

## MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF OCTOBER 3, 2019

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday October 3<sup>rd</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; Surveyor Mike Kline and staff member Nate Frye.

IN ATTENDANCE: Jim Deetz

**APPROVAL OF MINUTES:** A motion was made by Jacqueline Rowan to approve the Minutes of September 26<sup>th</sup>, 2019 as standard minutes taken by the DeKalb County Drainage Board, seconded by Bill Hartman, motion carried.

Don Grogg abstained from the vote as he was not in attendance for the meeting.

**APPROVAL OF CLAIMS FOR OCTOBER:** A motion was made by Don Grogg to accept and approve the claims as submitted for October 2019, seconded by Mike Krehl, motion carried.

○	Drainage Board Attorney Fees October	\$1,294.92
○	Bassett Office Furniture & Supply	
	Non-glare sheet protectors	5.49
○	STAR – Cedar Creek meeting 9/19/19	<u>6.15</u>
	TOTAL	\$1,306.56

**INFORMATIONAL:** Chairman Deetz stated that at last contact the Surveyor had nothing to report but according to the direction of the Board we were to meet regardless of an agenda.

**INFORMATIONAL:** Mike Kline stated that he received an email from American Structure Point which is an engineering firm who has been hired by the State of Indiana to put together plans for a bridge replacement over *Cedar Creek Drain Number 470-00-0* and U.S. Hwy 6 east of Waterloo. This firm asked if any permits were required and Mike said we have not required permits for State Highway projects in the past and wanted to concur that is still the thinking today.

Don Grogg thought that in the future there should be more stringent permitting for both the Highway and Drainage Board, we should charge for permits.

Chairman Deetz stated that it is a standard operating procedure that we have not required so therefore they can move forward without a permit from the Drainage Board.

**WILLIAM BICKEL DRAIN NUMBER 133-00-0:** The Drainage Board reviewed past minutes of the actual hearing dated April 27<sup>th</sup>, 1995 as well as the signed petition stamp dated April 2<sup>nd</sup>, 1993.

Chairman Deetz stated that the hearing passed and he then asked if the project took place. The minutes state that the project would begin immediately upon the first year of collection which was an accelerated collection.

Drainage Board Attorney Shannon Kruse stated that this was for maintenance so they probably collected to get money in the drain fund.

Mike Kline said that according to the inspection records in his office it appears most of the work was done upstream of Mr. Deetz's property; nothing was done on the open ditch through LaGrange and Noble Counties, Mike said he finally got that done but it was a

struggle to get finished up. Now with the Drainage Board in LaGrange County and highway department, they are willing to buy a new culvert pipe between Noble and LaGrange so Mike said he will get that all knocked down and do a little more bottom dipping on that piece in Noble County and then they will be able to get the pipe down. Mike said we would have to have some input from Noble County as to what they want to do, the hearing was a joint hearing.

Chairman Deetz asked Mike if he had spoken with Randy Sexton at all but Mike said he was going to wait until he had a final plan and then sit down with him to explain it to him and ask his thoughts.

Mike Kline said that what the Board is reviewing today was thirty years ago, most of the tile work was done in a couple of areas but on the bottom section there wasn't much if anything done down there. Mike said now they have the opportunity to give Mr. Deetz more drainage.

Jim Deetz (219 CR 2 Wolcottville IN) stated that he doesn't really know how all things jelled back thirty years ago but when the ditch was started they asked for a reconstruction but nothing ever happened with the reconstruction, a section of tile in a certain part was so bad he about had to divide his land into two pieces. They then decided to do maintenance because nothing was getting done with reconstruction and that is how the hearing for maintenance happened. By the time they were figuring out how much tile was going to cost and how much money and time it was going to cost, they decided to scrap all the tile to just a little beside a catch basin at a cost of 25% so they put all new plastic tile in but they weren't dropped down like they needed them to be; they said the Army Corp and EPA would not give them the permit to lower this ditch. That's the reason that there is a section that still has old 30" tile in it. There was a section that was replaced and then they quit; the next year they came back and started putting in new 24" tile; two or so years later they started in the middle of a farm putting new 18" tile to the road but he wasn't sure (of the tile size) since he couldn't be there all the time with working. A few years later they came in and did another section but he wasn't sure where it quit. Jim said he has paperwork of the plans they had to finish all of this, complete with tile sizes and the estimate to do the work. Gene Clifford did the work and at that time he told Mark Strong that he wasn't doing any more ditching here until Mark corrected the problem, he wasn't putting tile in that would be just barely underneath the ground, so it was three days before he came back but Jim wasn't sure how that was fixed. There has been a plan all along to finish this ditch, that they would do it in sections that they thought they could afford to pay for over a period of a couple years and when that was done, they would start in and do another section until this entire ditch was done. Somewhere there is a stoppage in this tile but they don't know where. Jim said right now since they can lower this pipe, they have a rare opportunity to get this drain where it ought to be in order to take care of this water.

Chairman Deetz said that is the intent with a reconstruction. While the paperwork presented was important for the history, the timeframe has passed and they now are replacing what had been put in new so now it's looking at the project as a total reconstruction. Everyone here is in favor of holding this hearing as soon as possible and getting this done.

Mike Kline said that they have received calls and letters in the past from people in Noble County who are complaining that we still haven't fixed their water and have spent

thousands of dollars in maintenance, so we do need to get the bottom end done so he has to get into Noble County to get some of that stuff done too. Mike said he really needs to get that bottom end done and try to figure out what is happening above.

Mike Krehl questioned when the surveyor would have the numbers so we can schedule a joint hearing.

Mike Kline said he would bring all of that to the Board next week if the system is up and running.

Drainage Board Attorney Shannon Kruse reminded the Board that those 'numbers' can be brought to this Board but then a Joint DeKalb-Noble meeting would have to be held.

Bill Hartman said that last week it was stated that with the numbers they had before that the new tile coming up behind Jim Deetz's property there was low ground and the new tile would be six inches higher than the old tile; do we know that or is it speculation.

Mike Kline said he fixed that and re-adjusted some of the grades.

Bill said that both he and Jim are of the opinion that in the low ground that tile is going to have to be twenty-four (24") inches deeper than the old tile at that point. Bill stated that given that they can probably pick up the thirty-six (36") inches on the bottom he would suggest (and Jim agrees) that we should use twelve inches of that, add to that grade of the old existing tile, and the other twenty-four should be to lower that tile all the way up through there twenty-four inches. In order to drain his bottom, it is going to have to be down considerably, there is an old clay tile in place that has seventeen inches of cover over it. Given the limited amount of fall with this ditch, it may never be a perfect scenario as far as to the specs that Mike might want, we may never get to a number that we would like and we may have to give up a little bit on the drain down time.

Chairman Deetz stated that he is content to wait until the final recommendation is brought back and then it can be discussed; the biggest thing is to get the numbers, get a hearing scheduled and keep Noble County in the loop.

**BUTLER CITY DRAIN NUMBER 200-00-0:** Drainage Board Attorney Shannon Kruse stated that she sent a fax-letter with a deadline of Friday October 4<sup>th</sup>, 2019 to advise if they (Stoops's) want this completed, otherwise this will have to wait until spring of 2020.

**GUY PLATTER DRAIN NUMBER 112-00-0:** Bill Hartman asked Mike Kline if he had gotten with the State to inquire about boring. Bill asked if we could offer to pay half and have the State pay half.

Mike said they want a map and a discussion on it so he will meet with the State tomorrow to see if he can find out what they want to do.

Chairman Deetz didn't know if the State would do that but Mike Kline said is the Board authorizes him to he can make that offer that the County would pay anything over and above the open cut cost for the boring with the drain fund covering that cost.

Mike Krehl questioned what the boring cost would be approximately but Mike Kline didn't know. Mike Krehl said it would be difficult to make that offer with not knowing what that cost would/could be.

Mike Kline said he could tell the State that the Board is willing to look at doing that and then he would come up with the numbers and if the Board says no then we will open cut it next spring. Mike said he will work with the State to come up with the numbers and the difference in cost and he will present that to the Board.

The consensus was that the Board would consider looking at the cost and proposition.

Drainage Board Attorney Shannon Kruse wanted to clarify that there would then be a hearing on this to make it regulated and Mike said a hearing would be to reconstruct it. It was stated that there is a portion that needed to be made regulated by a motion made by Don Grogg in the June 2019 minutes to set a hearing date to make a portion regulated.

Mike Kline said that when it gets to the county road it's not regulated but there are a bunch of those all over the county that part is going into the river that are not regulated so that doesn't bother him at all he said. If the Board is bothered then they can do that but he didn't think it was necessary.

**JAMES FERGUSON DRAIN NUMBER 86-00-0:** Don Grogg asked if Mike had heard anything from Kevin Linnemeier on the ditch on County Road 31.

Nate Frye said that Kevin promised him last week that he would be up to work on it as soon as he could.

**ERIC MORRIS DRAIN NUMBER 416-00-0:** Mike Krehl asked if we were moving forward on this ditch.

Mike Kline said they have that going to the newspaper for advertisement and they got all the paperwork put together so they are ready to present that, get the bid forms out and do what they need to do. Once it's advertised in the newspaper they will go ahead and send maps to the contractors and suppliers that they normally work with so they can get prepared to bid.

The turnaround time was questioned and it was stated that the bids are scheduled to be opened on October 31<sup>st</sup> and then to award the bids on November 7<sup>th</sup>.

**INFORMATIONAL:** Chairman Deetz stated that since it was noted that Mike would be meeting with the State tomorrow he wanted to question if the Town of Ashley borings (*Robert Johnson Drain Number 3003-00-0*) were going to be part of that meeting and Mike said they were.

There being no further business, meeting adjourned.

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Randall J. Deetz, Chairman

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Brenda F. Myers, Administrative Assistant