

DEKALB COUNTY DRAINAGE BOARD MEETING

December 29, 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:

Michelle Lassiter, Secr./Drainage Board Admin. Asst.
 Shannon Kruse, Attorney
 Troy Bungard, Surveyor Tech

Guests:

Ken Harris
 Joe Herendeen
 Brendon Travis

Absent:

Michael C. Kline, County Surveyor

Chairman Michael 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 Bruce Bell, II to accept the Minutes of December 15, 2022, with the change of Mrs. Harris to Mrs. Harrison on the first page as the standard Drainage Board Minutes. The motion was seconded by Sandy Harrison, and the motion carried.

DRAINAGE PLANS**REPLAT OF LOTS NUMBERED 2 AND 3 IN PRICE ESTATES SOUTH:**

The DeKalb County Drainage Board reviewed the drainage plan for the Replat of Lots Number 2 and 3 in Price Estates South along County Road 29, Auburn, IN 46706. This development is located within the watersheds of the James Ferguson Miller Lateral Regulated Tile Drain No. 86-43-0, the James Ferguson Schmadel Lateral Regulated Tile Drain No. 86-49-0, and the James Ferguson Regulated Open Drain No. 86-00-0.

Joe Herendeen of Sauer Land Surveying presented the replat stating the ownership of the back half of the current lot number two was also the owner of the current lot number three, who would like to utilize the back half of the current lot number two which would be more easily done through the replatting of the lots. The acreage for lot number two would become 4.764 acres.

The Board accepted the Surveyor's Drainage Report, which stated "I have reviewed the plans and the plat does not change the lot numbers, nor the plat acreage, and causes no concerns for the County Surveyor. 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 the lots 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. Sincerely, Michael C Kline"

The Surveyor recommended approval of the drainage plan drawings dated 12.19.2022, signed and stamped by Joseph R. Herendeen, Land Surveyor, of Sauer Land Surveying, Inc.

Bill Hartman moved to approve the drainage plan drawings dated 12.19.2022, signed and stamped by Joseph R. Herendeen, Land Surveyor, of Sauer Land Surveying, Inc., with the Surveyor's recommendations, the motion was seconded by Bruce Bell, II, and the motion carried.

BLAKER ACRES:

The DeKalb County Drainage Board reviewed the drainage plan for the Blaker Acres plat along County Road 75, Butler, IN 46721. This development is located within the watersheds of the Peter Grube Regulated Open Drain No. 182-00-0, and the Jacob Hollinger Regulated Open Drain No. 176-00-0.

Ken Harris of Abonmarche Donovan presented the plat stating that the plat would be a ten-acre carve out from a seventy-eight-acre parcel, to be used as a homestead site. The stormwater from the site would be directed onto the parent site.

The Board accepted the Surveyor's Drainage Report, which stated "This 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 the lots 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. Sincerely, Michael C Kline."

The Surveyor recommended approval of the drainage plan drawings dated 12.08.2022, signed and stamped by Kenneth W. Harris, Land Surveyor, of Abonmarche Donovan.

Bruce Bell, II moved to approve the drainage plan drawings dated 12.08.2022, signed and stamped by Kenneth W. Harris, Land Surveyor, of Abonmarche Donovan, with the Surveyor's recommendations, the motion was seconded by Bill Hartman, and the motion carried.

UTILITY PERMITS**INDIANA MICHIGAN POWER – HAMILTON TO BUTLER 69KV TRANSMISSION LINE REBUILD:**

Mrs. Lassiter presented the utility permit request from IMP for the Hamilton to Butler 69KV Transmission Line Rebuild which would go through several agricultural fields paralleling County Roads 61 and 61A, crossing the county-regulated drains: Almira Teutsch Lateral 3 Tile Drain No. 177-03-0, W.A. Dannels Open Drain No. 174-00-0, Almira Teutsch Open Drain No. 177-00-0, Marion Haverstock Open Drain No. 180-00-0, John Smith Lateral 2 Tile Drain No. 1-02-0, John Smith Tile Drain No. 1-00-0, and Eda Willennar Tile Drain No. 472-00-0. Mrs. Lassiter stated the office had not received the signed Utility Permit Agreement back from Brenda Torres of IMP to date.

Bruce Bell, II moved to approve the utility permit for IMP conditional to receiving the signed Utility Permit Agreement back from IMP. Sandy Harrison seconded the motion, and the motion carried.

SURVEYOR'S REPORT

Mr. Watson asked Mrs. Lassiter if she had any other items to discuss while the Board waited for 9:00 a.m. to open the bids for the *E.P. Sherwood Drain No. 162-00-0* reconstruction project.

Mrs. Lassiter informed the Board that Mr. Papaik owner of land adjacent to County Road 23 and within the watershed of the *E.P. Sherwood Drain No. 162-00-0* had been a bit difficult for the inspectors to work with during the staking of the drain's new route. Mr. Papaik was insisting that he receive a phone call every time anyone was on his land within the drain's right-of-way. He did not feel the letter sent out as prescribed by the State Code was sufficient. Mr. Papaik had also called the office wanting the new route changed and insisted the route had not been approved at the public hearing, only the concept that the drain needed reconstructed had been approved. Mrs. Lassiter stated that when she tried to explain the State Drainage Code and the processes of the public hearing Mr. Papaik became quite rude.

Mrs. Lassiter then presented the Board with a consulting contract that Mr. Kline had entered with Nathan Frye, the Surveyor's former first deputy to train Troy Bungard and herself in the annual drainage assessment process. Mrs. Lassiter explained the County Auditor questioned the validity of the contract when the first claim for Mr. Frye was turned in for payment. The State Drainage Code and the State Surveyor's Code both contained language stating an uncredentialed County Surveyor could contract with credentialed individuals/firms, there was no mention of a credentialed County Surveyor being able to do so. The Drainage Code did give the Board authority to enter into contracts. Mrs. Lassiter and the County Auditor were asking the Board to approve and sign the contract.

Mr. Watson stated that given that Mr. Frye had created most of the software programs used to analyze data, create the yearly assessment list of drains for collection, and upload the data into the County's tax billing software, he felt the Board should approve and sign the contract. Mr. Watson further stated that it was highly unlikely the new surveyor would have the knowledge needed to train the staff on how to use the software.

Mrs. Lassiter and Mr. Bungard explained to the Board that without the software program the process would have to be done manually and would take at least one individual three months of working on nothing else. The contract would only be through the beginning of March at the latest. The funds had been encumbered for the payment of Mr. Frye. Ms. Kruse pointed out there was a ten-day notice to terminate within the contract that the Board or the new Surveyor could use if it was determined that Mr. Frye's services were no longer needed.

Bruce Bell, II moved to approve the contract with Nathan Frye for training the Surveyor's staff for the annual drainage assessments procedures. Jim Miller seconded the motion, motion carried.

GENERAL DISCUSSION

Mr. Miller informed the Board he had walked the northern end of the *G.B. Collins Drain No. 87-00-0* and had taken pictures. Mr. Miller did not have the pictures available to share. Mr. Miller stated he felt the maintenance project the Surveyor's Office was embarking on should be done as a joint project with Steuben County. Mr. Miller felt the culvert at County Road 00 needed to be lowered. Mr. Miller stated he had worked with the Steuben County Surveyor and found a place in Steuben County where there were four culverts stacked on top of each other.

BID OPENING

At 9:00 a.m. Mr. Bungard began opening the bids for the *E.P. Sherwood Drain No. 162-00-0* reconstruction project. There were four material bids and two labor bids.

Hixson Sand & Gravel bid on pipe and fittings in the amount of \$34,163.95, Baughman Tile bid on pipe and fittings in the amount of \$33,979.53, Core & Main bid on pipe and fittings in the amount of \$33,445.07 and structures in the amount of \$2,240.00. Clifford Aggregate was the only bid for gravel for \$26,887.25. Knott Drainage & Excavating's bid on labor was \$42,915.00 and TriCounty Excavating's bid on labor was \$74,487.50.

There was a short discussion of whether the lowest bid should be taken or if the bidder's location should be taken into consideration. Mrs. Lassiter informed the Board the Surveyor's staff had been told that TriCounty Excavating had been awarded 3.5 million dollars worth of projects by the City of New Haven. The Board asked that Mr. Kline review and verify the bids, then send a recommendation back to the Board for the next meeting. The Board would then award the project to the appropriate bidders.

There being no other business or discussion, Mr. Watson then thanked everyone for attending the meeting and declared it adjourned at 9:14 a.m.

Michael V. Watson, Chairman

Michelle Lassiter, Administrative Assistant

DEKALB COUNTY DRAINAGE BOARD

NO.	NAME	PHONE (HOME)	PHONE (CELL)	EMAIL ADDRESS	MAILING ADDRESS	PETITION OF INTEREST
1	KEL HARRIS				229 W BERRY FORT WORTH	
2	JOE HERENDEN	414-4049	519-1946	kharris@abdnmarche.com	14033 LUNEVILLE KNOX RD FTW	BLAKE ACRES PRICE EST 2/5 REPEAT
3	Brendan Travis	260 474 7807		transindustries@outlook.com	3000 Summit Street New Haven, CT 06511	
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DATE

12/29/2022