

DRAINAGE BOARD MEETING

January 14, 2019 – 1:00 P.M.

Newton County Government Center, Morocco, IN

The Newton County Drainage Board met on January 14, 2019 at 1:00 P.M. in the Newton County Government Center with the following persons present: **Board Members – Mickey Read, Tim Drenth & Scott Carlson; Surveyor - Chris Knochel; Secretary - Debra Chapman; Attorney – Dan Blaney; Landowners – Martha Render, Vickie Harvey, Ron Chamberlain, Linda Gaffield, Sam Kennedy, Charles T Kennedy, Doug DeYoung, Gwenda Morrison, Matt DeYoung, Rex Haste and Chad Rutledge.** The meeting was opened by Mickey.

Hearings – Ezra Jones Tile #555 – The proposal is to assess the Ezra Jones Tile at a rate of \$39.88/acre for 4 yrs. Deb reported an objection letter had been received from Martha Render and the letter was read. In April 2018 the motion was made to replace the existing tile as a reconstruction project. The drain currently owes General Drain Improvement \$98,110.33 for the reconstruction that was done. Martha Render asked about the tile across from the old Kemper land where she lives. Chris said it has plenty of cover and is a lateral to the regulated drain. It is flowing well and has good cover therefore Chris does not see it needing work anytime soon. Martha asked how they will pay for the higher rate. It will be paid along with property taxes. **Tim made a motion to assess the Ezra Jones \$39.88/ac/yr with a \$25.00 min. The maintenance fee will be discontinued until the reconstruction assessment is finished.** Scott suggested that since it is a reconstruction perhaps they need to consider extending the assessment over 8 yrs in order to lower the rate per acre. **Tim withdrew his motion. Scott made a motion to amend the assessment rate for the Ezra Jones Tile to \$19.94/ac/yr for 8 yrs with a \$25.00 annual minimum. There is to be no maintenance assessment while paying reconstruction. Tim seconded the motion and the motion carried.**

Clark-Deardurff Tile #522– Per Chris this project will be a reconstruction. Deb read the letter of objection received from Ron Chamberlain as POA for Marianna Chamberlain. Chris explained this will entail an 18" tile to outlet into 15" tile with sufficient grade. The Clark-Deardurff was combined in 1995 @ an assessment rate of \$1.00/ac. Gwen Morrison has a question about being included in the watershed. LiDAR has determined that Gwen's property is now included in the watershed even though it was not before. After Gwen questioned her property being included Chris researched it and sees no reason to change the LiDAR watershed. Gwen said there is a tile there and her 2.39 acres goes towards Chad's (Rutledge) and drains. Chris said the grade of the original is good however the tile is not deep enough so he has to drop the original grade. Chris said the project starts on the east side of Co Rd 200 E. Matt DeYoung questioned if the 18" tile is deep enough and if there are plans to start at the outlet and reconstruct all the way. Chris said this reconstruction project is to get rid of the existing flooded area. Matt recommends bottlenecking 30' with 15" tile. Gwen does not feel she benefits from this. If it drained the wet hole she would definitely pay. The most recent proposal by Matt DeYoung instead of outletting 15" is to slot core into the 18" clay. He suggested taking the pressure point and make it all plastic. The project will hopefully begin this

spring as would the assessment. Ron (Chamberlain) asked if the landowners install tile in the future would they be able to hook into it? Chris said, "yes". The proposed assessment is \$34.21/ac/yr for 4 yrs. Ron asked how the project will affect the farmers. Chris said the project would be done in the spring before planting. Letters will be sent to the landowners stating who the contractor will be. Chris does not foresee any other projects on this drain in the next 4 yrs. Matt said if he does the project it would take him a week. Ron asked if Chris does anything to preserve the top soil to which Chris responded, "No". Tim closed the floor to comments. Chris mentioned the difference in acreage is LiDAR is 1234.23 ac. vs. historical of 1,181.81 ac. The allowed difference is 3% which would be 35.45 ac and the difference is 52.42%. **Tim made a motion to extend the assessment to 8 yrs at a rate of \$17.11/ac/yr for 8 yrs with a \$25.00 minimum per year on the reconstruction. Scott seconded the motion and included waiver of the maintenance assessment during the time the reconstruction assessment is being paid. Chris is to meet with the landowners affected by the historical watershed vs. LiDAR watershed and work through it. Tim seconded Scott's motion and the motion carried.** Mary Spitler Open #575 – Chris stated that the LiDAR watershed includes 1,667.85 ac while the historical showed 1,704.95. The allowed 3% difference is 51.15 ac and the actual difference is 37.10. This ditch is currently assessed at \$1.00/ac. The assessment rate being proposed is \$3.00/ac/yr with \$25.00 minimum per year to cover the outstanding debt. Tim closed the floor for comments as there were none. **Tim made a motion to assess the Mary Spitler Open #575 at \$3.00/ac per year with a \$25.00 annual minimum. Scott seconded the motion and the motion carried.**

Hibler Financial Report – Assessment - Deb included the Hibler Ditch #716 financial report in the meeting packet. The ditch owes GDIF \$50,779.73. There are a total of 1,865.63 acres in the watershed without Co Rd ROW of 92 acres & state road ROW of 16.77 ac. There are 801 parcels in the watershed and 20 parcels that contain more than 1 lot. The estimated cost of the project as proposed by Christopher B. Burke Engineering is \$2,200,000.00. Per the 1/7/19 drainage board meeting the proposed assessment was \$45.00 per acre with a \$25.00 minimum per year and \$25.00 per lot for 25 yrs. Taking into consideration the outstanding debt of \$50,779.73 owed to GDIF plus the proposed cost of the project in the amount of \$2,200,000.00 the total expected amount to be covered by assessments would be \$2,250,779.73. That amount divided by 1865.63 acres = \$1206.44/ac divided over 25 yrs would equal \$48.26/ac/yr x 25 yrs. This would include a \$25.00 annual minimum and \$25.00 per lot. At this rate the assessment would bring in \$90,035.30/yr; \$2,250,882.50 over 25 yrs. Chris mentioned that if I-65 and the structure under CR 500 E are addressed then some of the problems might be resolved. Hearing - No decision was made on assessments and no hearing was scheduled at this time.

Other Matters - Clark-Deardurff - Chris is to check on Gwen Morrison's property within the Clark-Deardurff watershed. Mary Spitler Lateral #2 - Chris stated that this watershed was changed when the LiDAR was created on the adjoining Mary Spitler Open #575. The landowners would need to be notified that they are being added to this watershed and that a meeting will be scheduled before the Newton Co. Drainage Board on a designated date.

Sign Contracts – Contracts were signed for Rebecca Spitler Tile #578, Defries Ditch #711 and Beaver Lake Ph II #613.

Legal Services –Scott had previously asked Dan for an estimate on a retainer amount to include regulated drains. According to a letter received from Dan Blaney he had read in the Morocco Courier that a fixed rate agreement had been reached with the drainage board for legal services. He was not aware of any arrangement. Dan said he would be willing to agree upon a \$1,200.00 monthly charge for the regulated drains and any drainage board meetings. Mickey said, “The board got along fine last month without you so let’s just try it at the hourly rate”. If Deb or the board wants him there then Scott thinks Deb, Chris or whoever needs to contact Mickey to ask Dan to be at the meeting. **KRBC** – Chris reported there are currently 24 members on the present KRBC board. They needed a funding mechanism for the Yellow River project and now they are getting rid of the board. **Subdivision Assessments** – Deb asked if she was to assess those subdivisions for which we have a watershed. She reminded the board that the balances in the individual subdivision funds had been moved into their parent watershed fund. Therefore most subdivisions have a zero balance and could be assessed based upon the 4 times annual assessment statute. **Tim made a motion to assess those subdivisions with a watershed with a \$25.00 minimum per lot. Scott seconded the motion and the motion carried. Tim made a motion that the subdivision fund is to be rolled over into the parent watershed every 3 years. Scott seconded the motion and the motion carried.** Scott made a motion to adjourn with a second from Tim. Meeting adjourned.

Mickey Read, Chrm.

Tim Drenth

Scott Carlson