

**MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF JANUARY 28, 2021**

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday January 28, 2021. Answering roll call was Randall J. Deetz; Michael E. Krehl; William L. Hartman; Mike Watson and Bruce Bell II.

ALSO PRESENT: Drainage Board Attorney Shannon E. Kruse; Administrative Assistant Brenda Myers; Surveyor Mike Kline and office staff Nate Frye.

IN ATTENDANCE: James Deetz; Angela Wallace

**APPROVAL OF MINUTES:** Chairman Deetz stated that there is one correction to the Minutes, it is a verbiage due to a motion being made on the presentation of the bridge over the new road as being an 'as-built' and it was simply a development plan, the City of Auburn was confused by the verbiage so that will be corrected in the minutes as well as a new letter sent. With that correction to the January 21<sup>st</sup>, 2021 Minutes, a motion was made by Mike Watson to approve as standard minutes taken by the DeKalb County Drainage Board, seconded by Bill Hartman, motion carried.

**WILLIAM BICKEL DRAIN NUMBER 133-00-0:** Present is James Deetz requesting an update on this drain and he wanted to express that he feels this project should all be done at one time to get it finished up.

Surveyor Kline reported that most of the survey work is done, still a couple of minor things that his field guys are going to check. Mike said it looks like they can finish the piece across Kenny Hartman's place, he has enough tile to do that and he is going to get quotes for the Board to look at. The project would start on the east line of Hartman's property and where the clay tile is they may have to back up onto Krehl's property to get enough grade, but he wants to dig up on the west line of Hartman's property to find out where the old and new tiles were connected so he knows the elevation for sure and then he can final that out; he can lengthen or shorten that once he has a per foot price and this will all be done with maintenance money as Mike felt this close enough to meet the requirements of maintenance. Mike said he will bring the Board a plan showing everything that is there, what he thinks needs to be done at the top end and what they can do with that, the main drain and the lateral. At the same time he will put together a cost estimate and he has already talked to Randy Sexton, so he wants to get with him next week and show him what is happening. Once that happens a Joint Board meeting will need to be held. On the Krehl property from the west line to where they connected from what Mike is getting, that is pretty steep so he may only have to go back a pipe or two to get what he needs to get across Hartman's, if he has to go further he may have to purchase more pipe. Mike was asked if he knew the condition of the tile and he said only hearsay; it was suggested that he run a camera up through the existing tile on Wible's when the new tile is installed so they can see what condition it is in without digging it up. Chairman Deetz asked that a courtesy call or text be made to Jim Deetz when this is going to be discussed/presented by the Surveyor.

Surveyor Kline asked for a week or two to get quotes and prepare this to bring back to the Board.

Surveyor Kline was asked if he knew an approximate cost for going across Kenny Hartman's and he said that he would think \$10-\$12.00 per foot for installation and then additional costs associated with the project.

Mike Krehl suggested that it would be better to plan on replacing all of that in one swoop because if it is clay tile it has to have a lot of age on it.

Surveyor Kline stated that the only problem is he has \$29,000 available, the drain collects \$8,000 per year, so the Board would have to approve placing the drain (fund) in the red if that happens.

James Deetz said that Noble County had been promised that DeKalb County was going to take care of that (portion in their county) once the ditch was put through his property; he didn't think there would be an issue so long as Noble County knows that there is a plan already worked out to finish that.

Surveyor Kline stated that some of this can be done under maintenance money but in Noble County that will all have to be done through a reconstruction because that is going to be expensive. The plan can be prepared but a hearing would have to be held with the Joint Board. Mike said that there is 18" pipe that has to go down around the wetlands and over to the end of where they originally were a long time ago and that will take a lot of pipe and will be expensive; then there is the 12" lateral that needs to be lowered and there needs to be cover up at the end so they can get that piece taken care of, but Jim Deetz said he (Mike) should talk to Denny, he doesn't want that all replaced, only to the woods. Mike said it bothers him that the end of the pipe is open and it is all bare ground so everything is going in to the pipe; there needs to be structures in place to keep debris out.

Jim Deetz asked Mike if he realized that he was the one who opened that up, that the DeKalb County Surveyors' Office is who opened that up; Mike said he could believe that but argued that he didn't recall it being done under his direction. Jim said that Mike was the surveyor of record when that took place.

**PLAN COMMISSION PETITION – REPLAT OF LOTS 12, 13, 16, 17 and 18 of HEARTHSTONE SECTION II:** Present is Angela Wallace, Compass Land Surveying looking to do a replat of these lots. Ms. Wallace stated that they are doing a portion of the existing Lot 16, south of the water area, the owner of 16 is going to transfer that to the owner of Lot 12 and 13, so they are recreating the parcel line between those tracts; they will then combine Lots 12 and 13 as one lot to become Lot 12. For Lots 16, 17 and 18 they are combining all of those together as one lot. The new Lot 12 consists of 3.9 acres and the new Lot 13 is 12.6 acres.

Chairman Deetz noted a letter to the DeKalb County Plan Commission (1994, October 31). [Letter to Board Members]. Drainage Board Minute Book #5, page 473).

Surveyor Kline stated that there are no major changes, this is combining lots so no building sites are being created and this is actually reducing the amount of hard surface. The Board just needs to confirm to the Plan Commission that there are no new drainage requirements; that the original requirements still hold.

Chairman Deetz questioned verbiage regarding the small pond and an easement or offsite drain.

Surveyor Kline stated that the pond on Lot 17, there is an easement all the way across the back of that lot; there is an easement along the property line between lots 14, 15 and 16, as well as other easements there. Mike did not know where the tile goes, but he has not heard of their being any issues, this has been established and there are no complaints.

Ms. Wallace stated that there is an outlet for the pond at the southeast corner.

A motion was made by Mike Krehl to reaffirm the recommendation to the DeKalb County Plan Commission (1994, October 31). [Letter to Board Members].

Drainage Board Minute Book #5, page 473), regarding Hearthstone Section II and the combination of lots, 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 Bruce Bell II, motion carried.

**BUTLER CITY DRAIN NUMBER 200-00-0:** Information was received by Dean Malcolm for the loss he sustained with crop damages due to the Butler City drain reconstruction project as follows:

2018

Field Avg: 56 bpa

Area that was affected: 20 bpa

Lost bushels: 36 bpa

Acres affected: 6.6

Average marketed price: \$9.78

Loss Revenue:  $\$9.78 \times 36 = \$352.08/\text{ac}$

**Total Loss 2018:  $6.6 \text{ acres} \times \$352.08 = \$2,323.73$**

2019 Lost Recovery

$\$352.08 \times 50\% = \$176.04/\text{ac}$

**Total loss 2019:  $6.6 \times \$176.04 = \$1,161.86$**

2020 Lost Recovery

$\$352.08 \times 25\% = \$88.02/\text{Ac}$

**Total loss 2020:  $6.6 \times \$88.02 = \$580.93$**

**Total Loss Recovery =  $\$4,066.52$**

A motion was made by Bill Hartman to approve paying this crop damage to Dean Malcolm in the amount of \$4,066.52 from the maintenance fund of the Butler City Drain Number 200-00-0, seconded by Mike Watson, motion carried.

An explanation was given to the new Board members on the Shook property and the 'Tort Claim' that was filed. Attorney Kruse will look at the timeline and then advise on how to proceed.

**SURVEYORS OFFICE CLAIMS:** The claims were presented and reviewed. No action was necessary by the Drainage Board.

**DRAIN RECONSTRUCTION PROJECTS 2021:** The Surveyors office was asked if they had a list of reconstruction projects that they were focusing on for 2021, they did not have anything other than the list the Board had Brenda prepare back in 2020. Mike Kline said right now they are on the *Fritz Bartels (408-00-0)* project; the *C. B. Kagey (225-00-0)* due to the fact that money (\$80,000) was pledged by Mary Jo Diehl and another landowner so he is trying to come up with the final cost and final design and then if that will work, do a Consent and Waiver, and if not a public hearing will be held; a meeting will be held next week on the *Fred Groscup Jr. (335-00-0)* so that can be finished up. Mike said his office has not looked beyond these three, he wants to get that presented for the Board's approval and then look at what other drains they want to do. Mike said he will then bring the Board a list so he knows how the Board wants the others addressed.

Mike said he is receiving new petitions for reconstruction and he has several that aren't on the list that have to be done so some of those are going to need to go on the list too. Mike Krehl asked that a new list be prepared soon or this one adjusted.

There being no further business, meeting adjourned.

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Randall J. Deetz, Chairman

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Brenda F. Myers, Administrative Assistant