

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

Chairman Bruce Laub called the regular meeting of the DeKalb County Cedar Creek Drainage Board to order at 10:00 a.m., Thursday December 19th, 2019. Answering roll call was Bruce Laub; James Deetz and Dennie Taylor.

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

IN ATTENDANCE: Allen Haynes;

APPROVAL OF MINUTES: A motion was made by James Deetz to approve the Minutes of October 24th, 2019 as standard minutes taken by the DeKalb County Cedar Creek Drainage Board, seconded by Bruce Laub, motion carried.

LARE GRANT UPDATE: Allen Haynes, DeKalb County Soil and Water is present today to present the LARE application for design work on two sites, working with the City of Auburn on these sites, as well as the Park Board. There were a couple of slight changes since he appeared at the last meeting, one is because of administration, while this is coming from the Cedar Creek Board, this has to be signed by the Commissioners because all grant funds have to go through the County Commissioners. Once this is approved he will carry it to the Commissioners to have them sign. The second change was that after a conversation with Rod Renkenberger it was discussed that with having two projects this close together on Cedar Creek and with all that is going on at the State level, we needed to have these submitted as one application through the Cedar Creek Drainage Board in order to eliminate some confusion. At the last meeting the DNR had told Allen that the applications would be stronger if the City of Auburn Park Board submitted an application for Eckhart Park and then the Cedar Creek Board submitted another application for a second project, because coming from two different entities it created a stronger case and they would be more likely to fund it, but once we have two projects so close together on Cedar Creek within the Auburn City limits, it was determined that this would be an administration nightmare with all the changes happening at the State, so that created the change to one. Allen said he spoke to the Drainage Board Attorney who agreed that we could do this under the same umbrella with some official documentation about a working arrangement with the City of Auburn. With that being said, Allen presented an Inter-Local Agreement with the City of Auburn that they have signed and approved for doing half of the twenty percent (20%) match required on this Eckhart Park site, which is exactly what we had talked about the last time for them to pay half of our responsibility for the design work on the Eckhart Park site. We are only obligated to pay those funds if the LARE grant goes through, we are not obligated to pay anything for the application process.

Drainage Board Attorney Shannon Kruse reminded the Board of the motion at that last meeting was to *'... move forward with project #2 as a partner with the City of Auburn Parks and Recreation Department, and with #3 that the Cedar Creek Drainage Board would be the lead'*, so now we officially have the City of Auburn saying they will pay half of the project. Allen will submit the grants and if approved, Cedar Creek Board is obligated to pay 20% of the one project and then 10% of the other.

Allen stated that at the last meeting the Board approved moving forward to pursue this grant and so now we are at the point of needing approval to submit it and for the Chairman to sign the Inter-local Agreement with the City of Auburn.

Jim Deetz moved to submit the application for the Grant and for the Chairman to sign the Inter-local Agreement with the City of Auburn, seconded by Dennie Taylor, motion carried.

CLAIMS: The claims for 2019 were presented for Cedar Creek by Nate Frye who separated them into 'maintenance' done in 2019; County Road 52 reconstruction project for the bank stabilization; Waterloo bank stabilization project at the sewer treatment plant; two invoices for funds paid out for the design study that was discussed earlier. There is a cost; ledger; description and on the back page he broke down everything that has come out of the maintenance fund and the groups that money went to with an explanation of why they spent as much as they did this year Nate said. There were developing log situations and log removal at 19th Street in Auburn. Nate commented that there were things that were let slide partly due to the previous contractor who worked on Cedar Creek, they had concerns with the quality of work that he was doing and the Surveyors office was receiving backlash from DNR and Army Corp that his methods were not up to current standards and therefore WaterOps took over.

Mike Kline wanted the Board to know that Fred Knott, LaOtto Excavating has been very involved in environmental work, he has done a lot of wetland projects and bank stabilization projects and he understands the Army Corp and DNR requirements and therefore he is the go to person for those situations. Mike said before when they worked on the creek that contractor pulled logs and debris out and left it on the bank so a lot of that has washed back in; there has been high water but they are finding cut logs that are floating back in from the banks where they were left. There are a lot of dead ash trees coming down but those get removed. Mike said it looks like next year they will be able to reduce the amount of work and will become more manageable so long as Cedar Creek doesn't keep widening itself.

There were questions of getting relief at the county line and Mike said that they are working to keep logs from getting to the county line to provide some relief but there is only so much that we can do.

LOGJAMS: Jim Deetz questioned that when the contract was revoked on Cedar Creek with WaterOps, \$30,000 had been paid towards that project and Jim recalled that the conversation was that if he did more work, he would work that amount off so in essence that money would be worked off.

Mike Kline said that he remembered Mr. Lewis saying that if he bid (it was, at that time, going to be rebid) that he would reduce his fee by \$30,000, but it was never rebid. What Mr. Lewis has done is he has used the equipment that we basically paid him for because that was a specially made piece for that logjam, he has used that to remove all of this other stuff up and down the creek so it has been a big benefit to (us). Mr. Lewis' hourly rates on his equipment and his labor is very reasonable compared to everyone else. The charge is \$90.00 an hour for a two-man crew and \$100.00 an hour for equipment which is right on par with a few of the other contractors in the county. There are no longer complaints from outside regulatory entities as to the process used to remove logs, Mike said he feels a lot more comfortable with how things are being done on Cedar Creek now.

According to Nate Mr. Lewis' company has put in over 500 man-hours this year working on Cedar Creek.

Mr. Lewis agreed with all that had been stated here today and added that he has done a lot of great things and he does meet occasionally with DNR and IDEM just to make sure things are being done right. There is a lot of work on Cedar Creek, they have done a lot and can see how it is flowing better; they are seeing more fish and a cleaner environment in how they are doing things. They have two nets at the County Road 60 Bridge and that catches everything and then they pull it out and take it to the compost.

Chairman Laub stated that they wanted to make sure that they, as a Board are being good stewards and spending the funds wisely, so it is never out of line to question how money is being spent.

Mr. Lewis stated that the City of Fort Wayne came up to Cedar Creek at State Road 427 south of Auburn to take water samples and said they had very high levels of lead (more to the south) so they wanted to go up the chain to see what might cause that in the water. Mr. Lewis asked to be informed and was told that those levels were the best they've seen in the creek.

MEETINGS: There was discussion about holding Cedar Creek meetings at least quarterly to be kept up to date on the happenings and to review claims. It was decided to meet in March and Nate was asked to provide claims for the first quarter of 2020 at that time.

There being no further business, meeting adjourned.

Bruce Laub, Chairman

Brenda F. Myers, Administrative Assistant