

**MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF JULY 11, 2019**

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday July 11<sup>th</sup>, 2019. Answering roll call was Randall J. Deetz; Michael E. Krehl; Donald D. Grogg; Jacqueline R. Rowan and William 'Bill' Hartman.

ALSO PRESENT: Drainage Board Attorney Shannon E. Kruse; Administrative Assistant Brenda Myers; Nate Frye Surveyors Office staff

IN ATTENDANCE: Jerry Teders

**APPROVAL OF MINUTES:** A motion was made by Jacqueline Rowan to approve the Minutes of June 27<sup>th</sup>, 2019 as standard minutes taken by the DeKalb County Drainage Board, seconded by Bill Hartman, motion carried.

**APPROVAL OF CLAIMS FOR JULY:** A motion was made by Don Grogg to approve the claims for July as presented, seconded by Mike Krehl, motion carried.

➤ Attorney Fees month of July	\$1,294.92
➤ Bassett Office Furniture & Supply	<u>12.49</u>
TOTAL	\$1,307.41

**SURVEYORS CLAIMS:** Nate Frye presented claims for the Surveyor's office for review. No action was necessary by the Drainage Board.

**INFORMATIONAL:** Mike Krehl asked Nate where he's at on the Kent Hunter situation and Nate said that he put together a diagram on that and Mike Kline wants to review it before it's brought back to the Board.

**INFORMATIONAL:** Chairman Deetz asked Attorney Kruse if she had spoken with Dan Brinkerhoff on the *Garrett City Drain Number 44-20-0* and she said they met along with his utility consultant that Garrett uses but between Mike's being out and now Dan is out it has been halted.

**WOOD RELEASE:** Chairman Deetz asked if the 'wood release' was at a point of making a decision on it but past minutes need to be reviewed, the Administrative Assistant recalled that a draft was going to be put together and reviewed by the Board for approval, so the minutes will be reviewed as to where that stands.

Nate said he thought he had it so he will email that to the attorney so she can review it.

**INFORMATIONAL:** Chairman Deetz questioned the Ashley/State Road 4 crossing that Roger Green was in about a few months ago on the *Robert Johnson Drain Number 3003-00-0*.

Nate said there are three crossings but he hasn't moved forward on that, the surveyors office have been focusing their efforts on reconstruction projects/maintenance on county roads/flooding.

Chairman Deetz said this is an example of a tile that we've already had designed and knew what we were going to do months ago, so he couldn't understand what time that is still taking from the office, the trenches were designed and even though we may be waiting for a contractor, that doesn't take any time away from the surveyors office.

Nate said they are busy working on similar projects, that's only one of a dozen they've been working on, and stated on one specifically (*F. H. Gee Drain Number 429-00-0 on County Road 60*) they have been waiting on that system to catch up and drain down and

they are finally to the point where they can go out and finish it because the water is finally the ground.

Chairman Deetz said back to the Ashley situation, that town (Ashley) has been extremely patient with that project and they were given a three to four month timeframe when they were in here and that has now come to fruition so he is going to stay on top of this, especially when there is a town wanting to get a project done in the summer time. They shouldn't have to come back asking where we're at on this and it shouldn't be off the radar. Whatever the permitting process is, this needs to be moving so they can try to get this done yet this year.

Don Grogg said he feels he has to do the same with Kummer's (*Levi Dennison Drain Number 317-00-0*), he has to keep this on the radar every week. Everyone knows there is a lot to do, but that doesn't change the scope of what needs to get done.

Mike Krehl said each of them have projects they keep pushing to get done and his is the Kent Hunter situation.

Chairman Deetz said when he has no involvement with the Ashley project however when he sits in a public meeting and hears promises and statements made that something isn't that hard, it's as simple as filling out paperwork to do it, etcetera, but when he asks point blank how hard something is to get done.. to overpromise and underperform we have to do our best to complete those. Randy told Nate that things will 'come up' next week, next month and the month after, there are always going to be 'things' that need attention but those that we have made a commitment to, we need to do.

**INFORMATIONAL:** Don Grogg said that he has checked again with Susan about the 'unknown funds' and State Board of Accounts is not ready to discuss that, research is yet to be done.

**INFORMATIONAL:** Bill Hartman said that he reached out to Larry Kummer and had to leave a message but he will stop by and try to catch him so he can find out what is happening that has made him so unhappy.

Don Grogg said he wouldn't have felt so bad about this except for the fact that Mike Kline kept saying '... it's up to the Kummer's, we're waiting on the Kummer's' and we heard that for years to the point that Larry contacted him directly again.

Administrative Assistant Brenda Myers stated that she received a call from Mr. Kummer two weeks ago due to the fact that Philip (surveyors office) came to her office asking her to locate a 'private drainage dispute petition' on a Kummer/Wright/Dickerhoff/Rhoades so she spent time researching and found nothing so she asked for the contact information to inquire directly. In making that call it was found that Nate gave this to Philip to follow up on and Philip thought it was a private dispute instead of a signed petition, so in speaking directly to Larry Kummer, he now wants minutes pulled from the beginning and therefore she asked what direction the Board wanted her to go in with this. The frustration she's feeling is those coming to her office not knowing what it is they want researched because her time is valuable too. Larry Kummer said that seven years ago Brad (Blevins) made drawings for this project and those have got to be in the Surveyor's office somewhere, Brad wouldn't have thrown that away but Nate disagreed.

Chairman Deetz stated that when the public is asking for information, it is public and should be given.

Don Grogg stated that Kummer's may not have helped the situation with what they did privately on this tile.

Chairman Deetz said what needs to be done taking into consideration that the staff is newer to the system in the Surveyors office is before going to request information/research, do enough legwork that she can be successful at what she has to do. While on this subject, on the '**Drain Variances**', it is important that landowners come in when requesting a variance so certain things can be asked and stated in the meetings; in the long run it saves everyone and keeps from chasing anyone down to get it notarized, etcetera. Randy said he wants to tell that landowner directly that he understand if something has to be moved/removed it's at their expense, etcetera.

Drainage Board Attorney Shannon Kruse cautioned that we not communicate to the landowners that it is a forgone conclusion.

Chairman Deetz asked that the administrative assistant put on paper the procedure for Drain Variances and share that with the Surveyors office.

**PLAN COMMISSION PETITION – 427 RANCH, SECTION II:** Present is Jerry Teders, Tri-County Land Surveying on behalf of Daniel R. and Lauran Warner who are seeking approval of Lot 2, 427 Ranch, Section II so they can build their home. This property is located on County Road 427 just north of County Road 64. Jerry noticed that he did not have elevations on the contours or soil borings and stated that he would get a revised copy to the Surveyor.

Nate Frye presented the Surveyor's report as follows:

"This plat is in the watershed of the *James Ferguson Regulated Open Drain Number 86-00-0*. The plat does not appear to exceed the threshold set by the Drainage Board for additional drainage improvements. The development shall not block off-site drainage across the site and storm water 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.

A motion was made by Don Grogg to accept the report of the Surveyor as given by Nate Frye concerning the drainage, 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 Bill Hartman, motion carried."

**PLAN COMMISSION PETITION – HOLMAN ADDITION SECTION II:** Present is Jerry Teders, Tri-County Land Surveying on behalf of Marlin S. and Marymae Graber who are seeking approval of a one-lot subdivision located on County Road 62, east of SR 101 and east of NUCOR in St. Joe, Indiana.

Nate Frye presented the Surveyor's report as follows:

"This plat is in the watershed of the Henry Geddis Regulated Tile Drain Number 157-00-0, the Henry Geddis Lateral 2 Regulated Tile Drain Number 157-02-0 and Alva Coburn Regulated Tile Drain Number 183-20-0. 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 and storm water 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. The Henry Geddis Regulated Tile drains are on the list to be reconstructed and when the drains are reconstructed, an assessment for said reconstruction will be made to all lands on the watershed including lands in the subdivision. Because of limitations to the capacity of the existing drain, development on this subdivision may be limited.

A motion was made by Bill Hartman to accept the report of the Surveyor as given by Nate Frye concerning the drainage, 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 Don Grogg, motion carried.”

**INFORMATIONAL:** Drainage Board Attorney Shannon Kruse stated that she prepared a short memo directly from the Indiana Drainage Board Code regarding the ‘*LONG-RANGE PLAN OF THE BOARD FOR RECONSTRUCTION*’ so at their leisure the Board can look at that in conjunction with the old priority criteria that is in their hearing folders. Shannon stated that it appears that over time we have gotten away from the procedure that the Code actually lays out.

Chairman Deetz asked for a copy of the criteria to be emailed to him for review.

There being no further business, meeting adjourned.

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Randall J. Deetz, Chairman

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Brenda F. Myers, Administrative Assistant