

MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF DECEMBER 19, 2019

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday December 19th, 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; Drainage Board Administrative Assistant Brenda Myers; Surveyor Mike Kline and staff member Nate Frye.

IN ATTENDANCE: James Deetz; Patrick Hess; Brad Schrage

APPROVAL OF MINUTES: A motion was made by Mike Krehl to approve the Minutes of December 12th, 2019 as standard minutes taken by the DeKalb County Drainage Board, seconded by Bill Hartman, motion carried.

UTILITY PERMIT REQUESTS: Surveyor Mike Kline presented the following four Utility Permits for approval:

AMERICAN ELECTRIC POWER (AEP) – Installing electrical transmission line over drain from the intersection of County Road 63 and County Road 40 where they will go north on County Road 63. The project consists of 1,168 feet then east 1,210 feet to the legal drain. The county regulated drain involved:

C. O. Metcalf Briegel Open Lateral Drain Number 41-32-0

Don Grogg moved that the Board approve the Utility Permits for drain crossings in regard to the above drains and to authorize the Chairman to sign on behalf of the Board, seconded by Mike Krehl, motion carried.

AMERICAN ELECTRIC POWER (AEP) – Installing a power tap on the northeast side of the intersection of County Road 40 and County Road 55. They will be running a pole line down County Road 55 for 8,320' turning east out of the DeKalb County right-of-way to feed into Steel Dynamics. The county regulated drains involved:

Solomon Shank Open Drain Number 28-00-0

Jacob Varner Open Drain Number 10-00-0 in two places

C. O. Metcalf Lateral 7 Tile Drain Number 41-07-0

Mike Krehl questioned if this would be problematic crossing the tile drain and Mike Kline said it would not.

Mike Krehl moved that the Board approve the Utility Permits for drain crossings in regard to the above drains and to authorize the Chairman to sign on behalf of the Board, seconded by Don Grogg, motion carried.

NIPSCO – Installing a 2" plastic main for a new house construction. Starting 400' south of County Road 36 they will cross County Road 59 from west to east, once on the east side, they will install 1,500' of 2" main heading south and ending 1,865' south of County Road 36. The county regulated drain involved:

C. O. Metcalf Lateral 3 Drain Number 41-03-0

Don Grogg moved that the Board approve the Utility Permit for drain crossing in regard to the above drain and to authorize the Chairman to sign on behalf of the Board, seconded by Bill Hartman, motion carried.

NIPSCO – Replace the existing wood poles and conductor with new from January 2, 2020 to May 31, 2020, approximately six (6) miles working south to north starting at Old State Highway 4 on County Road 35 and going to Lockhart Street in Waterloo IN. The county regulated drains involved:

Cedar Creek Open Drain Number 470-00-0
John Hoffelder Open Drain Number 153-00-0
Lemuel Nelson Open Drain Number 7-00-0
Lemuel Nelson Lateral 1 Tile Drain Number 70-01-0
David Feagler Tile Drain Number 247-00-0
David Feagler Lateral 2 Tile Drain Number 247-02-0
Thomas Malone Open Drain Number 3002-00-0 (joint drain with Steuben County)
John Hoffelder Lateral 3 Spur 1 Tile Drain Number 153-23-1
John Hoffelder Lateral 3 Spur 2 Tile Drain Number 153-03-2
John Hoffelder Lateral 3 Open Drain Number 153-03-0
Edwin Erwin Tile Drain Number 440-00-0

Don Grogg questioned if the Joint Steuben Board would need to approve that small portion but Mike Kline said that this is in DeKalb County and all they are doing is crossing it so it wouldn't be necessary.

Jacqueline Rowan moved that the Board approve the Utility Permit for drain crossing in regard to the above drain and to authorize the Chairman to sign on behalf of the Board, seconded by Bill Hartman, motion carried.

ERIC MORRIS CONTRACT: Mike Kline stated that he does not have this in his possession so once he does it will be brought to the Board at a later date.

AUBURN CITY PLAN COMMISSION PETITION – ASTRAL OF AUBURN SENIOR CARE: Present is Brad Schrage, American Structure Point, Inc. 9025 River Road, Indianapolis IN. This is an approximately 68,000 square foot senior living facility just south of State Road 8. There is a single access point off of State Road 8 and then the overall land developer will be building a roadway extension of Lenora Lane which was done when Ameri-Lodge was put in. This facility provides assisted living, memory care and independent living. There will be a detention pond on the north side of the site that has been designed to detain the release rate of .3cfs per acre in a one-hundred year storm event and then discharge at the north end of the site. The current site sheet drains west to east towards the ditch and they will collect any water that gets there; the existing building has a pump (a sump pump) from their basement that they will pick up and tie into the pond so it will remain across the site. There are minor encroachments in the easement with sidewalks for amenity space and a little bit of storm sewer that will go through that area. A very recent change (per discussion with the city) they will have sanitary sewer extended across there but that will no longer happen that way due to depth so it now will tie north, tying in at the north side of State Road 8 along the edge of the legal drain easement. Patrick Hess who is the developer is also present if there are any questions for him as well.

Lenora Lane was discussed in that it will (for now) be a cul-de-sac type turn-around; at some point it will be extended west with development but not as a part of this project. The City hopes to pull traffic off of State Road 8 to keep entrances down with future development.

The encroachments which will require a variance are 70' and 40' however those will not be addressed until which time this has been approved by the City of Auburn.

The letter to the City Plan Commission would be that the Board approves the drainage plan submitted by American Structure Point, Incorporated for the Astral of Auburn Senior Care Facility according to the plans and specifications with a revision date of

December 19th, 2019 and approve the Drainage Computation Summary dated December 18th, 2019.

Drainage Board Attorney Shannon Kruse questioned adding a notation that drainage variances are subject to approval but the surveyor stated that at this point all we are approving is the drainage plan.

Don Grogg moved to approve the drainage plan as submitted, subject to future drain variances approved by the Drainage Board, motion died for lack of a second.

Chairman Deetz questioned the reasoning for the lack of a second. Bill Hartman questioned moving this facility to get it out of the easement; Jacqueline Rowan stated that she was just listening and Mike Krehl felt there was a lot going on in a small area and traffic at State Road 8 being an issue turning left.

Mike Kline stated that this project has been moved already and today all that is being approved is the drainage plan, the City of Auburn is charged with approving the development and that has to happen before the end of the year or it disappears.

Chairman Deetz stated that the stipulations fall on the City to approve or not approve and with that he asked for another motion.

Don Grogg moved to approve the drainage plan as presented and discussed, and to pass this decision of the Drainage Board to the City of Auburn Plan Commission, seconded by Bill Hartman, motion carried.

There was discussion about the hesitancy of approving something that was brought before the Board today (that Mike knew about three months ago) and then wanting immediate action by the Board prior to yearend. It was asked that Mike be more proactive on projects to give the Board notice of what may be coming prior to presentation and immediate reaction for future projects/letters/meetings.

INFORMATIONAL: Surveyor Mike Kline presented an email from surveyor Randy Sexton (Noble County) regarding the *William Bickel Drain Number 133-00-0* and complaints that he is receiving in his office about what is being proposed not including the entire drain. No modifications can be made to what has been proposed for this hearing on January 9th, 2020.

James Deetz who resides in the northwest corner of DeKalb County stated that he has been forty years trying to get a ditch fixed with different surveyors and Board members; he has kept all the paperwork over the years; he has explored the whole upper end of this ditch as well as the portion that needs to be done once the area on his place is reconstructed. There is an area where people have no ditch to tie into, and Jim agreed with what they are saying and felt there would be an issue such as this, due to the fact these people have paid into this for years and haven't gotten anything out of it. The bottom end needs to be fixed first and his recommendation was to take two hitches at this, there is a plan laid out to complete this ditch on the upper end. Jim said that he has put thousands of dollars into this upper part of the ditch and he doesn't have any water running in it, but he agrees with community and this is a community project. Jim questioned who put the tile in up to the county line but no one on this Board nor the surveyor had any idea who that may have been.

Mike Krehl stated that if the project were done differently and there was a 'c' shape to the tile, they would stand to save about 400' which is about a 1/3 of the cost on his property alone, and that would adjust to some degree the cost of the project. It was

suggested to the surveyor to have a plan on how to address the issue in Noble County and the recommended change in the tile.

Chairman Deetz stated that he would recommend that the landowners in Noble County petition their surveyor/Drainage Board to do the rest of the project in their county.

After much discussion it was decided to hold the hearing as scheduled and at that time, the Joint Board can determine how to proceed.

DRAIN RECONSTRUCTION BALANCE SHEET: Surveyor Mike Kline presented a list of drain reconstructions and the costs that have been paid, are owed and the balances. Mike brought up the fact that with the projects coming up there isn't going to be enough money in the fund beyond the Guy Platter project.

Chairman Deetz stated that for future hearings it needs to be stated that projects won't begin until there is ample money in the fund to cover the costs. Outside resources need to be researched so projects aren't held up and if the funding has to be added to the cost of the project; that needs to be relayed to the landowners at a hearing so they can then decide how to proceed and make decisions.

Mike Kline said the county would have to look at what kind of funding they could get to loan the General Drain Fund some money to get these projects done to pay it back. Projects can be bonded but that has to be done through the county. Mike said he would need to know before putting the assessments together so he can add whatever interest into the costs.

Drainage Board Attorney Shannon Kruse stated that the Drainage Board could get a loan from a bank if needed and landowners may be encouraged to do that in order to get a project done.

SCHEDULE OF CLAIMS SURVEYORS OFFICE: The schedule of claims for the Surveyors office were presented. No action was necessary by the Board.

INFORMATIONAL: The Consent and Waiver Reconstruction project north of SDI on County Road 40 is under construction and they did the road crossing. The Eric Morris project is under construction; the *E. P. Griffin Drain Number 224-00-0* has had some repairs made and it has been roto rooted and there was some dipping at the channel of *Cedar Creek Drain Number 470-00-0* and it seems to be flowing well now according to Nate.

INFORMATIONAL: Nate Frye stated that they received a petition to put the *Andrew Baxter Drain Number 383-00-0* on maintenance. This is a drain that transitions to an open ditch and flows up to a lake in Steuben County; they have inspected the drain and there were no apparent blow outs, but minor areas that there is standing water at some points.

Chairman Deetz stated that Larry Gilbert in Steuben County needs to be made aware so this can be discussed at their next meeting.

There being no further business, meeting adjourned.

Randall J. Deetz, Chairman

Brenda F. Myers, Administrative Assistant