

DRAINAGE BOARD MEETING

October 1, 2018 – 12:00 P.M.

Newton County Courthouse, Kentland, IN

The Newton County Drainage Board met on October 1, 2018 at 12:00 P.M. in the Newton County Courthouse with the following persons present: **Board Members – Mickey Read, Tim Drenth & Scott Carlson; Surveyor - Chris Knochel; Secretary - Debra Chapman; Drainage Board Attorney – Dan Blaney; KRBC – Jody Melton.** The meeting was opened by Mickey.

Minutes – September 4th –Tim made a motion to approve the September 4th minutes with a second from Scott. Motion carried. Minutes will be signed at the next meeting.

Haynes Tile – Deb gave an update on the expenses to be reimbursed by INDOT on the Haynes Tile project. Whereas the expenses exceeded the original contracted amount only the designated amount will be reimbursed in 2018 per the contract. A new contract will need signed for the additional expenses which will be paid in the new fiscal year after July 1st, 2019. Tim made a motion authorizing Chris Knochel to sign the new contract with a second from Scott. Motion carried.

Engineering Possibility – O’Brien Open – Chris explained that engineering might be required on the O’Brien Open project as the railroad is involved. It is a regulated drain and is currently assessed. **Kent Main** – Chris explained that this drain had damage to the surface drain due to the spring flood and it was turned into FEMA. This involves the tile under US Highway 24 and the railroad. It is not assessed. The problems are primarily due to the highway and railroad. Charlie Dyer had questioned Chris about this drainage issue. Scott suggested the landowner come to the board to voice their request for repairs. Chris is to contact the farmers for a petition.

Financial Reports – Deb reviewed the financial reports which were included in the meeting packet. The project flow sheet was discussed along with the financial status of the General Drain Improvement Fund, John B. Bower #533, Chizum Open #612 and McIntosh Open #572.

Indian Gardens Invoices – Deb mentioned the two invoices from Indian Gardens which were included in the packets. These invoices which total \$53,500.00 cover the landowners (Cameron’s) cost for labor and material to repair the bank of the Kankakee River at the railroad bridge. She reported that up until now the expenses had been reimbursed by KRBC through state appropriations. Jody Melton stated that he (KRBC) does not have the money to pay these invoices. Deb said that Cameron’s had already been paid \$59,800.00 for other work along the river which they had done themselves. Tim made a motion to deny the request for payment on both Indian Gardens invoices with a second from Scott. Motion carried.

Bid Opening – John B. Bower Open – Chris’ estimate \$56,105.50; Watkins & Associates \$35,860.00. Tim made a motion to accept the bid from Watkins & Associates in the amount of \$35,860.00 as long as it meets the surveyor’s specifications. Scott seconded the motion and the motion carried. **Chizum Open** – Chris’ estimate was not available; JD Excavating (a) \$33,900, (b) \$30,500; **McIntosh** – Chris’ estimate \$5,192.00; JD Excavating \$10,500.00; E.W. Mattocks & Sons \$3,500.00. Jim Mattocks only bid on the McIntosh portion of the project instead of both parts as requested. Chris stated that the projects were bid as one due to one

of them being a very small for which he usually cannot find a contractor interested in doing it. **Whereas Mattocks only bid on one section and JD Excavating's bid is much higher than what Chris remembers his estimate being, Tim made a motion to deny the bids and requested a rebid with each project bid separately. Scott seconded the motion and the motion carried.**

Sign Contracts – The drainage board members signed the contract for the O'Brien Open project.

Lawler Ditch Ph II-B – After a conversation with Josh DeYoung, Chris stated that Josh understands the specs and will do the project with only a 45' clearing per the specs and pulling the trees from either side of the ditch. Josh will lower his bid to include only the stated 45' clearing. This will make the contracted amount \$13,353.86 which is within the allowed 10% of Chris' estimate. **The contract was signed by the board.**

Kankakee River – Opinion of Probable Cost – Chris presented the total probable cost of work on the Kankakee River in Newton Co. as estimated by Randy Peterson of Abonmarche for the first 1600'. The estimate was \$378,200.00. A discussion followed on establishing an assessment however no action was taken at this time. **Status of Engineering Report** – There was no report given.

Tile Surface Obstructions – Chris introduced the spreadsheet which was included in the packets indicating the status and action needed on tile surface obstructions. Chris stated he had one more to add in that a landowner had reported a tree growing over a tile. Chris has the report on a three year cycle stating he can't go beyond 4 yrs as then he encounters problems with trees, DNR & them declaring areas as wetlands. The report gives an idea as to what Chris will be doing this winter. Chris needs an impression (from board) (on how to handle) if trees are growing in a fence row between two adjoining landowners over a regulated tile. Does Chris assign the responsibility to remove them to the two adjoining landowners or do we want to assign that to the maintenance fund. Tim asked if all the drains on the list have a maintenance fund. Chris said one drain on the list is not assessed. Kent Main Tile is not assessed. Tim thought we should just take care of the trees. Scott thinks it is ultimately the responsibility of the watershed to take care of it however feels if the landowners are just reminded then they would take care of the trees themselves. Scott stated if Chris came to him and stated there was a problem then he would go to his landowner and state that he would just take care of the problem himself. Deb stated that we have others that say since they are paying an assessment then they aren't going to do it themselves. Chris asked how long we give the landowners to get it done. Scott said no more than the next year. Scott said he would just as soon take care of it himself. Chris said 50 years ago it was expected that you take care of the fencerow. Scott said it is in the whole watershed's best interest to remove the trees in the right of way. Tim said and then you have farmers that come in and ask for their assessment to be lowered because they just removed their own trees. That is why Tim says to just do it and get it done. Chris said that is his sentiment. So he can notify the landowners that he needs to access their property to remove trees and if they want to do it themselves they can respond accordingly. Scott personally would like to give the farmer the option by taking care of it in a specific amount of time or we are going to come in and do it. Chris said a lot of times when he sends the letter they say "don't bother-I'll take care of it". He

then asks them to send a letter stating such and most times they do take care of it themselves. Chris is getting to the point where he is getting too many. He found another one Friday. Chris will send the landowners a letter stating we have to access their property and word it such that they have so many days or months (to do it themselves). Tim suggested Chris also contacted the landowners that are part of the 2019-2020 plan.

Chris reported he will be attending a Fluvial Hazard Water Workshop in Knox.

Chris explained that the Haynes Tile in the right-of-way along 400 E had blown. Chris is proposing to move the surface drain, the ditch where the erosion is taking place, closer to the right of way line to protect the tile a little better. He is planning to install a 3' shoulder and move the surface drain a little farther from the tile. Charts and design have been prepared by Steve Snell who did a good job. We will need to borrow a little material from the west side to be placed on the east side. Scott asked if Chris has a cost estimate on all of this. Chris said he did not but wondered if this is something county highway can do. This project is located across the road from Grant's on St Rd 55. This will entail approximately 1,816'. Everything along 400 E is in the county right of way. Chris will need to contact county in regard to the project. The landowners will need notified of the project. The tile has been fixed so it is no longer time sensitive. Tim asked if Chris is getting estimates on this. Chris replied he can either get an estimate or the board can authorize county highway – he doesn't care. Tim will hand the project off to Dave (Pluimer with the Newton County Highway Department) and have him take a look at it.

Other Matters – KKK River – Deb reviewed the amount of money that had been reimbursed by KRBC for the Kankakee River. She also thanked Jody Melton, who will be retiring from KRBC on 12/31/18, for his hard work. **Beaver Lake Ph I** – Chris explained that Josh DeYoung (JD Excavating) would like to withdrawn his bid on this project and have it awarded to the second lowest bidder. Chris has reviewed the project with Josh. JD Excavating did meet the project specifications and Chris saw no technical reason for Josh not to do the project. A letter from Dan Blaney was included in the meeting packet. Whereas the bid was received, accepted and awarded to JD Excavating the previous action stands. JD Excavating has the project to complete.

Scott made a motion to adjourn with a second from Tim. Motion carried. Meeting adjourned.

Mickey Read, Chrm.

Tim Drenth

Scott Carlson