

DEKALB COUNTY DRAINAGE BOARD MEETING

August 31, 2023

Drainage Commissioners Present:

Bruce Bell, II, Chair
Sandra M. Harrison, Vice-Chair
William L. Hartman, Member
Michael V. Watson, Member
James A. Miller, Member

Others Present:

Glenn Crawford, County Surveyor
Tyler Lanning, Lead Survey Tech
Michelle Lassiter, Secr. /Drainage Board Adm.
Shannon Kruse, Attorney

Guests:

None

Absent:

None

Chair Bruce Bell, II, called the August 31, 2023, regular meeting of the DeKalb County Drainage Board to order at 9:45 a.m.

APPROVAL OF MINUTES

A motion was made by Sandy Harrison to accept the Minutes of August 24, 2023, as presented as the standard minutes of the DeKalb County Drainage Board. The motion was seconded by Bill Hartman, and the motion carried. Jim Miller abstained due to his absence from the August 24, 2023, meeting.

PLATTED SUBDIVISION DRAINAGE PLANS

Mrs. Lassiter informed the Board that Nolan Mark of On the Mark Surveying was not able to attend the meeting. Mr. Nolan was hoping that Mr. Crawford would be able to present the plats on his behalf and that the Board would consider granting a decision in his absence.

OBERLIN LANE, LOT 1 SUBDIVISION

The Board reviewed the drainage plan for the Plat of Oberlin Lane, Lot 1, located on State Road 327, south of County Road 28, in the NE 1/4 of Section 9, T34N, R12E, Richland Township. This development is located within the watersheds of the A.L. Ober Tile Drain No. 24-20-0, the A.L. Ober Open Drain No. 24-00-0, the William Peckhart Open Drain No. 22-00-0, the John Diehl Open Drain No. 45-00-0, and the Cedar Creek Open Drain No. 470-00-0.

Mr. Crawford explained the project was being conducted by one landowner who appeared to be subdividing his land to construct a single-family residence.

The Board accepted the County Surveyor's Drainage Report, which stated "In regards to the application for this subdivision, I approve, as I see no drainage issues with the proposed 2.360-acre subdivision. If the landowner would like to tie into the A. L. Ober tile a connection permit will be required."

Bill Hartman moved to approve the drainage plan drawings dated August 2st, 2023, signed and stamped by Nolan R. Mark, Registered Land Surveyor, of On the Mark Land Surveying, LLC, with the County Surveyor's recommendations. The motion was seconded by Jim Miller, and the motion carried.

EVERGREEN ACRES

The Board reviewed the drainage plan for the Plat of Evergreen Acres, located on the northeast corner of County Road 71 and County Road 4A, in the NW 1/4 of Section 6, T35N, R14E, Franklin Township. This development is located within the watershed of the unregulated Fish Creek waterway.

Mr. Crawford stated he was not sure why this subdivision was taking place as there was an existing single-family residential structure on the property. The road right-of-way was being increased from twenty feet to forty feet.

The Board accepted the County Surveyor's Drainage Report, which stated "In regards to the application for this subdivision, I approve, as I see no drainage issues with the proposed subdivision."

Sandy Harrison moved to approve the drainage plan drawings dated July 1st, 2023, signed and stamped by Nolan R. Mark, Registered Land Surveyor, of On the Mark Land Surveying, LLC, with the County Surveyor's recommendations. The motion was seconded by Mike Watson, and the motion carried.

UTILITY PERMITS

SURF INTERNET – TOWN OF WATERLOO BUILD-OUT

Mrs. Lassiter stated that the office received a call this morning from Stacey Dalrymple, a project manager with Surf Internet stating that the representative scheduled to attend the meeting was unable to do so due to a family emergency. Ms. Dalrymple was willing to attend via phone if the Board was amicable to that alternative.

The Board declined to call Ms. Dalrymple as they wanted to have a face-to-face conversation with a representative to discuss their concerns and requirements which included a \$10,000/2-year bond and the need for the installation crew to contact the County Surveyor's Office at least 48 hours before crossing a county-regulated drain or before working within a county-regulated drain right-of-way.

There was a brief discussion regarding prior instances when county-regulated tile had been bored through by the utility during fiber installation, and how the Board and Surveyor did not want to have that happen again.

Mr. Bungard stated that he lived in the Town of Waterloo and that Surf Internet was already installing fiber without acquiring the Drainage Board's Utility Permit.

The Board then discussed options regarding the installation of the fiber without a permit. It was decided that the Surveyor's Office staff should get pictures of the fiber installation and the Board would have Mrs. Lassiter send a cease and desist letter to Surf Internet for the project within county-regulated drains rights-of-way.

Mike Watson moved to table the permit until a representative could be present. Jim Miller seconded the motion, and the motion carried.

Jim Miller moved to issue a cease and desist order for work within the county-regulated drains' rights-of-ways. Sandy Harrison seconded the motion, and the motion carried.

Mr. Watson stated he would talk to the Town of Waterloo's Town Manager, Pam Howard, to let her know of the stop order.

IMP – COUNTY ROAD 75 FROM SOUTH OF COUNTY ROAD 60 TO NORTH OF COUNTY ROAD 56

Mr. Crawford explained that IMP was putting in new lines, replacing lines, and removing lines in Newville Township within the rights-of-way of the Nancy Davis Lateral 2 Open Regulated Drain No. 89-02-0, Nancy Davis Lateral 1 Open Regulated Drain No. 89-01-0, Nancy Davis Open Regulated Drain No. 89-00-0, Alvin Keesler Tile Regulated Drain No. 173-00-0, Alvin Keesler Lateral 1 Tile Regulated Drain No. 173-01-0, E. A. Bordner Tile Regulated Drain No. 150-00-0, and the E. A. Bordner Lateral 1 Tile Regulated Drain No. 150-01-0. Mr. Crawford stated that he

recommended approving the utility permit with the condition that no utility poles be installed closer than 40 feet from the centerline of the county-regulated tile drains. Mr. Crawford stated the Surveyor's Office had issues in the past with utility poles being located within five feet of a tile and the utility company not wanting the surveyor's office to dig the tile. Mr. Crawford stated the drawings supplied by IMP did not show the poles in relationship to the tiles. The drawings had minimum detail with pages missing. Ideally, Mr. Crawford stated he would like to see the drawings redone with more detail showing pole locations in relationship to the county-regulated drains.

Mike Watson moved to table the IMP utility permit request pending updated drawings being supplied to the County Surveyor showing the pole locations in relationship to the county-regulated drains, with the poles being at least 40 feet away from the drains. Jim Miller seconded the motion, and the motion carried.

SURVEYOR'S REPORT

Mr. Bell asked for the Surveyor's Report and the surveyor's staff provided the following information:

Mr. Crawford presented a variance agreement signed by John and Rosemary Schwartz of 17501 Campbell Road, Spencerville, IN for property owned on County Road 59, parcel no. 11-11-34-300-002. Mr. Crawford reminded the Drainage Board he had reported to them at the June 22, 2023, meeting that Mr. Schwartz had installed a fence without a permit and had crossed the *Joseph Baldwin Tile Regulated Drain No. 82-00-0* in the process.

Mike Watson moved to approve the variance for John and Rosemary Schwartz for the fence crossing the *Joseph Baldwin Tile Regulated Drain No. 82-00-0*. Bill Hartman seconded the motion. The motion was approved with four ayes and Jim Miller voting nay.

Mr. Crawford and Mr. Lanning informed the Board they were working with Foresight Consulting and the City of Auburn on the reconstruction plans for the *John Ketcham Tile Drain No. 334-00-0*. Daryl McConnell, the City of Auburn Engineering Dept. Director, had met with Indiana Department of Transportation representatives which resulted in changes for manhole locations. Additionally, the Seven 15 Development wanted their contractor to install the section that would cross their property. It was discussed that per the state drainage code that was not likely to be doable.

DISCUSSION

Ms. Kruse informed the Board she would be absent from the November 2 and November 9 meetings. Mrs. Lassiter informed the Board that she would be absent from the September 14 meeting. Mr. Lanning stated he would be absent from the September 14 meeting as well.

There being no further business or discussion, Mr. Bell thanked everyone for attending the meeting and declared the meeting adjourned at 10:23 a.m.


Bruce Bell, II, Chairman


Michelle Lassiter, Secretary