

DEKALB COUNTY / NOBLE COUNTY JOINT DRAINAGE BOARD

March 28, 2022

Drainage Board Commissioners Present:

Noble County:

Gary Leatherman, Chairman

David Dolezal, Member

DeKalb County:

Bill Hartman, Vice-Chairman

Bruce Bell II, Alternate Member

Steuben County:

James Crowl, 5th Member**Others Present:**

DeKalb County:

Mike Kline, Surveyor

Nathan Frye, First Deputy Surveyor

Michelle Lassiter, DB Admin. Assist.

Shannon Kruse, Attorney

Noble County Surveyor, Randy Sexton

Absent: None**Guests:**

Mike Krehl

Annette Wible

James Deetz

Thomas Woehner

Chairman Gary Leatherman called the March 28, 2022, DeKalb County / Noble County Joint Drainage Board meeting to order at 2:30 p.m.

APPROVAL OF MINUTES:

A motion was made by Dave Dolezal to approve the Minutes of February 28, 2022, as presented, seconded by Jim Crowl, motion carried.

DISCUSSION WILLIAM BICKEL DRAIN NO. 133-00-0 RECONSTRUCTION PHASE II:

Mr. Leatherman stated there would be a discussion regarding the reconstruction of the *William Bickel Drain No.133-00-0*.

Mr. Leatherman asked Mr. Kline for a report on the progress of the project. Mr. Kline stated he did not have a formal Surveyor's Report. Reports had been given multiple times over several months. Mr. Kline stated he would provide a formal report at the next public meeting. Mr. Kline informed the Board that a 368 meeting had been scheduled for Friday, April 1, 2022, with the Indiana Department of Environmental Management (IDEM) and the Army Corps of Engineers.

Mr. Kline stated he had a preliminary plan based on the Board's direction given at the February 28, 2022, meeting. The plan proposed replacing the existing tile northeast of the woods with 24-inch HDPE tile in DeKalb County and 12-inch and 18-inch HDPE tile in Noble County. Lateral 2 would lead to the woods but would be left for private laterals to be connected to it. The approximate cost would be \$266,701.84, equaling \$228.11 per acre. Mr. Kline stated that if the Board wanted to move forward with the plan they would need to approve the presented assessments and set a date for a public hearing. The landowners in the watershed would then be sent hearing notices with the proposed assessments.

Ms. Kruse informed the Board they could accept the route and assessments proposed by the Surveyor or could hold another meeting to take into account the information that would be collected during the 368 meeting.

Mr. Kline provided the Board with the following information:

- The plans provided a way for the landowner to the west in Noble County to tie into the drain.

- Mr. Kline did not consider bringing up the depth of the drain, as it would need to connect to Phase 3 of the project. If the route would go around the woods it would not provide enough cover. He preferred to go deeper to ensure coverage
- Tile could go through the woods but would involve a lot of clearing that would add to the project cost, requiring the drain to be placed on the spraying rotation.
- Rules for farming wetland were if a tile was removed for more than five years, it could not be reinstalled. The Army Corps of Engineers and NRCS had an agreement that if NRCS determined a site to be farmed wetland the Army Corps would accept the determination. However, if the land was not farmed for five years, the Army Corps would determine the land wetlands and permit it to be farmed again.
- The 368 meeting would bring a proposal from the Army Corps of Engineers and/or IDEM. If IDEM stated the wetland fell under their jurisdiction, the Board and Surveyor could accept or contest the determination. IDEM would require a wetlands delineation, which would have a cost of \$15,000 to \$25,000.
- Another option for the wetlands might be to mitigate the wetlands. The landowner of land northwest of Taco Bell & Wendy's in Auburn recently mitigated wetlands to develop the land for 1.2 million dollars.
- If construction were to be permitted through the wetlands, the excess dirt would need to be taken out of the area, adding to the project's cost. In addition, the contractor would need to use either rubber tires or wood mats to reduce the impact on the wetlands, which also would increase the project's cost.
- There was \$29,000 in the drain's maintenance account. By State Code, up to 75% of the account balance could be used towards reconstruction. However, that would leave the maintenance account with low funding.
- Reconstruction assessments were separate from maintenance assessments. The Surveyor's Office tried not to bill landowners for both assessments at the same time.
- Larger landowners would owe large sums for the reconstruction. However, as per State Code, the landowners could take up to five years to pay the assessments, with years two through five each incurring a 10% interest added to the balance due.
- The Board had another option of bonding the cost of the drain reconstruction which would offer landowners the option of a lower interest rate with a longer payback term.
- A landowner might have lower interest rates and longer payback terms with a personal loan.
- Phase I of the drain reconstruction had begun being billed to landowners.
- The pricing for tile used to create the cost estimate was 24-inch tile = \$24.12 per foot, 18-inch tile = \$14.77 per foot, 12-inch tile = \$7.68 per foot. Mr. Kline explained these were prices given on the day pricing was requested. The actual cost bid would differ as the companies did not want to tip their hands before submitting a bid. There was no way to predict what the cost of petroleum and tile prices would be when bid requests were sent out.
- Mr. Kline did not estimate the new cost for the previously approved reconstruction route.

After much discussion between the Board, Mike Krehl, Jim Deetz, Annette Wible, and Thomas Woehner it was decided to hold a meeting in May to discuss the information gained from the 368 meeting between Mr. Kline, IDEM, and the Army Corps of Engineers to make reconstruction decisions.

Jim Crowl moved to adjourn, seconded by Bruce Bell, II, motion carried. Meeting adjourned at 3:52 p.m.



Gary Leatherman, Chairman



Michelle Lassiter, Secretary