

## **September 5, 2023**

The Newton County Drainage Board met in the Commissioner's Room of the Newton County Courthouse at 1 p.m. CDT, on September 5<sup>th</sup>, 2023.

Members present were Scott Carlson and Abbey Rossiter. Also present were Surveyor - Beau Watkins, Drainage Board Secretary – Jamie Rowe and Drainage Board Attorney – Candace Armstrong. Town of Kentland – Mike Rowe, VS Engineering – Amy Moore, KIRPC – Shawn Cain and CBBE – Jason Durr and Mike Carey.

**Scott Carlson called the meeting to order.**

## **Minutes**

### **August 7, 2023**

***Abbey Rossiter made a motion to approve the minutes. Second by Scott Carlson. Motion passed 2-0.***

### **Kindig-Montgomery Ditch (573)**

Town of Kentland Councilmember, Mike Rowe, was present to discuss cleaning of the Kindig-Montgomery.

The Town of Kentland held a special meeting in March to discuss drainage matters for the town, and invited county officials including members of the Drainage Board and the Surveyor. At the meeting, footage of a 2020 drone fly-over was shown, which identified several blockages. Councilman Rowe stated that the footage did not include a large tree around 1275 S, which has since become an issue.

Discussion was held regarding the impact of the Kindig-Montgomery on the Town of Kentland's drainage, as well as the portion of the Kindig-Montgomery leading to the Iroquois River that is not regulated.

Surveyor Watkins plans to include this on the chemical maintenance list for 2024. Discussion held regarding next steps which should include a Surveyor's Report stating the acreage in Benton County and Newton County, as well as a meeting with the Newton-Benton Joint Drainage Board.

***Abbey Rossiter made a motion that a Surveyor's Report of the Kindig-Montgomery be presented at the October 2, 2023 Drainage Board Meeting. Second by Scott Carlson.***

### **Lake Village Drainage Project**

Project Manager, Amy Moore, was in attendance to present the final design and to discuss the final front-end documents that will need approval before advertising. The final design includes an update, changing one area to a buried pipe rather than an open ditch. This will require an additional easement and would present a slight cost increase, to be covered by the County Match portion of the OCRA Grant.

***Scott Carlson made a motion that the Drainage Board has reviewed and approves the Lake Village Drain Project as presented, and recommends that the Commissioner's approve this project and follow-through with the grant, subject to Commissioner's legal approval. Second by Abbey Rossiter.***

Discussion held regarding the deadlines, Shawn Cain with KIRPC was present and assured the Board that we are still on track with the OCRA timeline.

### **Best Davis Watts (717)**

Jason Durr and Mike Carey of CBBE were present to discuss the Best Davis Watts delineation. Mr. Durr provided the Board with the document, **Fact Sheet for the Final Rule: Amendments to the Revised Definition of “Waters of the United States” August 2023**. Attorney Armstrong stated that she was in attendance at Drainage School last week, and there was a presentation given by the Army Corp. of Engineers, during this the presenter indicated that Indiana is still under pre 2015 rules.

Discussion held regarding the delineation of wetlands. Mr. Durr informed the Board that he and Surveyor Watkins spoke about this and that Commissioner Cain was able to make contact with Scott Pelath, Executive Director of the Kankakee River Basin and Yellow River Basin Development Commission, who is willing to evaluate and define the wetland areas adjacent to the ditch on the west side. .

### **Follow-Up**

#### **Illingworth Extension to the O’Brien**

Surveyor Watkins stated that the last two miles of this is not regulated and that the last mile of this is delineated as wetlands. He would like for CBBE to fly this with a drone.

Discussion was held regarding what portion of this is in Newton County and how much is in Benton County. Attorney Armstrong discussed the potential need for an updated petition and the legal steps that may need to be taken, however Surveyor Watkins should first discuss this with Benton County Surveyor, Dave Fisher. Scott Carlson and Abbey Rossiter were both in agreement. Secretary Jamie Rowe will contact Benton County to schedule a Joint Newton-Benton Drainage Board Meeting.

#### **Illinois Drains – Abner Whaley Tile and James Whaley Ditch**

Secretary Jamie Rowe presented the Board with a report showing how many parcels are assessed in Illinois, what the 2023 assessment amount was, what has been collected on this and penalties that have accrued. Discussion was held and determined that Attorney Armstrong would research the penalties after working on the most time sensitive matters.

### **Active Projects**

#### **Beaver Creek (571)**

Surveyor Watkins stated this should be started on Friday.

#### **Hibler Phase 1 & 2 (716)**

Surveyor Watkins stated that he reviewed this last week and it seems to be near completion. He will follow-up with contractor.

#### **Rebecca Spitler (714)**

Surveyor Watkins stated that he did check on this and it has not been bulldozed nor leveled off.

*Scott Carlson made a motion to terminate the Rebecca Spitler Contract and stated that Attorney Armstrong should send a letter informing the contractor. Surveyor Watkins should have this bid to be leveled and seeded in the spring. Second by Abbey Rossiter.*

### **Other Matters**

#### **Hoover-Simons Tile (565)**

Surveyor Watkins stated that a landowner is requesting work to be done. Surveyor Watkins stated that the tile had a reroute in 1999, then in 2016 700 feet of this tile was crushed and buried. There is about 930 feet of tile needing replaced. This would need to be discussed with the Newton-Benton Joint Drainage Board.

### **Adjournment**

*Abbey Rossiter made a motion to adjourn. Second by Scott Carlson. Motion passed 2-0.*

**X**

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Glen 'Butch' Cain  
President

**X**

Scott Carlson

**X**

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Abbey Rossiter