

NEWTON COUNTY DRAINAGE BOARD

NEWTON COUNTY COURTHOUSE – KENTLAND, IN

September 4, 2012 10:00 A.M.

The Newton County Drainage Board met on **September 4, 2012** with the following persons present: Board Members – Russell Collins, Jim Pistello & Tim Drenth, Surveyor Chris Knochel, County Engineer Larry Holderly, Secretary Debra Chapman Risley, Drainage Board Attorney Dan Blaney and LeAnn Sale.

Minutes – August 20, 2012 – Tim made a motion to approve the August 20th minutes with a second from Jim. **Motion carried and minutes were signed.**

Upper Narrows – Priority Order – Lintner & Beasy Laterals – Chris stated this is a result of a letter sent to landowners advising them that the assessment rate had been lowered and asking the landowners if there was anything that needed brought to the attention of the surveyor's office or the drainage board. Dave Smart is here as a result of Chris mentioning to him that these laterals were on the agenda for this meeting. Dave mentioned that he had a small farm in Colfax Twp and he had cleaned out the drains from Division through Chris Schultz's land south. Gibson's had also cleaned out some a couple years ago on Division. There is an entrance from Division to Dave's west field. When Gibson's cleaned it out and Dave cleaned the main Narrows **(and Lintner per Chris)** drain on his farm south, it put the drain on Division 15" higher than it should be. Therefore it needs to be lowered 15". It is a 30" culvert at that point. On the south field, there is only one entrance and it has to go across that drain. There is an 18" & 12" sitting on top of each other. It was installed in the late 50's and it has caved in and needs to be a 40' x 30" culvert across there so that the bigger equipment can get through there. Dave presented the board with a map indicating the areas mentioned. Jim asked Deb for the fund balance on the Narrows to which she responded that the drain has a positive fund balance of \$36,659.71 and that it brings in over \$14,000 per year. **Jim made a motion to replace the culvert with a 40'**

x whatever size diameter (Larry) necessary. Chris mentioned there is a section of the Beasy that still needs dipped. Jim said since we are replacing the culvert we need to dip at the same time. Chris said it would be this fall.

Tim seconded the motion to replace the culvert and the motion carried. DD

Deardurff – Chris said this is next on the priority order and stated Doug DeYoung had been in asking about this project. It needs trees removed from one side and dipped, working from one side only. Since Deb already stated the available funds, this shouldn't be a problem.

Proposals – Dora Clymer – Deb presented the Ditch Status Reports that were included in the agenda packets. She mentioned that the Dora Clymer has a positive fund balance of \$1,692.11 and brings in \$342.84/yr. Chris' estimate on this project is \$17,695.25. Using Chris' estimate, this project would require an assessment of \$8.75/ac. for eight years and would therefore require a hearing. Two **bids** were received for the Dora Clymer Reconstruction Project and they are as follows: JD Excavating \$22,980.00; Craig King Bulldozing \$8,600.00. **Jim made a motion to accept the bid from Craig King as long as it meets Chris' specifications. If it does not, then we will need to rebid the project as it exceeds the limits of Chris' estimate stated Jim. Tim seconded the motion and motion carried. Fleckenstein Tile**

Surface Repair – Deb previously reported that this drain has a positive fund balance of \$12,846.76 and brings in \$2,983.05/yr. Chris' estimate was reported as \$17,050 to which he responded that his correct estimate is \$1,750. Two bids were received for this project and they are: JD Excavating \$3,250.00; Tony Garriott \$3,700.00. Jim stated that whereas both bids are outside the legal parameters of Chris' estimate, both bids are rejected.

Contracts – William Whaley Surface Reconstruction M-709 Deb said that she needed to bring something to the boards' attention prior to the signing of the contracts. Whereas Chris is extending the William Whaley drain to include more acreage and it is scheduled for a hearing on Sept. 17th, she thought perhaps they would want to wait to sign the contract until after the hearing. Chris reiterated that the project and the assessment hearing is a result of extending the drain. The board therefore decided to table the signing of the William Whaley Surface Reconstruction contract until after the

hearing on Sept. 17th. **Long Ditch M-726** – The contract was signed for the Long Ditch project.

Upper Beaver Lake Report – Chris stated this is a result of the landowner initiative by Larry Miller and Lyle Bussbaum of the Dairy Farm. Dorothy Molson has a lot of land included in the area of the Upper Beaver Lake Main and other neighbors of the Mudd Lake, Gregory and Upper Beaver Lake Main also want to be included. Chris did a quick calculation on the first landowner initiative. The Mudd Lake and the Gregory are a disaster. Chris is considering it to be a reconstruction and it exceeds \$400,000 for those 10,000 acres so he is anticipating the same thing on the main. The watershed is 40,000 acres so with just these two initiatives we are only talking half of the watershed. Chris does not anticipate the same for the downstream portion as it has had some work done on it over the years. Deb mentioned that this is not currently assessed. Chris asked for the amount of money previously spent on the watershed which included the work done on the Lawler. Deb responded the drain currently has a debt against it in the sum of \$58,800. Russ suggested we take a look at working on the whole drain to which Jim agreed. Chris stated if we go with reconstruction there are bonding options. Dan mentioned that with a bonding option the expense could be spread over a 20 year period or some money from the landfill. There is more than one way to fund the project. This would also reduce the assessment amount. Dan stated in the Morocco Conservancy they pay so much based upon their assessed value. Dan suggested putting all the drains together up north as the drainage needs have changed over the years. Chris stated the next one on the priority list is the Hibler System and that is a major catastrophe. Chris had spoken to Dan to see if he could classify those as urban drains. Urban areas cost more due to the specialized equipment required. Jim stated that he wanted to keep the Hibler totally separate and that there is enough in the Beaver Lake itself. The Beaver Lake watershed is 40,000 acres which includes several laterals. Dan stated that back in the 1850's the state legislature passed "The Swamp Act" which made provisions to drain the northern part of Indiana because there was a lot of swamps. That is when the Kankakee and Beaver Lake issue began. It was probably

drained 25-30 years later. As the farms expanded - laterals were added. Chris recommended doing it all – the main and the laterals with a bond. Dan said it is a long-term project to which Russ suggested starting on the lower end since we always start on the upper part. Jim said if we are going to do it, then we need to do it all with the bond. Dan said we need an engineer and then a hearing. Jim said first Chris needs to decide which portion we are going to do, put together a plan and define the watershed. Deb responded that we already have a defined watershed. Chris said that he had defined it years ago and that it now needs compared to the new GIS system. Dan will meet with Chris and they will bring it up again at the next meeting. If urban drains are included Chris needs to know how that will affect the assessment process.

Jim asked about the **Knight-Moffit** which has been going on for years – have we done anything. Chris responded, “yes, and we are ready to send the next responses back to IDEM. They are asking that we put it on a DVD since they wanted us to respond to everything. They wanted us to email it but it is way too much info to send in an email”, stated Chris. The Knight-Moffit is about the size of Beaver Lake only half of it is in Jasper County. Jim said if we do those two (Beaver Lake and Knight-Moffit) we are probably looking at half of the north end.

DeHaan Ditch Order – Deb produced the DeHaan Ditch Order for Russ and Tim to sign for Rhonda, the Jasper Co. Drainage Board Secretary. This was a follow-up to the DeHaan Bi-County Public Hearing.

Gary Coleman Property – Dan stated the title insurance and commitment are completed for the Gary Coleman property. They asked for 60 days to move the trailer to which Dan had told them that is fine. Dan questioned where the board is getting the \$20,000 to pay Coleman. Jim said he doesn’t feel the landowners should have to pay for this as it was not their fault and the trailer should never have been allowed there. Jim suggested that we ask the council for landfill money to pay this. Russ asked Deb to complete a request to the council for funding of the \$20,000 to resolve the Coleman issue. Once the trailer is removed, the drain will go straight through the property. The deed will be issued to the Newton County Commissioners. We will maintain

the **60' (30' each side of the ditch) (Larry)** easement and give the remainder to the landowners with the stipulation that they can use it but cannot build on it. Larry made mention that he is still trying to resolve a similar situation concerning the area down by the Holiday Inn.

Other Matters – Chris reported that last year we did approximately 15 projects. This year Chris has identified approximately 26 projects as we work our way north. Every year more maintenance projects are added. That also includes the Knight-Moffit. So as we expand, the projects are being re-defined to include reconstruction. Not only are the maintenance projects increasing, reconstructions are also being added.

Reminder – The hearing is scheduled for Monday, September 17th at 1:30 PM in the conference room at the Government Center.

Jim made a motion to adjourn with a second from Tim. Motion carried.