

**July 5, 2011 – 10:00 A.M. – DRAINAGE BOARD MEETING – Newton County Courthouse**

The Newton County Drainage Board met on July 5, 2011 at 10:00 A.M. in the Newton County Courthouse. Present were Board Members Chr. Russell Collins, James Pistello and Tim Drenth; Surveyor Chris Knochel; County Engineer Larry Holderly; County Attorney Pat Ryan; Secretary Debra Honn. The meeting was opened by Russ.

**Minutes –June 6, 2011** – Signed

**Minutes – June 20, 2011** – Tim made a motion to approve the minutes from the June 20th meeting with a second from Jim. Motion carried.

**Kessler Tile Reconstruction Project** – Randy Peterson of McMahon Engineering, Valparaiso IN, was present to discuss the Kessler Tile Reconstruction Project which he is currently reviewing for his client, The Morocco Conservancy. This project would increase the drainage capacity for the town of Morocco beginning where the three culverts were replaced under Beaver Street last year and continue under 41 to the point where the tile ties into the Deardurff Ditch. They would rebuild the headwall, build around any cliffs and bring all out in a clear manner. Whereas the Conservancy has received an OCRA Grant for this project, it must be bid by the end of the month in order to meet the grant requirements. Larry explained that the plan would double the tile capacity and would work just fine and that cover would have to be maintained over the pipe. Russ stated it must be advertised in the newspaper. This tile picks up from the railroad bed East, South to Government Center and a little East of State Road 41 and also some south of SR 114. The board thanked Randy Peterson for attending the meeting and sharing the information.

**Hibler Main Report** – Mick Murfitt of Heyde Engineering was present to report on the Hibler Main. Chris reported that we are still waiting on the funding to continue with the second phase of the survey work on the Hibler System. Mick provided pictures of the North Newton Woods Subdivision and stated that not only is there higher elevation in the ditch but also numerous trees that are holding back more water and causing obstructions in general. There is plenty of drop so grade should not be an issue. Elevations need to be gotten on the laterals before more work can be done on the main. Mick explained to the board that after the second phase of the survey work is completed, he will be making recommendations to Chris. It was stated by Chris that once the Schneider program (Draincalc) is online we will be able to properly define the watersheds and property owners. Larry commented that there are many property owners in this system. Deb stated that Heyde's had been paid approximately \$156,000 already plus the additional \$25,000 + for the second phase of surveying. We would have approximately \$175,000 - \$200,000 invested in the Hibler System which covers a large area. Russ asked if this would be going on an assessment to which Chris responded it would not only be assessed but also on maintenance. It was again stated that we cannot move forward until we have more money. We are still waiting on the \$100,000 which was appropriated in 2010 and also the request for the additional \$300,000 for Drainage Improvement Fund.

**Bids** – Two bids were received on the Goodland Lateral and three bids on the Denham Subdivision. **Denham Subdivision:** **Ronnie Madison \$20,744.00, Tony Garriott \$25,900 and Mattox & Sons \$23,000. Chris stated his estimate was \$20,764.10.** When asked if this includes the part that was looked at previously by the board, Chris stated it was with one exception. One of the landowners had planted a garden so we would be working right up to the garden and fixing Mr. Ganz's drain. The remainder would be done in the fall. Out of 1300' we would be doing approximately 1000' at this time. **Jim made a motion to accept Ronnie's bid in the amount of \$20,744 as long as it meets Chris' specs with a second from Tim. Motion carried.** Jim asked when this was going to get started to which Chris responded the contracts would be here in two weeks and that Ronnie wants to get started on it this summer. Jim suggested we have Ronnie give us an estimate for the remaining 1/3 of the Denham project as it should be under \$10,000 and then we could just have him carry on while he is in the area. **Goodland Lateral:** **Tony Garriott \$9,465.00 and Mattox & Sons \$21,500.00. Chris' estimate was \$15,265.00. Tim made a motion to accept the bid from Tony Garriott in the amount of \$9,465.00 as long as it meets Chris' specs with a second from Jim. Motion carried.**

**Hourly Rate Contract Status** – There was much conversation about the Regulated Outlet Hourly Rate Contract for emergency repairs which has been in effect with Ronnie Madison. The contract originated on August 21, 2006 and was written with a maximum man & equipment total of 2000 hrs. With the three bills that were recently received from Ronnie the contract was exceeded by 77.5 hours for a total balance due to Ronnie in the amount of \$5,887.50. Jim mentioned that while it may expedite the work, it may also raise the cost. After a lengthy conversation the board decided to not renew the contract but to request estimates on jobs instead. **Tim made a motion to pay Ronnie Madison \$5,887.50 due him for the Beaver Lake Ditch work he completed with a second by Jim. Motion carried.**

**Frank Johnson Tile Report** – Larry reported that Craig King had completed the work on the Frank Johnson Tile and it looks good. There is still a pile of dirt there which will be leveled once the crops are out of the field.

**Common Construction Wage Remedy** – Pat Ryan reported that due to an error by Indiana Department of Labor, if there are any projects that need to go to bid before the end of the year there must be a Common Construction Wage set for each one. If you know for sure you are going to build those then perhaps we can put them all together in the same application and maybe get a hearing set for August. Pat's understanding is every municipal project must go to bid between now and the end of the year.

**Other Matters – Outstanding Petitions** - Chris reported that there are currently three outstanding petitions: **Jones Ditch** – Regulated and established drain – needs maintenance; **Kakani Lateral (formerly Brookman Lateral)** – Will be new regulated drain at the SE corner of Goodland; **George Ade Tile Extension** - Extend open portion of regulated drain to near Iroquois River north of Kentland & west of South Newton High School.

**Road at Goodland** – Pat Ryan asked about the status of the Goodland road to which Chris reported it is done.

**Goodland wind turbine agreement** - Pat Ryan reported that according to what he read in the newspaper, Goodland is planning to enter into an agreement with wind turbines being constructed within the town and maybe the two mile fringe. Regardless of whether they enact that two mile fringe zoning they don't retain any control or discretion over drainage issues and they don't retain any control or discretion over road issues - both of which are very significant in wind turbine construction. Pat stated if this becomes an issue, it is important that the Town of Goodland understand that whatever agreement they think appropriate to enter into with those wind turbines, will not be binding on us as roads and drainage will be issues as it relates to wind turbines. They have not had a representative come to either the Planning Commission or the Commissioners and say this is specifically what they are doing there. So if this comes our way, we need to keep this in mind as the roads and drainage will become issues. They have shown PowerPoint presentations; however they have not told us specifically what they have planned. Larry stated that Marcy Burton, real estate agent in Goodland, has a map showing the two areas for wind turbines – one for Goodland and one east of Morocco. While she would not give Larry a copy, he did get to look at the maps. Pat stated there is significant difference in the way the turbines were constructed in Benton County and White County and he thinks we would like to see the more organized rows rather than just on every other corner. **Contracts** – Chris asked how soon Pat needed the information on the contracts that we are going to let to which Pat responded a week to 10 days prior to the requested hearing date. Therefore if we want August, then he would need the information by August 1<sup>st</sup>.

There being no other business, Jim made a motion to adjourn with a second from Tim. Motion carried.