

**MINUTES OF THE REGULAR MEETING OF THE
LAPORTE COUNTY DRAINAGE BOARD
APRIL 9, 2024
8:30 AM, LAPORTE COUNTY COMPLEX MEETING ROOM 3
LAPORTE, INDIANA**

MEMBERS PRESENT: Tony Hendricks; Jeff Mitzner; Pat Vance; Hugh Glasgow; Connie Gramarossa; Joe Cuson

STAFF PRESENT: Christine Keil; Brad Adamsky

MEMBERS/STAFF ABSENT: none.

PUBLIC PRESENT: See sign-in sheet.

Jeff Mitzner called the meeting to order. The Pledge of Allegiance was recited. Attendance was taken. Connie Gramarossa motioned to approve the last meeting minutes. Hugh Glasgow seconded. Motion carried.

IC 36-9-27.4 REMOVAL OF OBSTRUCTION PETITION: The petition, submitted by Tom Vater, is on file from February, which was accepted by the Board. Hendricks read the Surveyor's Report. There was proof of service. Mitzner opened the floor for public comment. Tom Vater approached the Board to give a summary of events and history. Adamsky stated he had received contact last week from the respondent's attorney, and directed them to contact Keil, who spoke with the respondent, Dale Skorski, who was present and approached the Board. He is the owner of the farm at 8048 N. 400 W. He read his statement. (See recording for details). In short, he stated he receives water from the east that floods his property. Q and A and discussion followed regarding the piles of dirt that are blocking the water. Andrew from County Highway approached the Board. They put a culvert in along the road. More discussion followed as the Board and Skorski examined the contour maps that show where the natural flowing ditch/swale is located that is now overgrown with trees. Hendricks has toured the site, and it is very wet, and nothing flows. More discussion followed and the meeting was brought back to order. Vance commented regarding the elevations. Andrew, County Highway, commented on the brush piles and the elevations. Hendricks stated that it is a wet area, but something has changed to cause the fields to flood. Gary Kessler, farmer of Vater's property, approached the Board with Tom Vater to make a statement regarding the flooding and the history of the area. (See recording for details). Vater stated there would be water after a rain, but it would be gone in a few days, but now the area has been affected by flooding and needs to be returned to the former state. Hendricks stated that there could be a pipe put in the crossing between the two fields. Hendricks also gave other ideas. Glasgow asked Adamsky what the options are regarding the obstruction. Hendricks is confident with the contour map and if the Board determines the crossing between the two fields is the obstruction, then the ditch going west will not be cleared since that has not changed for years. More discussion followed. (See recording for details). Joe Cuson motioned to remove the obstruction. Pat Vance seconded. Motion carried. Mitzner advised Skorski to work with

Hendricks regarding the pipe and elevations. Hendricks will meet onsite this week to determine if the problem is the ditch or the pipe and Skorski will remove the obstruction next week. Mitzner stated the obstruction must be removed by April 19. Hendricks stated if the obstruction is not removed in two weeks, then the Board will instruct the County Highway to remove it in the third week. If the field crossing pipe must be put in, it will be Skorski's responsibility. Pat Vance motioned to direct Skorski to remove the obstruction by April 22 or else the County Highway will remove the obstruction and bill the landowner. Hugh Glasgow seconded. Motion carried. Hugh Glasgow motioned to keep the topic on the agenda for May. Mitzner seconded. Motion carried. Mitzner adjourned the public hearing. Regarding the Findings and Order, Adamsky stated the Board determined there was an obstruction, possibly manmade but date undetermined, and then ordered for the removal of the obstruction within a set time. The Board has determined, based on a preponderance of the evidence, that the obstruction of the natural surface watercourse was created at some point intentionally by the respondent or previous owner, and has asked for it to be removed within 13 days. Pat Vance motioned to approve the Findings and Order. Motion seconded and carried.

GREG WALTER, PITNER DITCH, POLE BARN: Greg and Wendy Walter approached the Board to request the placement of a pole barn within the 75' easement along the Pitner Ditch. He presented a drawing for the site at 14567 South, 450 West. They would like to construct 23 feet from the top of the bank. The building will be 24 feet long. They have a 700 foot driveway that they would like to place the barn at the end of. Andrew Hagenow owns on the other side of the ditch, which is clear of trees. There is a concrete pad in place currently and a nearby septic field. After some discussion of the minimum and maximum widths needed, Connie Gramarossa motioned to table this until May after Hendricks meets Walter onsite. Pat Vance seconded. Motion carried.

TOBIN ARM OF THE RODMAN DITCH PROJECT: Keil received a request from Ken Freeland to clean this ditch located north of 300 South and along the west side of 300 East for 0.5 miles. Keil requested this be put out for bid to be returned, awarded, and cleaned by May 3. Hugh Glasgow motioned to put this out for bid via email. Pat Vance seconded. Motion carried. Keil will have bids due April 16 for project completion by May 3.

HUDSON LAKE: Georgette Joyce approached the Board to give a monthly report. The water is 18.25" above the weir and holding. No incidents have been reported. Keil met with them to check on the level to calibrate the gage on March 25. The Tolthawk read 12.60 and the manual read level at the weir was measured at 12.72 during windy conditions. They are sending out bids for the grants that were received for \$19,000 and \$220,000 for invasive species removal. They are still working with the DNR regarding the agreement.

BRAD ADAMSKY, ATTORNEY: No reports.

TONY HENDRICKS, SURVEYOR REPORTS: No reports.

JOINT BOARDS: No reports.

CLAIMS: Carl Netzer, Berringer Ditch, \$1,500. Pat Vance motioned to approve. Hugh Glasgow seconded. The motion carried.

PUBLIC COMMENT: Greg Werner, 6548 West, 1450 South, Wanatah, approached the Board with concerns regarding a rock dam in the Hanna Arm of the Tuesburg Ditch, located approximately 0.25 miles north of 1500 South. He is concerned that it is raising the water level, slowing the flow, and creating issues on the west side of the ditch. He believes that 30 years ago, the farmer installed an irrigation system to pump out of the ditch. On the south side of 1500 South, there was a rock dam installed and another was placed north of 1500 South to keep sediment from moving down the ditch. People are now using river screens. He spoke with the landowner who removed the rock dam on the south side, but there is still a problem with the one on the north. Keil stated that during the recent field meeting, the owner said they had permission to place the rock dams in 1990, but Keil was unable to locate this in the meeting minutes. Keil performed field work and Hendricks analyzed 2018 Lidar data. There is a slope of 0.05% in the ditch for eight miles. There are uneven places in the ditch. Between 1400 South and 1500 South, there is 2.96 feet of fall, so about three feet in the mile where the rock dam is. Glasgow stated it has been there for 30 years and the dam slows the water down and he would like to see a sediment trap there. Hendricks suggested taking it under advisement so he can take a better look at it. Connie Gramarossa motioned to place this on the next meeting agenda and have the County Surveyor go out and look again. Pat Vance seconded. Motion carried. Glasgow would like to have the dam there to keep the water slowed down. Adamsky stated that adjoining owners may need to be contacted prior to Board action. Greg Werner questioned the reason for the dam.

On the same ditch, the Hanna Arm, Keil received an email from Mark Scarborough requesting approval to mow brush on both sides from 1500 South going south for one mile within the month or first week of May at his expense. Hugh Glasgow motioned to approve this work to be done with a hold harmless. Pat Vance seconded. Motion carried.

COOK DITCH, BEAVER DAM: Keil reported another beaver dam had been trapped at the reoccurring spot and the dam needs to be removed. Keil gave Mark Whittmer approval to remove the dam at a cost of \$1,000.

JIM YEOMAN, HANNA ARM: He approached the Board and stated that he spoke with Mark Scarborough who told him he intends to try to dip the ditch islands out, but he may not be able to reach all of it, but he will get the high spots out. He stated the rock dams have been there a long time and were placed there by previous owners to slow the water and hold sand back and that other owners should be contacted.

There being no other public comment or other items, Jeff Mitzner adjourned the meeting. The next meeting is Tuesday, May 14, at the LaPorte County Complex at 8:30 AM.

Christine Keil, Secretary
Dated: April 15, 2024