

## DEKALB COUNTY DRAINAGE BOARD MEETING

September 4, 2025

### **Drainage Commissioners Present:**

Kellen Dooley, Member  
William L. Hartman, Member  
James A. Miller, Vice-Chairman

### **Others Present:**

Glenn Crawford, County Surveyor  
Tyler Lanning, Lead Survey Tech  
Troy Bungard, Survey Tech  
Shannon Kruse, Attorney  
Katie Rutan, Office Clerk  
Rebecca Wright, Drainage Board Secretary

### **Appointed Members Serving Jan 2025- Dec 2027**

Steve Kelham, Member  
Bruce Bell, II, Chairman

### **Guests:**

Tim High, Ora Bohler Drain  
Eric Thomas, GB Collins Drain  
Bob Gaffer, Thomas Estates  
Dennis Cook  
Damon Gentis, AES  
Brandon Clausen, Metro Fiber

### **Absent:**

Chairman Bell called the DeKalb County Drainage Board Meeting for September 4, 2025, to order at 8:30 a.m.

### **APPROVAL OF MINUTES**

The first order of business was the approval of minutes. Chairman Bell asked for a motion to approve the minutes, and Commissioner Jim Miller made the motion to approve the minutes as presented. Mr. Steve Kelham seconded the motion, and it carried. Chairman Bell abstained from the vote since he did not attend the meeting.

### **ATTORNEY CLAIM**

The next item of business on the agenda was the approval of the September attorney claim for \$1295.00 to Attorney Shannon Kruse for services rendered to the DeKalb County Surveyor's Office and the DeKalb County Drainage Board. Bruce Bell requested a motion to approve the claim, and Commissioner Kellen Dooley made the motion. Commissioner Bill Hartman seconded the motion, and the motion was carried. Mr. Bell thanked Ms. Kruse for her services.

### **UTILITY PERMITS**

Mr. Bell introduced the first of two utility permits on the morning agenda: A permit for AES Services. A representative with AES stepped to the podium and explained that there was an existing structure along CR 35, and AES would bore parallel to the road to provide service to 5522 CR 35. He continued that there was a flowerpot structure AES would connect to.

Lead Survey Tech Tyler Lanning added that AES had already crossed the Alex Provines Regulated Drain No. 71-00-0 for earlier work, but now the work would run parallel to the drain.

Chairman Bell requested a motion to approve the AES Utility Permit Application at 5522 CR 35, Auburn, IN, in Section 9 of Jackson Township and the Alex Provines Regulated Drain No. 71-00-0.

Kelham ~~Hartman~~ Commissioner Bill Hartman motioned to approve the utility permit agreement, and Steve ~~Hartman~~ seconded the motion. Chairman Bell asked if there was any discussion. Jim Miller asked when AES had bored under the road and if they had crossed the drain. The AES representative responded that AES had provided service to homes on the opposite side of the road from earlier work, so they would not need to bore under the road again. Mr. Bell asked if there were any further questions, but hearing none, he called for a vote, and the motion was carried.

He introduced the next utility permit.

Brandon Clausen with MCC Services stepped to the podium to represent a utility permit to cross nine drains in the county. He stated he had read the permit and could answer questions if the Board had any.

Surveyor Crawford asked if the company would be directionally boring under the drains. Mr. Clausen answered that Verizon would bore 3-4' under the tile to provide service. He provided the engineer's and project supervisor's names, so the Surveyor and Office could be in touch with them during the work to inform them of the depths of the tile.

Troy Bungard explained the entire project to the Board, as well as where MCC Services would intersect regulated drains.

Mr. Bell asked if the Surveyor was content with the explanation of the project, and Mr. Crawford said he was. Bruce Bell requested a motion to approve the utility permit for MCC Services, Project GN2 at County Road 23 & US 6 and County Road 32 & County Road 19 in Waterloo, IN, in Sections 1, 12, 13, 24 of Richland Township, and Sections 1, 11, 25, 36 of Keyser Township, involving the following drains:

- David Link Regulated Open Ditch No. 211-00-0      JJ Hampshire Regulated Drain No. 57-00-0.
- Lewis Scattergood Regulated Drain No. 56-00-0      George Scattergood Regulated Drain No. 106-00-0
- A.L. Ober Regulated Open Ditch No. 24-00-0      Mary McDowell Regulated Drain No. 238-00-0
- Franklin Grogg Regulated Drain No. 236-00-0      John Diehl Regulated Drain No. 45-00-0
- John Diehl Lateral 9 Regulated Drain No. 45-09-0

Commissioner Kellen Dooley motioned to approve the Utility Permit Agreement with the favorable recommendation of the Surveyor, and Commissioner Jim Miller seconded the motion. Having a motion and a second, Bruce Bell asked if there was further discussion, but since there was none, he called for a vote. The motion was carried.

## SECONDARY PLAT

Chairman Bell then introduced a secondary plat called Thomas Estates located on State Road 8 and East Auburn Drive in Auburn, IN, in Section 34 of Union Township. Bob Gaffer with MLS Engineering stepped to the podium to introduce the development plan. He explained the drainage plan for the 60-lot subdivision and how it would utilize regulated drains in the area.

Mr. Tyler Lanning added that the Office had brought a completed Consent and Waiver to reconstruct a portion of the drain where lots were proposed in the subdivision. In addition, landowners had signed variance paperwork to allow residential building within 20' of the regulated drain.

Ms. Shannon Kruse requested that Thomas Estates ask future homeowners not to plant permanent vegetation or construct permanent structures on top of the drainage easement. Mr. Gaffer thought that would be possible. The Indiana Drainage Code prohibited permanent structures and vegetation within the drainage easement.

Commissioner Bill Hartman asked about the tile that would be used in the reconstruction. Surveyor Crawford answered, "dual wall." Mr. Gaffer expounded that Thomas Estates was in the process of acquiring additional acreage from a neighbor and would utilize manholes in the drain reconstruction plan. Mr. Lanning added that Mr. Gaffer had worked with the Office on the reconstruction plan, so drainage was routed into the best tile system in the area.

Mr. Lanning explained the Consent and Waiver to reconstruct a portion of the Cliff Metcalf Regulated Drain No. 83-00-0. Commissioner Dooley questioned whether neighboring landowners had signed off on the Consent and Waiver, but Mr. Lanning answered that the entirety of the reconstruction would be contained within the development.

Chairman Bruce Bell asked for a motion regarding the Consent and Waiver for the Cliff Metcalf Regulated Drain No. 83-00-0. Commissioner Dooley motioned to approve the Consent and Waiver, and Mr. Steve Kelham seconded the motion. Mr. Bell called for a vote, and the motion carried.

Bruce Bell introduced the variance for Thomas Estates that involved the Cliff Metcalf Lateral 1 Regulated Drain No. 83-01-0. Mr. Lanning explained that the variance would allow two lots to be buildable by providing for a 20' easement on each side of the regulated drain or 40' of access for the Surveyor's Office. The secondary plat had been engineered to allow for an easement to discourage construction or planting on top of the tile.

Mr. Bruce Bell called for a motion for the variance for Thomas Estates involving the Cliff Metcalf Lateral 1 Regulated Drain No. 83-01-0. Commissioner Miller motioned to approve the variance with the favorable recommendation of the surveyor, and Commissioner Hartman seconded the motion. Having a motion and a second, Mr. Bell called for a vote. Commissioner Hartman, Commissioner Dooley, Commissioner Miller, and Mr. Kelham voted "aye." Mr. Bruce Bell voted no. The motion carried.

Finally, Chairman Bell introduced the drainage plan for the Thomas Estates Secondary Plat. Bob Gaffer added that there would be sections to the development, but the developer was unsure of how many lots would be in each section. However, they wanted approval for the entire subdivision now. Mr. Crawford expressed concern over planning for a 60-home subdivision that might not be fully developed.

Surveyor Crawford explained the drainage plan for Thomas Estates. He said he was pleased with it, but expressed concern that portions of the development would be phased out. Glenn Crawford noted that the entire drainage system needed to be built and intact for the development to match existing drainage conditions. Mr. Gaffer stated that the northern section of the subdivision would be developed right away. The other two sections were "very likely." Mr. Crawford explained that all the ponds on the drainage plan were necessary because the drainage system was split into a north and south basin in the event of a 100-year flood.

Surveyor Crawford said he'd approve the drainage plan under the condition that the entire drainage system, the 3 ponds, and the connecting storm infrastructure were all built during Phase 1.

Chairman Bruce Bell asked for a motion regarding the Thomas Estates Secondary Plat on State Road 8 and East Auburn Drive in Auburn, IN, in Section 34 of Union Township, which involved the Cliff Metcalf Regulated Drain No. 81-00-0 and the Cliff Metcalf Regulated Drain No. 81-01-0. Commissioner Dooley motioned to approve the secondary plat with the condition that all 3 ponds and the connecting storm infrastructure were built during Phase 1. Mr. Steve Kelham seconded the motion, and Bruce Bell asked if there was further discussion. Since there was none, he called for a vote, and the motion was unanimously carried.

#### **GUEST COMMUNICATION**

Moving to guest communication, Mr. Eric Thomas of 0548 CR 48 introduced himself to the Board and stated he would like a variance to build a barn. Lead Survey Tech Tyler Lanning explained that the Board had heard about the variance in an earlier meeting, but the Board wanted more information. He added that the Office had drawn up the Consent to Vacate the drain paperwork. Mr. Lanning added that one of the property owners had passed away, and Ms. Kruse instructed the Office to perform its due diligence in finding an executor to sign the paperwork in place of the decedent.

Commissioner Dooley stated that if everyone signed off on the Consent to Vacate paperwork, he would not object to vacating the drain. Mr. Bell agreed that if Mr. Thomas obtained the signatures, they would agree to vacate the drain.

Next, Mr. Tim High stepped to the podium and stated he was representing twenty-four landowners who objected to the reconstruction of the Ora Bohler Regulated Drain No. 54-00-0. He said that five landowners were in favor of the reconstruction. Mr. High questioned the number of benefited acres on the spreadsheet. He also noted an address he felt was in error. Mr. Bungard explained that sometimes the acreage recorded on the map and the survey deed differed, but the Office had to go by the deed. Mr. High offered copies of

paperwork to the Board, but Mr. Bell declined, stating that any clerical error would be corrected before a hearing.

Mr. High stated he had read the drainage handbook, and he thought the Board and Surveyor's Office were not following the law. He and the landowners felt the expense outweighed the benefit. He added that a Fort Wayne attorney was assisting him. He asked if the Board had a timeline for the Ora Bohler drain. Chairman Bell stated that a hearing was not set, but Mr. High should work with the Surveyor's Office. He would receive a notice 30-40 days before the hearing, according to the drainage law.

### **SURVEYOR'S REPORT**

Mr. Lanning began the report noting an issue north of Custer Grain on the John Diehl Lateral 9 Regulated Drain No 45-09-0. He thought some of the issues began with the Auburn Crossing Development when it piled dirt on the tile. He stated that dirt was not a "permanent structure," so the Office could not correct the problem on its own; however, the field was no longer farmable because of flooding. The amount of dirt piled on the tile had crushed it, making it unusable.

Tyler Lanning asked the Board to issue a request to the landowner to remove the dirt and repair the tile within a given number of days or allow the Office to repair the tile and bill the landowner. Mr. Lanning anticipated pushback from the landowner.

Ms. Kruse asked if she could help draft the letter. She also stated that the letter should invite the landowner to a Board Meeting. Mr. Hartman added that the field was used for farming, and now it could not be used due to the dirt. Mr. Lanning stated he would invite the landowner to the September 18, 2025, meeting.

Mr. Lanning next reported back to the Board the requested information about County Pond elevations. He stated that there was not enough discrepancy between the old outlet and the new inlet. Mr. Lanning added that the new outlet could be raised 14" to add a little over a foot of water to the pond. He also reminded the Board that it had discussed reconstructing the tile, but there was not much fall in the area for the tile, so it would not provide a gain in depth for the pond. He added that he would speak to the commissioners if they were in favor of it, but he wanted the feedback of the Drainage Board first.

Surveyor Glenn Crawford remarked that the repairs would cost \$3500.00. Mr. Steve Kelham asked if the pond was open to the public, but Mr. Bungard said it was not.

Mr. Lanning also stated he had estimates for the C.O. Metcalf repairs Mr. Brent Shull had requested, and the cost would be \$17,815.00. Tyler Lanning had a second estimate to continue the repair across County Road 49, which some Board Members had favored at the previous meeting. Crossing CR 49 would cost \$40,000. That amount would leave the maintenance fund with half of its balance. Mr. Bell asked if the Office could utilize maintenance funds. Mr. Lanning explained that crossing CR 49 would be considered a reconstruction, but the Drainage Law allowed a portion of the maintenance fund to be used in a reconstruction. The Office did not usually replace tile without having a proper outlet.

Kellen Dooley asked if the Board could consider the decision for two weeks. Ms. Kruse asked the Board if they'd like to know how much more work needed to be done on the CO Metcalf.

Finally, Mr. Lanning brought 2 drains to be put on maintenance: The first was the Frank Yarde Lung Lateral 27-42-0. He explained that it was 1566 feet of 10" tile. Using the calculations he introduced at the previous meeting, the drain would cost \$23 per foot, which constituted an annual collection of \$3485.00. The agricultural rate would be \$51/acre. The watershed was only 47 acres, so it was expensive.

Chairman Bell asked if it was working, and Mr. Kelham said he did not believe it was in good shape. The Board discussed whether to have a hearing to either place the drain on maintenance or vacate it, but Ms. Kruse advised having an informational meeting to explain the options.

Tyler Lanning also explained that the Office could make it part of the parent drain, but then a hearing would need to be set to do that. Commissioner Dooley added that whatever the Board decided, drains had to be vacated, reconstructed, or put on maintenance. Mr. Lanning agreed and said it was difficult when landowners came in with drain concerns, and to tell them that it was not on maintenance, so there was nothing the Office could do.

Commissioner Bill Hartman recommended that the Office schedule a maintenance hearing.

Next, Tyler Lanning explained that the J.P. Ensley Regulated Drain No. 393-00-0 had 1400 feet of 8" tile and 1400 feet of 10" tile, with a watershed of 222.99 acres. He stated that the tile went through the old gravel pit, and there were suck holes going across a field where it became unregulated once it crossed 327.

Commissioner Kellen Dooley recommended scheduling a maintenance hearing. Landowners could decide whether they wanted to pay a maintenance rate, and then the Board could decide whether to vacate the drain. He did not see a reason to overthink putting the drains on maintenance.

## DISCUSSION

Having no more discussion, Chairman Bell adjourned the meeting at 9:52.

  
Bruce Bell, II, Chairman

  
Rebecca Wright, Drainage Board  
Secretary

9/04/2025

## Petition of Interest

Brandon Clausen - Metro

## Thomas Estates

Mat's fiber



