

DEKALB COUNTY DRAINAGE BOARD MEETING

June 2, 2022

Drainage Commissioners Present:

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

Others Present:

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

Guests:

Troy Akerman

Absent: None

Chairman Mike Watson called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m.

APPROVAL OF MINUTES

A motion was made by Jim Miller to approve the Minutes of May 26, 2022, as presented, as the standard minutes of the DeKalb County Drainage Board. The motion was seconded by Sandy Harrison, and the motion was carried.

UTILITY PERMITS

EVERSTREAM SOLUTIONS, LLC: Mr. Kline presented a request from Everstream Solutions, LLC for two utility permits. One permit for the installation of conduit and fiber optics along the east side of County Road 51 between County Road 68 & State Road 8 and the second for the installation of conduit and fiber optics along the south side of County Road 68 between County Road 55 & County Road 51 crossing multiple drains; *James Goings Open Drain No. 113-00-0, James Goings Tile Drain No. 113-20-0, James Goings Lateral 1 Tile Drain No. 113-21-0, James Goings Lateral 2 Tile Drain No. 113-22-0, Daniel Hursey South Open Drain No. 48-80-0, James Ricketts Tile Drain No. 370-00-0, W. E. Swanders Open Drain No. 107-00-0, Daniel Hursey North Open Drain No. 48-60-0, Daniel Baker Lateral 1 Tile Drain No. 201-01-0, Daniel Baker Lateral 1 Spur 1 Tile Drain No. 201-01-1, Daniel Baker Tile Drain No. 201-00-0, William Bleeks Lateral 1 Tile Drain No. 445-01-0, William Bleeks Tile Drain No. 445-00-0, Frank Sebert Tile Drain No. 75-00-0 Henry Beams Lateral 2 Tile Drain No. 205-02-0, Henry Beams Lateral 3 Spur 1 Tile Drain No. 205-03-1, Henry Beams Lateral 3 Tile Drain No. 205-03-0, James Goings Open Drain No. 113-00-0.*

Mr. Kline stated that he had no issues with directional boring in regards to open drains. Mr. Kline stated that his office had issues in the past with utility companies compromising tile drains with directional boring. It was explained that Ms. Kruse had worked with Everstream to clarify the language regarding assignment as the company had concerns should there be a sell-off or merger. Mr. Kline stated he recommended the Board approve the utility permits.

The information discussed was that the utility infrastructure would be owned by Everstream which was an internet company based in Ohio that was expanding into Indiana, and allowing Verizon to lease bandwidth. The Surveyor's Office did not have staffing for inspectors to stay on-site to watch utility installations. The staff would drive to the site to check on the progress. There was language in the utility agreement that should the utility company not follow the agreement the Board could deny future permits. Utilities were to be installed either two feet above or below the drain tile. Board members requested Ms. Kruse to develop language requiring a bond or certificate of liability insurance from utility companies.

Jim Miller moved to table the utility permits for Everstream Solutions, LLC until the language of the utility permit agreement is updated and signed by the company management. Sandy Harrison seconded the motion, and the motion carried.

DISCUSSION

Mr. Watson provided copies of an email and photo that Lynn Reinhart had sent to Mr. Watson. The email was regarding the *Charles Kaellner Tile Drain No. 432-00-0* in the area of County Road 71 and County Road 44. Mr. Reinhart believed the drain was plugged. The picture provided was of a standpipe failure in the road right-of-way on the west side of County Road 71. Mr. Kline stated he would have his inspectors look at the site to determine if the standpipe was part of the county-regulated drain or part of the road drainage system, and have the standpipe repaired. Mr. Kline stated that should the drainage system in question turn out to be a private one, it would fall back to the landowner to correct the issue. Mr. Kline stated that the *Charles Kaellner Drain No. 432-00-0* was not on maintenance and there were no funds available for repairs.

Mr. Kline informed the Board the last landowner notices for the 2022 spray package had been mailed. The spraying was done to reduce vegetative growth over, in, and along the county-regulated drains to help keep the drains opened and working. The office had received several calls from landowners who were concerned with spraying. Mr. Kline stated that the solution sprayed by Right of Way Management was approved by the FDA for use around organic fields. The spray kills invasive plant species and there were State Codes that required invasive plants to be eradicated. It was suggested that the DeKalb County chapter of the Indiana Farm Bureau be approached to request it sponsor an educational session for county citizens to teach the importance and specifics regarding clearing and spraying the county-regulated drains.

BID OPENING

At 9:00 a.m. Mr. Kline began opening the bids submitted for the reconstruction of the *Fred Groscup Jr Tile Drain No. 335-00-0*. There were two labor bids from Knott Excavating and Tri-County Excavating and four materials bids from Hixson Sand & Gravel, Baughman Tile, Midwest Tile, and Pulver Asphalt dba Wolf Lake Gravel. It was noted that Hixson Sand & Gravel had stated that they would not provide gravel if they were not providing tile. It was further noted that the City of Auburn had agreed to pay for the structures and upsizing of the tile and the County would pay for the reconstruction. It was decided that Mr. Kline would fill out a complete bid tab document and bring it back to the Board for awarding the contracts for the drain reconstruction project.

Jim Miller made a motion to take the bids under advisement to be discussed at the next meeting. Sandy Harrison seconded the motion, and the motion carried.

SURVEYOR'S REPORT

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

JOHN KETCHAM TILE DRAIN NO. 344-00-0: Mr. Kline informed the Board he had received a call from an engineer working with Pizza Hut regarding a building demolition and rebuild project. Pizza Hut would like to move quickly with its project. The engineer had asked about drainage requirements for the project. This project is in the watershed of the *John Ketcham Tile Drain No. 334-00-0*. The Ketcham is slated for reconstruction in cooperation with the City of Auburn to provide adequate drainage for the west side commercial area. The drain will be reconstructed to accommodate a ten-year rain event. The County and City must decide if businesses should be required to provide underground storm storage to handle 100-year events. There is a need to plan for the future. In conjunction with this project, the Board will need to look at upgrading the *Auburn Industrial Drain No. 256-00-0* in the Fulton Street area would best be handled by being directed to this drain rather than towards *Cedar Creek Drain No. 470-00-0*.

The data currently being used was from the 1970s and 1980s which was no longer valid with the climate changes taking place. There had been an increase in the number of rain events and the amount of water with each event. In addition, farmers were pattern tiling more fields adding to the amount of water that drains were being required to handle. Mr. Kline did not want to miscalculate the drain capacities during reconstruction projects and have to have the drains reconstructed again within 10-years.

CHARLES KAELLNER TILE DRAIN NO. 432-00-0: Mr. Kline presented the Board with a request to put the *Charles Kaellner Tile Drain No. 432-00-0* on maintenance from Charles Hampel. Mr. Kline stated State Code states that there needs to be long-range planning for maintenance as well as reconstruction. That at least 10% of the landowners had to ask for the drain to be placed on maintenance. The Board would need to accept the petition and set a public hearing for the drain to be placed on maintenance. The Board asked Mr. Kline to inspect the drain and give a report on the drain's condition. Mr. Kline explained that should there be a blowout in the drain currently there wasn't any money to repair it until there is a public hearing and it is placed on maintenance. The Board could approve for the Surveyor's Office to put the drain in the red and it could be assessed until it was no longer in the red.

E. P. SHERWOOD TILE DRAIN NO. 50-00-0: Mr. Kline stated he was still waiting on pricing for clearing trees.

JAMES FERGUSON WARNER LATERAL DRAIN NO. 86-53-0: Mr. Kline stated there were large holes in people's backyards and he was waiting for pricing for repairs to the drain.

E. P. GRIFFIN TILE DRAIN NO. 224-00-0: Mr. Kline stated that LaOtto Excavating had the drain open and working as well as it can. There were still nine inches of water on top of the drain. That *Cedar Creek Drain No. 470-00-0* needed to be lowered. Mr. Kline stated that Allen County needed to declare the creek a regulated drain and clear the log jams in Allen County and that a new tile would not make much of a difference as long as the creek was blocked. Mr. Kline stated he would speak with Rod Renkenberger of the Maumee River Basin Commission to see if there was some resolution to be found.

FRED GROSCUP JR DRAIN NO. 335-00-0: Mr. Kline stated the drain reconstruction had to begin as soon as the bids were awarded, and the pond elevation needed to be dropped.

Mr. Kline stated he was working on plans for two or three other drains, including the *Fred Groscup South Drain No. 352-80-0*. This drain needed reconstruction and would need to be done as an urban drain. The reconstruction would cost between \$1,500 and \$1,800 per acre. Mr. Kline explained that with the drain being reclassified as an urban drain it might be possible to adjust the costs between the smaller lot landowner and the agricultural landowners. The owners of the agricultural land was Ruoff Family Investments and the drain would need to be sized to take the runoff from the future development of their land. There was a lot of water coming from the existing subdivision and the drain was backed up almost to the houses' back doors. The reconstruction would need to be either a 30 or 36-inch tile. The Board would need to decide how to proceed.

Mr. Kline explained that staffing changes in the Surveyor's Office had left knowledge holes. The staff was working to reverse engineer processes to figure out the processes. Assessment for the next year would be difficult and would need to be started early. It would take a considerable amount of time.

Mr. Kline explained that there were no applications or resumes submitted for the First Deputy Surveyor's position. Mr. Kline explained that the education and skill sets required for the position

put individuals into place to take positions in the private sector with two to three times what the County was willing to pay. As well, there were many additional benefits available to the individuals in the private sector.

Mr. Kline explained that his office not only works on reconstruction projects but works non-stop on maintenance projects, and reviews developments and plats for the planning departments for all of the government entities within the county. Mr. Kline asked the Board to have patience with his office.

DISCUSSION

Mrs. Harrison asked about a drain located near the Tim Barker residence at 0791 State Road 1, Butler. The area was brought up on the GIS maps. It appeared to be an Indiana Department of Transportation drain. The Surveyor's office will inspect to determine the drain's oversight entity.

Mrs. Lassiter explained to the Board that the *Levi Dennison Tile Drain No. 317-00-01* information meeting was to be held the same day as the Ohio Joint Drainage Board virtual meeting. The information meeting was to begin at 9:00 a.m. and the Joint Drainage Board meeting at 9:45 a.m. After a short discussion resulted in the decision that if the information meeting goes too long then it will pause for the Joint meeting and resume after.

Mr. Watson then thanked everyone for attending the meeting and declared it adjourned at 10:00 a.m.



Michael V. Watson, Chairman



Michelle Lassiter, Administrative Assistant