

**MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF FEBRUARY 4, 2021**

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday February 4, 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 staff members Troy Bungard and Nathan Frye.

IN ATTENDANCE: James Deetz; Mackenzie Gardner; Herous Manoukian

**APPROVAL OF MINUTES:** A motion was made by Mike Watson to approve the Minutes of January 28<sup>th</sup>, 2021 with one correction as noted, as standard minutes taken by the DeKalb County Drainage Board, seconded by Mike Krehl, motion carried.

**APPROVAL OF CLAIM:** A claim in the amount of \$1,295.00 for Drainage Board Attorney Fees for the month of February was presented.

A motion was made by Bill Hartman to approve the claim as presented in the amount of \$1,295.00, seconded by Bruce Bell II, motion carried.

**SURVEYORS REPORT:** The quotes on the *Guy Platter Drain Number 112-00-0* Reconstruction project were presented as follows:

CONTRACTOR	ROAD CROSSING	PROJECT
Clifford Excavating	\$ 1,750.00	\$ 23,785.25
Knott Excavating, Inc.	\$ 1,600.00	\$ 11,026.79
Krafft Excavating	\$ 1,250.00	\$ 22,768.07
Tri-County Excavating	\$ 1,800.00	\$ 26,730.00

Chairman Deetz asked if the Surveyors' office had time to look these over and Nathan said he just opened these this morning in the Surveyors' office and didn't have time to calculate them. Randy asked that a spreadsheet be presented at the next meeting and one given to Brenda so it can be noted in the minutes.

Nate said considering that the one quote is so much less than the rest, he would like to review these closer and bring them back to the Board.

Surveyor Mike Kline asked that he be given a week to calculate the quotes and bring them back in one week to be awarded.

Mike Krehl asked that when these are brought back to the Board that a description of the project and location be presented on the projector.

Bill questioned if an estimate had ever been received for the boring and Nate said based on the Eric Morris project we were looking at \$20,000-\$25,000 for the boring and that wouldn't include the cost to detour and things like that; the bottom line is, it's up to the State on how they want to do it.

Nate said the conclusion 'they' came to is, the way they are bidding it now allows them to get the tile in the ground and deal with the State crossing when they can. They are lowering the crossing pipe just less than 2' so the connection they put in will work but not be left like that.

It was questioned if there were estimates given on boring this and Nate said he only based the cost of what that *might cost* based on what the Eric Morris project would have cost,

and that was approximately \$20,000-\$25,000. No estimates were requested by the Surveyors' office.

The consensus of the Board was that the Board take these bids under advisement for a report from the County Surveyor until the next Drainage Board meeting.

**UTILITY PERMIT REQUEST – CITY OF AUBURN WATER DEPARTMENT:** The Utility Permit request presented is to construct the permanent improvement within or across the Indiana Statutory drainage easement granted to the Board for a project known as: Lenora Lane Water Main.

The county regulated drain involved: *William Peckhart Drain Number 22-00-0*

**UTILITY PERMIT REQUEST – CITY OF AUBURN WATER POLLUTION CONTROL DEPARTMENT:** The utility permit request is to construct the permanent improvement within or across the Indiana Statutory drainage easement granted to the Board for a project known as: Lenora Lane Sanitary Sewer and Storm Sewer Mains.

The county regulated drain involved: *William Peckhart Drain Number 22-00-0*

Both of the above-mentioned City Departments will provide to the DeKalb County Surveyor's Office on behalf of the Board a complete set of 'as-built' drawings and maps after the utility project is completed showing all regulated drain crossings.

It was questioned if this will be close to the proposed bridge and Surveyor Kline stated that this is in the right-of-way that the City has for the bridge and their street and he has talked to the City and the engineers and found they should not have to worry about anything, he has the 'as-built' on file.

Bill Hartman moved that the Board approve the two Utility Permits for the City of Auburn entities for drain crossings in regard to the above drain and to authorize the Chairman to sign on behalf of the Board, seconded by Mike Watson, motion carried.

**INFORMATIONAL:** Nathan Frye stated that with the audits that Susan Sleeper (Auditor's office) had worked on with the maintenance funds, she had three accounts that had been paid from their maintenance funds that should have been paid from their reconstruction funds. The request of transfers is as follows:

*James Pignognot Drain Number 1908-00-0* a transfer of \$340.00 to the maintenance fund from the General Drain Fund to cover an accounting error.

*Frank Nelson Drain Number 3005-00-0* a transfer of \$3,377.24 to the maintenance fund from the General Drain Improvement Fund.

*Town of Ashley Lateral 2 Drain Number 3650-02-0* a transfer of \$13,910.00 to the maintenance fund from the General Drain Improvement Fund.

These are internal audits to clean up the accounts, there is no money actually owed to other counties according to Nate.

Mike Watson moved to make the transfers as requested, seconded by Bruce Bell II.

Mike Krehl questioned the \$13,910.00 due to that being a big amount with no real explanation. Attorney Kruse questioned the Frank Nelson having been a drain that DeKalb County owed Steuben County for, but Nate could not verify and stated that Susan would need to be questioned on that.

With the concerns stated, Mike Krehl voted nay.

**RECONSTRUCTION PROJECTS LIST:** Surveyor Kline presented the 'projects list' stating that they updated the original reconstruction list into *Completed Projects; Active Projects; Pending Projects; Future Projects*. This list does not include petitions that the

Surveyor had previously stated have been coming into the office consisting of half a dozen or more.

**WILLIAM BICKEL DRAIN NUMBER 133-00-0:** A map depicting the route of the drain and the proposed project was shown on the projector. Mike said it has been discussed doing some repair work on this drain under the maintenance agreement. Mike stated that Jim Deetz had stated that from the west line of the Krehl property over to the second standpipe, that was all clay tile and needs replaced, from there on, it was all newer plastic tile; what he has done is shot the two standpipes, ran some grades and originally between the standpipe and all the way over to the end of the tile that they took shots on, there was a 0.54% grade on that; Mike said he is looking at replacing all of that with a new tile. There is a total of 1,985' from a property line shown, over to a standpipe shown on the map. There is just under 800' of tile laying there on the ground and they would need an additional 1,187' of tile to get to the standpipe and in coming up with a cost estimate for that, there is the additional tile, the installation of the tile and stone; when he put that together he comes up with \$55,600.00. Taking out the tile (cost) that they have already and the remaining funds in the maintenance, they would be \$30,700.00 in the red; this drain collects approximately \$8,000.00 per year so the drain would stand in the red four to five years. Mike said he would need the Boards approval to move ahead with the project and stated that are two ways to proceed: 1) put in the tile that is on-site and stop there, or 2) they can put in the entire section with the fund going in the red, or 3) this can be included in a reconstruction project, whatever the Board prefers. From the road down to the standpipe, that is a .14% grade, so what he did was run from a point certain over to the standpipe at a .3% grade which puts him about 3' lower than the existing tile, but if the tile from that point to the road had to be replaced in the future, that would give a .3% grade on that. Mike asked for direction from the Board as to whether they want to do the whole project putting the maintenance fund in the red, or if they have a different idea as to what they want to do.

Drainage Board Attorney Shannon Kruse reminded the surveyor that this is a joint drain. Shannon wanted to clarify that the dotted line as shown on the map being presented is what the records show as to the location of the tile but that isn't actually where it was put in, and this would not be changing the course of the drain, it would be correcting reality versus the records and Surveyor Kline stated that is correct.

Surveyor Kline said he is wanting to get a feel from this Board prior to sitting down with Randy Sexton. Mike said if this is done under maintenance, he can go ahead and spend the maintenance money, that doesn't require a joint meeting because DeKalb is the lead county. Mike said there is five million dollars (\$5,000,000.00) setting in the maintenance fund and he was told by State Board of Accounts that they didn't have a problem if we borrowed with a set time-table for paying it back.

Chairman Deetz asked if this would take this all the way up through Noble County and fixes the problems.

Surveyor Kline said no, all he would be doing is starting at a point certain and coming over to a standpipe where he was told the clay tile ends, they would just be replacing that piece of clay tile.

Attorney Kruse read into record the 18 criteria for placing a maintenance drain fund in the red and this was adopted in 1995 in order to be consistent. Shannon recommended that this be a Joint Board decision.

Chairman Deetz asked the Board their opinions as to how to proceed with the recommendation to the Joint Board: Bill Hartman wanted the whole project done putting the maintenance fund in the red \$30,000. Randy said his dialogue isn't with putting the drain in the red and getting it done, but we need to be prepared to move ahead with the reconstruction of the top end to get that done. Mike Krehl felt it important to have a plan for the entire drain, get the tile replaced but be prepared to get the upper end taken care of.

Surveyor Kline stated that the cost with the tile, stone and installation, and a 10% contingency fee comes out to \$104,327.00 and that equates to \$90.32 per acre for the watershed; there are 1,155 (slightly more) acres in that watershed. If a reconstruction were to take place and divided it up over the watershed it would come out to \$90.32 per acre. This amount includes rebuilding the lateral as it is sitting on top of the ground and there should be 3-4' of cover on that.

Chairman Deetz said there is a consensus for this to be taken to the Joint Board, that we are in favor of doing the pipe that is on the ground in that first part with maintenance money, with putting the maintenance drain fund in the red with the Joint Board deciding on that, with the reassurance that we will be coming back and the timeline for a reconstruction of the upper end.

Surveyor Kline said he is going to get in touch with Surveyor Randy Sexton and share all of this with him so he can then talk with some of the landowners who have faith in him. This can then be shared with the Joint Board. Mike will discuss the maintenance matter with Randy Sexton who can share those thoughts with his Board members.

Chairman Deetz asked that if anyone present had anything more to share, to do that privately with Mike Kline since the meeting was running behind.

James Deetz was asked if he had anything more and he said he did have a couple of things but that he would talk privately with Mike Kline.

**PLAN COMMISSION PETITION – COPPER RIDGE ESTATES:** Present is Herous Manoukian, Sauer Land Surveying with minor changes. They will still be picking up every lot without exception, the only thing is there was a concern in regards to wetlands. Army Corp contacted them and they have agreed that what is being proposed can be done but they have to go through the permit process which will take months, so they decided to come where the roadway is and bring their swale upfront by the roadway and drain into the same location.

Surveyor Kline stated that originally when they were doing this, the water was going to the north and through the low area coming into the tile outlet; with this being the low area they have taken all of the water and brought it down the driveway and over in a different position than where they were. It is not going to the north, it is going down the driveway and over to our county drain.

Chairman Deetz asked if it was catching what it was and Herous stated that they are maintaining the same amount of drainage, and that was the concern, they are picking up downspouts and taking it away.

Surveyor Kline said this needs to be approved so the plat can be released.

A motion was made by Bill Hartman to accept the report of the Surveyor concerning the Revised Drainage Plan for the Copper Ridge Estates as dated January 20<sup>th</sup>, 2021 based on the plans and calculations as presented, 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.

**DRAIN VARIANCE – CLIFF METCALF DRAIN NUMBER 83-00-0:** Present is Mackenzie Gardner 1228 McIntyre Drive, Auburn Indiana with a request of approval for a 6' privacy fence, a gate opening would be installed at the creek for easy maintenance of the ditch. The fence would be ten feet (10') from the top of the bank.

It was noted that this is within the city limits and this has been established as an urban drain which has a twenty-five foot right-of-way on both sides of the open drain.

Surveyor Kline stated that this drain is very contentious in that there are many objects in the right-of-way of the drain; this drain will need to be cleaned out in the next few years as it has been neglected for the past 6-7 years.

Mike Krehl moved that based upon the facts stated and the recommendation of the Surveyor, that the Board approve executing a variance, to be no closer than ten (10') feet of the Cliff Metcalf Drain Number 83-00-0, seconded by Bruce Bell II.

There being no further business, meeting adjourned.

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Randall J. Deetz, Chairman

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Brenda F. Myers, Administrative Assistant