

MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF JANUARY 16, 2020

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday January 16, 2020. 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; Joe Gabet

APPROVAL OF MINUTES: A motion was made by Jacqueline Rowan to approve the Minutes of January 9th, 2020 with a name correction, as standard minutes taken by the DeKalb County Drainage Board, seconded by Bill Hartman, motion carried.

APPROVAL OF CLAIMS FOR JANUARY: A motion was made by Mike Krehl to approve the two claims for legal notices in the amount of \$13.24 as presented, seconded by Don Grogg, motion carried.

Legal Notices STAR

- Joint DeKalb-Noble meeting 1-09-2020 \$ 6.62

Legal Notices NEWS SUN

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TOTAL \$ 13.24

SURVEYOR REPORT: Mike Kline presented a letter signed by Mary Jo Diehl and Bill Presley in reference to the *C. B. Kagey Drain Number 225-00-0*. Mike said that after Phil Brechbill had been to the meeting on January 9th, he came back to his office that same day with this letter asking the Board to move this up in priority so they can get started as soon as possible. Mary Jo Diehl is very positive about this and wants it done right now. They would like this to go to a hearing with the hope that the Board would approve the hearing; the drain being constructed and notices with final billing going out, and repay them any additional funds over and above their assessments.

Chairman Deetz questioned the priority list and what this would do to the schedule; as part of the criteria for advancing a drain on that list, Randy said he did not want to turn this into a leap-frogging due to money being available, this needs to be a fair process to all landowners.

Mike Kline said that he has been working on this for quite some time and it has been laying on his desk with very little work yet to do to have this completed and ready to go, and would not adversely affect the list. This provides an opportunity to get one more drain project off the list with the landowners willingly putting the money upfront. That is beneficial with their not being much money in the General Drain Improvement Fund.

The consensus of the Board was to proceed with preparing this for presentation and scheduling of a hearing.

WILLIAM BICKEL DRAIN NUMBER 133-00-0: Mike Kline told the Board that he would need to know how this is being funded in order to send this out for bids.

Chairman Deetz asked how much money is needed for this project and Mike Kline stated that he has the *Marvin Walker Drain Number 403-00-0* that he is getting the contract

signed on; he has the *Guy Platter Drain Number 112-00-0* and they are waiting for spring to do the State Road 8 crossing and then that will be done; the *Eric Morris Drain Number 416-00-0* is in the process, so they won't have all the money needed to do the Bickel ditch but most of that money will have to come from some place now. Once these projects are completed and he has all of the final costs, then he goes back and reassesses every landowner based on that final cost. Mike said he brings it to the Board and they approve it, it then goes to the Auditor and then the Treasurer, who will send out a bill advising landowners that they have one year to pay the amount shown with no interest. After that first year it goes on the yearly tax bill with interest.

Nate said they were expecting a pretty solid collection this spring for the fund however, what has already been committed to prior to the Bickel drain, unless money comes in from Butler, we will probably come close to breaking even on the existing projects.

Don Grogg asked the cost of three or four of the reconstruction projects; perhaps a line of credit earmarked for just those drains wouldn't hold things up.

Drainage Board Attorney Shannon Kruse read the Indiana Drainage Board Code Section 36-9-27-97.5 where it talks about construction loans. The Board could either bond the project or borrow money for the project. The key is where it talks of the cost of reconstructing a particular drain so lumping them together may not work. This Board, as well as the Joint Board, needs to come together with a plan and vote to move forward with making that request to the county fiscal body. Shannon questioned having a joint meeting prior to the surveyor putting this out for bids. It should also be discussed at that Joint meeting the local bidding preference as stated on the bid specs. Shannon will question McCanna if he has that form prepared as far as wording. Shannon stated that in the next thirty days or so Mike could prepare a draft of the bid specs and investigate the local bids and then we will need to hold a joint meeting. The idea of how to fund this could be presented to the council however, it would require a Resolution of the Joint Board to the fiscal body.

Chairman Deetz stated that the financing has to be resolved so DeKalb should request a Joint meeting, with the information in hand of how this would be financed.

Don Grogg will speak with the Council president to discuss this at their next meeting and he will also talk to the Auditor in regards to State Board of Accounts and different methods for funding. Randy Deetz will be out of town the next Council meeting however Don asked that Mike Kline be present at that Council meeting.

It was questioned how soon a Joint meeting could be set; Noble County will be contacted to inquire about mid-February.

PLAN COMMISSION PETITION – UTOPIA PLANITIA: Present is Joe Gabet, ForeSight Consulting, Inc. on behalf of Curry Family Farm, LLC/Bruce Curry for this three-acre subdivision where they will build a home.

Surveyor Mike Kline reported that this property is in the watershed of the *John Bemenderfer Regulated Open Drain Number 49-00-0*. The 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. 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 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 Mike Krehl, motion carried.

BUTLER CITY DRAIN NUMBER 200-00-0: Mike Kline said he finally has the final cost of the consultant who did the engineering work and that is \$25,000.00; the crossing is around \$220,000.00 so half of that will be roughly \$105,000 that the county would get back from the railroad. Mike said he is putting together justifications which he will include and invoice to the Railroad for the cost. Once this is all pieced together it looks as though Butler will have \$325,000 left of what they need to pay. Mike said once he gets his final numbers together he will present those numbers to the Board for approval. Mike noted that the Railroad is about \$198,000 and they most likely won't pay the 10% penalty on that but will probably wait until their year is up so about mid to late summer that money should be coming in.

It was questioned if there was money put in escrow to cover the Shook property and Mike said there is over \$50,000 in the maintenance account and they can use up to 75% of that which the total cost shouldn't be over \$10,000.

WILLIAM BICKEL DRAIN NUMBER 133-00-0: James Deetz questioned if Mike Kline has given any more thought on that small portion of this drain (the upper end) that wasn't included in the hearing. Jim said he has offered and it still stands, he will gladly take Mike in his four wheeler all along this ditch and told Mike to let him know when he wants to come.

Mike said he just needs to get out and walk this so he will have a better idea. Mike added that in looking through older records in his office, he finally found the petitions that Jim had copies of and presented at the hearing.

INFORMATIONAL: Nate Frye stated that with the tile work that was done on the very top end of the *Fred T. Miller Drain Number 91-00-0* system (Hunter property), allowing better flow through the system resulted in water accumulating on the north side of County Road 20 to the south, so they are actively working on getting that fixed with the highway.

There being no further business, meeting adjourned.

Randall J. Deetz, Chairman

Brenda F. Myers, Administrative Assistant