

## DEKALB COUNTY DRAINAGE BOARD MEETING

April 25, 2024

### **Drainage Commissioners Present:**

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

### **Others Present:**

Glenn Crawford, County Surveyor  
Tyler Lanning, Lead Survey Tech  
Michelle Lassiter, Sec./Drainage Board Adm.Asst.  
Shannon Kruse, Attorney, Attended Via Phone  
Troy Bungard, Survey Tech

### **Guests:**

Chris Welbaum  
Angela Wallace  
Vickie Eckert

### **Absent:**

None

Chair Bruce Bell, II, called the April 25, 2024, regular DeKalb County Drainage Board meeting to order at 8:30 a.m.

### **APPROVAL OF MINUTES**

Jim Miller moved to accept the Minutes of April 18, 2024, as presented as the standard minutes of the DeKalb County Drainage Board. Bill Hartman seconded the motion, and the motion carried.

### **PLAT DRAINAGE PLANS**

#### **MIRA TIMBERS PLAT – COUNTY ROAD 16 EAST OF COUNTY ROAD 71**

The Board reviewed the drainage plan for the Mira Timbers Plat, located on County Road 16 East of County Road 71, in the Northwest 1/4, Section 30, T35N, R15E, Troy Township. This plat is for a one-lot minor subdivision, platted as 12.47 acres. The plat is located within the watersheds of the Rose & Souder Regulated Open Drain No. 148-00-0 and the Fish Creek Unregulated Open Drain.

The Board accepted the Surveyor's Drainage Report, which stated "I approve the proposed subdivision given that it has adequate drainage available for the intended single-family residential parcel."

Bill Hartman moved to approve the plat drawings dated April 16, 2024, as submitted by Angela D. Wallace, Professional Land Surveyor with Compass Land Surveying, with the Surveyor's recommendations. The motion was seconded by Sandy Harrison, and the motion carried.

### **VARIANCES**

#### **HILKEY-CARNAHAN REGULATED OPEN DRAIN NO. 12-00-0 CULVERT CROSSING: 3139 COUNTY ROAD 71 – SCHOWE FAMILY FARMS, LLC/AEP**

Chris Welbaum of Actalent located in New Albany, Ohio, an AEP right-of-way contractor presented for the petition. Mr. Welbaum explained that the culvert was originally installed in 2017 and was deteriorating. AEP had an easement on the Schowe property for access to electrical equipment AEP had on the Schowe property west of the Hilkey-Carnahan drain. AEP needed to be able to replace the culvert to access that equipment.

Mr. Crawford stated that he was good with the drawings for the culvert replacement presented to him.

Mr. Bell made note that the drain was a joint drain with Allen County which had indicated that they were okay with the DeKalb County Drainage Board deciding the outcome of the variance request.

Mr. Miller moved to approve the Schowe's culvert crossing of the *Hilkey-Carnahan Regulated Open Drain No. 12-00-0*, a joint drain with Allen County. Mike Watson seconded the motion, and the motion carried.

#### **GUEST COMMUNICATIONS OTHER THAN AGENDA ITEMS**

##### **MELISSA KELLY LATERAL 4 REGULATED TILE DRAN NO. 30-04-0 JOINT DRAIN WITH DEFIANCE COUNTY OHIO**

Vickie Eckert of 6550 Highland Lane, McCordsville, IN 46055, presented to represent a family farm located at 7884 County Road 50, Butler, IN, within the *Melissa Kelly Lateral 4, Regulated Tile Drain No. 30-04-0*. This was a lateral within a drain system that was a joint drain system with Defiance County, Ohio. The whole drain system had one fund under the main drain, the *Melissa Kelly Regulated Open Drain No. 30-00-0*, which had a negative \$12,000 balance. Ms. Eckert stated that the tile had not worked for some years, with approximately seven acres of land not able to be farmed due to flooding issues from the drain not working. A neighboring property also was having flooding issues.

Mr. Lanning stated that he and the field inspectors had been out and walked the drain. The section in the woods to the northeast of Ms. Eckert's property had been torn out and converted into an open ditch by someone other than the County Surveyor's Office. There was broken clay tile lying all around the area, as well as newer plastic tile, making it look as if someone had intended to replace it but didn't. The southwest corner of where the tile enters the woods near the ditch section was not an actual outlet and backed up causing the flooding on the Eckert property. He stated that the Joint Board needed to hold a public reconstruction hearing. The drain had plenty of fall and needed to have reconstruction plans engineered.

The following information came out of the Board's discussion of the drain:

The drain was put in the negative by the former County Surveyor dipping the drain without the Joint Board's approval.

The only section of the tile that needed to be reconstructed was through the woods. The entire length of Lateral 4 was 2,432.56 feet, with a watershed of 89.89 acres. The entire Melissa Kelly drain watershed was 4,000 acres. Mr. Crawford did some quick calculations and figured the reconstruction of Lateral 4 would cost between \$60,000 and \$70,000, roughly \$700 per acre within the Lateral 4 watershed only. Based on the acreage, Ms. Eckert's portion would be roughly \$27,000.

Mr. Miller asked if it was possible to only charge the Lateral 4 watershed or if it had to be the main drain's watershed. Ms. Kruse stated that the reconstruction could only be charged to the affected landowners within the Lateral 4 watershed. She further stated that it might be possible to hold the public hearing only in DeKalb County since the Lateral 4 watershed was only in DeKalb County. However, Defiance County would need to be consulted first.

It was determined that no reconstruction petition would be needed. The tile would be placed on the reconstruction based on the County Surveyor's recommendation. It would not be put high on the priority list as other drains on the list were flooding homes and roads, as well as several others that had been on the list longer.

It was explained to Ms. Eckert that she could request the reconstruction through a consent and waiver process in which she would put the reconstruction funding up front to get the work done sooner. Ms. Eckert stated that she would prefer for the reconstruction to go through the normal public hearing process. She stated that her father had started looking at the reconstruction of the drain in the 1990s so a bit longer was not an issue.

**SURVEYOR'S REPORT**

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

Mr. Lanning stated that there wasn't anything new going on. The reconstructions approved were going through the processes and maintenance projects were being taken care of. There would be a change order for the reconstruction of the *John Ketcham Regulated Tile Drain No. 334-00-0*. Mr. Crawford explained that originally the drain route was not going to be asphalted to the west of the Kroger Plaza. However, it was discovered that Kroger had an easement agreement for their parking lot on the adjacent western parcel. This meant that there would have to be a special backfill and asphalt for the repair of that parking lot section.

**DISCUSSION**

Sandy Harrison informed the Board that she had been contacted by Greg Parker of 5694 County Road 17 who had flooding issues that Nathan Frye & Mike Kline had been aware of, coming from the *Don VanFleit Tile Regulated Drain No. 40-20-0*. There was supposed to have been a standpipe installed on his property to help with the flooding, but that had not been done. Mr. Parker would like to see that completed. Mrs. Harrison stated that she had been out to Mr. Parker's property and the culvert under County Road 17 was not working. Mr. Bell stated that he remembered that Mr. Kline was aware of and had wanted to fix these issues.

Mike Watson stated that he was contacted by individuals living in Diamond Lake Estates regarding issues related to the dipping of the *James Ferguson Regulated Open Drain No. 86-00-0*. Mr. Lanning stated that he had walked the area. There were ruts that the Surveyor's Office was going to have rolled to smooth them out and then additional grass seed spread. Mr. Lanning stated that he didn't think the yards were in as bad a shape as the landowners were making them out to be.

There being no further business or discussion, Mr. Bell thanked everyone for attending the meeting and declared the meeting adjourned at 9:05 a.m.

  
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Bruce Bell, II, Chair

  
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Michelle Lassiter, Secretary