

**MINUTES OF THE REGULAR MEETING OF THE
LAPORTE COUNTY DRAINAGE BOARD
DECEMBER 10, 2024
8:30 AM, LAPORTE COUNTY COMPLEX MEETING ROOM 3
LAPORTE, INDIANA**

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

STAFF PRESENT: John South, Brad Adamsky

MEMBERS/STAFF ABSENT: Pat Vance

PUBLIC PRESENT: See sign-in sheet.

Jeff Mitzner called the meeting to order. The Pledge of Allegiance was recited. Attendance was taken. Hugh Glasgow motion to approve minutes from last meeting. Joe Cuson seconded. Motion passed. Jeff Mitzner requested that one item be added to the agenda, Williams Arm of the Tuesburg Ditch

DRAIN TILE REPAIR PROJECT, TRAVIS ARM OF THE RODMAN DITCH: John South stated that he received a complaint from Dale Tuholski of sinkholes along the Travis Arm of the Rodman Ditch drain tile. South requested a motion to put this repair project out for bids. South stated it's an 18" clay tile. Hugh Glasgow stated that he went out to look at it. He saw the sinkholes as well and stated they are pretty small. Glasgow said it appears the property owner cleaned up the trees around the manhole, but there is a property border with 80' wide of trees going over the top of this tile right next to where the sinkhole is. Glasgow would like to see in the bid the removal of those trees over the right-of-way, because he thinks the roots affect the tile especially since it's a clay tile with gaps in it. Jeff Mitzner asks if that is a motion. Glasgow states we are discussing it right now, but he could put it in the motion that they remove the trees, but he doesn't know how wide the ROW is in this area. He doesn't know how wide to specify what trees need to be removed. He would prefer that the trees be piled along the edge of the ROW, not burned or buried. The cost for the contractor to remove the trees would double the price of the bid. Glasgow thinks you would need to remove 60', maybe even 100' of trees to keep the roots out of the tile. Mitzner asked if Glasgow wants them to pull out the trees or cut them down. Glasgow responds that he can chainsaw them down or take them out by the roots. Mitzner states that if they chainsaw them off they need to be sprayed. Glasgow states they definitely need to be sprayed. Glasgow states he thinks these trees are affecting the tile and they have over the years, because they haven't worked on this tile three times since he's been on the Board. Mitzner requests that the Board requires the trees to be removed by the roots to get rid of them. Then when this is finished the Board can discuss with the farmer that he will need to keep it clean. Glasgow states that we still haven't established how wide a path of trees to remove. Tony Hendricks recommends 75' total. Jeff Mitzner says 100' total, 50' on each side. Tony agrees. Glasgow motioned. Connie Gramarossa seconded. Motion passed.

MICHIANA SHORES, WHITE DITCH AGREEMENT: Brad Adamsky stated that Daina Dumbrys is here, but he can give the update from their (Michiana Shores) board meeting last month. There are 3 sections to the White Ditch in Michiana Shores, a number of years ago the Town entered into an agreement with the Drainage Board to get a grant to beautify and fix up a section of the Ditch. They can back for a second section, but the first section has expired. The Town is ceding control of that section back to the Drainage Board. There is no action that needs to be taken. We're just reporting back from the Town that they do not want to continue that agreement, which it has expired already. Two sections of White Ditch are now back under the control of the Drainage Board. The Town emphasized they would like the good relationship between Michiana Shores and the Drainage Board to continue. The town has put a lot of work into improving a walkway and a trail and the board will take that into consideration when you are putting out for bids on work that needs to be done out there. Tony Hendricks reported that a majority of the silt in the Ditch located in the northeast portion of the Ditch towards Michiana Dr. Between Pokagon and Michiana Dr there is approximately 1.75' – 2.25' of silt in the Ditch. Between Pokagon and El Porto there is approximately 1.25' – 1.75' of silt and from Oakdale to El Porto there is approximately .75' – 1.25' of silt. It is up to the Board if they would like to bid out a cleaning of the Ditch. We want to make sure we don't ruin trails or improvements in that area. We have done this before, 3 or 4 times in my tenure, so we go out and look for bids to clean it to the natural bottom. It's a very sensitive area, so you want the right person in there to not make a mess of it. Hendricks recommends that we put all 3 sections out for bid to see what it costs. Hugh Glasgow motioned that we put all 3 sections out for bid. Jeff Mitzner added in separate sections. Joe Cuson seconded. Motion passed.

TREE REMOVAL, BULL DITCH: John South stated that he went out to check on the site last week and that nothing has changed in the last month. The owner has stopped work on the tree on his property. Hugh Glasgow asked if the tree was in the water. South replied that one tree is across the top of the ditch and one is in the ditch parallel with ditch. Tony Hendricks stated that you could ask County Highway what they would charge to take it out. Connie Gramarossa requested the location and stated she would work with Highway Department. Jeff Mitzner requests will table it for another month until Gramarossa can get with the Highway Department.

MCKELLIPS DITCH PROJECT BIDS: The sealed bids were opened by the Board. One bid was received for the McKellips Ditch Project:

Carl Netzer - \$23,900.00

Jeff Mitzner asked for a motion to table it and rebid. Joe Cuson motioned. Connie Gramarossa seconded. Motion passed.

TOBIN ARM OF THE RODMAN DITCH PROJECT BIDS: The sealed bids were opened by the Board. One bid was received for the Tobin Arm of the Rodman Ditch Project:

Loehmer Ag Products - \$29,040.00

Jeff Mitzner stated he thinks they need to table it and rebid it out. Connie Gramarossa motioned to table it and put it out for rebid. Hugh Glasgow seconded. Motion passed.

BERRINGER DITCH PROJECT BIDS: The sealed bids were opened by the Board. Two bids were received for the Berringer Ditch Project:

Al Allsop Construction, Inc. - \$9,900.00

Loehmer Ag Products - \$40,700.00

Joe Cuson motions to accept Al Allsop's bid. Hugh Glasgow seconded. Motion passed.

KANKAKEE RIVER TREE REMOVAL PROJECT BIDS: The sealed bids were opened by the Board. Nine bids were received for the Kankakee River Tree Removal Project.

Jeff Mitzner asks whether we are going to accept any of these bids. Tony Hendricks states we are going to read aloud the bids and then forward them on to the Kankakee River Basin Commission to see if they would be willing to pay for the project beyond our \$7,900 total funds available.

Al Allsop Construction, Inc.:

Section A - \$50,000.00

Section B - \$50,000.00

Section C - \$50,000.00

Section D - \$50,000.00

Lump sum price to do Sections A, B, C, D - \$98,000.00

Section E - \$25,000.00

Section F - \$25,000.00

Section G - \$35,000.00

Section H - \$55,000.00

Lump sum price to do Sections E, F, G, H - \$97,500.00

K and L Excavating, LLC

Section A - \$268,000.00

Section B - \$268,000.00

Section C - \$268,000.00

Section D - \$268,000.00

Lump sum price to do Sections A, B, C, D - \$268,000.00

Tony Hendricks asked for a motion to forward the Al Allsop bids to the Kankakee River Basin Commission and to encumber our \$7,900.00 funds from FEMA to help pay for that project whichever way they choose. Connie Gramarossa motioned. Joe Cuson seconded. Motion passed.

TAYLOR DITCH CROSSING APPLICATION: John South stated that this a sewer project up near Saugany Lake. They are going to go underneath the Ditch. South states that the only question he had about this application is the applicant did not want to fill out a Hold Harmless Agreement because he thought it was unnecessary. South wanted to ask the Board if they agree that. Tony Hendricks states that the work is being done for the La Porte County Sewer District. Hendricks says yes, they should submit a Hold Harmless because they are two separate entities. Brad Adamsky agreed. Hugh Glasgow stated that the important part of that application is that they are going to be 5' below the drain. The motion is to accept their application with the design specs and the Hold Harmless. Joe Cuson motioned. Connie Gramarossa seconded. Motion passed.

WILLIAMS ARM OF THE TUESBURG DITCH: Mark Scarborough addressed the Board to request permission to use the right-of-way of the Williams Arm of the Tuesburg ditch thru the State land. He talked to the project manager, who was fine with it as long as he got the Board's approval. He just wants to clean the ditch. Jeff Mitzner asked Scarborough if you needed something else from the Board. Scarborough stated that he also needs a letter of approval from the Board for the work requested. Hugh Glasgow asked if this is above 2100. Scarborough replied that it is between 2100 & Hwy 8. Connie Gramarossa motioned to allow the work with a Hold Harmless Agreement and a letter of approval. Hugh Glasgow seconded. Motion passed.

HUDSON LAKE: Georgette Joyce approached the Board to report that the lake level was around 1.5" above the weir. The Tolthawk battery has been a pain, but they are working on it. There have been no incidents on the lake. They are going to apply for their lake grants in January for invasive species and for future dredging. The dredging efforts are painfully slow, but they are still committed to getting it done by December 31st, if not, we will have to go to plan B, which would either divert the rest of until after July 1st or they might give an extension into January. The drain agreement is still going forward. We had the Taylor Ditch tour on November 13th, it was very productive. Thanks to John for participating and helping us along. DNR wasn't able to join us because there were high winds, so they couldn't bring the drone down. In attendance we had John Law, from St. Joe County, two property owners that are along the ditch, as well as the Hudson Lake Conservation Association. We did discover that there is a need for clean-up along the ditch. John Law has already commissioned Beaver Excavating to handle that. They had their public meeting on November 12th. The meeting went well. A lot of good exchange and they received some donations out of it.

BRAD ADAMSKY, ATTORNEY: No report

TONY HENDRICKS, SURVEYOR: No report

JOINT BOARDS: No report

CLAIMS: Cook Ditch, Beaver Dam removal, M & K Excavating, \$1,500

Jeff Mitzner stated before anyone makes a motion on this that he and John South went down to take a look at this. Mitzner stated the dam has been removed, M & K charged the Board \$1,500. We met out there with Porter County and Porter County said that they would pay half the bill. We are going to go ahead and pay and bill Porter County the \$750. She pretty much told us that if we are having any other issues with the Cook Ditch, that they (Porter County) would handle it. Connie Gramarossa motioned to pay the \$1,500. Joe Cuson seconded. Motion passed.

PUBLIC COMMENT: Daina Dumbrys approached the Board and stated that she had hoped to get a call when you (Tony Hendricks) visited Michiana Shores. No phone calls, no e-mail, so I'm sad that I was not able to join you when you checked out the ditch. Number one. Number two, I heard a comment that the silt was going to be left in place on the various properties. This is really concerning to us, we have photos of what it looked like in the past when the silt is left...it looked like Afghanistan. As far as I know there is a lot of money left in that particular budget for our White Ditch, so in other words some of that can be carted out. A real concern on the path that was made in regards to doing things DNR had requested of us. I know that my husband and I had to sign a Hold Harmless agreement when we built a new home. I would like to see records of every other property owner on that ditch to see if they have also have Hold Harmless agreements, because I don't think that is fair that only one resident has to do that, and the other residents don't. I have asked for that in the past but have never got any information on that. So, anyway, the piling up of the silt is really a concern and from the research I have done in the past, they removal of silt is definitely part of the work the Drainage Board does. Tony Hendricks states that John South can ask, in the bid, for the cost to remove the silt. Jeff Mitzner states that we are going to have the digging of the ditch separate and the hauling separate. Mitzner asks for a motion to change the original motion. Connie Gramarossa motions to amend the motion to have it quoted for the actual work and for the removal of the silt. Mitzner asks if Dumbrys has a place to dump the silt. Dumbrys responds that there are various places in Town where it could be dumped. The Town has public properties all along the ditch. Our ordinance from FEMA and Indiana DNR with regards to making sure that any kind of floodway area is protected and we don't have silt and other kinds of things coming back down or causing any kind of a flood later, so those are issues that would have to be taken a look at and I can't answer that right now, I would have to see what we can do in regards to that. Jeff Mitzner asks Dumbrys to find a location to dump the silt, someplace close so that we don't have to try to haul it 10 miles and cost us an arm and a leg to do this. Mitzner states that Dumbrys has until next week to contact John South with a location to dump the silt. Gramarossa adds to the motion that the Town find a location nearby to dump the silt. Joe Cuson seconded the motion. Motion passed.

Jeff Mitzner adjourned the meeting at 9:13 AM. The next regular meeting is Tuesday, January 14, at the LaPorte County Complex Meeting Room 3 at 8:30 AM.

John South, Secretary
Dated: December 10, 2024