

# GRANT COUNTY DRAINAGE BOARD

401 South Adams Street  
Marion, Indiana 46953

The Grant County Drainage Board meeting was held January 11, 2022 in the Grant County Council Chambers. Mark Bardsley, Chairman, called the meeting to order at 11:00 a.m. Other members present were Kenny Cates, Pat Pinkerton, Richard Cox, Grant County First Deputy Surveyor Raymond Bair and Drainage Board Secretary, Mary Weesner. Gordon Gough was in attendance via WebEx.

## APPROVAL OF MINUTES:

Kenny Cates made a motion to approve the December 28, 2021 minutes as presented; seconded by Richard Cox; motion carried 5-0.

## APPROVAL OF CLAIMS:

Raymond Bair read the claims as follows:

Rayl Engineering \$400.00 Barren Creek (New Duling-Leach-Unnamed); \$104,024.51 in the fund

Redman Excavating \$252.00 Matthew Ditch; \$7,606.42 in the fund

Richard Cox made a motion to accept the claims as present; seconded by Pat Pinkerton. Motion carried 5-0.

## OLD BUSINESS:

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

Hummel Creek – Discussion under “Other Business”

## Cassius Smith Discussion

Mark Bardsley informed the Board that he spoke with Gordon Gough last week regarding his concerns. Mark added that we had received instruction from DNR regarding the horse racetrack; the letter basically states that they are to cease and desist. Raymond Bair stated that DNR has issues with the excavation, the relocation of the ditch, and numerous other items that they did not do correctly. Kenny Cates stated that he went over there to look, and it is a mess; the container that they have as a crossing needs to come out, it is bowing severely. Mark Bardsley said that it is now basically out of our hands and DNR will take precedence.

### **NEW BUSINESS:**

There is no new business to discuss.

### **OTHER BUSINESS:**

#### Hummel Creek – Opening of bids

Andrew Miller of Christopher Burke Engineering and Joe Leone of Drewry Simmons and Vornehm are present today for the opening of the bids for the removal of the obstruction in Hummel Creek. Andrew opened and read the bids as follows:

#### Dave's Excavating

Base bid (Long access) of \$655,393.00  
less Construction route \$341,500.00  
plus Alternate bid of \$48,790.00

Short access \$362,683.00

Redman Excavating

Base bid (Long access) of \$225,000.00  
less Construction route \$140,500.00  
plus Alternate bid of \$25,500.00

Short access \$110,000.00

Utilities Unlimited LLC

Base bid (Long access) of \$194,800.00  
less Construction route \$90,400.00  
plus Alternate bid of \$12,600.00

Short access \$117,000.00

3D Company, Inc

Base bid (Long access) of \$339,115.00  
less Construction route \$155,168.00  
plus Alternate bid of \$50,315.00

Short access \$234,262.00

Mark Bardsley stated that we will take these under advisement so that Andrew Miller and Joe Leone can do the comparisons and report back to the Drainage Board. Andrew informed Mark that he hopes to have the numbers to Mary Weesner by the end of the week; therefore, it will be available for the January 25<sup>th</sup> meeting. Mark Bardsley asked Joe Leone if there is anything legal that the Board needs to be doing; Joe stated we should wait until the comparisons are done.

## Solar Ordinance

Ryan Malott, Director of Area Plan, is in attendance.

Ryan informed the Board that the DNR report regarding the horse track actually came to him first; adding that is what caused him to get into the Floodplain Management. Ryan handed the Board copies of the Floodplain Management Indiana code to review. He added that he talked to Raymond Bair in the Surveyor's office to see if they have their own Floodplain ordinance. Ryan said that in the ordinance it states it calls for the zoning administrator to be the floodplain administrator, adding that much of what the Drainage Board is doing is supposed to go through the zoning coordinator at Area Plan. Ryan is suggesting that the Board gets into the ordinance and get it rewritten. He said that the Drainage Board is only mentioned 11 times in the sub-division subjects and not mentioned at all in floodplain management. As it stands, any variance, including drainage easement must go before the Board of Zoning Appeals. Mark Bardsley said that since Area Plan and the Drainage Board have the same attorney if Ryan would give this to Kyle Persinger so that he may start looking into this.

Ryan said that they had a meeting with The Center for Energy Education; he is hoping to hold an elected official's class and one for the general public for education on solar.

## Solar Farms

Randy Atkins is present before the Board that he would like to express his concerns related to the possible solar farm development in southeaster Grant County around State Road 26, Wheeling Pike, and Interstate 69. Mr. Atkins stated that he is not opposed to solar but supports solar that is in the best interest of the residents or community in which it is going to be placed. He is concerned as there seems to be more interest in his area due to the hi-def power lines that go through there. He does not feel that this will benefit the residents of Grant County by the energy that it will produce. He read his concerns to the Board (a copy was given to the secretary and they are attached to these minutes in the

Drainage Board office). He questioned how they will get to the tile (Simmons Tile) that needs repair yearly due to blow outs if it breaks down. In response to Mr. Atkins letter, Mark Bardsley stated that some of the answers that he is seeking could be answered by Ryan Malott. Mark added that the Drainage Board is very adamant that they will continue their easement of 75 feet from the center of the ditch. There will be no solar arrays on any of the easement at all, there is a constant way to get to our ditches and tile. Mark Bardsley said that the Board has put together a checklist of pretty much of everything that must be complied with in order to get to the Area Plan approval. Raymond Bair stated that there is an investigation into mutual drains that come into the regulated drains; it has been mentioned in plans to scrutinize it the best that we can. Raymond added that there is legal Indiana code of 75 foot easement on either side of the tile. Mark Bardsley stated that would be more of an Economic Development Agreement that any companies that bring a farm in, if they break a ditch or cut a tile, they will have to replace it with equal or higher value than it was before. Mr. Atkins asked if this was for private ditches or county assessed ditches; Mark stated that they are putting in the agreement that if it is mutual drains or private drains, they cannot stop water from flowing; they have to show that will not happen.

## **ADJOURN:**

Kenny Cates made a motion to adjourn the meeting at 11:34 a.m.; seconded by Richard Cox. Motion carried with support 5-0.

The next scheduled Drainage Board meeting to be held will be January 25, 2022 at 11:00 am and will be held in the Grant County Council Chambers.

Minutes recorded by:  
Mary R. Weesner  
Drainage Board Secretary

*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