

## DEKALB COUNTY DRAINAGE BOARD MEETING

April 18, 2024

### **Drainage Commissioners Present:**

Bruce Bell, II, Chair  
James A. Miller, Vice-Chair  
William L. Hartman, Member  
Sandra M. Harrison, Member  
Michael V. Watson, Member

### **Guests:**

Bill Wolter  
Cynthia Wolter  
Frank Nester

### **Others Present:**

Glenn Crawford, County Surveyor  
Tyler Lanning, Lead Survey Tech  
Michelle Lassiter, Sec./Drainage Board Adm.Asst.  
Shannon Kruse, Attorney  
Troy Bungard, Survey Tech

### **Absent:**

None

Chair Bruce Bell, II, called the April 18, 2024, regular DeKalb County Drainage Board meeting to order at 8:30 a.m.

### **APPROVAL OF MINUTES**

Jim Miller moved to accept the Minutes of March 28, 2024, as presented as the standard minutes of the DeKalb County Drainage Board. Bill Hartman seconded the motion, and the motion carried.

### **DEVELOPMENT DRAINAGE PLANS**

The Board reviewed the drainage plan for Nester's Hydrovac Dump Site Development Plans for a drying basin, at 2345 County Road 9, on Parcel #03-01-33-400-011. This development is within the watersheds of the John Potts Lateral 2 Spur 3 Tile Drain No. 39-02-3, the John Potts Lateral 2 Spur 3 Branch 1 Tile Drain No. 39-02-3, the John Potts Open Drain No. 39-00-0, the A.B. McCullough Open Drain No. 105-00-0, the Frank Albright Open Drain No. 14-00-0, and the Cedar Creek Open Drain No. 470-00-0

Frank Nester of 2345 County Road 9 presented his plans for a hydrovac dump site drying basin. He explained that utility companies and excavators with hydrovac spoils would be dumping at this location only clean slurry, no chemicals would be accepted. The contractors would be signing agreements that there were no chemicals in their dump. The overflow for the basin would be to the north into the woods on the parcel on which Mr. Nester lives. Once the dirt has dried out it would be dug back out and used as clean fill dirt on construction sites and in yards. Mr. Nester stated he had been granted all of the necessary Indiana Department of Environmental Management and erosion control permits. He also had been granted a DeKalb County Board of Zoning Appeals variance.

Glenn Crawford, County Surveyor, reported that there was a need for the service Mr. Nester wanted to provide. He further noted that the plan was good and should cause no issues and that with the County Board of Zoning Appeals requiring a water acceptance agreement to be recorded for Lot #03-01-33-400-010 to accept spillway waters from Lot #03-01-33-400-011 he was approving of the plan. The Drainage Board accepted the Surveyor's Report

Mike Watson moved to approve the drainage plan drawings dated 01.30.2024, presented by Frank Nester, signed, and stamped by Darrin S. Good, Professional Engineer of D. A. Brown Engineering Consultants., with the Surveyor's recommendations, Sandy Harrison seconded the motion, and the motion carried with Bill Hartman abstaining as a nearby landowner.

## VARIANCES

### HILKEY-CARNAHAN LATERAL 5 REGULATED OPEN DRAIN NO. 12-05-0 CULVERT CROSSING: 7023 COUNTY ROAD 35 – WILLIAM AND CYNTHIA WOLTER

Mrs. Cynthia Wolter of 9821 Banyan Court, Fort Wayne, IN 46835, was present to explain that she and her husband had purchased the 93-acre parcel that was currently addressed at 7023 County Road 35. They planned to demolish the existing farmhouse and build a new home southwest of the current home's site. In going through the process to acquire permits, the Wolters found that the existing driveway would not meet the current site distance requirements and would need to be moved to a location that would meet the criteria. The most logical location would provide direct access to the future home and would require a culvert across the *Hilkey-Carnahan Lateral 5 Regulated Open Drain No. 12-05-0*. There was another location that would meet the site distance requirements north of the drain, but it would mean that the driveway would need to be angled through the middle of the parcel to the future home location.

Mr. Crawford stated that the culvert would need to be six feet in diameter to keep the drain flowing and he would approve the crossing.

Mr. Lanning explained that he had inspected the location. The upstream culvert under County Road 35 was six feet in diameter. He cautioned the Wolters that they would need to attend to and pay for the upkeep of the culvert.

Mrs. Wolter stated that they understood the requirements and wanted to do what was best for the county and drain as a whole.

Mr. Crawford cautioned the Wolters that the cost of the crossing would be expensive. They could get the variance today but would not be required to install it if they found the cost more than they wanted to pay.

Mrs. Lassiter informed the Board that this was a joint drain with Allen County of which DeKalb County controls the maintenance. Mrs. Lassiter reached out to the Allen County Drainage Board Administrator and was told they were okay with the DeKalb County Drainage Board determining whether or not to grant the variance.

Mike Watson moved to approve the culvert crossing of the *Hilkey-Carnahan Regulated Open Drain No. 12-05-0*. Jim Miller seconded the motion, and the motion carried.

## SURVEYOR'S REPORT

Mr. Bell asked for the Surveyor's Report. The surveyor's staff provided the following information:

Mr. Lanning reported the following:

- There were ongoing soil issues with the *William Bickel Regulated Tile Drain No. 133-00-0* and there was a Joint DeKalb County/Noble County Drainage Board meeting at 10:00 a.m. to discuss how to move forward with the reconstruction.
- The tile portion of the *George Wade Regulated Drain No. 31-00-0* was being requested for reconstruction on the top end of the drain. Chris Krafft was requesting that the open portion of the drain across his property be converted to tile. Mr. Lanning contacted the Department of Natural Resources They stated that there would not be any permits required for that portion to be converted. Mr. Lanning would include that in the reconstruction public hearing.
- NIPSCO had emailed to say they would be sending a subcontractor out at the end of April to repair the *John Bemenderfer Lateral 3 Spur 1 Regulated Tile Drain No. 49-03-1* and the *John*

*Bemenderfer Lateral 1 Regulated Drain No. 49-01-0.* NIPSCO was supposed to notify the Surveyor's Office so that the inspectors could be onsite during the repairs.

- The *Erwin Selke Regulated Tile Drain No. 439-00-0* on the south side of the county had been rooted several times over the past years and needed reconstruction. It outletted to an overland flow to the gravel pit to the west. It was flooding some *homes* and the Surveyor's Office was going to have a contractor root the drain for a temporary relief to the homeowners. It had been done so many times that a structure had been installed for this purpose. The Ritenour's yard had been a pond for close to a month. Some trees over the drain were going to be removed. The tile went through the yards of the Dekallen Estates of which sections were platted in 1977, 1985, and 1998. The information on the maps for the drain showed a construction/reconstruction date of 1997. Mr. Miller noted that the northwest section of the drain that went through the woods was probably an issue as well.

### DISCUSSION

Mr. Hartman informed the Board that he had spoken with the City of Garrett's Mayor regarding Garrett paying for a portion of the reconstruction of the upper end of the *Garrett City Tile Regulated Drain No. 44-20-0* on the north side of Garrett. The Mayor stated that Garrett no longer had any ARPA funds available. They were all committed to other projects. However, Mr. Hartman stated that the Mayor seemed receptive to the City trying to find other funding to help with the reconstruction.

Ms. Kruse reminded the Board that she would be attending the next two Board meetings via phone.

There being no further business or discussion, Mr. Bell thanked everyone for attending the meeting and declared the meeting adjourned at 9:00 a.m.

  
Bruce Bell, II, Chairman

  
Michelle Lassiter, Secretary