

**DEKALB COUNTY DRAINAGE BOARD MEETING
NOVEMBER 6, 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:

Joe Herendeen, Josh's Estate
Shannon Mark, Camp Lane
Joe Gabet, Barn Place
Chad Trowbridge, AEP

Bruce Bell called the DeKalb County Drainage Board Meeting for November 6, 2025, to order at 8:30 AM.

Approval of Minutes

Chairman Bell introduced the first item on the morning's agenda: the approval of the minutes from the October 16, 2025, Drainage Board Meeting. Commissioner Jim Miller moved to accept the minutes as presented and Commissioner Bill Hartman seconded the motion. Hearing no further discussion, Chairman Bell called for a vote, and the motion was unanimously carried.

Approval of November Attorney

The next business item was the approval of the November Attorney claim in the amount of \$1295. Commissioner Kellen Dooley motioned to approve the claim, and Mr. Steve Kelham seconded the motion. Since there was no further discussion, Bruce Bell called for a vote, and the motion was carried.

Development Plan

Mr. Bell then introduced a development plan for the Graber Post Buildings Manufacturing Facility at 804 H.L. Thompson Jr. Dr. in Ashley, IN, in Section 5 of Smithfield Township. Ken Wilson introduced himself as the developer on the project and stated that the engineer would attend shortly. He added that the property was 17 acres, and they were developing 10-12 acres currently which included a detention pond. He explained that the reason for the wet pond was to deter cattails. He stated that the plans were designed to accommodate the future storm and drain lines.

Surveyor Glenn Crawford said that the drainage plan was adequately sized and accounted for a 100-year flood, and approval paperwork had come back from the Soil and Water Department. He gave his recommendation to the development plan.

Chairman Bell asked for a motion to approve the development plan for the Graber Post Buildings Manufacturing Facility at 804 H.L. Thompson Jr. Dr. in Ashley, IN, in Section 5 of Smithfield Township which involved the Brown Albright Regulated Drain No. 114-00-0, the John Hamman Regulated Drain No. 188-00-0, the Robert Johnson Joint Regulated Drain No. 3003-00-0, and the Louis Dibbling Regulated Drain No. 74-00-0 in the Cedar Creek Drain No. 470-00-0 Watershed.

Mr. Steve Kelham motioned to approve the development plan, and Commissioner Kellen Dooley seconded the motion. Having a motion and a second, Bruce Bell asked if there was any further discussion, but hearing none, he called for a vote. The motion was carried.

Minor Subdivision

Transitioning to the minor subdivisions on the agenda, Chairman Bruce Bell introduced the Josh's Estate Minor Subdivision on County Road 72, $\frac{3}{8}$ mile west of County Road 45, Parcel #06-10-35-400-002.

Joe Herendeen with Sauer Land Surveying stepped to the podium and stated he was representing Joshua Lengacher. He described Josh's Estate as a single parcel for an existing homestead with a second larger parcel that currently had a pole barn on site. He said he'd answer questions for the Board.

Glenn Crawford added that the soil borings had come back, and the parcel was 36 acres.

Bruce Bell asked Mr. Crawford if the Subdivision had his recommendation, and Mr. Crawford said it did. Then, Chairman Bell called for a motion to approve the Josh's Estate Minor Subdivision on County Road 72, $\frac{3}{8}$ mile West of County Road 45, Parcel #06-10-35-400-002 in Section 35 of Jackson Township, involving the Jerry Davis Regulated Drain No. 191-00-0, the Daniel Metcalf Joint Regulated Drain No. 1414-00-0, and the Jerry Davis Hook Lateral Regulated Drain No. 191-38-0.

Commissioner Bill Hartman motioned to approve the minor subdivision, and Commissioner Jim Miller seconded the motion. Since there was no further discussion, Chairman Bell called for a vote, and the motion was carried.

Mr. Bruce Bell introduced the next minor subdivision on the morning agenda, the Barn Place Minor Subdivision located at 3978 CR 62 in Auburn, IN. He asked if anyone was present to discuss the project, and Joe Gabet stepped forward and addressed the Board.

He said Barn Place was a 2 ½ acre, 1-lot subdivision owned by Joe Miller. The lot would be for a single-family home. The plan called for a home to be built in the center of the parcel.

Commissioner Hartman asked if the dashed line displayed on the map was the original lot line. Mr. Gabet said yes, it was and continued to answer follow-up questions from Mr. Hartman. Mr. Gabet said he had discussed the subdivision with Development Services, and the subdivision had its approval.

Chairman Bruce Bell asked Surveyor Glenn Crawford if the minor subdivision had his approval, and Mr. Crawford said from a drainage standpoint, the subdivision looked good. Having a favorable recommendation from the Surveyor's Office, Mr. Bell asked for a motion to approve the the Barn Place Minor Subdivision located at 3978 CR 62 in Auburn, IN, Parcel #06-10-22-400-001, in Section 22 of Jackson Township, which involved the Jerry Davis Regulated Drain No. 191-00-0, the John W. Means Regulated Drain No. 363-00-0, and the James M. Friend Regulated Drain No. 336-00-0.

Mr. Steve Kelham motioned to approve the minor subdivision, and Commissioner Kellen Dooley seconded the motion. Having a motion and a second, Chairman Bell called for a vote, and the motion passed with a vote of 3 in favor (Chairman Bruce Bell, Commissioner Kellen Dooley, and Mr. Steve Kelham), and 2 dissenting (Commissioners Bill Hartman and Jim Miller).

The final minor subdivision on the morning agenda, the Camp Lane Minor Subdivision on County Road 71 in Hamilton, IN, located in Section 1 of Troy Township and Section 6 of Franklin Township, involved two parcels: Parcel #13-04-06-300-022 and Parcel #04-03-01-400-026.

Shannon Mark with On the Mark Land Surveying stepped forward to represent the project. She stated that the landowners intended to use the parcels for a single-family residence. The family already had one parcel but now wanted a second so a son could build to the north on an adjacent parcel. Glenn Crawford stated the lot was 4.88 acres, and drainage on the parcels would be fine. He gave the minor subdivision a favorable recommendation.

Bruce Bell asked for a motion to approve the Camp Lane Minor Subdivision on County Road 71 in Hamilton, IN, located in Section 1 of Troy Township and Section 6 of Franklin Township, involving two parcels: Parcel #13-04-06-300-022 and Parcel #04-03-01-400-026. Commissioner Jim Miller motioned to approve the Camp Lane Minor Subdivision, and Commissioner Bill Hartman seconded the motion. Hearing no further discussion, Mr. Bell called for a vote, and the motion was carried.

Utility Permit

The lone utility permit agreement on the agenda was for AEP; however, the Drainage Board agreed to table the discussion, as the representative was not in attendance, which moved the meeting to a variance.

Variance

The variance was for a digital billboard located on Parcel #01-09-19-300-034 on Merchants Drive in Section 19 of Butler Township in Laotto. Digital One LLC planned to install a digital sign along State Road 3. Lead Survey Tech Tyler Lanning further explained that the landowners originally asked for a 30-foot distance from the Harvie Guthrie Open Ditch No. 181-00-0, but the Office changed it to a 60' distance instead.

Glenn Crawford added that 60' from the open ditch would be plenty of room for the Office to perform any maintenance that might be needed along the open ditch.

Bruce Bell asked for a motion to approve the variance for an electronic billboard for Digital One LLC, located on Parcel #01-09-19-300-034 at T33N, R12E, on Merchants Drive in Section 19 of Butler Township in Laotto, IN, involving the Harvie Guthrie Regulated Open Ditch No. 181-00-0. He stipulated that the variance would change the standard 75-foot distance to the stated 60-foot distance.

Jim Miller motioned to approve the variance based on the Surveyor's recommendation, and Steve Kelham seconded the motion. Having a motion and a second and hearing no further discussion, Chairman Bell called for a vote. The motion carried 4-1, with Commissioner Dooley dissenting because he thought projects on the Drainage Board Meeting Agenda should have a representative in attendance to garner approval from the Board.

SURVEYOR'S REPORT

Mr. Lanning gave the Surveyor's Report and stated that the Office was busy performing routine maintenance as crops came off farmers' fields, and it had already repaired several holes. The Office was also waiting on J drive information to be accessible so it could continue scheduling maintenance hearings and gathering assessment information for the 2026 calendar year.

Chairman Bell adjourned the Drainage Board Meeting at 8:50, so members of the Surveyor's Office could prepare for the Frank Yarde Lung Lateral Regulated Drain No. 27-42-0 maintenance hearing. He stated he would reconvene the regular meeting at the close of the maintenance hearing.

DEKALB COUNTY DRAINAGE BOARD HEARING FOR THE PERIODIC
MAINTENANCE OF THE FRANK YARDE LUNG LATERAL DRAIN NO. 27-42-0
NOVEMBER 6, 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:

Wayne Weller
Kelly and Cheryl Shively

Drainage Board Chairman Bruce Bell, II, called the Frank Yarde Lung Lateral Regulated Drain No. 27-42-0 maintenance hearing to order at 9:00 AM.

Mr. Bell explained that the purpose of the hearing was to decide whether to put the drain on maintenance. If the Board decided not to place the drain on maintenance, a hearing to vacate the drain would immediately follow the maintenance hearing. He added that landowners' notices about the hearing were mailed on September 29, 2025, via first class mail, and a notice appeared in *The Star Newspaper* on October 28, 2025. He also asked everyone in the room to be sure they had signed in on the paper at the podium.

Mr. Bell outlined the procedures for the hearing and said that Mr. Glenn Crawford would read the Surveyor's Report, the Board would hear petitions in favor of periodic maintenance followed by objections, and finally there would be a time for questions and answers. He asked Surveyor Glenn Crawford to read the Surveyor's Report which included the history of the drain, his recommendation, and an explanation of the watershed.

Surveyor Crawford read the report, which stated that the Frank Yarde Lung Lateral Regulated Drain Number 27-42-0 consisted of 1,565 feet of 10" tile that had been installed in 1901. The report recommended the drain be put on maintenance as it was in working order and would continue to be providing that maintenance would allow for spraying, cleaning, clearing, and repairing it. A copy of the report is included in these minutes.

DEKALB COUNTY SURVEYOR'S OFFICE

220 East Seventh Street, Suite 130, Auburn, IN, 46706
 Phone (260) 925-2222; Fax (260) 927-4746



GLENN M. CRAWFORD
 DeKalb County Surveyor

November 6, 2025

**FRANK YARDE LUNG LATERAL Drain No. 27-42-0 Periodic Maintenance
 Hearing Report**

The existing Drain was constructed as a lateral to the Frank Yarde Drain No. 27-00-0 system in 1901.

Existing tile by record: 1,565 feet of 10-inch diameter

The drain is in need of periodic maintenance in the Surveyor's opinion because it can be made to perform the function for which it was designed and constructed, and to properly drain all affected land under current conditions, by periodically:

- (1) cleaning it;
- (2) spraying it;
- (3) removing obstructions from it; and
- (4) making minor repairs to it.

The drain is in working condition and not currently on periodic maintenance.

According to Indiana State Code 36-9-27-34:

The county surveyor shall classify all regulated drains in the county as:

- (1) drains in need of reconstruction;
- (2) drains in need of periodic maintenance; or
- (3) drains that should be vacated

The drain is in a small watershed of 47.8 acres. The tile consists of 1,565 feet of 10" tile. The proposed periodic maintenance of the drain would have a yearly maintenance collection of \$3,515.16 with a high annual base rate of \$51.51 per acre with a \$25.00 minimum, residential rate of 103.02 per acre with a \$25.00 minimum, and commercial rate of \$154.53 per acre with a \$25.00 minimum.

Total acres in the tile watershed	47.8 acres
Total land parcels in watershed	16

I would respectfully ask the Drainage Board to approve the periodic maintenance of the Frank Yarde Lung Lateral Drain No. 27-42-0.

Glenn M Crawford

Mr. Bell asked if any board member had questions about the report, but no one asked a question.

Then Mr. Bell asked if all of the lands within the watershed had been assessed and if all of the benefits assessed were not excessive. Mr. Crawford each question in the affirmative.

Mr. Bell asked if there had been any timely written objections, but none were filed, so he asked if anyone who was in favor of putting the drain on maintenance would like to speak.

Mr. Wayne Weller stepped forward. He stated that his son Brian Weller also owned 25 acres in the watershed. He said that no one knew the drain was there, and the drain was functioning. However, the landowners were concerned that if a specific parcel was sold to a charitable organization, the charity would move to vacate the drain. He did not want to see the drain vacated.

Mr. Bell asked what Mr. Weller thought about the amount of the assessment. Mr. Weller stated his amount was "minimal," but his son's assessment was "substantial." Mr. Weller asked how much the Office had spent on the drain in 20 years. Mr. Tyler Lanning answered that the Office had not spent money because the drain was not on maintenance, and there was no money to fix any issues with the drain.

Mr. Weller expressed his opinion that vacating drains was "a real problem," and he did not want to see the drain vacated, but he felt the maximum fund of \$12,000 was excessive since the Office had not spent any money on it.

Mr. Kelly Shively then stepped to the podium and introduced himself to the board. He stated his family had lived on his parcel for 41 years, and the Office had not fixed anything. He expressed his concern that if the Office fixed anything, it would wipe out the woods that separated his parcel from a nearby campground. He wondered what the Board and the landowners could do about not destroying the woods. He did not want the Office to reconstruct the drain and destroy 75 feet of trees on either side of the tile as it would remove a buffer zone between his home and a neighboring parcel.

Commissioner Kellen Dooley reminded the landowners and Board that the state code dictated all county-regulated drains either be labeled, "on maintenance," "to be vacated," or "up for reconstruction." The reason the Office had not touched the drain in 20 years was because there was no money in the account to do anything because the drain had never been put on maintenance; however, the Frank Yarde Lung Lateral was not labeled for reconstruction.

Mr. Shively felt the water was draining across his property and out of the watershed. He wondered if, since it was never on maintenance, why things couldn't stay that way and if something failed, then the Office could come fix it. Commissioner Dooley answered that Indiana Drainage Code stated that all drains had to be labeled, "for vacation," "for maintenance," or "for reconstruction." To comply, the drain had to be labeled one of the three terms.

Mr. Bell asked if any other person in favor would like to speak. Mr. Wayne Weller approached the podium again and stated that his son would pay most of the maintenance amount. He recalled

being part of the Aaron Baker Regulated Drain No. 216-00-0 Watershed. The landowners had agreed to do no more than a one-half collection to have some money in the maintenance account. However, he thought the landowners had never paid more than one-quarter of a collection. He did not feel the Office needed to “do a full collection.”

Commissioner Dooley asked Ms. Kruse what Mr. Weller meant by “half.” Ms. Kruse answered that, if through the course of the hearing, the Board and Surveyor’s Office agreed there was no immediate work to be done, they could agree to set the 2026 assessment amount for a lesser percentage than was stipulated on the landowner notices. The fund could still collect the maximum amount, but it would take longer than four years. A half-collection that eventually added up to the maximum maintenance fund amount would take eight years instead of four. She added that the Surveyor’s Office could decide to modify the amount collected each year based on the needs of the watershed. Commissioner Dooley thanked Ms. Kruse for her explanation.

Mr. Bell asked if there was anyone present who wanted to speak against putting the drain on periodic maintenance, but no one stepped forward.

Mr. Bell then asked if there were any further comments, but there were none.

Chairman Bell asked the following series of questions:

Should the schedule of periodic maintenance assessments be changed: Commissioner Jim Miller, Mr. Steve Kelham, and Chairman Bruce Bell answered, “no.” Commissioners Bill Hartman and Kellen Dooley answered, “yes.”

Should the Surveyor’s Report be approved as finally presented? All five board members answered, “Yes.”

Does any member desire any further evidence in order to make a decision? All five board members answered, “No.”

Should the hearing be adjourned or recessed and reconvened at a later date? All five board members answered, “No.”

Bruce Bell then asked Ms. Shannon Kruse to read the Facts and Findings for the Frank Yarde Lung Lateral Drain No. 27-42-0, which are as follows:

The Board makes the following Findings of Fact for periodic maintenance:

1. The public hearing has been and is being recorded in digital form.
2. The petitions previously filed for this drain are admitted into evidence.
3. The Surveyor’s fact sheet shall be accepted as part of the evidence, and the facts thereon are true.
4. The drain has been classified and previously placed on the priority list of the long-range plan of the Board.

5. There are no damages to any landowner.
6. None of the benefit factors of Section 112 of the Indiana County Drainage Board Code are excluded:
 - A. The watershed affected by the drain is to be maintained.
 - B. The number of acres in each tract.
 - C. The total volume of water draining into or through the drain to be maintained, and the amount of water contributed by each landowner.
 - D. The land use.
 - E. The increased value accruing to each tract of land from the maintenance.
 - F. Whether the various tracts are adjacent, upland, upstream, or downstream in relation to the main trunk of the drain.
 - G. Elimination or reduction of damage from floods.
 - H. The soil type, and
 - I. Any other factors affecting the maintenance.
7. All landowners who have received notices of the proposed assessment have lands within the watershed.
8. Notices by mail and by newspaper have been properly and timely made as required by the Indiana Drainage Code for public hearings.
9. That any assessment against a railroad should be and is three times the base rate per acre, and any assessment against a county and/or state highway should be and is two times the base rate per acre.
10. That the Surveyor's report to the Board with maps and drawings is received as evidence, approved by the Board, and the facts therein are found to be true.
11. That all of the lands included in the watershed are assessed.
12. That no lands outside the watershed are assessed.
13. That none of the benefits assessed against any landowner are excessive.
14. That no further evidence is required for the Board to make a decision.
15. That all persons desiring to speak, in person or by counsel, have been permitted to present their evidence orally or in writing.
16. That all timely objections, if any, have been heard, discussed, replied to by the Surveyor, and ruled on by the Board.
17. That all persons present have been given adequate opportunity to ask questions of the Surveyor, the Board, or other persons present.
18. That no person has objected to the procedure of the Board during the public hearing.
19. That the Board has jurisdiction of this drain under the Indiana County Drainage Board Code.
20. That the drain is in need of periodic maintenance.
21. That any drains combined into one unit in the public hearing are done so in accordance with the following requirements:
 - A. That the drains are all tiled or all open, or in the alternative, are a combination of tile and open.
 - B. That there is uniformity of topography and soil types throughout the unit.
 - C. That the entire unit represents substantially the same maintenance problem throughout.
 - D. That the drains in said unit can be kept in proper repair at a cost sufficiently uniform as to constitute no substantial inequity for any owner included in the unit.
 - E. That the creation of said unit is economically favorable and feasible with due regard to the expense of maintaining separate records for each drain if no unit were established.

22. That this drain can be made to:

- A. Perform the function for which it was designed and constructed.
- B. To properly drain all affected land under current conditions, by periodically:
 - 1. Cleaning it.
 - 2. Spraying it.
 - 3. Removing obstructions from it, and
 - 4. Making minor repairs to it.

23. That the work proposed by the Surveyor to be performed on this drain:

- A. Does not convert all or part of an open drain to a tiled drain.
- B. Does not convert all or part of a tiled drain to an open drain.
- C. Does not add an open drain to a tile drain.
- D. Does not add a tiled drain to an open drain.
- E. Does not increase the size of a tile, if any.
- F. Does not deepen an open drain, if any.
- G. Does not widen an open drain, if any.
- H. Does not extend the length of the drain.
- I. Does not change the course of the drain.
- J. Does not include the construction of a drainage detention basin.
- K. Does not include the construction of a drainage control dam.
- L. Does not provide for an extensive erosion control structure.
- M. Does not provide for an extensive grade stabilization structure, and
- N. Does not make any major change to a drainage system that would be of public utility.

24. That there has been no credible evidence presented to the Board to vacate the drain.

25. That there has been no evidence that the Board has abandoned the drain.

26. That the Board receives all relevant documentation in the files of the Surveyor and the Board regarding this drain into evidence.

27. That the Board adopts the schedules of assessments as originally filed.

28. That the Administrative Assistant of the Board shall publish notice of the Board's Final Order as required by the Indiana County Drainage Board Code.

29. That the Final Order form of the Board is approved for this drain.

Commissioner Jim Miller moved that the Board approve the Findings of Fact numbers 1 through 29, Findings of Fact listed on Pages 158-160 of the Drainage Board Minutes Book Number 18, and Commissioner Bill Hartman seconded the motion. Chairman Bell asked if there was any discussion, but hearing none, he called for a vote, and the motion was carried.

**FINAL ORDER OF PERIODIC MAINTENANCE OF THE
FRANK YARDE LUNG LATERAL REGULATED DRAIN, NUMBER 27-42-0**

The DeKalb County, Indiana Drainage Board (hereinafter referred to as "Board") now renders its Final Order for periodic maintenance of the FRANK YARDE LUNG LATERAL REGULATED Drain, the same being Number 27-42-0 in the records of the Surveyor of DeKalb County, Indiana. After due consideration of all the reports, evidence, testimony, and other

information presented throughout the course of this proceeding, the Board now enters its FINDINGS:

1. Date of Filing. No petition was filed. The Surveyor of DeKalb County (hereinafter referred to as "Surveyor"), while preparing reports in periodic maintenance for the receiving drain, proceeded to prepare the periodic maintenance report for this drain.
2. Jurisdiction. That the existing drain is regulated, and is within the jurisdiction of this Board, pursuant to I.C. 36-9-27-15.
3. Report of Surveyor. That the Board referred the Frank Yarde Lung Lateral drain herein to the Surveyor to prepare a report pursuant to I.C. 36-9-27-38, which was filed and presented to this Board on the 6th day of November 2025, in the Derald D. Kruse Commissioner's Court, 2nd Floor DeKalb County Courthouse, Auburn, Indiana.
4. Combination of Regulated Drains for Assessment Purposes. No combination made.
5. Schedule of Assessments. That the Surveyor then prepared a schedule of assessments and damages pursuant to I.C. 36-9-27-39, naming each landowner benefited or damaged, his address, percent of total cost to be assessed against each tract of land based upon benefit received, showing the nature of the work to be performed and frequency thereof, and showing the amount of each owner's annual assessment based on the total estimated cost of periodically maintaining said drain.
6. Legal Notice of Hearing. Legal notice of hearing was published pursuant to I.C. 36-9-27-40 as follows:
 - A. In *the Star*, a newspaper of general circulation in DeKalb County, Indiana.
 - B. On October 28, 2025, which date was not less than ten (10) days before the date of said hearing.
 - C. A copy of said published notice is on file in the office of the DeKalb County Surveyor and made a part hereof by this reference.
7. Mailed Notice of Hearing. Notice of hearing was sent on September 29, 2025, by First Class United States mail in a five-day return envelope to each owner of record named in the Surveyor's report and schedule of assessments, which notice was mailed not less than thirty (30) days, nor more than forty (40) days, before said hearing date, all in accordance with I.C. 36-9-27-40.
8. Objections Filed. No objections were filed.
9. Evidence Concerning Objections. No objections were filed.
10. Hearing. A hearing in connection with said improvement was held pursuant to notice on November 6, 2025 at 9:00 a.m., in the Derald D. Kruse Commissioner's Court, 2nd Floor of the DeKalb County Courthouse, Auburn, Indiana, at which hearing the objections were heard and discussed, evidence was heard and considered, the proposed periodic maintenance was explained, and certain landowners were present.
11. Disposition of Objection. No objections were filed.
12. Amendments to Surveyor's Report. Upon the record developed, no amendments were made by the Board to the Surveyor's Report and/or the schedule of assessments.

13. Periodic Maintenance. Said improvement requires periodic maintenance, and the estimated cost of periodically maintaining said drain is \$3,515.16.
14. Type of Improvement. Said drain requires periodic maintenance within the meaning of I.C. 36-9-27-34(a) in that by periodically cleaning out, spraying, removing obstructions, and making minor repairs, the drain will perform the function for which it was designed and constructed, and will be adequate to properly drain all lands affected thereby under existing conditions.
15. Special Assessments. None.
16. Damage Awards. None.
17. Reduced Benefits. None.
18. Grounds for Combination. There was no combination made.
19. FINDINGS OF FACT. After hearing all the evidence presented at the hearing, for and against, the Board made the following findings:

NOW THEREFORE, IT IS ORDERED by the Drainage Board of DeKalb County that:

- A. The Findings of Fact are adopted by the Board as true and accurate for this proceeding.
- B. The report of the Surveyor and the schedules filed herein (including revisions) shall be adopted, and the periodic maintenance assessments shall be established. Copies of the same shall be attached hereto and made a part hereof by this reference; and
- C. A periodic maintenance fund be established under the terms and conditions outlined in the report of the Surveyor (including revisions); and
- D. Public announcement of said order is hereby made at the said hearing on this periodic maintenance assessment; and
- E. The Administrative Assistant of the Board is directed to cause notice of this action to be published immediately in a newspaper of general circulation throughout DeKalb County, Indiana, which notice shall identify the drainage proceedings and state that the Findings and Order of the Board have been filed and are available for inspection in the office of the Surveyor of DeKalb County, all in accordance with and pursuant to I.C. 36-9-27-40(f); and
- F. If judicial review of the Findings and Order of the Board is not requested pursuant to I.C. 36-9-27-106(a) through 36-9-27-108 within twenty (20) days from the date of publication of the aforesaid notice, the Findings and Order shall become conclusive, and the Surveyor shall proceed according to law; and

Dated at Auburn, Indiana, this 6th day of November 2025

Commissioner Kellen Dooley motioned to adopt the petition for periodic maintenance of the Frank Yarde Lung Lateral Drain No. 27-42-0, and Commissioner Jim Miller seconded the motion.

Chairman Bell asked if there was any discussion, and Kellen Dooley clarified his motion. He stated his intent was for the Board and Surveyors Office to approve half collections in January

2026 so there would not be an undue burden on the landowners. Chairman Bruce Bell agreed with half maintenance collections, as did Commissioner Miller and Steve Kelham.

Commissioner Hartman asked about Number 16 in the Facts and Findings which referred to “the schedule of assessments.” Ms. Kruse explained that the assessment referred to the maximum fund of \$12,000 with a base rate of \$51 per acre. Mr. Hartman thanked her for explanation.

Mr. Bell called for a vote to accept the motion to put the Frank Yarde Lung Lateral Drain No. 27-42-0 on periodic maintenance, noting that the Surveyor’s Office would bring its list of drains for maintenance assessment collection in January of 2026, and the Frank Yarde Lung Lateral would be on it for a half collection.

The motion was carried unanimously.


Bruce Bell then said, “I now announce that the board has approved these findings and ordered the drainage project, with instruction to the administrative assistant of the board, to publish notice of the finding and order.” Then, hearing no objections, Chairman Bell adjourned the hearing at 9:39 AM.

DEKALB COUNTY DRAINAGE BOARD

 , Bruce Bell, II, Chairman

 , James Miller, Vice-Chairman

 , Bill Hartman, Member

 , Kellen Dooley, Member

 , Steve Kelham, Member

DEKALB COUNTY DRAINAGE BOARD

DATE 11.06.2025

Name & Contact Information	Petition of Interest
Kelly & Cheryl Shively WAYNE WEWER Chad Trowbridge	Land owner 11 AEP representative

Chairman Bruce Bell reconvened the regular drainage board meeting at 9:39 AM and asked if anyone had any items for discussion. Hearing none, he adjourned the meeting at 9:39 AM.

However, Chad Trowbridge with AEP stated he was late to the Regular Drainage Board Meeting due to a traffic accident on the interstate. He asked if the Board would approve the Utility Permit Agreement for AEP. Therefore, Chairman Bell reopened the regular drainage board meeting at 9:41 AM. He stated that Mr. Trowbridge was in attendance to represent the AEP permit, located at County Road 32 between CR 65 & SR 1 in Butler, IN.

Mr. Trowbridge stated that AEP would install new poles along a ditch. Surveyor Glenn Crawford stated that the poles ran adjacent to an open ditch. He asked Mr. Trowbridge to contact the Office before they began the work. Mr. Trowbridge and Mr. Crawford discussed if the poles would be replaced on the east or west side of County Road 65. Mr. Trowbridge produced a map that showed the poles would run along the east side of CR 65 but still within the drain right of way.

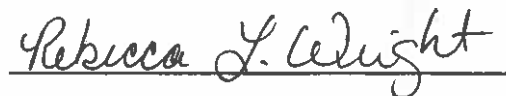
Having finished discussing the permit, Chairman Bell asked for a motion to approve the Utility Permit Agreement for AEP, located at County Road 32 between CR 65 & SR 1 in Butler, IN, in Section 11 of Wilmington Township, along the George Packer Regulated Open Ditch No. 146-00-0.

Commissioner Kellen Dooley motioned to approve the permit and Mr. Steve Kelham seconded the motion. Since there was no further discussion, Chairman Bell called for a vote, and the motion was unanimously carried.

Hearing no objections, Bruce Bell adjourned the regular drainage board meeting at 9:45AM.



Bruce Bell II, Chairman



Rebecca Wright, Drainage Board Secretary

