

**MINUTES OF THE REGULAR MEETING OF THE  
LAPORTE COUNTY DRAINAGE BOARD  
MAY 13, 2025  
8:30 AM, LAPORTE COUNTY COMPLEX MEETING ROOM 3  
LAPORTE, INDIANA**

MEMBERS PRESENT: Jeff Mitzner; Pat Vance; Connie Gramarossa; Chad Hertges; John Matwyshyn

STAFF PRESENT: John South, Brad Adamsky

MEMBERS/STAFF ABSENT: Mark Scarborough

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 minutes from last meeting. Pat Vance seconded. Motion passed.

COUNTYWIDE STORMWATER ORDINANCE OR STATUS QUO: Brad

Adamsky stated that he would just give a quick update on this from attorney and then this will supplement or replace the attorney report. So, the Board's been considering looking at a Countywide Stormwater ordinance, kind of what Porter County has done versus just maintaining the status quo with the goal of updating some of the assessments on some of the maintenance funds, because they are not being sufficiently funded at this point years later. So, as far as the procedure for updating or changing the assessments, Indiana Code 36-9-27-42 covers that, and basically, what the Surveyor's office or what you could even direct John South to assist with or to do is they should be reporting to you the status of the ditches of the drainage funds and basically saying whether they were underassessed, over assessed, in need of reconstruction, or maybe even need of being vacated. So, just a simple report of identifying which ones are underassessed is really what you're looking for. And then you have the option at that point, you can increase the amount once, without notice to the affected landowners, if the increase does not exceed 25%. So, you'd have to look back historically and see if any of those have been increased that one time. Jeff Mitzner asked so we got to go way back to when they were established, right? Adamsky replied right. Alternatively, if you are going more than 25% or if you want to bypass that whole one time free, without notice. The way you change the assessment is you have to give to all the affected land owners at least 10 days prior to the meeting, then the landowners have the right to come to that meeting. They have the right to object and they have 20 days after you guys approve it to file an objection with the court. If they don't file an objection with the court, that change becomes effective. So, it's not a long process for you guys to go through, but it starts with identifying which ones are underassessed and basically how much you think they need to be bumped up to match what the actual spending is on an annual basis for those ditches. So, the alternative, right, is to do this countywide stormwater and a quick update on that, I've looked through all ordinances on how Porter County got that established, that starts at the commissioner

level, because remember, you guys all serve as a branch of the commissioner's office. So what Porter County did is they initially removed the non-elected officials from the Drainage Board. So that was kind of their first step, saying we just want everybody on the Drainage Board just to be the executive branch, so they're commissioners and then from there they just absorbed it into a stormwater entity that they had created at a county level, but that all came from the commissioners. Pat Vance asked so, they made it like a committee almost. Adamsky replied yeah, that's a good way summarizing it. But, again, that all came at the commissioner level. It didn't come at the Drainage Board level. Connie Gramarossa added so, we can talk after the meeting, because right now we're currently getting a board together for the MS4, so as we're doing the MS4 and we're producing that, maybe we can talk hand in hand and we can work on this as well. Adamsky adds that makes sense because, again that's a higher level come from the Commissioners. What this Board could be doing or should be doing is working with the surveyor's office or working with your deputies to identify, and they have already started that, I mean we've had those conversations. We know we've probably identified half a dozen funds that are under assessed. Get that report to you and then you could determine which ones you want to increase, by how much you want to increase and what process we have to go through to increase those. Mitzner adds he's got to go back and find out if we've already increased that. So, he'll have to go back through the records to find that. Adamsky adds or maybe Tony or Christine could have some recollection of that. Gramarossa adds we could get a committee together. Why don't we talk right after the meeting and maybe we can get a committee with some members from this Board, because if it's on the commissioners' level and the Commissioners appoint a committee then we can figure out how we're going to appoint someone from these boards to help out. Adamsky replies that I see it as two things moving forward at the same time. Mitzner adds That's what I was assuming that that's higher level, but we still need to know what John can do where we're under assessed for these.

**WHITE DITCH MAINTENANCE PROJECT:** John South stated I sent you guys an email with a brief update on what's going on out there. I'll just go over those real quick again. We were out there on Friday with Al Allsop and Pat Vance went with us too. It took us about an hour to go through all three sections. We marked 75 trees for removal, two sheds, there's a landscaped area with about a dozen pine trees on one of the properties, there was a fence that needs to come out. Some of those trees, when Al was out there, he marked them, but it's a may not have to remove them. He won't know until he gets out there and gets the equipment there, but most of the ones marked are definitely going to be removed. There was another issue, Pat may want to speak on that. Pat Vance added one of the things we saw, well, me and Connie had made a trip out there with County Highway because she talked about possibly getting some of the downed trees. One big one they told us about that was down in the White Ditch. It's in an area where County Highway can't touch it. We observed a bunch, you have pictures of them, as a matter of fact, when John was there, of trees down in the White Ditch, which would be in addition to him doing the maintenance on it, we should definitely probably have those trees removed. South adds I think it's an emergency level event because one of them is completely blocking. Vance adds what we were talking about was additional. So, if we want him to do it while he's doing the actual ditch project, we need to basically say that as a Board and maybe have some additional

funds so that he can clear those trees out. Jeff Mitzner asks so, are we wanting to send him in before he starts digging? South adds I don't think it can wait until fall. Mitzner asks So, what is that going to cost us? South answers he said \$2,500 to \$5,000 that range. Vance concurs yeah. Mitzner replies that's a big range. That's a very big range. South adds he said 5,000, but he's pretty sure it's going to be less. Connie Gramarossa stated see, when we went down there, the water was still running, but I don't know how it's going to be through the summer. I mean, you think it was already stopping it? I think so, the water is pretty shallow through there. This is between Oakdale and El Portal. It's that stretch. The one good thing is there aren't any homes nearby where this is at. It's in an area of a lot of vacant lots. Vance replies all you'd have to do there is the split rail fence to get past that to go down there. Mitzner adds you could probably bring in a mini to get these, I'm assuming. Mitzner asks do I have a motion to do this emergency work? Pat Vance makes a motion to put out for emergency to have this work done in the White Ditch, that is to take these trees out for no more than \$3,000. Chad Hertges seconded. Gramarossa requests open for discussion. Okay. So, here's my question. It's just how many trees are there? Was it just the one tree? South replies there's two. There's one that's not as bad but fallen down across the ditch. If anything comes down the ditch it's going to get stuck in there. Mitzner asks all in favor? Motion passed.

**DRAIN CROSSING APPLICATION, BERRINGER DITCH, SURF INTERNET:** John South reports I don't think we are going to need Tony's services for this. This is just a conduit that surf internet is going to put underneath the Berringer. this is going to be at least four feet below the ditch. Jeff Mitzner asked for a motion to accept. Pat Vance motioned to accept it. Connie Gramarossa seconded. Motion passed.

**BANK SPRAYING 2025 - NOTICES:** John South reports I just wanted to update; I sent out 129 letters yesterday to the homeowners along the ditches. I didn't put anything in there about the people that wanted to skip, so I'm anticipating phone calls from roughly a dozen people that have been skipped in the past. I wanted to verify what the advice is going to be that I should give them. Jeff Mitzner responds If they want skipped, they have to spray their own, and they have to show proof that they sprayed it, because if not, we're spraying it. Pat Vance added that actually, I think we instructed the guy that is going to do the spraying, if he had a problem, he needed to contact us or the sheriff. Mitzner added yeah, once he goes in there and starts spraying, somebody is going to complain. Mitzner asked was he spraying that with a drone? South responded most of it. I think he said 70% would be drone. Chad Hertges added just a little area with a backpack. Mitzner responded I think he has a four-wheeler he's got set up on. They are going to have to show proof that they're going to spray it, otherwise we're going to spray it. Brad Adamsky asked when is that scheduled? Mitzner and South responded June 15th.

**BEAVER DAM REMOVAL, WEST ARM BULL DITCH, BIDS:** John South stated we received one bid. The Board opened the bid from Davey resource group.

Jeff Mitzner read the bid for beaver dam removal; firm fixed price of \$22,000. Mitzner stated it must be a heckuva big beaver dam. Mitzner asked South is it that big? South replied no it's not that big. Clay, a representative of Davey resource Group, approached the Board. Clay stated his office is based out of South Bend, Indiana, but we service all of northern Indiana and southwest Michigan. We actively work with drainage boards and county surveyors on a wide range of services. Vegetation management is our main bread & butter. We also do log jam removals and obstruction removals like beaver dams. Now the reasoning behind this inflated rate is because of the time constrictions. It's to be completed by June 1st. We have an initiation process on our own side, because you guys are a prospective new client on our end. We haven't worked with you guys. We have to go through an internal billing process to set it up, then we have to quickly mobilize equipment and a crew, which has already been hard scheduled until pretty much the end of June. So, this is a rate at which we can utilize staff outside of our northern Indiana office and equipment outside of our area here. I understood going into this that we weren't potentially going to be able to work with you guys on this just because of that figure and time constraint. This is a service that isn't out of our wheelhouse. We have hydraulic driven attachments with high-pressure winches that can pull logjams out, minimize damage to the ditch bank. We have large excavators, mini excavators. You guys probably know, Davey Tree, in itself, is a really large parent company of ours.

Are there any additional clarifications you guys are looking for? One thing, sorry, before I hear your responses, to avoid any fill material permits, we are to take all of the actual obstruction offsite and there's disposal fees built into that cost. So, all of that material taken out of the beaver dam, we are hauling and disposing outside of the working area. Otherwise, if you were to just push it downstream that's potential for risk to your other constituents and you would have to go through a construction of fill material permit. Jeff Mitzner asked who called this in? Is it impacting anyone's farm field? South replied yes, Michael Smith called it in, but he doesn't own any farm fields. The back end of his property, the south end, is flooded. I noticed when we were out there that the farm field to the southwest of the dam has a lot of water in the field. I don't know how many acres are impacted, but it is impacted. Mitzner asked for a motion to not accept this bid. Chad Hertges made a motion to not accept the bid. Pat Vance seconded. Motion passed. Mitzner continued Let's put this down as an emergency. It is farming season. Let's call our local guys and see if we can go out and get it done. Connie Gramarossa asked Brad Adamsky can we make a motion to give the president the authority to make a decision on behalf of the board. Adamsky replied yes, up to a certain amount. It can be in the motion, and you can award it up to a certain amount. The request or the letter that went out said the project will begin immediately and be completed by June first. Is there a reason for that June first cut-off? Is that a seasonal thing? South responded we just wanted to get it done as soon as possible. Mitzner adds if it's going to start affecting the cornfield, we need to move on it. Adamsky offered with an emergency, you can always find out and then do an email vote. Pat Vance makes a motion to make this an emergency beaver dam removal on the Bull Ditch. Chad Hertges seconded. Motion passed.

DRAIN CROSSING APPLICATION, WHITE DITCH, NIPSCO: John South reported This is another one I don't think we need to send to Tony either. All this is is they are replacing an

overhead line to a residence. Pat Vance motioned to accept the Drain Crossing Application for White Ditch for NIPSCO. Chad Hertges seconded. Motion passed.

HUDSON LAKE: Georgette Joyce approached the Board and reported that the lake is currently at just under 8". There are no incidents. The drain is closed. Hoping for rain. For the Taylor Ditch, John Law from St Joe County was targeting mid-April to complete the grading and cleaning out of the Taylor Ditch, but his contractor was unable to do it, so he had to hire a new one and hopefully the new one will be starting the job this week, got to get it down before planting. For the drain agreement, we did secure a mobile phone number, but we have to get it set up. Once we get that set up we will share it with the Board, DNR, and the Surveyor's office.

BRAD ADAMSKY, ATTORNEY: Already covered in Attorney report.

JOHN MATWYSHYN, SURVEYOR: Nothing

JOINT BOARDS: Nothing

#### CLAIMS:

VARRO SERVICES, LLC, TREE REMOVAL, LITTLE KANKAKEE - \$8,550  
Pat Vance motioned to pay the claim. Connie Gramarossa seconded. Motion passed.

CHARLES HENDRICKS, DRAIN CROSSING APPLICATION REVIEW - \$50  
\$2,485 AVAILABLE AFTER THIS CLAIM  
Connie Gramarossa motioned to pay the claim. Pat Vance seconded.

PUBLIC COMMENT: Daina Dumbrys approached the Board and stated I have a couple of questions from our Park Board, first is a comment; It's nice to know when someone is coming that the work is going to take place, we'll take down the fencing. The park volunteers will take it down. We don't want to take them down all summer long if nobody's working in there, because it keeps people with ATVs and golf carts off the track. We have these receptacles that are out and the volunteer that is working on it needs to put in new slates on the container and we have a post farther towards the woods away from the ditch with a little box where you can get the doggy bags, so, what they want to know is should he work on it? Does it need to be removed or will the equipment be able to get around? Jeff Mitzner replied it's going to need to be removed. Before he comes in there, but he's not coming in until fall, but it'll have to be removed in the fall. Dumbrys adds there are a couple of trees marked on the walking side. So, those are trees that are being recommended to be removed before any work takes place. Is that what it is with the red dots on them? Mitzner replies yes. Everything that's got, correct me if I'm wrong, everything that has a red dot will be removed by us if it's not removed by you. Pat Vance added he also marked some of them where he wasn't sure, but we told him mark them just in case, so there's a

couple he might be able to work around, but basically assume they're going to be removed by him if they're not removed by the people. Mitzner asks the people that have the pine trees, the shed, and the fence know that that all has to be removed. Correct? South adds the fence and the one shed were on your property. Dumbrys added that the shed is 16' off the top of the ditch. South added because he said he wouldn't be able to turn. Mitzner asks well, her she's got to be removed too, right? South responds or moved. If you can move it towards your house, it's not going to need to be a lot, but it needs to be removed.

Sam Martin approached the Board and introduced himself as a nuisance wildlife trapper. He stated I wanted to ask about the material from the dam. When it is removed from the ditch, is it to go along the ditch on any specific property? Is it supposed to be 50% on both sides or on just one property? How is the easement on this situation? Is it 70' from the center of the ditch? Jeff Mitzner responds top of bank, 75' on both sides of the ditch, top of bank. Martin continues the beaver trapping I'm most interested in that. I have a partner that has an excavator. At that point in time, do you guys want a million-dollar liability on both of us or what's the situation there? Brad Adamsky responds whoever's taking the bid. Martin responds just whoever pulls the ditch, because I have a million-dollar liability through my homeowner's insurance and I would trap and have no problems. I'd be able to tear those beaver out of there in no time. I know my partner has his own excavating business. He's a licensed and bonded contractor through La Porte County. He digs a lot of sceptics and crawl spaces and what not. So, I just need to know if you guys need to have it trucked out? Mitzner responds It does not need to be trucked out. It can just be put on the bank, far enough away so the beavers can't turn around and pull it back in, just in case they don't get trapped. And that brings up a good point, we probably should try to trap the beaver. If we're going to take it out and it's still going to be there. Why don't you get with John after the meeting and he can get your information and you can give us a bid. Martin responds He has it. He called me and then emailed me.

Jeff Mitzner asked for a motion to adjourn. Connie Gramarossa motioned to adjourn, Chad Hertges seconded. Jeff Mitzner adjourned the meeting at 8:59 AM. The next regular meeting is Tuesday, June 10, 2025 at the LaPorte County Complex Meeting Room #3 at 8:30 AM.

John South, Secretary  
Dated: May 13, 2025