

# GRANT COUNTY DRAINAGE BOARD

401 South Adams Street

Marion, Indiana 46953

The Grant County Drainage Board meeting was held April 25, 2023 in the Grant County Council Chambers. Chairman Mark Bardsley called the meeting to order at 11:03 am. Other members present were Vice-Chairman Gordon Gough, Kenny Cates, Pat Pinkerton, Richard Cox, and Grant County Surveyor Jim Todd. Drainage Board secretary Mary Weesner was not in attendance.

## APPROVAL OF MINUTES:

Mark Bardsley stated that the approval of minutes will be tabled until the return of the Drainage Board secretary.

## APPROVAL OF CLAIMS:

Jim Todd read the claims as follows:

Chronicle Tribune \$19.80 Milner & Moon; \$26,860.16 in the fund  
Morelock Wildlife Control \$600.00 Lomax; \$37,665.47 in the fund  
Bragg Excavating \$6,258.00 Big Black Creek; \$195,383.70 in the fund  
Cook Excavating \$1,275.00 Pipe Creek; \$159,390.08 in the fund  
Cook Excavating \$2,550.00 Pipe Creek; \$159,390.08 in the fund  
Cook Excavating \$1,530.00 Pipe Creek; \$159,390.08 in the fund  
Cook Excavating \$2,040.00 Pipe Creek; \$159,390.08 in the fund  
Cook Excavating \$1,275.00 Pipe Creek; \$159,390.08 in the fund  
Cook Excavating \$765.00 Pipe Creek; \$159,390.08 in the fund  
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Richard Cox made a motion to approve the claims as presented; seconded by Gordon Gough. Motion carried 5-0.

**OLD BUSINESS:**

Little Crane Pond

There is nothing new to discuss

**NEW BUSINESS:**

There is nothing new to discuss

**OTHER BUSINESS:**

Milner & Moon – Hearing for vacation of drain

Jim Todd stated that a lot of this drain has been rerouted and reworked and drains very little now. Jim added that there is \$26,960.16 in the fund. He informed the Board that Mary Weesner and Gordon Gough did go talk to the Auditor regarding the monies that are in the Milner & Moon maintenance fund, they were told that the landowners can receive a refund. Mark Bardsley stated that as long as the auditor is clear, we have a legal right to return the funds to the people that pay into it, Jim Todd clarified that a refund is different than a reimbursement. He stated that Mary Weesner had all the percentages figured up for how much to refund to the landowners. Gordon Gough stated that he and Jim Comer both had rerouted their water to Big Deer and not the Milner & Moon anymore. Jim Todd told the Board that he recommends vacating this drain and there were no objections from any of the landowners. Mark Hasty is now before the Board stating that he is in favor of vacating this drain. Gordon stated that he is unsure as to how the refunding will occur since this drain is collecting this year. Kenny Cates made a motion to approve the vacation of the Milner Moon drain and all funds received in 2023 is to be refunded to the property owners as well as what is in the maintenance fund. Mark Bardsley added that we cannot stop the treasurer from the disbursement that she is required to send out so we will have to refund the landowners the money collected for 2023 as well. The motion was seconded by Pat Pinkerton; motion carried 4-0 with Gordon Gough abstaining since he has land in the Milner Moon watershed.

### Webster Tile

Jim Todd informed the Board that he is working on the Webster Tile, it is a 1917 tile, 10" in size for Joe McCoy who has the old landscaping place on Pennsylvania Avenue. Jim added that the church has built a pond and the northern half has been diverted; this will only be about 24½ acres. He stated that this will be an expensive project and informed Mr. McCoy that he will get back with him. Jim said that the factory was turned down by Area Plan, he has a pavement parking lot, roof, and everybody else has a water problem south of him and there is only one lot north of him where the water is held back. Jim Todd informed the Board that this will be expensive to fix this. He mentioned to Mr. McCoy that he could dig into this at his own expense and see what is what, but he was reluctant to do that. Jim stated that there is no money in the General Drain Improvement fund to just go out there and start exploring.

### Hummel Creek

Jim Todd stated that Kenny Cates had asked him to look at this plat. He said that we talked about this over and over. Jason Miller had went to Indianapolis and Huntington. Our legal easement ditch stopped about 100' southwest of the obstruction (crossing) and this fact was repeated over and over at the above mentioned meetings. Jason Miller had Rudy from Randall Miller and Associates record the plat and made it a county ditch all the way down to the south property line. Jim Todd showed the Board where the easement was on a map. He showed the Board on a map where the ditch easement stopped. Water from that little dip, right before you get to the lane, the water comes from Gary Ott's farm and comes down. The maintenance assessment, we would put him all on the county drain, but he has just a few acres east of where the easement drain stops and becomes a natural creek. He added that the plat was recorded wrong. Jim Todd stated that he just heard that Gary Ott's attorney came and visited April in the auditor's office, trying to convince her to put the key number down for the new parcel. Jim added that the key number needs to be the "mother" parcel and that this had all gone through court. Jim Todd stated he wanted, for the record, where the county ditch stops (showing the Board on

the Hummel Creek watershed map). Mark Bardsley stated that we have the court findings and that is what we will rely on.

### Spray Program

Chadd Baker of Right of Way Management had sent the prices for the ditches this year and he is needing the Board's approval. Richard Cox made a motion to accept the list of drains to be sprayed in 2023 as presented; seconded by Pat Pinkerton. Motion carried 3-0, with Gordon Gough and Kenny Cates abstaining due to owning land on some of the watersheds on the list.

### Sweetser Improvement

Raymond Bair stated that Todd Stoller of Ohio owns around 320 acres on the Sweetser Improvement. We started in 2020, with Covid and he was injured himself which slowed down Enyeart Construction and other things happened. We should be a year further than we actually are at the moment. They are taking an extra collection that they weren't anticipating. Raymond showed the Board on a map where it was brushed and dredged, showing the Board the section that is left to do. Jim Todd added that they have it ready to send out for quotes real soon. Mark Bardsley asked if what we have is a petition to reduce the rate, Jim responded that it is. We raised the rate a few years ago so that they can completely redo this system. Pat Pinkerton asked about how many acres are in the watershed; Raymond responded by stating about 1,400. Jim explained that when we went out to the headwall, there are swampy woods on one side, so we have to work on the farm side and Jim is unsure about how these guys are going to feel about tromping on their crops, so we may have to wait until the fall. Raymond Bair added that Todd Stoller was adamant about making sure that the Drainage Board knew about the situation and that we need to lower the rate. Raymond added that he did inform him that we don't know how much it will be to do that last part. We need to get that bid out and figure out how much is left in the kitty. Mr. Stoller is aware that it cannot be changed until next year anyways. Raymond added that it needs a rock chute at the top end, but if the landowner does not give permission to go down the fence row, we would have to go down the easement. Raymond said John Enyeart is known by a lot of the landowners; if we sent someone like

Redman Excavating, they won't be received as well and Enyeart's. Mark Bardsley stated that we have now received the petition and it will be brought back up once we receive the final quote. Raymond added that he told Mr. Stoller that if we get to the point and they still have \$25,000.00 left in the fund, we could suspend their maintenance for a year or two and then restart it. Mr. Stoller did not like the idea of a big chunk of money sitting in the maintenance fund just sitting there. Jim Todd added that the ditch has a history of sliding in along CR 400 because it is a real deep cut.

### Crane Pond Tile

Jim Todd mentioned an email regarding the tile in northwest Marion. He let the Board know that he called Rick Sullivan in to fix this.

### Matthews Ditch

Kenny Cates mentioned when the tornado went through Swayzee, it took part of the roof off of the John Deere place and part of the school. There are pieces of Styrofoam and sheets of steel roofing in the Matthews Ditch. Where it goes under the railroad tracks there is a 40' tree that fell into the creek. Kenny added that there are two guys with John's Repair that could get the steel out for time and materials; Mark Bardsley told Kenny that maybe we could get reimbursed by FEMA. Mark added that he could check with our EMA director to find out how to submit the bill for reimbursement.

### Webster Tile

Ryan Malott, Director of Area Plan, is present today via WebEx. Ryan stated that Jim Todd had brought up McCoy. This had gone through Area Plan with an unfavorable recommendation and it was sent to the Commissioners. The Commissioners still have it tabled at this point and have not voted on the rezoning yet. Jim Todd added that there are only 24 acres that benefit, and it is going to cost a lot of money. They need to start out and put it on a high maintenance and a lot of the homeowners are going to object to it from what they have told him. Jim added that if it needs to be redone completely, it will need to be bumped up in size. McCoy is going to have pavement and two large roofs, and it is all running off

on the neighbors. Jim Todd feels that an engineer would need to be hired to put it in and design something new.

### Cart Creek

Jim Todd stated that Kenny Cates had inquired about the break right by the fence and power pole. Cook Excavating had an estimate of about \$11,000.00 to bring it out from the fence and replace 395'. Jim had asked Wendell Cates to take a look at it. Jim also stated that Mitch Cook wanted to know if it could be down-sized; without talking to Wendell, Jim doesn't feel it could be down-sized because the drain on both sides of State Road 18 highway and the one field sheds off to it along the road. Jim said that Wendell agreed with him regarding down-sizing, it needs to stay a 15' tile. Wendell Cates said that he would be interested in fixing this in the fall.

### **ADJOURN:**

Richard Cox made a motion to adjourn the meeting at 11:51 am; seconded by Pat Pinkerton. Motion carried 5-0.

The next scheduled Drainage Board meeting to be held will be May 9, 2023 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 April 25, 2023 as presented:*

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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**