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*Surveyor of Hamilton County*  
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*Suite 188*  
*One Hamilton County Square*  
*Noblesville, Indiana 46060-2230*

July 29, 2016

To: Hamilton County Drainage Board

Re: Newton Teter Drain Reconstruction

Attached are a petition, drain map, drainage-shed map, and schedule of assessments for the reconstruction of the Newton Teter Drain. The Newton Teter Drain is in need of reconstruction at this time due to its lack of adequate capacity and the drain conditions that have deteriorated beyond the practicality of normal routine maintenance. The drain is listed as Number 20 on the 2016 Drain Classification List for Reconstruction. A petition for reconstruction of the Newton Teter Drain was presented to the Drainage Board on September 28, 2015. The petition was signed by over 60% of the landowners within the Newton Teter Drainage Shed. (See Hamilton County Drainage Board Minutes Book 16, page 320).

**History:**

The drain is located in Wayne Township, Sections 7 and 18 of Township 18 North Range 6 East and Section 12 of Township 18 North Range 5 East. The drain starts approximately 2, 100-feet west of the intersection of 156<sup>th</sup> Street and Cyntheanne Road and runs north and west to its point of discharge to Sand Creek. The drain is part of the Mud Creek-Sand Creek watershed.

The Drain was initially named the Wesley White Ditch. The Wesley White Ditch was initially constructed as an open ditch a length of 5,580-feet per the Report of the Commissioners to the Honorable Judge of the Hamilton County Circuit Court dated November 14, 1883. (See Hamilton County Drainage Record Book 1, page 227)

There is a report dated May 9, 1898 that indicates that the Wesley White Drain is a tile from station 0 to station 43+76, an open drain from 43+76 to Station 60. As such, sometime between 1883 and 1898, a large portion of the Wesley White Drain was enclosed. (See Hamilton County Drainage Record Book 2, page 84).

The Viewers Report dated October 7, 1902 indicates that the Newton Teter Drain (the first reference to the current name of the drain) was to be constructed. The drain was to be a total length of 7,560-LF. The

report states that at the time of the viewing, 3,955-feet of the drain (consisting of one row of 8" tile from Station 0+00 to Station 14+00; and a row of 8" tile and a row of 7" tile from Station 14+00 to Station 39+55) was existing and found to be sufficient and to be made part of the Newton Teter Ditch. This length of existing drain approximates the length of tile indicated in the 1898 report on the Wesley White Tile. The drain would also include the construction of 3,505-LF of new drain consisting of 14" tile from Station 39+55 to Station 43+70 and 18" tile from Station 43+70 to the outfall to Sand Creek at Station 74+60. An arm to the Newton Teter was also indicated in the report. 100-LF of 12" tile was to be installed North 80-degrees East from Station 43+70 of the main drain. (See Hamilton County Drainage Record Book 2, page 227)

There is a GASB-34 Footages for Historical Cost Drain Length Log that indicates the drain consists of the following:

Drain Type	Length
8" tile	1,400
1 row 8" tile 1 row 7" tile	2,555
12" tile (Arm)	100
14" tile	415
18" tile	3,090
Total	7,560

The total length of the drain (due to the double row of pipe between Stations 14+00 and 39+55) is 10,115-LF which agrees with a report presented to the Drainage Board on January 4, 1971 (See Hamilton County Drainage Board Minutes Book 1, page 63).

The Newton Teter Drain was placed on Maintenance on March 1, 1971 (See Hamilton County Drainage Board Minutes Book 1, page 66).

**Current Condition of the Drain:**

The drain functions but is undersized and a majority of the properties served by the drain have standing water and saturated soil issues that affect crop production.

Based on a search of the County's database for drainage complaints, there have been seventeen (17) Drainage Complaints logged in to the County's database for such complaints since 2000. All complaints were related to the condition of the tile (holes, blowholes, broken tile, etc.)

There have been a total of eighteen (18) work orders since 2000 with a total value of \$14,981.47

**Proposed Project:**

The proposed pipe was designed for agricultural drainage of the watershed served by the new pipe with a Drainage Coefficient (rate of removal of water in a 24-hour period, in inches) of 3/8". The size and slope of the pipe was governed by the elevation of the existing Sand Creek at the outfall, available cover over the pipe along the existing pipe alignment and the flow rate determined using the Drainage Coefficient.

The reconstruction project will consist of the following: 2,503-LF of 15" HDPE pipe; 1,870-LF of 18" HDPE pipe; 3,072-LF of 24" HDPE pipe; 27-LF of 15" RCP pipe; 40-LF of 24" RCP pipe; 4, 48" diameter manholes; 8 breathers; various ancillary pipe fittings and reducers; demolition and clearing; pavement removal and repair where the drain crosses the various roadways; fence removal and repair; rip-rap armorment at the outfall to the Locke Ditch and seeding of the disturbed non-farmed areas.

Any excess soil material generated from the installation of the new pipe shall be spread within the limits of the existing easement so as not to negatively affect the existing surface drainage flow.

**Project Cost:**

Line Item	Quantity	Unit	Unit Cost	Total Cost
15" HDPE (6-10' Deep)	2502.79	LF	\$ 40.52	\$ 101,413.04
18" HDPE (6-10' Deep)	1870.24	LF	\$ 46.12	\$ 86,263.18
24" HDPE (6-10' Deep)	3072.03	LF	\$ 60.00	\$ 184,321.80
15" RCP Under Roadway (6-10' Deep)	27	LF	\$ 101.30	\$ 2,735.10
24" RCP Under Roadway (6-10' Deep)	40	LF	\$ 154.26	\$ 6,170.27
24" x 20' CMP with Animal Guard	1	EA	\$ 1,100.00	\$ 1,100.00
48" Manholes	4	EA	\$ 3,600.00	\$ 14,400.00
Breathers	8	EA	\$ 500.00	\$ 4,000.00
Clearing	1	LS	\$ 5,000.00	\$ 5,000.00
Fence Repair	4	EA	\$ 2,725.00	\$ 10,900.00
Remove/reset road culvert [40', 56" CMP]	1	EA	\$ 10,000.00	\$ 10,000.00
Rip-Rap Armorment	1	LS	\$ 500.00	\$ 500.00
HMA Road Repair	2	EA	\$ 1,000.00	\$ 2,000.00
2'x2' Concrete Box	1	EA	\$ 2,000.00	\$ 2,000.00
24"x24" Bend Fittings	5	EA	\$ 750.00	\$ 3,750.00
18"x18" Bend Fittings	6	EA	\$ 600.00	\$ 3,600.00
15"x15" Bend Fittings	6	EA	\$ 450.00	\$ 2,700.00
Seeding	1	LS	\$ 1,000.00	\$ 1,000.00
			Subtotal	\$ 441,853.39
			15% Contingency	\$ 66,278.01
			Total Cost	\$ 508,131.40

**Project Funding:**

The Newton Teter Drain was collapsed into and is now part of the Mud Creek/ Sand Creek Drainage Shed on June 25, 2007. This shed is comprised of 16,506.62-acres consisting of 13,895 parcels and 11,914 lots. The annual collection is \$554,570.40. The maintenance fund has a current balance of \$2,237,986.04.

During the meeting of the Drainage Board on May 26, 2016, the Board approved all funding for this project is to be paid from the Mud Creek/Sand Creek Maintenance Fund. (See Hamilton County Drainage Board Minutes Book 16, pages 556-557).

I believe that no damages will result to landowners by the reconstruction of this drain. Therefore, damages for all tracts shall be set at \$0.00.

The maintenance assessments for the Mud Creek/sand Creek Drainage Shed shall not change due to the proposed reconstruction.

**Changes to the Drain:**

The Newton Teter Drain currently consists of 7,560-feet of tile drain. The proposed reconstruction will extend the drain beyond its current end approximately 27-LF. A short pipe stub will be extended under 156th Street with an inlet placed on the pipe end to better facilitate drainage of the acreage south of 156th Street which presently drains under 156th Street through a surface water culvert. This will move the end of the maintained drain from the north side of the 156<sup>th</sup> Street to the south side of 156<sup>th</sup> Street. Due to the proposed project straightening the drain, the overall length of the drain will be reduced by 75-feet. The revised total footage of the drain will be 7,512-feet.

**Landowner Participation:**

A public information meeting was held on May 11<sup>th</sup>, 2016. Notices of the meeting were mailed to the owners of the property through which the existing pipe crosses. The meeting was attended by the following persons: Brian Harger, Becky Harger and Jeff Klingerman.

**Easements:**

The drain will be reconstructed within the existing easement. The short installation of new drain under 156<sup>th</sup> Street will remain within the road right-of-way. No additional easements are needed for this project.

**Permits:**

As this project is a project that will replace an existing pipe with a proposed pipe, no permits are required from IDNR, IDEM, or U.S. Army Corps of Engineers.

I recommend the Board set a hearing for this reconstruction for September 26, 2016.



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll



8/31/15

This letter serves as a request to ask the Hamilton County Drainage Board/Hamilton County Surveyor to reconstruct the Newton Teter Drain collapse double tile to a single tile located on the north property line at STA 39+55 to south property line of STA 14 (reference the included map).

As a background, this county tile is a 5" and 7" parallel tile, from STA 39+55 heading south to STA 14. Then a single 8" tile from STA 14 to STA 0 near 156<sup>th</sup> street. This issue with the tile actually begins at the recently dredged creek, there has been severe compression and ultimately has collapsed the county tile due to delay in dredging.

Due to this collapse, the fields that the two different farmers (and three different property owners) utilize for their livelihood suffers from severe erosion throughout the downward slope, ponding in the fields and tile washouts. Not only does the collapsed tile make managing and planting/harvesting the fields a massive undertaking, it severely impedes the productivity of the ground and therefore profitability of the crops planted on the surrounding farm ground.

Collectively, we as property owners are asking for your leadership in reconstructing the tile.

RL Morehouse Credit Trust By Mary Morehouse Trustee  
RL Morehouse Credit Trust

Salmon Farms Inc by: Will Salmon

Gatewood Farms, Inc.

Hesham Derazi

By: Hesham Derazi

Universal Properties

STATE OF INDIANA        )  
                              ) ss:  
COUNTY OF HAMILTON    )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**Newton Teter Drain Reconstruction**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Newton Teter Drain Reconstruction** came before the Hamilton County Drainage Board for hearing **on September 26, 2016**, on the Reconstruction Report consisting of the report and the Schedule of Damages and Assessments. The Board also received and considered the written objection of an owner of certain lands affected by the proposed Reconstruction, said owner being:

Evidence was heard on the Reconstruction Report and on the aforementioned objections.

The Board, having considered the evidence and objections, and, upon motion duly made, seconded and unanimously carried, did find and determine that the costs, damages and expenses of the proposed Reconstruction will be less than the benefits accruing to the owners of all land benefited by the Reconstruction.

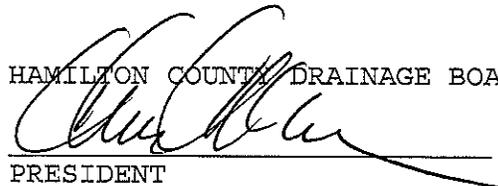
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.

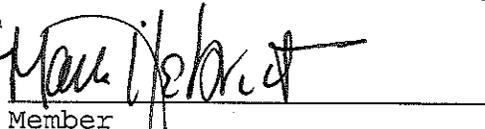
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the **Newton Teter Drain Reconstruction** be and is hereby declared established.

Thereafter, the Board made inspection for the purpose of determining whether or not the lands of any owners had been erroneously included or excluded from the Schedule of Assessments. The Board finds on the basis of the reports and findings at this hearing as follows:

HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

ATTEST

  
\_\_\_\_\_  
Executive Secretary

September 21, 2016

Hamilton County Drainage Board  
One Hamilton County Square, Ste. 188  
Noblesville, IN 46060-2230



RE: Newton Teter Drain Reconstruction

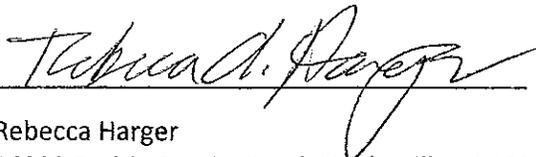
We, Brian and Rebecca Harger, are asking the Drainage Board and its contractors for special care and attention when working across our property at 16222 Prairie Baptist Road. Specifically our concerns include a septic field, two oak trees (100+ years old) and a pet burial area. These items, as well as existing tie-ins and a daylight drain, were identified on the plans during discussion in the public information meeting May 11<sup>th</sup>.

This letter formally asks for all heavy equipment to be placed only on the side away from these features, that being the east and north sides of the tile, thereby alleviating or greatly diminishing the threat to these sensitive features. The adjacent owner to the north, David Zeller, has given verbal agreement to allow this deference to his side of the easement. We will have his signature on this same text by the hearing date of September 26<sup>th</sup>.

Thank you for your attention to this matter.

  
\_\_\_\_\_

Brian Harger  
16222 Prairie Baptist Road, Noblesville IN 46060

  
\_\_\_\_\_

Rebecca Harger  
16222 Prairie Baptist Road, Noblesville IN 46060

  
\_\_\_\_\_

David Zeller  
15128 State Road 38 East, Noblesville IN 46060

Date 9-23-16

FILED

SEP 21 2016

September 21, 2016

OFFICE OF HAMILTON COUNTY SURVEYOR

Hamilton County Drainage Board  
One Hamilton County Square, Ste. 188  
Noblesville, IN 46060-2230

RE: Newton Teter Drain Reconstruction

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Brian Harger  
16222 Prairie Baptist Road, Noblesville IN 46060



Rebecca Harger  
16222 Prairie Baptist Road, Noblesville IN 46060

Date \_\_\_\_\_

\_\_\_\_\_  
David Zeller  
15128 State Road 38 East, Noblesville IN 46060

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*Newton Teter Drain Reconstruction*

NOTICE

To Whom It May Concern and: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Newton Teter Drain Reconstruction** on **September 26, 2016** at **9:00 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed by the Drainage Board have been filed and are available for public inspection in the office of the Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

STATE OF INDIANA     )  
                              ) SS               BEFORE THE HAMILTON  
                              )  
COUNTY OF HAMILTON )               DRAINAGE BOARD

IN THE MATTER OF **Newton Teter Drain Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **September 26, 2016** adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

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HAMILTON COUNTY DRAINAGE BOARD

BY: Christine Altman  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY