

# GRANT COUNTY DRAINAGE BOARD

401 South Adams Street  
Marion, Indiana 46953

The Grant County Drainage Board meeting was held December 12, 2023 in the Grant County Council Chambers. Vice-Chairman Gordon Gough called the meeting to order at 11:01 am. Other members present were Richard Cox, Pat Pinkerton, Kenny Cates, and Grant County Surveyor Jim Todd and Drainage Board secretary Mary Weesner. Chairman Mark Bardsley was not in attendance.

## APPROVAL OF MINUTES:

Kenny Cates made a motion to approve the November 28, 2023 minutes as presented, seconded by Richard Cox.  
Motion carried 4-0.

## APPROVAL OF CLAIMS:

Jim Todd read the claims as follows;

Amazon Business \$128.75 Office Supplies; \$236.21 in the fund  
Amazon Business \$111.13 Office Supplies; \$236.21 in the fund  
Grant County Treasurer \$5,593.50; Loan from GDIF to Maintenance  
Grant County Treasurer \$96,464.52 Loan repayment Maint. to GDIF  
Chronicle Tribune \$26.28 Waters Open; No maintenance fund  
Chronicle Tribune \$26.28 Polly Walk; No maintenance fund  
Wells County Treasurer \$433.34 Fall Collections; Outbound  
Wabash County Treasurer \$1,333.97 Fall Collections; Outbound  
Huntington County Treasurer \$543.08 Fall Collections; Outbound  
Howard County Treasurer \$1,495.42 Fall Collections; Outbound  
Blackford County Treasurer \$6,738.51 Fall Collections; Outbound  
Spitzer Herriman \$2,150.00 Legal Fees; \$5,000.00 in the fund  
John's Repair \$23,000.00 Landess Tinkle; \$123,295.74 in the fund  
IMI Aggregates \$107.77 Landess Tinkle; \$123,295.74 in the fund

Kenny Cates made a motion to approve the above claims as presented; Seconded by Pat Pinkerton. Motion carried 4-0.

**APPROVAL OF CLAIMS: (continued)**

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

CF Excavating \$780.00 Pipe Creek; \$146,272.30 in the fund

Cook Excavating \$800.00 Pipe Creek; \$146,272.30 in the fund

Cook Excavating \$2,890.00 Pipe Creek; \$146,272.30 in the fund

Cook Excavating \$1,005.00 Pipe Creek; \$146,272.30 in the fund

Pat Pinkerton made a motion to approve the above claims as presented; seconded by Richard Cox. 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.

Hummel Creek – Legal fee write off

Mary Weesner presented to the Board her findings for the remaining balance of Mr. Gary Ott's debt after his payment of \$90,299.70 was applied. After review, Richard Cox noticed a mistake in the figuring of the amount. The Board agreed and this is tabled until the December 26, 2023 meeting, where Mary will bring this back in front of the Board with the corrected figures. Richard Cox made a motion to table this item until the December 26, 2023 meeting when the correct figures will be presented. Motion was seconded by Pat Pinkerton, motion carried 4-0.

**NEW BUSINESS:**

Smith Drain – Jeff Moody of V3 Company via WebEx – variance

Jeremy Keiser is present in place of Jeff Moody. Mr. Keiser is present via WebEx representing JD Yoder regarding the proposed horse track. Mr. Keiser showed on his computer screen the encroachment adding that it is a dirt practice horse track that would be encroaching into the Smith Regulated Drainage easement by about 25' and he is asking for a variance for that 25'. Jim Todd stated that he has gone over the plans and that the track has been downsized so it will not cross the creek at all; Mr. Keiser agreed.

Jim added that he will have to make sure not to impound any of the surface water coming from the north and keeps it flowing. Mr. Keiser stated that they have some diversions for that, they have a pipe coming into that ditch under the track now proposed. They would be removing and replacing the existing 30" pipe that is there now. Jim added that we have a hold-harmless agreement that will need to be signed by Mr. Yoder and returned to the Drainage Board secretary. They reviewed where the track would cross into the easement. Mary Weesner will forward the hold-harmless agreement to Mr. Keiser. Pat Pinkerton stated that other than dirt and stone, there will not be any structures going in, Mr. Keiser agreed, no structures. Regarding a guardrail, Mr. Keiser stated that he will let Mr. Yoder know that if he does install one, he will be responsible to pay to have it removed if it is in the easement. Pat Pinkerton stated that since they are not putting any structures there and this should not cause any erosion on our ditch bank, he does not see a problem with this; Jim Todd agreed. Gordon Gough reiterated that we have a hold harmless agreement with the horse track, and they understand that if we need to, they have to let us work on that side. Richard Cox made a motion that the Drainage Board approve the hold harmless agreement with Mr. Yoder. Motion was seconded by Pat Pinkerton and carried 4-0.

#### **OTHER BUSINESS:**

Echelbarger Zirkle – David Devore - Petition for public hearing

Jim Todd informed the Board they we have a petition for a public hearing for the Echelbarger Zirkle from David Devore. Mary Weesner suggested the date of January 30, 2024 but stated that it would not collect until 2025 since the hearing is after the deadline for a 2024 collection. Jim added that he would like to wait until February for a hearing as he does not want to rush into anything. Kenny Cates said that, regarding this project, Scott Rogers came in with an estimate if about \$550,000.00 and that is without stone. It would not surprise him if it is between \$600,000.00to \$625,000.00. Kenny added that this needs to go for more than \$10.00 per acre, Jim Todd informed Kenny that Mr. Devore is actually going for \$50.00 per acre with a \$100.00 home site assessment and a minimum of \$50.00 per parcel for a four year collection. Jim Todd recommended a hearing date of February 27, 2023. Pat Pinkerton made a motion to hold a

public hearing for the Echelbarger Zirkle on February 27, 2024 with a rate \$50.00 per acre with a \$100.00 home site assessment and a minimum of \$50.00 per parcel for a four year collection. Motion was seconded by Richard Cox, passing 3-0 with Kenny Cates abstaining due to land in the water shed.

### Middle Fork

Jim Todd stated that he has talked to Ray Hiatt from Madison county. Middle Fork is all in Grant county except for a portion of it is in Howard county. Jim said that he has talked to the Howard county surveyor to see if they want to get involved with their little section. Madison county had signed the petition for \$10.00 per acre, not \$30.00 and he does not wish to waive their rights or form a joint board.

### **ADJOURN:**

Kenny Cates made a motion to adjourn the meeting at 11:48 am; seconded by Richard Cox. Motion carried, with support, 5-0.

The next scheduled Drainage Board meeting to be held will be December 26, 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 December 12, 2023 as presented:*

**\*\*\*Not present\*\*\***

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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**