

NEWTON COUNTY DRAINAGE BOARD

NEWTON COUNTY COURTHOUSE – KENTLAND, IN

February 4, 2013 1:30 P.M.

The Newton County Drainage Board met on **February 4, 2013** with the following persons present: Board Members – Tim Drenth, Kyle Conrad & Mickey Read, Surveyor Chris Knochel, County Engineer Larry Holderly, Secretary Debra Chapman Risley, Drainage Board Attorney Dan Blaney and LeAnn Sale.

Minutes – **January 7, 2013** - Tim made a motion to approve the minutes with a second from Mickey. **Motion carried.**

Hearing – **H.L. Wright – Assessment Increase** – Deb mentioned that there was a letter of opposition received from Nancy Moore who was present for the hearing along with Lester D Moore. Chris explained that the H.L. Wright is a combination of surface drain and sub-surface tile. He explained that when the tile was worked on along with Sheep Creek a crossover culvert was installed at the end of the surface drain which was an unexpected expense at the time. This therefore depleted the fund balance and created a balance due the General Drain Improvement Fund in the amount of \$4,624.60. The tile is currently being assessed at a rate of \$.44/ac with total watershed acreage of 1061.96 acres. At the current rate it would take 9.9 years to repay the outstanding debt without any additional debt. It is suggested the rate be increased to \$1.20/ac. for a period of four years. After a short discussion **Tim made a motion to approve the assessment increase to \$1.20/ac on the H.L. Wright Tile M-12 with a second from Mickey. Motion carried.** Deb explained to Nancy that her objection would be documented and placed in the ditch file.

Financial Reports & Bid letting – **Salisbury Open M-67** – Deb reported that the Salisbury Open has a fund balance of \$22,850.54 and brings in \$9,562.58/yr. on 3864.992 acres. The current assessment rate is \$2.50/ac and it is scheduled to be assessed in 2013. There were three bids received on the Salisbury. Chris' estimate was \$64,373.04. The bids were as follows: JD Excavating \$63,990.00; Ronnie Madison \$54,200.00; Al Grube \$20,000.00. **Kyle made a motion to accept the bid from Al Grube in the amount of \$20,000.00 as long as it meets Chris' specifications with a second from Tim. Motion carried.** **Molson-Bergren M-665** – Deb reported that the Molson-Bergren has a fund balance of \$1,533.43 and brings in \$8,239.00/yr. on 2142.996 acres. The current assessment rate is \$3.76/ac. and the drain is scheduled for assessment in 2013. Chris' estimate is \$35,878.58. Three bids were received on the Molson-Bergren project and they were as follows: JD Excavating \$51,990.00; Ronnie Madison \$24,940.00; Al Grube \$16,000.00. **Tim made a motion to accept the bid from Al Grube in the amount of \$16,000.00 as long as it meets Chris' specifications. Kyle seconded the motion and the motion carried.** **Site Specific Emergency** – Chris presented the two emergency/unit price bids received. The first bid was from Ronnie Madison. **Tim made a motion to accept the bid from Ronnie Madison with a second from Mickey. Motion**

carried. The second bid was from JD Excavating. **Tim made a motion to accept the bid from JD Excavating with a second from Mickey. Motion carried.** Chris mentioned that sometimes he works with Audrey & county highway to exercise the emergency repairs contract.

Goodland – Roush Tile Reconstruction Report – Chris explained that he has been working with Dan Blaney on this. We have been working on the **Moran Tile** inside Goodland since August 5, 2003. We have worked there over ten years at a cost of \$67, 859.82. We also work in the town of Goodland on the **Goodland Lateral**. Since 2006 we have spent \$114, 161.41. We have been very active trying to correct some of the drainage problems in the town of Goodland. Previous boards have said they would help with problems if Goodland would initiate a conservancy district. The third tile worked on in the town of Goodland is the **Roush Tile**. Dan stated what we have to understand is that other towns such as Morocco and Kentland both have a conservancy and they work on their own problems. Chris mentioned that the town of Goodland and Chris' office have been very proactive in repairing drainage issues; however Goodland needs to step up and assume some of the responsibility for the drainage. Chris mentioned that the town of Goodland wants to re-route the Roush Tile on the south east side of town. However since it is a regulated drain the surveyor's office has jurisdiction. Larry said his impression is since the conservancy districts are based upon assessed value, there are those who do not want it due to the amount of money they will have to pay – although they will benefit the most. Dan stated they have been talking about a conservancy since before Larry was even here. After a very lengthy conversation, Kyle said he will speak with Gary Rhuede in regard to drainage and the development of a conservancy in the town of Goodland. **James & Mill St Culvert** – The town is considering reworking the culvert under the intersection of James and Mill St. Larry and Chris have been reviewing the project to see what needs to be done, who will be installing it and who is paying for it. The west end of the pipe is open and it needs extended to the west. Tim thought we had previously agreed to buy the culvert and to let Goodland install it. The town of Goodland does not have the equipment to install a 20' elliptical culvert. Larry estimated the cost of the culvert at \$2,000.00. Deb is to check the minutes to see what decision had been reached.

Hunter Ditch M-602 – Deb reported that when the Hunter Ditch Extension was combined with the Hunter Ditch M-602, the funds were not addressed. Therefore Deb is asking that the board approve the combination of the funds as well. **Tim made a motion to combine Hunter Ditch Extension M-659 debt with the Hunter Ditch M-602 funds and to then remove M-659 from the list of drains. Mickey seconded the motion and the motion carried.**

Lake Village Drain Report – Larry reported a problem with the elevation at the outlet of the ditch as it is higher than the ditch. Possibilities to correct the problem include placing a pond in conjunction with the new fire station or a storm drain behind the school and library. Mickey stated the area between CR 950 & SR 10 is a bigger problem than at the corner. Larry is to talk to the township trustee, Nikki Hanger.

Outstanding Contracts – Deb reminded the board that at the last meeting they had asked how much money would be used from the General Drain Improvement Fund in order to pay for active contracts. Deb reported that \$93,585.61 will be taken from the GDIF in order to meet contracted amounts. The Drainage Maintenance Fund Balance is \$834,897.25 and the General Drain Improvement Fund is \$422,133.82. Therefore the GDIF will be decreased by \$93,585.61 in order to meet contractor payments. Chris discussed the reasons that some of the projects had run beyond their completion date.

Salisbury Report – Watershed Boundary Change - Chris reported that the Nature Conservancy had filled in some ditches and that brought up concern as to where the water was going if anywhere. There were also questions regarding the area at US 41 at 225 N in regard to alignment of the culverts and also in relation to the railroad. In this situation, what the TNC did has actually increased the watershed. The Salisbury at 225 N is more like a holding tank as the water is not moving. The only thing that drains north of Co Rd 225 is the roadside ditch. Chris stated he is working downstream on the Salisbury which will address part of this and will help the water flow. Kyle stated we do not want neighbors who would not have originally been assessed in the watershed to now be assessed as a result of what the Nature Conservancy has done. Chris stated TNC is paying for part of the watershed. Chris said there is no set criteria when working on a main and laterals. The David Deardurff is one of those laterals. While working on the Salisbury Main do we also want to work on the lateral at the current assessment? Dan mentioned that the people are paying for it so it was suggested that we work on the laterals so that they receive the benefit.

Stucker Headwall – Emergency Repair – When Chris inspected the headwall both culverts had rusted out on the upstream side of the headwall and it therefore requires an emergency repair. Chris has an estimate to not exceed \$4,500.00. Chris' estimate was 4,510.92. It is located NE of Mt. Ayr.

SR 55 @ Barton Ditch – INDOT – Chris had received a letter from INDOT stating they need to replace the structure on SR55 at the Barton Ditch. The assurity company has been contacted by INDOT. We also have a 75' easement on each side of the drain and INDOT wanted to know if there is a problem with them working in our easement.

2012 Reports - Unassessed Drains – Chris reviewed the list of unassessed drains with the board and stated that once he completes a surveyor's report for them then Deb can present them to the board for assessment. Chris reported that the Bowton-Bonham is a bi-county drain and the board voted to add two miles to the drain. Kyle suggested that one or two of the unassessed drains be presented by Deb at each of the board meetings. **Assessed Drains/Priority Order** – Chris briefly explained this report to the board. **Long Range Plan**- Again Chris briefly reviewed this report.

Misc. 2012 Reports – Chris pointed out specific items to the board such as chemical maintenance costs of \$.11/ft. and the total cost of projects under \$1500. We are spending \$.11/ft. to spray

trees. If we don't spray the trees and eventually have to dig the ditch instead then the cost jumps to \$1.66/ft.

Ditches Certified for Annual Assessment - Deb mentioned that she has enclosed a list of ditches to be included for annual ditch assessments. She explained the formula and process that she uses in order to determine if a drain is to be assessed. If the ditch fund balance is greater or equal to four times the annual assessment then the ditch is to be omitted from assessment. The board reviewed each of the ditches that are scheduled for assessment in 2013 and were not assessed in 2012. Deb made mention of some extremely low assessment rates. She informed the board that the rates can be raised one time only by no more than 25% without a hearing. After much discussion, **Tim made a motion to approve the 2013 assessment roll with the following changes: Remove Amelia Guildenzoph M-30 from the assessment roll for 2013; raise the assessment rate for George Clark Main Tile M-42 from \$.27 to \$.34 (25% increase); raise the assessment rate for Pendergrass M-61 from \$.75 to \$.94 (25% increase).** Kyle seconded the motion and the motion carried. Deb will present an updated list to the board for signatures.

Other Matters – Drains Owing GDIF & Unassessed Ditches – Chris mentioned that the Knight-Moffit will be ready for assessment hearing this year, but not this month. He hopes to get down Beaver Lake soon and he is waiting for a permit on the Knight-Moffit. Since culverts are being installed on the Knight-Moffit a 401 Permit was required from IDEM. Once the permit is issued and a surveyor's report is completed, the bi-county board will need to convene prior to an assessment hearing being scheduled for the Knight-Moffit. It was asked how a ditch can have a balance of \$79,000.00 owed to the GDIF without any work being done on it yet. Chris responded that the survey was the reason for the outstanding balance. There is a total of \$792,953.95 owed to GDIF of which \$219,411.67 is for ditches that are unassessed. **Ongoing Projects** – Deb presented a report of the contracted and current projects. **Landfill Drainage Fund** – Deb reported that the \$10,000.00 Landfill Drainage Fund annual payment has been received. **Haynes Turner Combination M-710** – Upper Haynes Extension M-695 was included in the Haynes Turner Combination however the outstanding balance was not combined. **Tim made a motion to combine the balance of the Upper Haynes Extension M-695 with the Haynes Turner Combination M-710 balance and dissolve the extension ditch number once this is completed. Mickey seconded the motion and the motion carried.** **Stucker Combination M-76** – Deb said the same thing applies to the Stucker Tile M-58 and the Stucker Combination M-76. In 2007 the drains were combined however the balances were not. **Kyle made a motion to combine the balance in the Stucker Tile M-58 with the Stucker Combination balance and dissolve the Stucker Tile ditch number once this is completed. Mickey seconded the motion and the motion carried.** **Registered Contractors** – Deb mentioned that the previous board had voted to enforce the ordinance that all contractors performing work in Newton County must be registered. She asked if this board wanted to continue to enforce the ruling as we currently have several contractors that are not registered. **Kyle stated as long as the ordinance is**

still in place, which it is, we must enforce the ordinance and require that all contractors be registered in Newton Co. Chad Rutledge Road Work – Audrey reported that Jim Evers told her he was ready to start on the project by Chad Rutledge. She was therefore asking if there is any reason he should not begin at this time. The project location is on the east side of the existing ditch. According to Audrey they are planning to replace all utility poles. Chris said if they place poles they will be in the easement of the regulated drain. According to the old board, the regulated drain, which is the roadside ditch, is already in the road right-of-way so they had agreed to just leave it that way. **The board saw no reason for Jim to not proceed with the project. Gary Coleman** – Dan presented the Gary Coleman resolution to the board for their signature and gave Deb a copy to accompany the minutes.

There being no other business the meeting was adjourned.