

GRANT COUNTY DRAINAGE BOARD

401 South Adams Street
Marion, Indiana 46953

The Grant County Drainage Board meeting was held December 13, 2022 in the Grant County Council Chambers. Mark Bardsley, Chairman called the meeting to order at 11:02 a.m. Other members present were Vice-Chairman Gordon Gough, Kenny Cates, Richard Cox, Pat Pinkerton, Grant County Surveyor Jim Todd and Drainage Board Secretary, Mary Weesner.

APPROVAL OF MINUTES:

Kenny Cates made a motion to approve the November 29, 2022 minutes as presented; seconded by Richard Cox. Motion carried 4-0; Pat Pinkerton abstained since he was not in attendance for the November 29, 2022 meeting.

APPROVAL OF CLAIMS:

Jim Todd read the claims as follows:

Cates Brothers \$847.00 Potter Creek; \$52,257.64 in the fund
IMI Aggregates \$7,350.06 Barren Creek; \$82,373.13 in the fund
Rayl Engineering \$960.00 Barren Creek; \$82,373.13 in the fund
Peerless Printing \$51.01 Office Supplies; \$51.21 in the fund
Redman Excavating \$6,338.00 Barren Creek; \$82,373.13 in the fund
Redman Excavating \$8,764.11 Barren Creek; \$82,373.13 in the fund

Richard Cox made a motion to approve the claims as presented; seconded by Gordon Gough. Motion carried 5-0

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

Chronicle Tribune \$40.46 Hummel Creek; \$224,724.38 in the red
Drewry Simmons Vornehm \$5,399.00 Hummel Creek; \$224,724.38 in the red

Kenny Cates made a motion to approve the above claims as presented; seconded by Pat Pinkerton. Motion carried 4-0 with Richard Cox abstaining due to owning land in the Hummel Creek watershed.

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

Bragg Excavating \$1,997.00 Pipe Creek; \$137,092.44 in the fund

Richard Cox made a motion to approve the above claim as presented; seconded by Gordon Gough. Motion carried 4-0 with Kenny Cates abstaining due to owning land in the Pipe Creek watershed.

OLD BUSINESS:

Little Crane Pond

There are no updates to report at this time.

Hummel Creek

There is nothing new to discuss

Solar Ordinance

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

Crane Pond Ditch – Jared Purdom/Wendell Cates - Easement Issue

Mark Bardsley stated that we heard from Mr. Purdom at the November 29th Drainage Board meeting.

Wendell Cates is present before the Board. At the prior meeting, Mr. Purdom requested 25' easement. Jim Todd stated that he saw Wendell measuring out there and thought they measured out 40', Wendell corrected Jim stating that it was 45' and that is where it is marked. Wendell stated that he told Mr. Purdom that he would give him one chance for 45' and if he balks, it will go back to 75'. Jim Todd informed Wendell that Mr. Purdom told the Board that we tore his yard up but we never even stepped foot in his yard, with or without equipment. Wendell Cates stated that for someone who is just paying a \$10.00 assessment, he ought to get 75'. He added that he would like to see the people that are trying to reduce their easements be taken up to \$200.00 per homesite. Richard Cox asked if we were to reduce the easement, can we raise the rates on those parcels, Gordon Gough responded to not let them to reduce the easement in the first place. Wendell added that Andy from John's Repair Service told Mr. Purdom that he could work in 25'. He added that he told Andy you may be able to work in 25' but you charge high to work in 25'. Wendell Cates said that bill should have been \$4,000.00, but instead it is \$13,000.00 just because of homeowners, they have to haul out all

the silt and trees. Wendell added that he strongly disagrees going below 45'. Jim Todd added that Mr. Purdom stated that the city owned ditch next to him was 25', but Jim said that it is actually 40'. Gordon Gough pointed out that Mr. Purdom is not in attendance today; he was present at the previous meeting, knowing that it had been tabled until today's meeting. Richard Cox made a motion to leave the easement at 75'; seconded by Gordon Gough. Mark Bardsley explained that we did not have a full motion going forward for a tie vote. Motion carried 5-0.

Wendell Cates stated that there is a gentleman that is doing their trapping on Pipe Creek and Big Deer and Wendell would like to know if there is money in the funds to pay him as he has never charged them. Wendell added that they are keeping him pretty busy this year. Jim Todd stated that he does not know what the rates could be since we have only paid professorial licensed trappers. Gordon Gough stated that if you do not get rid of the beavers, you are wasting time taking out the log jams.

Mark Bardsley had to excuse himself from the meeting, Gordon Gough took over chair.

Wendell Cates stated that he would like to see a \$50.00 homesite on Little Crane Pond. Pat Pinkerton said that would make a lot of homeowners upset and that the question is if we have plenty of money in the fund, why would we need to raise it. Jim Todd we could have a hearing next year to see how it goes.

NEW BUSINESS:

Ryan Malott, Director of Area Plan Department is present today. Ryan stated that as the Board is aware, there are things that overlap between Drainage Board and Area Plan and he believes that there is a lot of stuff that has not been brought in front of the Board in the past. For example, when the Board was talking about Little Crane Pond and moving the fences, the difference between Indiana Code ordinances. Area Plan's ordinance allows fences within 75'. Pat Pinkerton asked if this was in reference to a regulated drain; Ryan responded that it states that if it is a county maintained ditch, stream, or water body. Jim Todd added that the Drainage code allows them to put in a fence, but they may be given a 72 hour notice to move it at their expense. He added that he would like to do a text amendment to the area wide ordinance, which that has to go through the area plan commission and then to the county commissioners and then the town board. Ryan added that what he would like to do is to take the Indiana Drainage code and incorporate it into

Area Plan's ordinance. He is asking that the Drainage Board look it over and give any input they wish. Ryan is inquiring about regulations on ponds. According to the Area Plan zoning, there are zero regulations on a pond one acre or less. He added that after talking to Jim Todd and the Health Department as well, if you want to put a pond in that is less than an acre, no one looks at anything and there are no permits or monitoring. He has had several cases come into Area Plan that had complaints that someone is digging a pond and according to the neighbors, too close to their property. Ryan said that he has the pond regulations from ten other counties and put together when they require permits, setbacks on easements and right of ways and state codes for set back for septic. Ryan Malott stated that Jay County is just one paragraph and it is regarding setbacks where Wells County is half a page. Ryan also said that the DNR is doing a webinar, they are also having an open house January 17, 2023 (this date is tentative) to go over the new rules.

OTHER BUSINESS:

ADJOURN:

Kenny Cates made a motion to adjourn the meeting at 11:45 a.m.; seconded by Pat Pinkerton. Motion carried 4-0.

The next scheduled Drainage Board meeting to be held will be December 27, 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 December 13, 2022 as presented:

Mark Bardsley

Gordon Gough

Richard Cox

Kenny Cates

Pat Pinkerton