

**MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF NOVEMBER 12, 2020**

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday November 12<sup>th</sup>, 2020. Answering roll call was Randall J. Deetz; Michael E. Krehl; Donald D. Grogg; Jacqueline R. Rowan and William Hartman.

ALSO PRESENT: Drainage Board Attorney Shannon E. Kruse and Administrative Assistant Brenda Myers.

**APPROVAL OF MINUTES:** A motion was made by Mike Krehl to approve the Minutes of October 29<sup>th</sup>, 2020 as standard minutes taken by the DeKalb County Drainage Board, seconded by Don Grogg, motion carried.

Bill Hartman abstained from the vote as he was not in attendance for the October 29<sup>th</sup> meeting.

**APPROVAL OF CLAIMS:** A letter to transfer funds within the Drainage Board budget to cover cost for additional attorney fees was presented in the amount of \$1,437.50. There is \$1,000.00 budgeted for additional attorney fees so the amount being transferred into that account is \$437.50.

Approval of Claims for November

• STAR newspaper legal notice – No meeting	\$ 3.88
• Attorney Fees November 2020	\$1,295.00
• Attorney Fees December 2020	\$1,295.00
• Additional Attorney Fees for 2020	<u>\$1,437.50</u>
TOTAL	\$4,031.38

Don Grogg moved to approve the claims as presented in the amount of \$4,031.38, seconded by Jacqueline Rowan, motion carried.

**DISCUSSION:** No one is present from the Surveyors office.

Chairman Deetz stated that there are a few decisions that need to be made regarding reconstruction projects. There was discussion regarding proceeding with outside resources on reconstruction projects and then also, the need to meet going forward. The Board is willing to take some initiative as a Drainage Board to hire outside engineering to get some of these projects moving and therefore meeting is beneficial to keep discussions moving forward. In order to proceed, there will need to be good communication between the two entities since outside engineers would need access/help from within the Surveyors office/staff.

Drainage Board Attorney Shannon Kruse stated that an engineer would have to give an hourly rate; they would need to be a licensed land surveyor in the State of Indiana; under Code Section I.C. 36-9-27-32 it states:

- (a) “Whenever the Board finds it necessary to advance the work of construction or reconstruction of a drain, as determined by the long-range plan of the Board that is inconsistent with the degree of the workload of the county surveyor, the Board publicly declare an emergency and shall authorize the employment of an engineer, firm of engineers or land surveyor as a contract deputy to perform the necessary work, including:

- (1) The preparation of the surveyor's report or specified parts of it; and
  - (2) The supervision of the construction or reconstruction.
- (b) A contract deputy shall be employed by contract. Each contract must be for work on a specific drainage project and may be on a per project fee basis or on a per diem basis of compensation.
  - (c) A contract deputy must have the same qualifications as an engineer or surveyor employed or appointed by the board under Section 30 or 31 of this chapter.
  - (d) The original of all plans, specifications and other documents made by a contract deputy in performing the work for which he was employed or facsimiles of them in reproducible form, shall be transmitted to the board and shall be permanently retained by the board or by the surveyor in the manner in which similar documents prepared by the surveyor or the board are retained.
  - (e) The compensation of a contract deputy shall be assessed against the drainage project for which the deputy was employed and may be paid from the general drain improvement fund before the order for the construction or reconstruction.

The consensus of the Board is to fine-tune the long-range plan of the Board and put this into motion before the end of the year.

Don Grogg suggested Butler, Fairman and Seufert Civil Engineers (BF&S) as a resource that the county has hired for projects throughout the county. It has already been determined that the Board is allowed to borrow monies for reconstruction projects.

Bill was asked if the Board should move forward with this or let it go until the first of the year with the new Commissioners in place. Bill stated that with five meetings left and the surveyor being gone, this should move forward now.

Chairman Deetz asked that the long-range plan be updated by coming back next week prepared to put together the priority list; Randy will talk with Mike Kline and Mike Krehl stated that he would go along to talk with the surveyor.

It was again stated that if Commissioner Hartman wants this to wait until January to proceed, that should be noted at the next meeting and this will be put on hold.

Don Grogg stated that this should proceed this year with at least having a plan in place and then the new Board can make their own decision as to how they want to proceed in 2021.

**PLAN COMMISSION PETITION – LEVERTON ADDITION SECTION II:** Present is Jerry Teders, Tri-County Land Surveying on behalf of Frederick W. Robke who is seeking approval of this one-lot subdivision for his granddaughter to build a home.

Chairman Deetz questioned their doing an easement instead of ownership and Jerry stated that the ingress/egress easement along the existing drive is for farm access to the remainder of the farm. The barn will be on the granddaughter's property but there is another barn and shed on the other side along with the old house. Randy stated that historically easements instead of owned right-of-ways becomes problematic as owners change but Jerry stated that in this case, it is part of the lot and the easement is for access to the agricultural activities on the north end of the property.

Surveyor Mike Kline's report as read stated that this property is in the watershed of the *J. P. Ensley Regulated Tile Drain Number 393-00-0*. The plat does not appear to exceed the threshold set by the Drainage Board for additional drainage improvements. This development shall not block off-site drainage across the site. Storm water from this

lot shall be directed onto the parent tract and not onto adjoining tracts. This report is subject to any additional information submitted at the Plan Commission hearing.

NOTE: this drain is not on maintenance, has had problems in the past, and it looks like some of the drain has been removed by the sand and gravel construction extraction from the Irving Sand & Gravel, Inc. property that is south of the proposed plat.

A motion was made by Don Grogg to accept the report of the Surveyor concerning the drainage subject to any new evidence presented at the Plan Commission meeting and requests the Administrative Assistant to pass this decision of the Drainage Board to the Plan Commission, seconded by Bill Hartman, motion carried.

**WILLIAM BICKEL DRAIN NUMBER 133-00-0:** Bill Hartman stated that he has received calls/correspondence regarding the upper end of the Bickel drain, they are wanting to see some action on that.

Chairman Deetz stated that at this time they (Surveyors office) are doing that upper part with maintenance money and that would be totally under the jurisdiction of the Surveyors office.

It was mentioned that the guys from the Surveyors office were out there this week driving along the ditch in DeKalb County.

There being no further business, meeting adjourned.

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Randall J. Deetz, Chairman

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Brenda F. Myers, Administrative Assistant