

DRAINAGE BOARD MEETING

June 3, 2019 – 12:00 P.M.

Newton County Courthouse, Kentland, IN

The Newton County Drainage Board met on June 3, 2019 at 12:00 P.M. in the Newton County Courthouse with the following persons present: **Board Members – Mickey Read & Tim Drenth; Surveyor - Chris Knochel; Secretary - Debra Chapman; Temporary Attorney – Pat Ryan; Building Dept - Butch Cain; Abonmarche - Randy Peterson; Soil Solutions - Lydia Demoya; Christopher B Burke Engineering - Jason Durr; Landowners - Gus Ellicott (Kankakee Ventures Inc.), Thom & Debra Cutts, Alan Cameron (Indian Gardens Inc.).**

The meeting was opened by Mickey.

Minutes – May 6th & May 15th Executive Session – Tim made a motion to approve the minutes from May 6th & May 15th with a second from Mickey. Motion carried and minutes were signed.

Contracts Signed – Contracts were signed for Beaver Creek #571 & Kurfess – Kleinkort East Open #734. The revised completion date for the Beaver Creek project that commenced on October 18, 2018 was also initialed by Mickey Read.

Financial Reports – The financial reports for Beaver Lake Ditch Outlet Repair Ph III #613, Hunter Ditch Side Bank Repair & Channel Reroute #602, Strole Ditch #604, Thorpe-Beagley-Chizum #538 and General Drain Improvement Fund were included in the meeting packet and briefly reviewed by Deb. **Tim called for a surveyor's report on the Thorpe-Beagley-Chizum #538 with a second from Mickey. Motion carried.**

Other Matters – NW Indiana Wildlife Removal – Mickey made a motion to pay the 5/27/19 invoice from NW IN Wildlife Removal in the amount of \$1,800.00 for beaver & groundhog removal at Sumava. Tim seconded the motion and the motion carried. **Drainage Board**

Budget Proposal- Deb briefly reviewed the proposed 2020 Budget which she had included in the packet stating all had been left the same as 2019 except for requested pay increase. The Landfill Fund proposal for drainage board was again proposed at \$500,000 for 2020. **Tim made a motion to approve the 2020 budget proposals with a second from Mickey. Motion carried.**

Bids – Hunter Ditch – Chris' estimate: Side Bank \$25,014 – Channel Reroute \$9,570.00; KB & E II: Side Bank \$11,154.00 Channel \$2,500.00. **Tim made a motion to accept the bid from KB & E II in the amount of \$13,654.00 as long as it meets the specifications. Mickey seconded the motion and the motion carried.** **Strole Ditch** – Chris' estimate: \$21,543.50; JD Excavating \$20,970.00; KB & E II \$8,123.35. **Tim made a motion to accept the bid from KB & E II in the amount of \$8,123.35 as long as it meets the specifications otherwise go with the next lowest bidder. Mickey seconded the motion and the motion carried.** **Beaver Lake** – Chris' estimate: \$91,866.50; KB & E II \$99,840.00. Chris said he didn't know how the board wanted to handle this as he didn't realize that the project would be over \$75,000 until he

started working on his estimate. This project is therefore over the current limit of \$75,000 since the statute establishing a new limit of \$150,000 does not begin until July 1st. **Tim made a motion to accept the bid and table awarding it until July 1st. Mickey seconded the motion and the motion carried.**

Proposals – Jason Durr, Christopher B. Burke Engineering – Lawler – Jason advised that the survey had been completed, both a hard copy and digital copy delivered to Chris and their tasks were completed. He reported some issues with culverts where the downstream is higher than the upstream and discussed grade. Chris stated the ditch needs dipped but since there is grade no major excavation will be necessary. He will work on the culverts and get water to flow the right direction and suggested dipping down to CR 400 N. The project should be bid this fall. **Knight-Moffit** – Jason explained that near the 90° turn in the Knight-Moffit there are fluvial erosion issues. He presented a proposal from CBBE which included evaluation of the area of concern, identifying areas where we might need bank stabilization and a final assessment. **Tim made a motion to table the topic until Bob Barr and Brian Mooney, engineers on Yellow River project, could appear before the board. Mickey seconded the motion and the motion carried.**

Other Matters, cont. – Subdivisions – Butch Cain was seeking approval for a couple subdivisions that he said had been handled by the tech committee in the past. Pat mentioned that Kyle had concerns and suggested that the subdivisions be presented to DB for their approval. Butch researched the statute and it says it should go to the DB which he thought they had been doing as they were presenting it to the surveyor. **Butch presented Wagner Subdivision. Tim made a motion to approve the drainage with a second from Mickey. Motion approved. Cain Subdivision – Tim made a motion to approve Cain Country Acres with a second from Mickey. Motion approved.** Pat stated the drainage board president or surveyor can be empowered to approve and sign them. When there are 5 lots or less a minor subdivision is created. For a large/major subdivision there must be plans, etc. Pat said subdivision approval should be added to each meeting agenda and if required they can call for a hearing.

Darroch Tile – Deb reported the board had approved a not-to-exceed \$53,500 for the survey by Beam, Longest & Neff and that the final cost was \$30,915.07. BLN has proposed \$65,300 for the design phase. Tim asked if landowners are in favor of this to which Chris replied landowners understand the damage. Mickey asked where the project is located to which the answer was between Kentland & Goodland on the south side of US 24. Chris said part of Benton County's water flows into this tile to which Deb responded that it is not designated as a bi-county drain and we do not receive any assessments from Benton Co for the Darroch Tile. **Tim made a motion to table the decision until we have a LiDAR watershed. Mickey seconded the motion and the motion carried.**

Alva Montgomery Tile Expenses – Regulated Drain \$6,580.00; Private Tile \$14,786.00 (Kindig Ditch)– Chris explained that tile outlets were washed out by the high water which caused the banks to slough away. There is one on the Alva Montgomery which is regulated and a private

tile on the Kindig Ditch which was also damaged by the Alva Montgomery. He wants to know how we are going to pay for the repairs to the regulated tile and if we are paying for the repairs to the private tile. As allowed by statute, Chris recommends using funds from the Kindig Ditch which is the parent watershed to pay for the Alva Montgomery repairs since it does not have any funds. **Tim made a motion to pay for the Alva Montgomery repairs with the Kindig Ditch funds. Mickey seconded the motion and the motion carried. Tim made a motion to deny any payment on the Kindig Ditch private tile. Mickey seconded the motion and the motion carried.**

Proposed Watershed Change - Rebecca Spitler Open – Chris reported he had received a request from Albert Hanley to be removed from the Rebecca Spitler Open. After reviewing it the second time Chris could see where the tile is and that it does not flow in the direction of the Spitler. 31.89 acres would be removed and placed in an unregulated (undetermined) watershed. **Tim made a motion to remove 31.89 ac. of Albert Hanley's ground from the Rebecca Spitler Open. Mickey seconded the motion and the motion carried.**

Kankakee River Basin Priority Order – Tim asked Chris if Valley Forge Subdivision is part of the Hibler watershed. Chris is to verify this information. **Tim made a motion to approve the Kankakee River Basin Priority Order as previously presented by Chris. Mickey seconded the motion and the motion carried.**

Other INDOT Projects – Deb had sent an earlier email but again informed the board that all reimbursements have been received from INDOT for the Haynes Tile project. Chris said there are a couple other projects coming up that will involve INDOT such as the Turner and Kent Main. Chris mentioned that he had three other projects to come before the board next month– Best Ditch, McGraw Tile and ____? ____.

DeYoung Dirtworks (Beaver Lake Outlet Ph I) – Tim questioned Chris about the final payment in the amount of \$9,916.73 to DeYoung Dirtworks for the Beaver Lake Outlet Project. Payment has not been made as the contract calls for 75% uniform germination and there are bare spots at the stables as stated by the landowner. Chris saw the project on Tuesday before claims were submitted on Wednesday. Mickey had been out there and taken pictures of the project site and it appeared to be 99.9% germinated. She said the landowners have already mowed and what hasn't been mowed is a foot tall. **Tim made a motion to pay DeYoung Dirtworks for the final amount on the Beaver Lake Outlet Ph 1 and Mickey is to contact the landowner. Mickey seconded the motion and the motion carried.**

Attorney – Tim made a motion to hire Candace Armstrong as the drainage board attorney. Mickey said she had talked to Scott and he was in favor of hiring Candace. **Mickey seconded the motion and the motion carried.**

Dan Blaney – Chris explained that because the drainage board did not have an attorney Dan asked to be removed from the agenda. He also explained the topic was to be the funding for the Kankakee River project and that an email had been sent to Mickey. Tim and Mickey both said it wasn't that they didn't want to do the project – it was that they didn't have the money to do the project. Deb replied that she had spoken to Scott (Carlson) regarding the funding. While \$150,000 was fronted as a 25% match for state appropriations the only funding the

board had available at one time was \$142,400 (not \$150,000) which was approved at 2018 budget hearings. \$48,500 was used for payment on the final Abonmarche contracts for Kankakee River Bridge Bank Repairs and Permit changes. The balance of the money reverted back to landfill from contractual services at the end of the year. Scott suggested we approach council for the unused portion of \$93,900 plus \$7,600 which would take us to the original 25% match of \$150,000 including previously spent \$48,500.

Randy Peterson – Abonmarche – Kankakee River Project – Chris told Randy that he needs the financials for where all the money went for wetland mitigation and all that stuff so we can have that report for KRBC. We need to know how the money was spent so that the new board has that information. Randy stated that all permits have been received that are necessary to proceed with the KKK River Project – DNR, IDEM & (Army) Corp. of Engineers. The permit is good for 2 yrs which means the project must be done by 4/24/21 with one (1) extension allowed. The wetland permit states construction must begin within one (1) year to put the mitigation site in place so this must be done by next spring. Trees cannot be cut between 4/1 and 9/30 due to bats. The next steps are to formalize an agreement with the Cameron's for wetland mitigation and the stormwater pollution prevention plan established with Rose at NCSW. Randy did not have the estimate of probable cost with him however it is over \$300,000 and less than half a million dollars (\$500,000). The mitigation can be done in conjunction with the embankment. Chris said KRBC board asked at the last meeting how much more money they need for this project so that any undedicated funds can be spent or dedicated. Randy will get the estimate of probable cost to Chris and he can then get it to the board.

Tim made a motion to adjourn with a second from Mickey. Meeting adjourned.

Mickey Read, Chrm

Scott Carlson

Tim Drenth