

MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF JANUARY 9, 2020

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday January 9th, 2020. Answering roll call was Randall J. Deetz; Michael E. Krehl; Donald D. Grogg; Jacqueline R. Rowan and William L. Hartman.

ALSO PRESENT: Drainage Board Attorney Shannon E. Kruse; Administrative Assistant Brenda Myers; Surveyor Mike Kline and staff members Nate Frye and Philip Bremer.

IN ATTENDANCE: James Deetz; Phil Brechbill

APPROVAL OF MINUTES: A motion was made by Don Grogg to approve the Minutes of January 2nd, 2020 as standard minutes taken by the DeKalb County Drainage Board, seconded by Bill Hartman, motion carried.

Jacqueline Rowan abstained from the vote since she was not in attendance for that meeting.

APPROVAL OF CLAIMS FOR JANUARY 2020: A motion was made by Bill Hartman to approve the claims for January 2020 as presented, seconded by Mike Krehl, motion carried.

Attorney Fees month of January	\$1,295.00
Legal Notices STAR	
• No meeting 12-26-2019	\$ 4.25
• Guy Platter FO	\$ 11.34
• Joint William Bickel Reconstruction	\$ 14.65
Legal Notices NEWS SUN	
• Joint William Bickel Reconstruction	\$ 14.65
TOTAL	\$1,339.89

INFORMATIONAL: Chairman Deetz asked for a report on the outstanding invoices/collections on several projects.

Surveyor Mike Kline stated that he does have several projects that he needs to collect; Butler City he is waiting for the final paperwork from his consultant so he can finish up the cost of the Railroad Crossing.

Don Grogg stated that even though there aren't 'real numbers' for a total billing, shouldn't we be billing for what we do know is owed with notation that there will be a final billing once all invoices are in.

Mike Kline said they (Butler City) will be around \$325,000.00 - \$330,000.00 that they owe. Mike said he wouldn't have a problem with billing them with what he knows is owed.

Drainage Board Attorney Shannon Kruse stated that the Inter-County Agreement that was signed laid out a payment structure, so that needs to be reviewed.

Chairman Deetz asked to see that agreement so he can review it once again.

It was questioned if things were settled with the Shook issue (Butler City drain) and it has not, there is no correspondence with the attorney at this point. There was also discussion about possible outside resources for upcoming projects and the need to know prior so the cost is added in before a hearing is held to have true costs.

Mike Kline also wanted the Board to know that he has talked to councilman Rick Ring about the need for more people in his office, he isn't getting corner stone recovery work done and according to State Law he is supposed to be doing 5% a year and it's been five or six years since he has done any at all. Mike said he will be looking to move forward with that later in the year by hiring a part-time person specifically for this task.

SURVEYORS CLAIMS: Nate Frye presented the claims for the Surveyor's office for review by the Board. The Auditor's office was behind on getting out the Joint Collections to the adjoining counties but that has been taken care of in the last few weeks, so we should be caught up on what was to be collected in those counties he said.

No action was necessary by the Board.

Chairman Deetz noted an email that was received from Steuben County and not receiving needed information from the Surveyor's office.

Nate said that he is hoping to get a letter out to Steuben County by Friday.

BORING CONTRACT FOR THE 2019 RECONSTRUCTION OF THE ERIC MORRIS DRAIN NUMBER 416-00-0: Surveyor Mike Kline presented the contract with Fleming Excavating, Inc. signed by Gregory A. Fleming for the boring under County Road 427 in the amount of \$27,450.00.

Don Grogg moved that the Board sign the contract with Fleming Excavating, Inc., in the amount of \$27,450.00 and to authorize the encumbrance of the General Drain Improvement Fund to cover the contract on the Eric Morris Drain Number 416-00-0, with all Board members signing said contract, seconded by Jacqueline Rowan, motion carried.

C. B. KAGEY DRAIN NUMBER 225-00-0: Present is Phil Brechbill, Brechbill Farms regarding a lateral that comes off of the *John Diehl Drain Number 45-00-0* that was ditched last spring and helped them gain almost four feet down at the bottom of that ditch, now the hope is that they get it about four feet deeper beyond the muck to stay up out of the farmed wetlands. The idea is to get into that area with a tile that is deep enough that they can then run four inch laterals through the muck and drain it; it's been two or three years since they've been able to farm all of it, there are open holes and the drain needs repaired. Phil approached Mike Kline about a year ago having had 70% of the watershed in favor of making those repairs which are done and now they are ready to see if they can get the ditch rebuilt (reconstructed); they have so much of the watershed so between him and those other two landowners owning 70% of the watershed, they are willing to kick in some money to get this done.

Chairman Deetz asked if Phil was looking to do this through a Consent and Waiver which requires all in the watershed to sign, or through the petition/full blown watershed hearing.

Phil Brechbill stated that it would be the petition/hearing because not everyone would sign the consent and waiver. A petition has been signed and submitted to the Surveyor's Office and there are landowner's willing to put money up front to move this further up on the list.

Surveyor Mike Kline said when they did the dipping of the John Diehl drain they were four feet lower and he can't get to that point at the bridge, so they stopped at the low point where those landowners are willing to let them go across the low point with a new tile. Mike said they will be twenty feet (20') deep under the road but they can then drain the area and actually be deep enough that Phil can get to those back areas. Mike said his proposal would be to start here (pointing to a map) and then coming up with a new tile to another area where they could be deep enough to get all that water to come out.

Chairman Deetz asked where this falls on the priority list and the timeframe for wanting to schedule this for a hearing. While Phil is wanting this to happen as soon as possible, Surveyor Kline stated that the drain is 14th on the list for reconstruction but if the landowners are willing to put the money upfront for the project, this is not that big of a project and it could be bumped up.

Mike said that the Board may want a letter from the two major landowners stating that they will put the money upfront (in the drain fund) to get this project moving and then Mike could prepare the drain for hearing.

Chairman Deetz stated that he doesn't want the impression (out there) that their order of reconstruction is based solely on landowners paying money (upfront). What will need to happen is for the landowners to present the letters to the surveyor, who will then need to ask the Board at that time if they are willing to move forward.

Drainage Board Attorney Shannon Kruse reminded the Board that there is 'criteria for advancement of drains for reconstruction and maintenance' in place that was passed in 1985, and that should be reviewed at the time when this is being proposed/requested. That mechanism allows the Board to make independent decisions not solely on money/funding.

ORA BOHLER DRAIN NUMBER 54-00-0: Mike Krehl stated that in looking at the list that had been provided it has the Ora Bohler as having a public hearing to be held in January of 2020 and he wants that to stay in the forefront. While understanding the 'logic' with not requiring as much of a review and having plans in place (speaking of the previous drain, the C. B. Kagey), pushing projects back to bring one up is not favorable.

Mike Kline said they are working on the Bohler as much as they can. As for the *Marvin Walker Drain Number 403-00-0* Mike Kline said he is waiting on the contract from Tri-County but Nate Frye said he put that on Mike's desk to review, so Mike said he will look at that and get it sent out. On the *Guy Platter Drain Number 112-00-0* he talked to Yoder's explaining that it will have to wait until spring to cross State Road 8 and they are agreeable to that; in talking to the State he thinks they can work out an arrangement where they will be there when the county crosses State Road 8 and do the back-filling, stone compaction and paving right after the county is done. The dipping on the Guy Platter was being done under maintenance, and that has been done according to Nate. Nate said there are a couple of drains on the short list for reconstruction that needed dipping to be prepared to do the tile work and he is hopeful to get that done as well.

ROBERT JOHNSON DRAIN NUMBER 3003-00-0: Chairman Deetz asked if a presentation had been done on the crossings in Ashley.

Mike Kline said he has yet to get a final number (cost) to them for the jack and bore and what he is looking at now is tying the steel pipe to the structures so he needs to get a final design on how to do that. Mike said there is another drain up towards Hamilton and the State is looking at working with (the county) to finish up right when they get across.

Chairman Deetz asked that the Surveyor relay this information to the Town Manager of Ashley and he said that he would.

Mike said he has the price he just has to get the 'final details' and the cost of additional supplies and material needs; if they were to agree with that this could happen quickly.

Philip Bremer stated that on the State Road 327 crossing the State is planning to resurface that and just sent out their final field notes for it, so he has been coordinating with them to cross as they do the resurfacing.

LECHLEIDNER/SPENCER: Chairman Deetz questioned this situation.

Mike Kline said this is his fault, the Lechleidner's have now sold their property so now he has to work with someone else on that. The landowner to the south of Spencer, Mike has a phone number but hasn't called them yet, but he will.

There being no further business, meeting adjourned.

Randall J. Deetz, Chairman

Brenda F. Myers, Administrative Assistant