

## DEKALB COUNTY DRAINAGE BOARD MEETING

September 7, 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:**

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

### **Guests:**

Joe Herendeen  
Shane Gann

### **Absent:**

Glenn Crawford, County Surveyor

Chair Bruce Bell, II, called the September 7, 2023, regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m.

### **APPROVAL OF MINUTES**

A motion was made by Bill Hartman to accept the Minutes of August 31, 2023, as presented as the standard minutes of the DeKalb County Drainage Board. The motion was seconded by Mike Watson, and the motion carried.

### **PLATTED SUBDIVISION DRAINAGE PLANS**

#### **TWO HOMES SUBDIVISION**

the Board reviewed the drainage plan for the Plat of the Two Homes Subdivision, located approximately 1/4 mile north of County Road 56, on County Road 27, in the SE 1/4 of Section 7, T33N, R13E, Jackson Township. This development is located within the watershed of the Cedar Creek Open Regulated Drain No. 470-00-0.

Joe Herendeen of Sauer Land Surveying presented the plat explaining that the land was located along County Road 27 on the back side of the Heron Lake subdivision and was owned by Bunker Farms. There was one home on the property and the landowner was subdividing the proposed section for another home to be constructed.

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

Bill Hartman moved to approve the drainage plan drawings dated August 30, 2023, signed and stamped by Joseph R. Herendeen, Registered Land Surveyor, with Sauer Land Surveying, In., with the County Surveyor's recommendations. The motion was seconded by Jim Miller, and the motion carried.

### **UTILITY PERMITS**

#### **SURF INTERNET – TOWN OF WATERLOO BUILD-OUT**

There being no one present to discuss the project it continued to be tabled.

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

Mrs. Lassiter reported that the requested updated drawings had not been received by the office. The Board continued the project as tabled.

## RECONSTRUCTION PETITIONS

Mr. Lanning informed the Board that Brad Grate of 3035 Cuntty Road 14 was requesting the reconstruction of the William Forrest Tile Drain No. 131-00-0. It had been determined that Mr. Grate owned 24.05% of the 251.03 acres in the drain's watershed and was eligible to request a reconstruction. It was further determined the request would be placed at the bottom of the reconstruction list.

## SURVEYOR'S REPORT

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

Mr. Lanning reported that the Surf Internet installation within the Town of Waterloo was almost completed without the receipt of any Drainage Board Utility Permits being issued. Mr. Lanning and Field Inspector Mike Gustin conducted an inspection on September 6, 2023. Mr. Watson stated he would inform Waterloo Town Manager Pam Howard and ask her to hold Surf Internet's retainage fee until the utility permit issue was resolved.

Mr. Lanning then reported the following:

- The *E.P. Sherwood Tile Drain No. 162-00-0* reconstruction was in progress and would be to the road by September 8, 2023, with an anticipated completion by the end of the next week. At which time, Knott's Excavating would return to the worksite for the *James Ferguson Warner Lateral Tile Drain No. 83-56-0* to complete the grading, seeding, and driveway repair. Knott's had not wanted to seed in August due to the heat and dryness of the season.
- Mr. Miller asked about the status of the *Levi Dennison Tile Drain No. 317-00-0*. Mr. Tyler responded that Survey Tech Troy Bungard was working on finalizing drawings for Mr. Crawford to review. Once Mr. Crawford had approved the drawings, the landowners would be informed of the plans and the intention to present them to the Drainage Board for a public hearing to be set.
- Mr. Hartman inquired about the status of the INDOT permit for the *Guy Platter Tile Drain No. 112-00-0* State Road 8 crossing. Mr. Lanning stated the office was still waiting for the permit to be issued. Mr. Miller stated that this project was taking too long. Mr. Watson stated he would contact Jason Kaiser with INDOT to see if there was something that could be done to speed up the issuance of the INDOT permit. Mr. Watson would also speak with County Highway Superintendent Ben Parker to see if he could help get things to move a little more quickly.
- Mr. Lanning informed the Board that he and Mrs. Lassiter would be meeting with representatives from the City of Auburn and Foresight Consulting later in the morning to discuss manhole changes to the *John Ketcham Tile Drain No. 334-00-0* that were coordinated with an INDOT project planned for State Road 8.
- Mr. Lanning and Mrs. Lassiter informed the Board that neither of them would be present to attend the scheduled September 14, 2023, Board meeting and asked if the Board would consider canceling the meeting, which the Board agreed to do.
- Ms. Kruse informed the Board that due to a trip to England, she would not be available to attend the November 2, 2023, meeting in person, but would be able to available by phone. She further stated she would not be available to attend the November 9, 2023, meeting at all. In response to this information, it was decided to try and set the public hearing for the *John Ketcham Tile Drain No. 334-00-0* for the November 16, 2023, meeting.

- Mr. Lanning informed the Board that Mr. Bungard would be opening the stone bids for the *William Bickel Tile Drain No. 133-00-0* reconstruction on September 14, 2023, in the office with Mr. Hartman and Mr. Bell as witness as determined by the Joint DeKalb County/Noble County Drainage Board.

There being no further business or discussion, Mr. Bell thanked everyone for attending the meeting and declared the meeting adjourned at 8:54 a.m.

Mr. Bell reconvened the meeting at 8:56 a.m. as Mr. Shane Gann of Direct Line Communications presented as a representative for the Surf Internet utility permit application for the Town of Waterloo build-out in Grant Township, involving work within the rights-of-way or crossing the J. Harris Reed Tile Drain No. 263-20-0, the J. Harris Reed Lateral 1 Spur 1 Tile Drain No. 263-01-1, and the J. Harris Reed Lateral 1 Tile Drain No. 263-01-0.

Mr. Gann apologized for being late, stating he had been told an incorrect time for the meeting. Mr. Gann stated he was the regional construction manager for Direct Line Communications and that he had not been aware there were county-regulated drains within the Town of Waterloo, nor that there were utility permits required. Mr. Gann explained his company had installed Surf Internet service for the DeKalb Central schools several months ago and felt he had worked with the Surveyor's Office during that installation. Mr. Gann stated he was waiting on permits for work along US Highway 6 and Indian State Road 427. Mr. Gann stated he was willing to meet with the County Surveyor's staff to determine the location of the fiber in relation to the county-regulated drains and to correct anything that might need to be corrected. Mr. Lanning stated the Surveyor's staff needed to ensure that the fiber had not gone through any county-regulated tile drains and was located so as not to cause issues with any drain maintenance.

Mr. Gann stated the Troy Group was the engineer for the project and Mrs. Lassiter stated she had been in contact with Rachel with the Troy Group and with Stacy Dalrymple of the Direct Line Communication company regarding the need for permits since July. It appeared to all there was a communication issue between the Troyer Group, the Direct Line office staff, and Mr. Gann.

Mr. Gann was to leave his contact information with Mr. Lanning. County Surveyor staff would be meeting with Mr. Gann to inspect the work in the drain rights-of-way to determine if anything needed to be repaired or moved.

Mr. Gann was going to contact the Troyer Group to make sure prints from a future project were delivered to the County Surveyor's and Drainage Board office for review and to try to get an open line of communication with himself so that any other utility permits needed could be applied for, and so that he was aware of any drains involved in future projects. Mr. Gann then thanked the Board for their time and left.

Mr. Hartman stated that the conversation went well and was a step forward. Ms. Kruse was asked if a bond should be required for this project. Ms. Kruse stated that since the work was substantially completed no bonding companies would issue a bond. Ms. Kruse stated there was indemnification language within the utility permit agreement that should cover any issues and since the agreement also stated there was to be at least an 18-inch separation between the tiles and the fiber there should be no liability issues for the Board. Ms. Kruse stated that a fully signed document would be the best coverage for the Board and the County Surveyor.

Jim Miller moved to accept the permit agreement as presented with the County Surveyor's recommendation. Mike Watson seconded the motion, and the motion carried.

Mr. Hartman reminded everyone that the *E.P. Sherwood Drain No. 162-00-0* reconstruction would be crossing the fiber optics located in that area.

There being no further business or discussion, Mr. Bell once again thanked everyone for attending the meeting and declared the meeting adjourned at 9:20 a.m.

  
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Bruce Bell, II, Chairman

  
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Michelle Lassiter, Secretary