

GRANT COUNTY DRAINAGE BOARD

401 South Adams Street
Marion, Indiana 46953

The Grant County Drainage Board meeting was held March 8, 2022 in the Grant County Council Chambers. Mark Bardsley, Chairman called the meeting to order at 11:06 a.m. Other members present were Vice-Chairman Gordon Gough, Pat Pinkerton, Richard Cox, Grant County Surveyor Jim Todd and Drainage Board Secretary, Mary Weesner; Kenny Cates is in attendance via WebEx.

APPROVAL OF MINUTES:

Richard Cox made a motion to approve the February 22, 2022 minutes as presented. Seconded by Pat Pinkerton, motion carried 5-0 with four members voting inhouse and one member voting via WebEx.

APPROVAL OF CLAIMS:

Jim Todd read the claims as follows:

Grant County Treasurer \$4,936.45; Loan from GDIF to Maintenance

Gordon Gough made a motion to approve the above claim as presented. Motion was seconded by Richard Cox; motion carried 5-0 with four members voting inhouse and one member voting via WebEx.

*****Richard Cox to abstain*****

Christopher Burke Engineering \$3,476.76 Hummel; \$198,616.11 in the red

Kenny Cates made a motion, via WebEx, to approve the above claim as presented; seconded by Pat Pinkerton. Motion carried 4-0 with four members voting inhouse and one member voting via WebEx; with Richard Cox abstained due to having land in the Hummel Creek watershed.

OLD BUSINESS:

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

Hummel Creek

Mark Bardsley stated that Mary Weesner informed him that Redman Excavating is willing to extend their bid another 60 days for the obstruction removal from Hummel Creek; Jim Todd added that Utilities Unlimited was not willing to extend their bid. Mark said that the Board needs to decide whether we force the bid and begin the removal process along our easement or do we extend working our agreement with Redman, waiting to hear from Bocock Land Development. Richard Cox asked Mark Bardsley if we had heard any word from Gary Ott regarding the removal of his obstruction; Mark stated that we have not. Mark said that our attorney, Joe Leone, has just sent the final draft yesterday. He added that we could force the issue and pay the \$220,000.00+ dollars by getting a loan or asking the council to fund this amount or we extend the bid sixty days with Redman Excavating. Mark Bardsley stated that we are between a rock and a hard placing waiting to see if we have an agreement. Kenny Cates, via WebEx, stated that this has been going on for seven years and we have been paying our attorney. We gave Gary Ott the option by the next meeting, whether he wants us to come through his right-of-way or down along the creek. Kenny added that he wants the decision to be made final and the bid awarded at the next meeting (March 29, 2022). Mark Bardsley added that everything that the Board had discussed in the executive session, requires that work will be done by June. Richard Cox asked if there was a timeline given for Mr. Ott to give us his decision; Mark informed Richard that our attorney let Mr. Ott's attorney know that. Mark added that he appreciates Kenny Cates's statement that we know we have an extension for sixty days, if we don't award the bid today and say that we are going to award a bid at our next meeting, which will be March 29th. Mark Bardsley stated that it will either be yes or no and then we will go forward from there. Kenny Cates is tired of the games, they've been dealing with this for seven years (since Drainage Board won in court) and he is done. Mark Bardsley added that this has to be done by May 31st due to the fish spawning. Kenny Cates stated that if we need to borrow money to remove the obstruction, we need to borrow from a friendly farmer's bank, since they would understand how the money flows in. Pat Pinkerton made a motion to extend and accept Redman Excavating bid for sixty days and that the Board will have attorney, Joe Leone, wrap things up so that we may either award the bid or sign the contract. Gordon Gough seconded this motion; motion passes 4-0 with Kenny Cates voting via WebEx and 3 members voting in house. Richard Cox abstained due to having land in the Hummel Creek watershed. Mark Bardsley added that he will contact Joe Leone and any transmission of information will be forward to Board members. Pat Pinkerton stated his concern over the bridge design that was submitted, Jim Todd agreed as well.

Pat stated that this design actually narrows the channel even more than it is now. Jim Todd added that the bridge needs to be longer to match the volume of water. Mark Bardsley would like this information regarding the crossing forwarded to Joe Leone. Jim Todd added that the bridge approval can come later, let's get the obstruction out first. Pat Pinkerton added that we are okay with them putting in a crossing, just not the specs they have now. Jim agreed, stating that it needs to be a longer span to handle the volume of water.

Solar Ordinance

Mary Weesner gave each Board members a copy of the solar ordinance that was presented to us by Area Plan Department. Ryan Malott, Area Plan Director, is present via WebEx. Ryan stated that this was an ordinance given to the APC (Area Plan Commission) the previous night. He added that this was voted on, 8-2 to put forward to a public hearing on April 4, 2022. Ryan said that the Adams County solar ordinance that has been given to a lawyer and made to work for Grant County. Mark Bardsley told Ryan Malott that there will probably be questions from the Board at the Drainage Board's next meeting after the members have had a chance to look it over.

NEW BUSINESS:

Lugar Creek – Randy Thurman – brushing and dam removal

Jim Todd stated that the Thompson Creek has been cleaned, brushed, and dredged for quite a few miles. Jim said that Mr. Thurman was present before the Board today requesting that John Enyeart of Enyeart Construction to complete the work for 3,200 feet. This is a choke point and there could probably be a bit more work done downstream of this. Jim Todd added that beavers have moved into the area; this area has not been touched since 1981. To cut, brush, remove and burn, bury ash piles, remove log jams, and beaver dams. The west side will be the working side, cutting all brush on the working side, and top of the slope on the non-working side, have stumps sprayed for a total of \$16,230.00, Jim added that there is over \$209,000. in the maintenance fund. Gordon Gough stated that it does not do much good to remove the dams if you do not get the beavers. Mr. Thurman stated that they have removed about a half dozen beavers so far. Richard Cox made a motion to give Enyeart Construction permission to work 3,200 feet at the cost of \$16,230.00. This motion carried 5-0 with four members voting inhouse and one member voting via WebEx.

OTHER BUSINESS

Pipe Creek

Jim Todd told the Board that Gary Newhouse has seen the work that was done by Roseburg and he had asked for a clear cut of Pipe Creek to make an access path. Jim showed the Board a map, pointing out the areas that Gary Newhouse wanted to cut. Jim added that we would have to take quotes and have specs as there are large trees. He showed an area where he and Mitch Cook had met with a landowner to remove many dead trees. Jim Todd stated he has concerns about opening this up right now because of three houses, he feels that it needs to open up downstream first. They are only going to take out the dead trees and the trees growing in the channel, having a 40' path along the creek. Jim said that he would like to send a letter out to the landowners to come to a meeting just to discuss all of this. The Board will take this under advisement.

ADJOURN:

Richard Cox made a motion to adjourn the meeting at 11:42 a.m.; seconded by Pat Pinkerton. Motion carried with support 5-0 with four members voting inhouse and one member voting via WebEx.

The next scheduled Drainage Board meeting to be held will be March 29, 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:

Mark Bardsley

Gordon Gough

Richard Cox

Kenny Cates

Pat Pinkerton