

**DEKALB COUNTY DRAINAGE BOARD MEETING**

February 2, 2023

**Drainage Commissioners Present:**

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

**Others Present:**

Glenn Crawford, County Surveyor  
 Michelle Lassiter, Sec. /Drainage Board Admin. Asst.  
 Shannon Kruse, Attorney  
 Troy Bungard, Surveyor Technician

**Guests:**

Bill Etzler

**Absent:** James A. Miller, Member

Chair Bruce Bell, II 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 Bill Hartman to accept the Minutes of January 26, 2023, as presented as the standard minutes of the DeKalb County Drainage Board. The motion was seconded by Mike Watson, and the motion carried.

**UTILITY PERMIT REQUEST**

**NIPSCO – COUNTY ROAD 68 BETWEEN COUNTY ROAD 5 & COUNTY ROAD 9 – GAS MAIN REPLACEMENT:**

Mr. Crawford explained that this utility permit was not ready for approval. It was discovered upon a filed inspection by Mr. Rychener that the drawings provided were not accurate for the location. Mr. Crawford needed to know where NIPSCO plans to bore under the culvert. If it is an existing line he would want the bore to be deeper under the drains. If it is a new line he would like to see it moved to the south side of the road.

Sandy Harrison moved to place the NIPSCO utility permit request on hold until the County Surveyor can acquire additional information to ensure the gas main does not cause issues with the county-regulated drains. Mike Watson seconded the motion, and the motion carried.

**2023 YEARLY DRAINAGE ASSESSMENT LIST**

Mr. Bungard asked the Board if any members had questions, concerns, or changes regarding the 2023 Yearly Drainage Assessment List that had been emailed to them earlier in the week.

There being no additional discussion of the list asked for a motion. Bill Hartman moved to approve and certify the 2023 Year Drainage Assessment List as provided. Sandy Harrison seconded the motion, and the motion carried.

1-00-0	John Smith	
1-53-0	John Smith Wynkoop Lateral	
2-00-0	John B Miller	
6-00-0	E. D. Creager	
12-00-0	Hilkey-Carnahan	Joint Allen DeKalb Control
14-00-0	Frank Albright	Joint Noble DeKalb Control
14-02-0	Frank Albright Lateral 2	
15-00-0	Terry Lake	Joint Steuben Control
16-00-0	Raymond Clark	

17-00-0	Thomas Hardwood	
20-00-0	Walter Smith	
21-70-0	Phillip Riggs East	
21-90-0	Phillip Riggs West	
22-00-0	William Peckhart	
22-02-0	William Peckhart Lateral 2	
23-00-0	Strauss Brothers	
24-03-0	A. L. Ober Lateral 3	
24-04-0	A. L. Ober Lateral 4	New
24-08-0	A. L. Ober Lateral 8	
24-08-3	A.L. Ober Lateral 8 Spur 3	
24-08-4	A.L. Ober Lateral 8 Spur 4	
24-08-5	A.L Ober Lateral 8 Spur 5	
24-08-7	A.L.Ober Lateral 8 Spur 7	
24-20-0	A.L Ober Tile	
24-28-0	A.L Ober Lateral 8 Tile	
25-00-0	Daniel Shilling	
27-00-0	Frank Yarde	Joint Noble DeKalb Control
29-00-0	Martin Wagner	
31-00-0	George Wade	
34-00-0	Samuel Hindman	
36-01-0	Fred Dosch Lateral 1	
38-00-0	William Egbert (Open)	
38-02-0	William Egbert Lateral 2	
38-03-0	William Egbert Lateral 3	
39-00-0	John Potts	
40-00-0	Don Van Fliet Open	
40-20-0	Donald Van Fliet Tile	
41-00-0	C.O. Metcalf	
42-00-0	John Weicht	
42-20-0	John Weicht Tile	
44-20-0	Garrett City Tile	
45-05-0	John Diehl Lateral 5	
45-07-0	John Diehl Lateral 7	
45-07-1	John Diehl Lateral 7 Spur 1	
45-11-0	John Diehl Lateral 11	
45-11-2	John Diehl Lateral 11 Spur 2	
48-00-0	Daniel Hursey	
48-81-0	Daniel Hursey South Lateral 1	
49-00-0	John Bemenderfer	Joint Steuben DeKalb Control
51-00-0	Willmina Ringwalt	
53-00-0	Ora E. Baker	

54-00-0	Ora Bohler	
55-00-0	Charles O. Speer	
56-00-0	Lewis Scattergood	
57-00-0	J. J. Hampshire	
58-00-0	Elmer Likens	
60-00-0	O. E. Pooler	
61-00-0	William Brown	
63-00-0	Ora Kuhlman	
65-90-0	Charles Mies West	
70-00-0	W. A. Mason	
71-00-0	Alex Provines	
72-00-0	Thomas Noel	
73-00-0	George Matson	
73-01-0	George Matson Lateral 1	
73-02-0	George Matson Lateral 2	
73-03-0	George Matson Lateral 3	
73-04-0	George Matson Lateral 4	
73-05-0	George Matson Lateral 5	
73-16-0	George Matson Lateral 16	
74-00-0	Louis Dibbling	
75-00-0	Frank Sebert	
79-00-0	William Hollabaugh	
80-00-0	Elaine Kline	New
83-01-0	Cliff Metcalf Lateral 1	
83-20-0	Cliff Metcalf Tile	
85-00-0	William C. Carmer	
86-00-0	James Ferguson	
86-34-0	James Ferguson Dove Lateral	
86-44-0	James Ferguson Nugen Lateral	
86-49-0	James Ferguson Schmadel Lateral	
86-53-0	James Ferguson Warner Lateral	
	James Ferguson Warner Lateral Smith	
86-53-1	Spur	
87-00-0	G. B. Collins	Joint Steuben DeKalb Control
88-00-0	Manoah Miller	
90-00-0	Ray Dilgard	
91-00-0	Fred T. Miller	Joint Noble DeKalb Control
94-00-0	Rufus Strong	
96-00-0	Jerry Varner	
97-00-0	Noah Smith	Joint Noble DeKalb Control
98-00-0	William Tritch	Joint Noble DeKalb Control
98-20-0	William Tritch Tile	

289-00-0	John Bryant	
291-00-0	Henry Schuster	
299-00-0	A. J. Custer	
304-00-0	Ezra Weicht	
305-00-0	Simon Smurr	
309-00-0	Eliza Lawhead	
310-00-0	Milks-Heckathorn	Joint Steuben Control
315-00-0	Bertha Carpenter	
327-00-0	William Weicht	
328-00-0	William Rex	
335-00-0	Frederick Groscop JR	
336-00-0	James M. Friend	
341-00-0	Parley Palmerton	
343-00-0	Juliette Smith	
352-60-0	Fred Groscup North	
354-00-0	Thomas Stafford	
355-00-0	Emmet J. Armstrong	
361-00-0	Elmer Dunn	
365-00-0	John Conrad	
374-00-0	Letitia Shearer	
388-00-0	Brooks Hine	
396-00-0	Henry Kundred	
400-00-0	Eugene Krehl	Joint Noble DeKalb Control
402-00-0	Ruben Lockwood	
406-00-0	Ira Ricketts	
412-00-0	Noah Hamman	
424-00-0	J. C. Dawson	Joint Noble DeKalb Control
429-00-0	F. H. Gee	
430-00-0	A. M. Dermott	
432-00-0	Charles Kaellner	10/6/22 ON MAINT.
433-00-0	R & H Bearss	
444-00-0	Reuben Sawvel	
445-00-0	William Bleeks	
452-00-0	J & R Myers	
454-00-0	Ernest Warner	
455-00-0	Big Run	Joint Defiance/William DeKalb Control
456-00-0	Robert Platt	
457-00-0	John Platt Tile 1	
463-00-0	Grover Boyd	
465-00-0	Ed Riccius	Joint Noble DeKalb Control
470-00-0	Cedar Creek	Joint Noble DeKalb Control
472-00-0	Eda Willennar	

1150-00-0	Paul Freeman	Joint Allen Control
1414-00-0	Daniel Metcalf Jt	Joint Allen Control
1518-00-0	W. O. Lake	Joint Allen Control
2001-00-0	Van Gorder	Joint Noble Control
2005-00-0	Sycamore Creek	Joint Noble Control
3001-00-0	Hiram Sweet Lower	Joint Steuben Control
3002-00-0	Thomas Malone	Joint Steuben Control
3003-00-0	Robert Johnson	Joint Steuben Control
3004-00-0	Charles Conrad	Joint Steuben Control
3005-00-0	Frank Nelson	Joint Steuben Control
3005-06-0	Frank Nelson Lateral 6	Joint Steuben Control
3006-00-0	Hiram Sweet Mid	Joint Steuben Control
3007-00-0	Hiram Sweet Upper	Joint Steuben Control
3007-04-2	Hiram Sweet Lat 4 Spur 2 62370	Joint Steuben Control
3012-00-0	Ottomer Chasey	Joint Steuben Control
3013-00-0	Crampton-Gaetz	Joint Steuben Control
3014-00-0	Alexander Nichols	Joint Steuben Control
4444-00-0	Tamarack	Joint Williams Control
5178-00-0	Adam Deetz	Joint Steuben DeKalb Control
6079-30-0	Gord Crk So Fk	Joint Defiance Control
6093-10-0	State Rt 2 Jt	Joint Defiance Control
1008-00-0	Krumlauf	Joint Allen Control
1151-00-0	Willmina Ringwalt Open Ditch	Joint Allen Control

### RECONSTRUCTION ASSESSMENTS

Mr. Bungard then presented the assessment rolls for the *C.B. Kagey Regulated Tile Drain No. 225-00-0* for approval and certification. Mr. Bungard explained that Mary Jo Diehl had pledged \$70,000.00 and Bill Presley had pledged \$5,000.00 to get the project bumped up on the priority list. The project total was \$102,565.46. Mr. Bungard subtracted Mrs. Diehl's pledged amount and divided the remainder by the other landowners' acreage which equaled \$464.14 per acre, which brought Mr. Presley's portion due to \$5,050.063. The engineer's estimate at the public hearing had been \$107,734.75.

Mike Watson moved to approve the assessment rolls for the reconstruction of the *C.B. Kagey Regulated Drain No. 225-0-0* as presented. Sandy Harrison seconded the motion, and the motion carried.

### SURVEYOR'S REPORT

Mr. Bell asked for the Surveyor's Report and the Board was provided the following information:

Mr. Crawford stated the office was continuing to work on getting the yearly assessments uploaded into LOW, the Auditor's financial software database for billing. There was a cleanup that needed to take place on the data, but then the upload would be done and completed. The office was a bit behind, the official deadline was January 31, 2023, but with the office personnel turnover and the training that was needed, the office was working as quickly as possible.

C&H DECORATIVE CONCRETE – 2730 COUNTY ROAD 47, WATERLOO, IN

Mr. Crawford then presented the Board with a drainage plan for review for C&H Decorative Concrete located at 2730 County Road 47, Waterloo, IN, asking for an approval letter to be sent to the DeKalb County Plan Commission.

The development was located within the watersheds of the Ora Bohler Regulated Tile Drain No. 54-00-0, and the Marvin Walker Regulated Tile Drain No. 403-00-0.

The Board accepted the Surveyor's Drainage Report, which stated "In regards to the ILP for the new building addition, I approve the drainage plan due to the newly reconstructed Marvin Walker Drain being able to handle the added 0.24CFS for a 100-year storm event from the added hard surface of the proposed site improvements."

Mike Watson moved to approve the drainage plan for the C&H Decorative Concrete site expansion at 2730 County Road 47, Waterloo, IN 46793 based on the Surveyor's recommendations, the motion was seconded by Sandy Harrison, and the motion carried.

## DISCUSSION

Mr. Hartman asked Mr. Crawford if the *Ora Bohler Regulated Drain No. 54-00-0* was still being considered for reconstruction. Mr. Crawford stated he was intending to complete the drawings, the engineer's estimate, and assessment rolls, then bring them to the Board to set a public hearing date. Mr. Hartman stated there was a gentleman in the watershed who owned a sizable wetland that was a large detractor and instrumental in getting the previous reconstruction declined by the Board. Mr. Hartman asked if wetlands were assessed differently than other uses. Ms. Kruse and Mrs. Lassiter stated that all lands were assessed per acre according to the use determined by the County Assessor's Office, which was either agricultural, residential, or commercial.

Ms. Kruse went on to explain that per the state code, all percentages had to equal 100%. However, the code under section 12 did say the Board should take into account the benefit of the land and that the fact a sizable wetland could be considered retention helping to eliminate or reduce flooding could be considered as a reduction in benefit. In the past, to be fair, the Board had used acreage across the board. Ms. Kruse stated it didn't have to be an all or nothing regarding the assessment of the wetlands, it could be a reduction.

Mr. Hartman stated that in his mind wetlands stayed at a certain water level all the time, like a pool.

Mr. Crawford stated the landowner did have benefits from the drain, as it kept his house and agricultural land from being underwater. That the high water mark for the wetland would have to be determined because at some point it would overflow and run into the county-regulated drain. Mr. Crawford also pointed out that if this individual's assessments were reduced, the other landowners' rates would be increased to cover the total cost of the reconstruction.

It was noted there was a vacated lateral to the *Ora Bohler Drain* that went through the pond, and the watershed was subdivided into four sub-sheds.

Mr. Bungard stated it was hard to make that type of concession or exception for one landowner. If the Board were to do it for one, then it would have to do it for all.


Ms. Kruse asked Mr. Crawford to check Purdue University resources to find out how they would recommend wetlands to be assessed. Maybe Mr. Crawford could look for exceptions for wetlands over a certain acreage.


Mr. Bungard stated that maybe this wetland could be treated like the wetland involved with the reconstruction of the *E.P. Sherwood Regulated Drain No. 162-00-0*, in that structures could be set near it that wouldn't take in water until it goes over a certain water level.

Mr. Bell stated there had to be a balance for the benefitted acres based on use.

It was noted that LaGrange County and adjacent Ohio Counties used LIDAR information, soil types, water retention, distance from the drain, use, and a few other criteria to determine assessment amounts.

There being no further business or discussion, Mr. Bell thanked everyone for attending the meeting and declared the meeting adjourned at 9:06 a.m.

  
Bruce Bell, II, Chairman

  
Michelle Lassiter, Secretary