lee. Mr. Neal stated that he received a price from Dave's Excavating on his own, and the price was too high. Jim Todd stated that when the maintenance fund builds up, the plan is to brush the entire ditch first and then go through and dredge it. Jim added that this was reconstructed in the 80's, but when there are erosion spots we will take care of it with rip rap, but it may take a few years to wait for the funds to build up. Mr. Neal stated that he does not know what he needs to do on his side other than clear the trees out. Jim Todd recommended that Mr. Neal contact Eric Bragg to dredge that area out and level the spoil, adding that the banks need laid back and seeded. Mr. Neal said that he would like to use all the fill, it was six feet deep in the wash out where he put rip rap, now he would like dirt over it. Jim Todd said that anytime Mr. Neal would like, he could come out there and meet with him and Eric Bragg. Mark Bardsley asked Mr. Neal what the crossroads are; Mr. Neal stated that it is 1100 E and 300 N (the ditch runs across 300 N). Jim Todd showed pictures of the area when the water backs up.

Little Crane Pond-Job & Holly Paduga-Variance request, 2607 West Ticonderoga

Jim Todd informed the Board that he has gone out and looked at this request. Jim has given the Board photos that outline the easement to review. He added that the land owner would like to put an in-ground swimming pool in their backyard with a four foot sidewalk around it. Jim Todd added that he explained to Mrs. Paduga that the Indiana Code would let them go to 25 feet and the Paduga's might be able to get by with 30'. The ditch is not very wide and would take a minimal cut of maybe 1 ½ feet, adding that an excavator 11 feet wide. Jim marked a 30 foot line on the photos for the Board to see where that is. Mr. Paduga is going to be cutting down the bushes that are in the easement. Gordon Gough

asked why the pool cannot be put in closer to the house; Mrs. Paduga stated that due to the walk out basement. Gordon stated that he is not in favor of going any less than the 40 foot easement currently in place. Jim Todd added that he does not have any objection to the easement being at 30 feet. Jim Todd also stated that they are aware that they will need to move the dirt out of the drainage easement and not put it on low ground; Mrs. Paduga stated that she is aware of this. Kenny Cates added that if you cannot get in there to mow and spray it, then (inaudible). Mrs. Paduga asked about State Code 25, Gordon Gough stated that it does not matter; the state does not work on them. Gordon added that he understands where she is coming from, but 25 feet is not enough. Mark Bardsley stated that on the GIS website it shows that there are trees on the back line; Jim Todd stated that her husband is going to cut them down so that this easement can be utilized. Mark Bardsley stated that since there is no motion, the Board cannot do anything. There is some discussion, but it is inaudible. Jim Todd stated that there are some steep hills on the east side and that there are some dead trees in our easement in the east side. Jim added that if the trees fell across the ditch, we could still get by in a 25 or 30 foot easement. Mark Bardsley stated that north and south of the Paduga property are empty lots that are for sale. Kenny Cates said that instead of the 40 foot easement, it should be 75 foot. Mark Bardsley stated that at this juncture, if there were a motion, it would be a tie vote. Richard Cox stated that he would be willing to go to the 30 feet; Gordon Gough said that if we do this now, people will keep coming in wanting to change the easement. Kenny Cates added that what happens when we need to come through there; Jim Todd added that he saw a picture where a house is almost in the easement. Mrs. Paduga asked about a shed that is in the easement; Gordon replied that if needed it could be removed, an in-ground pool is not so easy to move.

OTHER BUSINESS:

Potter Creek-Maintenance discussion \$20,303.95

Kenny Cates told the Board that there are 3,439 acres in Potter Creek. He added that he did not realize that the entire tile is in on the Potter. The maintenance brings in \$5,472.00 annually, but we are spending \$21,000 for Middlesworth to put in that tile. Jim Todd said that he has checked on this and it has been put on maintenance and there is a few in Richland Township in the Potter Creek and Tributaries with a little open ditch. Kenny added that years ago it came through on the Highley farm, Jim agreed and said that there are two tiles that come through there they call the Pence from 1900 and another that is even older.. Jim said that when we maintained them in the past, when you dig it up and find that it is the old one that has been abandoned and you mash that one shut, but the 1900 tile breaks down too. Kenny Cates stated that when they get some maintenance money, they need to come in on the south side of county road 300, dig it up and see if it is open there and then go over behind the woods. He added that Highley's children bought the farm and there was a hole out there and they put dirt in it so now it is blocked in the woods and when they tried to work on this before, it goes through the Dill farm and they don't care what happens. If the rate increase passes, Kenny feels that they should take this up on the east side of the woods and (inaudible). Jim Todd informed Kenny Cates that there are a lot of different ways the money can go and this can be fall work if necessary. Jim added that the Pence is a tributary of Potter Creek and is on maintenance. It has been over twenty years since this has been dredged out and freed up the headwall, dipping it out to the county line. Notices for the public hearing have been mailed out and the hearing is August 25, 2020.

ADJOURN:

Gordon Gough made a motion to adjourn the meeting at 12:04 pm; seconded by Kenny Cates. Motion carried with support 4-0.

The next scheduled Drainage Board meeting to be held will be August 11, 2020 at 11:00 am and will be held in the Grant County Council Chambers.

Minutes recorded by Mary R. Weesner

Minutes approved:

MARK BARDSLEY

GORDON GOUGH

RICHARD COX

KENNY CATES

ABSENT

PAT PINKERTON