

**MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF AUGUST 27, 2020**

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday August 27, 2020. Answering roll 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 member Nate Frye.

IN ATTENDANCE: Paul Chavez

**APPROVAL OF MINUTES:** A motion was made by Don Grogg to approve the Minutes of August 20<sup>th</sup>, 2020 as standard minutes taken by the DeKalb County Drainage Board, seconded by Bill Hartman, motion carried.

**SURVEYOR – DRAIN VARIANCE WILLMINA RINGWALT DRAIN NUMBER 55-00-0:** Mike Kline presented the drain variance as prepared for Doug and Brenna Picco (*ref. Minutes 8-13-2020 and 8-20-2020*).

Don Grogg moved that the Board, on the recommendation of the Surveyor approve and sign the Permit Agreement and Consent for Variance to Build a Permanent Structure within the Right of Way of Regulated Willmina Ringwalt Drain Number 55-00-0, to be no closer than forty feet (40') to the tile, seconded by Mike Krehl, motion carried.

**ERIC MORRIS DRAIN NUMBER 416-00-0:** Present is Paul Chavez who owns property on County Road 36 where the Eric Morris drain runs about 100' to the west of his property. Mr. Chavez stated that since the reconstruction project was done on the drain he has been losing water from (what he referred to as) a pond so he is requesting that the Surveyor (using a high-hoe) dig down about six feet so it won't completely drain it out. Surveyor Mike Kline stated this area is basically all sand and won't hold and that was not constructed as a normal pond would be, it's more of a water hole.

The consensus of the Drainage Board was that they held no obligation nor responsibility in the loss of water with their reconstruction of the Eric Morris drain and would not be able to help in any way.

**F. H. GEE DRAIN NUMBER 429-00-0:** Mike Kline presented pictures of a tile that the county had installed up to a telephone pole (as shown on the projector). The landowner (Noah and Jonas Schmucker) then opened up the tile, dug trenches and added more tile through a possible wetland area, all without the knowledge or consent of the county. Surveyor Mike Kline wanted it on record that he, nor his office staff had anything to do with the opening up of the tile and working beyond a pole (as shown on the map) into a potential wetland area. The field crew warned Mr. Schmucker that he could potentially be digging in a wetland and if the Army Corp or IDEM were to see they had dug that up they could pay thousands in fines; the next day his crew found that everything had been covered up, so now he has no idea of what was actually put in place. Mike said he wants it noted that this work that was done in a potential wetland area and was nothing that the County Surveyor's Office or the County Drainage Board participated in.

Chairman Deetz asked if Mr. Schmucker should be summoned to come before the Board. Mike said that he didn't know what they actually did there, Mr. Schmucker told him the county didn't do enough work on this tile so they were going to fix it themselves and pay for it. It was questioned if what was done will constitute a private tile or if it would be part of the Gee system and Mike said he doesn't know if they replaced part of the county

tile or what exactly was done. The part that runs along the road definitely is not the counties and Mike said he would not accept any responsibility for that, his contractors stopped the county project at a telephone phone outside of the wetland.

Drainage Board Attorney Shannon Kruse stated that a cease and desist letter can be sent informing them that they do not have permission to work on a county drain; if they plan to work in that area they would need permission of the DeKalb County Drainage Board. Mike said he would put some ideas together and confer with Shannon on a letter she will send on behalf of the Board as quickly as possible.

**INFORMATIONAL:** Bill Hartman reported that Jim Deetz has moved the tile out of his way on the William Bickel drain so he could work that ground down; the tile will need to be moved out of there though when the beans come off.

Mike Kline said he will have to look at the rest of that area to determine if he can use that tile on the Kenny Hartman property up the drain; he will also need to get installation prices.

There being no further business, meeting adjourned.

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Randall J. Deetz, Chairman

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Brenda F. Myers, Administrative Assistant