

# GRANT COUNTY DRAINAGE BOARD

401 South Adams Street  
Marion, Indiana 46953

The Grant County Drainage Board meeting was held October 25, 2022 in the Grant County Council Chambers. Mark Bardsley, Chairman called the meeting to order at 11:05 a.m. Other members present were Vice-Chairman Gordon Gough, Kenny Cates, Pat Pinkerton, Grant County Surveyor Jim Todd and Drainage Board Secretary, Mary Weesner. Richard Cox was not in attendance.

## **APPROVAL OF MINUTES:**

Kenny Cates read a portion of the minutes and questioned Raymond Bair about what he had said; Raymond agreed with what is in the minutes, but Kenny would like to make an amendment stating the area should be cut and dried. Kenny Cates made a motion to add an amendment to the minutes, adding the amendment to page 5, stating it should read "cut and dry". Seconded by Pat Pinkerton; motion carried 4-0.

Pat Pinkerton made a motion to approve the October 11, 2022 minutes as presented, adding the amendment to page 5; seconded by Gordon Gough. Motion carried 4-0.

## **APPROVAL OF CLAIMS:**

Jim Todd read the claims as follows:

Chronicle Tribune \$34.34 Hollis Daughtery; \$4,762.72 in the fund  
Grant County Treasurer Void claim for \$5171.50  
Grant County Treasurer \$5,155.41 Loan-GDIF to Maintenance  
Drewry Simmons \$945.00 Hummel Creek; \$223.779.38 in the red

Jim Todd stated that Mary Weesner had given each of the Board members a letter explaining the need to void a previously approved claim; the reason for the voided claim is due to the fact interest was added by treasurer's office for July, August and September in October, after the claim was made, therefore, the claim needs to be voided and redone to state the corrected amount since the interest changed the balance of the drain.

Kenny Cates made a motion to approve the above claims as presented; seconded by Gordon Gough. Motion carried, with support 4-0.

Mark Bardsley asked Mary she could note the reason with the minutes in case this comes up in the future; Mary Weesner told Mark that she plans to put a copy of the letter with the explanation with a copy of these minutes.

## **OLD BUSINESS:**

### Little Crane Pond

Mark Bardsley stated that there is no movement on the resolution for the vacation of a portion of Little Crane Pond, we are still waiting on the attorneys.

### Hummel Creek

There is nothing new to report, but Mary Weesner asked Mark Bardsley if the Board would like attorney, Joe Leone present at the November 10<sup>th</sup> meeting, Mark stated that with everything that has been thrown at us with this, he feels that Mr. Leone should be present. Mary also asked since it is a special session and not an executive session, do we advertise; Mark Bardsley stated that he feels we should advertise, just to be safe, adding that it is a public meeting.

### Solar Ordinance

Mark Bardsley stated that there is nothing to discuss at this time

### Hollis Daughtery- Request for finance from GDIF

Jim Todd stated that the Hollis Daughtery just recently passed a public hearing and it is going to bring in \$37,775.00. He added that he has received a request from Mark Townsend. Jim added that with the fall collection that is due in, they will have \$5,362.00 in the fund and that is to clean out the upper end. Fullenkamp Excavating's price is \$6,500.00. Atkins and the other guys took that tile in through the other county work and it is coming in through an outlet that has a bad spot and a hole, and it needs dug. Jim Todd said that the other work that was left unquoted will amount to quite a few thousand dollars and that will have to wait. B.E. Powell Excavating also put in a quote of \$19,845.00 to free up the new 24" tile downstream, and that was \$26,345.00. We are bringing in \$37,775.00 and that will leave the Hollis Daughtery in the black by \$11,430.00 come next fall. Jim Todd stated that he would like the Drainage Board to loan the money out of the General Drain Improvement Fund to get these two items fixed (the upper end and the lower end). We could

always look at the erosion spots that are in the middle of these two jobs, at a later time, rip rapping them to hold the dirt back from the ditch. For Mark Townsend's job, we would only need to borrow \$1,038.00 to fix the upper end where he is. Jim again stated that next fall, the maintenance fund would be in the black by \$11,430.00. Kenny Cates made a motion to have the work done, borrowing from the General Drain Improvement Fund; seconded by Pat Pinkerton. Motion carried 4-0.

### **NEW BUSINESS:**

#### Little Creek – Don Wright – private crossing

David Wright, Don Wright's son is present before the Board on the behalf of Don Wright. Jim Todd explained that Mr. Wright has a plan to put in a 12' at the county road of 800 S is 110 square feet and county road 200 W is 126 square feet. The 12' is going to be 2' square shy, being based on a 4" rain. Jim recommends to the Board that they go with a 12', based on the size of the ditch and water, he does not feel that it will hold anything back. Gordon Gough asked Mr. Wright as to why they want to put a private crossing in; Mr. Wright replied that there is a separation between the two fields. Phil Wright is also present, and he replied to Gordon that this way they can go from field to field. Gordon Gough also inquired as to how long this will be; Phil stated that it will be 40' long. Jim Todd added that Don Wright was working with Eric Bragg of Bragg Excavating and Jim knows that the work will be good. Gordon Gough asked Mr. Wright if he is going to maintain it since it will not be maintained with the Little Creek maintenance fund; Mr. Wright said that they will maintain it themselves. Mark Bardsley stated that in regard to Gordon's concern is when it comes to private crossings, it is personal property, personal maintenance. Adding that as long as that is a part of the understanding, Mark feels that they are all heading in the right direction. Jim Todd stated that this will need to be placed on the old original bottom and that Eric Bragg will know what to do. Pat Pinkerton made a motion that the Board allow them to install the private crossing and maintain it at their expense. Motion was seconded by Kenny Cates, motion carried 3-0 with Gordon Gough abstaining since his brother is in the Little Creek watershed.

#### Doty Ditch – Steve Younce-Easement issue

Mr. Younce stated he is getting ready to build a pole barn and Brian Cates has brought it to his attention that the drain is going to be close to the pole barn. He is present today to find out what he can do about this. Jim Todd informed the Board that he has been studying some pictures. Mr. Younce said that he

has already gotten his permit and was not aware that there was a county ditch nearby. Brian Cates has marked the new 24 behind Mr. Younce, he is 23' away. Jim Todd asked him if he could move the pole barn to the north just a little bit; Mr. Younce said that he cannot because of his well house and on the east, there is his sewer. Jim asked Mr. Younce if the Board were to reduce the easement to 23', would he be willing to sign a hold harmless agreement. Jim Todd explained that on the website, the property lines are not correct, and, in this case, it is 175'. Jim asked Ryan Malott of Area Plan, in the future, if there is a county tile anywhere near, please call Surveyor office and they will research it. Jim explained that he can go through old maps and old aerial photos for the correct lines. Ryan told Jim that he has spoken to Elevate, and they told him that only Cindy Fowler can make changes in Elevate, she has the software to correct these issues. Jim Todd stated that she has been working with Elevate to get some of these issues corrected. Raymond Bair stated that she is working on the maintenance and not necessarily moving the line. Ryan Malott stated that she does have the authority to move the lines, Raymond stated that she may have the authority, but lacks in the knowledge. Mr. Younce asked about the hold harmless agreement; Jim explained, for example, if they had to dig and the bank caved in, the hold harmless would relieve the Drainage Board of any responsibility, adding that we are normally held at 40'. Gordon Gough added that it is held at 75' but in some instances we have reduced to 40'. Mr. Younce responded stating that he had no idea that there was a county ditch there or he would have done something different. Mark Bardsley said that since we are authorizing Mr. Younce to build in our right of way, we need to make sure that there is already an existing structure in that right of way. Kenny Cates added that if we cannot get around that structure, we take it out. Mark Bardsley said that he does not feel comfortable with this unless there is a hold harmless agreement; Gordon Gough added that the hold harmless would transfer to a new owner upon sale of the property. Once the hold harmless is completed and signed, it will need to be recorded and a copy be given to Mary Weesner to retain in the Drainage Board office. Mark Bardsley stated that recognizes that there is a current structure in our right of way, and we clarified the particular issues, we are going to authorize Mr. Younce to construct the unit in our right of way under the condition that he signs a hold harmless agreement, Pat Pinkerton added that the Drainage Board office will need a copy of the recorded agreement. Mark added that we could note that there is another structure in our right of way that was most likely prior to 1965. When Mary Weesner completes the hold harmless agreement, she will get it approved by our attorney. Pat Pinkerton made a motion allow Mr. Younce to build a structure in the Drainage Board easement after signing and recording a hold harmless agreement, seconded by Gordon Gough. Motion carried 4-0.

**OTHER BUSINESS:**

2023 Meeting Dates – Board approval

Mary Weesner gave the Board the proposed meeting dates for the Drainage Board for the year 2023.

Gordon Gough made a motion to approve the meeting dates as presented, seconded by Pat Pinkerton. Motion carried 4-0.

**ADJOURN:**

Gordon Gough made a motion to adjourn the meeting at 11:57 a.m.; seconded by Pat Pinkerton. Motion carried 4-0.

The next scheduled Drainage Board meeting to be held will be November 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

*The Grant County Drainage Board has approved the minutes for October 25, 2022 as presented:*

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Mark Bardsley

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Gordon Gough

\*\*\*ABSENT\*\*\*

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Richard Cox

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Kenny Cates

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Pat Pinkerton