

**DEKALB COUNTY DRAINAGE BOARD MEETING**

February 24, 2022

**Drainage Commissioners Present:**

Michael V. Watson, Chairman  
Bruce Bell, II, Vice-Chair  
William L. Hartman, Member  
Sandra M. Harrison, Member

**Others Present:**

Michael C. Kline, County Surveyor  
Nathan Frye, First Deputy Surveyor  
Michelle Lassiter, Sec. /Drainage Board Admin. Asst.  
Shannon Kruse, Attorney

**Guests:**

Tom Miller  
Richard Rudolph  
John & Rebecca Fortman  
Jerry Teders

**Absent:**

James A. Miller, Member

Chairman Mike Watson called the regular meeting of the DeKalb County Drainage Board to order at 8:00 a.m.

**APPROVAL OF MINUTES**

A motion was made by Sandy Harrison to approve the Minutes of February 17, 2022, as the standard minutes of the DeKalb County Drainage Board. The motion was seconded by Bruce Bell, II, the motion carried.

**MOCKINGBIRD HAVEN SUBDIVISION – WILLIAM PECKHART OPEN DRAIN NO. 22-00-0:**

Jerry Teders of Tri-County Land Surveying, P.C. presented the Mockingbird Haven Subdivision, on behalf of owners Judith A. Pepple. The Plat of the Mockingbird Haven subdivision, a one-lot, 2.57-acre subdivision, as submitted by Jerry Teders of Tri-County Land Surveying, P.C. This subdivision is located in the Southwest Quarter, Section 8, T34N, R13E, Grant Township, and within the watershed of the William Peckhart Regulated Open Drain No. 22-00-0.

The Board accepted the Surveyor's Drainage Report, which stated "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. Stormwater 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."

Bill Hartman moved to approve the drainage plan dated 02.17.2022, and presented by Jerry Teders, with the Surveyor's recommendations, sending a favorable recommendation to the DeKalb County Plan Commission, the motion was seconded by Bruce Bell, II, motion carried.

**HARTWIG ADDITION – ADAM DEETZ OPEN DRAIN NO. 5178-00-0** – Jerry Teders of Tri-County Land Surveying, P.C. presented the Mockingbird Haven Subdivision, on behalf of owners Greg and Tammy Hartwig. The Plat of the Hartwig Addition subdivision, a one-lot, 2.37-acre subdivision, as submitted by Jerry Teders of Tri-County Land Surveying, P.C. This subdivision is located in the Southwest Quarter, Section 3, T35N, R12E, Fairfield Township, and within the watershed of the Adam Deetz Regulated Open Drain No. 5178-00-0 through Story Lake.

The Board accepted the Surveyor's Drainage Report, which stated "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. Stormwater 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. I would ask the Drainage Board to add a

condition to the approval for this plat that states, "If a drainage issue arises between the owner of this lot and any of the adjoining lot owners. It is the responsibility of the owner of this lot to work with the DeKalb County Surveyor and Drainage Board to correct the drainage issues to the satisfaction of said Surveyor's Office and Drainage Board."

Sandy Harrison moved to approve the drainage plan dated 02.15.2022, and presented by Jerry Teders, with the Surveyor's recommendations, sending a favorable recommendation to the DeKalb County Plan Commission with the inclusion of the condition "If a drainage issue arises between the owner of this lot and any of the adjoining lot owners. It is the responsibility of the owner of this lot to work with the DeKalb County Surveyor and Drainage Board to correct the drainage issues to the satisfaction of said Surveyor's Office and Drainage Board.", motion was seconded by Bruce Bell, II, motion carried.

Mr. Kline explained to the Board that since DeKalb County didn't have a county drainage ordinance the County Surveyor and Drainage Board had to rely on the County Plan Commission to include conditions on a plat and/or in their Plan Commission's conditions of approval of a plat. Mr. Kline explained that other counties have drainage ordinances giving the Surveyor and Drainage Board enforcement authority, with penalties and other steps, as well as the ability to charge fees for plan review to help build funds for maintenance.

#### **GUEST COMMUNICATIONS**

*PRIVATE DRAINAGE ISSUES:* Richard Rudolph of 3308 County Road 35, Waterloo, spoke to the Drainage Board regarding flooding issues he was experiencing. Mr. Rudolph explained that he had a neighbor with an open-loop geothermal that is running onto his property keeping his fields wet. Mr. Rudolph stated he had pattern tiled his field which had somewhat helped. Mr. Rudolph went on to inform the Board Frontier Communication had some years ago replaced lines in the road right-of-way across from his property, damaging a private tile in the process. Frontier had helped repair a portion of the tile shortly afterward. However, there was another section failing. The County Highway had looked at the tile and helped to determine the tile was blocked approximately thirty feet downstream. The Board explained to Mr. Rudolph his issues were private civil matters with which the Board was unable to help Mr. Rudolph. It was suggested that Mr. Rudolph check with the Indiana Utility Regulatory Commission or the Indiana Farm Bureau to see if one of those entities could help.

*E. P. GRIFFIN TILE DRAIN NO. 224-00-0:* John and Rebecca Fortman of 1986 County Road 68, Auburn reported their yard was once again underwater due to the E. P. Griffin Drain not working properly. Mr. Kline explained that he was aware of the problem and was working to address the issues. His field staff was getting elevation shots that day. Field staff would be getting elevation shots in the creek as soon as it was possible to do so to help determine how to get the outlet into the creek working better. Mr. Kline believed the drain under County Road 19 wasn't working properly, but it wasn't possible to work on it when it was in standing water and muddy. Mr. Kline planned on having a contractor work on it as soon as the conditions improved.

#### **SURVEYOR'S REPORT**

Mr. Watson asked for the Surveyor's Report, Mr. Kline provided the following information:

**MOSSBERG INDUSTRIES GARRETT – FRED GROSCUP NORTH DRAIN NO. 352-60-0:** Mr. Kline informed the Board that Mossberg Industries in Garrett had sent plans to him for the reconstruction of the Fred Groscup North Drain that did not meet the required construction detail nor did the plans meet the criteria approved by the Board. Mr. Kline sent a notice to Milton Otero,

Garrett Planning Director informing him the Mossberg Industries drainage plan approval was null and void due to the most current set of plans not meeting construction requirements. Since that time Mossberg's architect has sent a new set of plans showing what was originally approved by the Board and Surveyor. Mr. Kline was asking the Board to rescind the previous plan approval and approve plans dated 02.15.2022.

Bill Hartman moved to rescind the drainage plan approval previously granted to Mossberg Industries in Garrett and to approve the drainage plan dated 02.15.2022. Bruce Bell, II seconded the motion, motion carried.

**WILLIAM BICKEL TILE DRAIN NO. 133-00-0:** Mr. Kline stated he had been working on information for Public Hearing to be held on Monday, February 28, 2022, at the Joint DeKalb County/Noble County Drainage Board meeting regarding the William Bickel Drain Phase 2 Reconstruction. Mr. Kline stated the Joint Board would not be able to approve any plans as there had not been a 368 meeting with the Army Corps of Engineers, IDEM, and IDNR as yet.

Mr. Kline explained IDEM wanted a wetland delineation. However, Mr. Kline was hopeful the Army Corps of Engineers would determine the area was waters of the nation and fell under the Army Corps. Mr. Kline explained if the Army Corps took jurisdiction it would make the reconstruction easier, as the Corps would tell the county where the drain could go, and how it had to be constructed. IDEM wasn't as easy to work with. IDEM just wanted to sit back and wait for an infraction to sanction.

Mr. Kline stated that if the county were permitted to reconstruct the tile through the wetland, the tile would have to be solid piping with seals, placed at the same elevation as the original tile, without any stone, and no lateral tie-ins would be permitted.

**JOINT DEKALB/NOBLE COUNTY DRAINAGE BOARD MEMBERSHIP:** Mr. Watson asked Bruce Bell, II to take his seat on the Noble County Joint Drainage Board. Mr. Watson stated he found himself on too many Boards.

**LEVI DENNISON DRAIN NO. 317-00-0:** Mr. Bell asked if Mr. Larry Kummer had been contacted regarding the reconstruction plans for the Levi Dennison Drain. Mr. Kline stated that yes, the office had been in contact with Mr. Kummer via email. Mr. Kummer was upset the consultant had not involved him in project beginnings. Mr. Kummer wanted the drain to go under the gas pipeline. Mr. Kline explained that was impossible, as the gas company required the drain to be either two feet above or below the pipeline. Going above the pipeline put the drain too high and going below the pipeline put the drain too low. Mr. Kline was to speak with Mr. Kummer to see if they could come to a compromise. Mr. Kline believed his office staff could put the plans together more quickly than Gensic Engineering with the drain being in the ground by the end of the year. Mr. Kline stated he designed drains with the intent for them to last 75 to 100 years.

The Board stated the Levi Dennison was a test project for working with outside consultants. Mr. Kline stated he would be discussing the procedures for drain reconstructions. Additionally, Mr. Kline asked the Board to hold a discussion as to who would be completing the Levi Dennison project.

## **DISCUSSION**

Mr. Hartman asked about the *C. B. KAGEY DRAIN NO. 225-00-0* reconstruction. Mr. Kline stated the materials were onsite. Knott Excavating was waiting on the weather situation to improve, as the drain was underwater.

Mr. Bell asked for Mr. Kline's opinion regarding hiring outside engineering consultants for drain reconstructions. Mr. Kline responded that most engineering firms were good at designing city storm sewers, but county-regulated drains were a different situation requiring different criteria. It was discussed whether it would be helpful to have the Surveyor's staff do the preliminary work and an outside firm to the final design and drawings. There was to be more discussion on the topic in the future.

Mr. Kline was asked what the number one priority of the Surveyor's Office was. Mr. Kline responded it was hard to pinpoint one item. His office had many facets. Mr. Kline's office was currently working on three sets of reconstruction plans, one being the *E. P. GRIFFIN DRAIN NO. 224-00-0*. This drain had ten-foot of fall in the system, with *CEDAR CREEK DRAIN NO. 470-00-0* being a challenge to completing the plans. Don Lewis of Water Ops was going to help to obtain elevation shots of the creek. The other issue with this drain was there not being enough money in the maintenance account for dipping. Mr. Kline may need to ask the Board to approve for the account to go into the red.

Mr. Kline stated his office was responsible for putting together the list of drains to be assessed for the year. The process used to take fourth months for his office to complete the task by hand. First Deputy, Nathan Frye, had computerized the process, but it still took four to six weeks to complete. The information had to be to the County Auditor and County Treasurer by March 10<sup>th</sup>.

Mr. Kline went on to explain his office was also working on getting the information together for spray packages to be sent out to contractors to bid on for the next three-year contract. Spraying usually took place in June and July. Before the spraying could be done his office also had to arrange for the drains to be brushed and cleared.

Mr. Kline was asked about the composition of his office staff and their duties. Mr. Kline replied he had to field inspectors who took care of scheduling and inspecting maintenance on drains, inspecting drains for which the office received complaints, and oversaw reconstruction sites. He had a CAD technician to draw maps, and reconstruction details. His First Deputy worked with project management, helped to direct the field inspectors, worked on drain assessment and other management duties. The office manager helped to coordinate the day-to-day management of the office and to take care of the Drainage Board office duties. All staff when in the office answered phone calls and assisted citizens as they walked into the office. The part-time clerk position was not filled due to the low unemployment rate in the area making it difficult to locate someone with the required skillsets for computer programs. Mr. Kline felt the office could use another CAD technician which could free up the current CAD technician, Troy Bungard, to help the field inspectors with outside work.

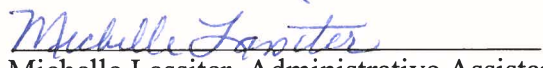
*JOHN KETCHAM DRAIN NO. 334-00-0*: Mr. Kline informed the Board of the drain report paid for by the City of Auburn was completed. It was a boilerplate report that was pretty useless. Mr. Kline was already aware of most of the information contained in the report. Mr. Kline was going to continue reviewing the report and come back to the Board with some suggestions regarding this drain.

Mr. Kline stated he had met with an INDOT representative regarding the replacement of bridges and culverts in DeKalb County. During that discussion, Mr. Kline had asked to have the stormwater from I-69 sent west to the county-owned pond to relieve some of the City of Auburn's flooding issues on the east side of the interstate. Mr. Kline did not believe road salt would cause any major detrimental issues to the pond's ecological environment.

There being no further business, the meeting adjourned at 9:51 a.m.

A handwritten signature in black ink, appearing to read "Michael V. Watson", written over a horizontal line.

Michael V. Watson, Chairman

A handwritten signature in blue ink, appearing to read "Michelle Lassiter", written over a horizontal line.

Michelle Lassiter, Administrative Assistant