

GRANT COUNTY DRAINAGE BOARD

401 South Adams Street
Marion, Indiana 46953

The Grant County Drainage Board meeting was held March 14, 2023 in the Grant County Council Chambers. Chairman Mark Bardsley called the meeting to order at 11:03 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 made a motion to approve the February 28, 2023 minutes as presented; seconded by Pat Pinkerton. Motion carried 4-0.

APPROVAL OF CLAIMS:

Jim Todd read the claims as follows:

Chronicle Tribune \$42.84 Lumbo Drain; \$10,807.09 in the fund

IWI Aggregates \$3,347.69 Barren Creek; \$1,641.70 in the fund

IWI Aggregates \$662.71 Potter Creek; \$21,096.93 in the fund

IWI Aggregates \$1,312.39 Potter Creek; \$21,096.93 in the fund

IWI Aggregates \$950.52 Potter Creek; \$21,096.93 in the fund

IWI Aggregates \$1,158.63 Hollis Daughtery; \$13,138.01 in the red

Fullenkamp Excavating \$6,500.00 Hollis Daughtery; \$13,138.01 in the red

Kenny Cates made a motion to approve the above claims as presented. Seconded by Gordon Gough motion carried 4-0.

Kenny Cates to Abstain

Cook Excavating \$4,080.00 Pipe Creek; \$165,639.39 in the fund

Cook Excavating \$2,550.00 Pipe Creek; \$165,639.39 in the fund

Pat Pinkerton made a motion to approve the above claims as presented. Seconded by Gordon Gough motion carried 3-0, with Kenny Cates abstaining due to owning land in the Pipe Creek watershed.

OLD BUSINESS:

Little Crane Pond

There is nothing new to discuss

NEW BUSINESS:

Barren Creek – Lee Holloway – request for erosion control; \$1,705.99 in the red

Jim Todd informed the Board that we have some pictures of erosion that need rip rap were left after we fixed some of the major ones. The fund has run out of money for now. Jim added that Lee Holloway is aware that there is no money but would like to be put on the list for when money becomes available. He stated that this work on the erosion will help everybody. Jim passed the pictures to Board for their viewing. Mark Bardsley stated for the record that he is next in line after the current project is complete; Jim Todd said that it will probably be next fall and that Mr. Holloway is aware of that.

Little Creek/Moons Extension – Adam Worl – Maintenance request; \$56,457.86 in the fund

Jim Todd showed the Board a picture. Little Creek pays the maintenance. There is a landowner that is interested in paying on his own to open it up through the woods. The Moon's Extension is really old. After this is done, we can maintain any open ditch that they build. Adam Worl is present before the Board stating that this is broken down and full of roots. He said that he wants to come to the headwall and extend it through the woods on the Hamble property. Jim Todd stated that the tile is not under maintenance, but the open ditch is on maintenance, he added that these landowners pay on the open ditch maintenance. Gordon Gough inquired about the size of the tile, Mr. Worl said that it is 20" concrete tile and the roots have gotten to it. He explained that when the cattle was running all over it, they kept all the sinkholes tromped shut. Now the sinkholes have not been tromped shut and then it starts opening up. Jim Todd asked he was going to put rip rap where he ends off at; he said that he was going to make it a rip rap slope. Jim added that it does not take on a lot of surface flow. Mr. Worl said that there is quite a bit of surface flow, but it does not have much speed to it because it is extremely flat coming into it. Gordon Gough reiterated that this would be at his cost; Mr. Worl said it is. Pat Pinkerton asked if when you are changing a ditch, does that take a hearing; Jim Todd stated that he does not think that it does, but he will research it. Kenny Cates made a motion to allow work in our easement at the owner's expense; seconded by Pat Pinkerton. Motion carried 3-0 with Gordon Gough abstaining due to land in the watershed.

OTHER BUSINESS:

Milner Moon – Set date for vacation hearing

Jim Todd stated that he had researched, but he did not find anywhere that there is Surveyor's Report needed for a vacation hearing. Jim said that there is a legal notice that will need publish in the Chronicle Tribune. Gordon Gough explained to the Board that he and Mary Weesner talked to the auditor regarding the money in the maintenance fund and they were told that the money can be refunded. Mary Weesner added that the claim

must state that this refund is due to a vacation of the drain. Mary stated that April 25, 2023 would be the earliest date that this could go to a hearing. Pat Pinkerton made a motion to have the vacation hearing of the Milner Moon drain on April 25, 2003; seconded by Kenny Cates. Motion carried 3-0; Gordon Gough abstained due to land in the Milner Moon watershed.

Pond Ordinance

Ryan Malott, Director of Area Plan is present via WebEx.

Ryan would like to bring up the one acre pond ordinance to the Board. Jim Todd stated that he has talked to two other county surveyors, one being Jared Hahn. He is already on an Area Plan Board and Huntington County has been pond approvals for a long time. Jim added that he did not see any problem with the Drainage Board taking this on. Pat Pinkerton stated that there was a part of the ordinance that referred to variances like being too close to the road or property lines would have to come to the Drainage Board, Ryan told Pat that he has already corrected that part. Ryan added that the Board of Zoning Appeals will take care of all the zoning set-backs, but the Drainage Board would be responsible for any set-backs regarding the Indiana Drainage Code. Mark Bardsley asked Ryan if there is some form of formal action to adopt this; Ryan stated that he would present it to the Area Plan Commission for a recommendation up to the Commissioners. He added that because it is dealing with drainage, Mark Bardsley verified that the Board was all consenting regarding the pond ordinance and the changes that Ryan Malott has made. The Drainage Board has all consented and recommend to the Area Plan Commission in reference of drainage regulations.

Thornhill Addition

Another issue at hand is regarding Karen Lewis asking the Drainage Board to review whether there are any county tile or drains going through the property. Ryan Malott responded stating that this is the standard if they are doing a sub-division, this would be a re-plat. Ryan added that when they get sub-divisions, they send out letters to the health department, Drainage Board, and highway department. The Drainage Board needs to look at it and approve it and then send it back. Jim Todd informed Ryan that there are some water problems out there. Years ago, there was a tile put in and he could not find a record of it. It drains that swamp that overflows into the lane. That landowner had Andy Rickner of John's Repair Service come there to investigate the situation because her son had found an outlet structure that was plugged by the swamp, Dollar Lake. Jim Todd stated that he would look at Lot 4 and get back with the Board. Mark Bardsley stated that this will be addressed at the next Drainage Board meeting, March 28th, after Jim lets them know what he has found out; they will then inform Ryan Malott of their findings. Ryan said that after he gets input from the Drainage Board, it will go to the Area Plan Commission.

Webster Tile

Ryan Malott stated that he was in hopes that Mr. McCoy or Mr. Shannon would be present at the meeting today. He stated that they have a re-zoning that has went through the Area Plan Commission. Mr. Shannon had brought in pictures to Ryan in what appears to be a drainage tile. He added that Jim Todd said that it was old, but it is flooding a property and he was hoping they would have come to meeting to talk to the Board about it. Jim Todd stated that this tile was put in around the year 1917. He added that right where the tile goes is all grown up with trees. He said that at one time a landscape company came in and brought fill in and that backed the water up on a neighbor. This is a small tile that has never been maintained and now a tree line had grown over the tile where the surface water tried to run, tile most likely is full of roots. Ryan asked if the Drainage Board has the authority to put stipulations on that property; they just had a rezoning as they are wanting to build a paper plant on that property. Can the Drainage Board say that if any further construction happens, this will have to be fixed? Jim Todd responded that the 75' easement on the tile still exists. The county plat is wrong, that tile is over to the east a little bit and is not under the main building, but it did go right through the greenhouse and water would flow like a river through that greenhouse at one time. They have elevated that property and brought the water up on the north side on the homeowner to the north. Jim stated that if a new tile were to be put in, the ground would have to be recontoured so that the water is not blocked on the northern people. Mark Bardsley inquired if this was collecting a maintenance, Jim said that it is not, no one wanted to put in on maintenance back in the day. Kenny Cates told Jim Todd to make sure landowner knows that there is a 75' easement on that property, Ryan told Kenny that he told Mr. McCoy. He had plans to build a 7,000 square foot building that would replace the one that is out there, half of it is gone due to a fire. Mr. McCoy was hoping to add on an additional 3,000 square foot, Ryan explained to him that there is a county tile there already. He was wanting to come in to get it rezoned before he did the plans on it. Mark Bardsley added that Mr. McCoy request that the ditch tile be marked so that he knows exactly what he can and cannot do. Ryan Malott said that if he rebuilds on the existing foundation, there is nothing that he could do to stop him, Jim agreed.

Mark Bardsley stated, for public record, that they are looking at a donation from American Rescue Plan Act fund, possibly \$150,000.00 to \$200,000.00 to go into our general account so that we may take care of Hummel Creek and may find some more money to help fund out in southeast Marion. He added that we will have to see how much comes in. Pat Pinkerton stated his concern, stating that that tile is going to plug up again very soon

ADJOURN:

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

The next scheduled Drainage Board meeting to be held will be March 28, 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
March 14, 2023 as presented:*

Mark Bardsley

Gordon Gough

Not Present

Richard Cox

Kenny Cates

Pat Pinkerton