

DEKALB COUNTY DRAINAGE BOARD MEETING

May 30, 2024

Drainage Commissioners Present:

Bruce Bell, II, Chair
William L. Hartman, Member
Sandra M. Harrison, Member
Michael V. Watson, Member

Others Present:

Tyler Lanning, Lead Survey Tech
Michelle Lassiter, Sec./Drainage Board Adm.Asst.
Shannon Kruse, Attorney

Guests:

Victor Graber

Absent:

James A. Miller, Vice-Chair
Glenn Crawford, County Surveyor
Troy Bungard, Survey Tech

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

APPROVAL OF MINUTES

Mike Watson moved to accept the Minutes of May 23, 2024, as presented as the standard minutes of the DeKalb County Drainage Board. Sandy Harrison seconded the motion, and the motion carried.

VARIANCES

DANIEL HURSEY NORTH REGULATED OPEN DRAIN NO. 48-60-0: 5380 COUNTY ROAD 45 – SECTION 12, JACKSON TOWNSHIP – VICTOR AND LORI ANN GRABER

Victor and Lori Ann Graber, 5380 County Road 45, requested to construct a twenty-foot by fourteen-foot sitting room to be approximately sixty-eight feet from the top-of-bank of the *Daniel Hursey North Regulated Open Drain No. 48-60-0*. The property was located at the northwest corner of County Road 45 and County Road 46A. The drain was located on the north side of the property.

Mr. Lanning stated that Mr. Rychener of the Surveyor's Office had gone to the sight and determined that the requested sitting room would be sixty-eight feet from the top-of-bank of the drain. Mr. Lanning and Mr. Rychener did not feel that the sitting room would cause any issues with the maintenance of the drain.

Sandy Harrison moved to approve the variance for Victor and Lori Ann Graber to construct a 20-foot by 14-foot sitting room approximately sixty-eight feet from the top-of-bank of the *Daniel Hursey North Regulated Open Drain No. 48-60-0*. Bill Hartman seconded the motion, and the motion carried.

REQUEST TO USE SUBCONTRACTORS

Mr. Lanning presented the Board with a letter from Fleming Excavating, Inc. requesting the use of three subcontractors for the *John Ketcham Regulated Tile Drain No. 334-00-0* reconstruction project. Riley Contracting, Inc. for the jack and bore under State Road 8, E & B Paving, Inc. for the paving and concrete work, and Bojrab Landscape Management for the restoration portion of the project.

Mike Watson moved to approve Fleming Excavating to use the three subcontractors named. Sandy Harrison seconded the motion, and the motion carried.

CHANGE ORDER REQUEST

Mr. Lanning presented the Board with Change Order #1 from Knott Excavating for the *Fred Groscup Regulated Tile Drain No. 352-00-0* reconstruction project.

Nature of the Changes:

Set (3) 30" tees to hookup drains from Woodview Addition
 1 – 18", 1 – 15", 1-12" @ \$600.00 each \$1,800.00

Excavate the water main for the City of Garrett to install a 6" valve to shut the water off to re-route the water line for the installation of the 30" county-regulated drain.

Equipment & Materials

Mini Excavator	2 Hours	\$150.00/hour	\$300.00
Loader	2 Hours	\$170.00/ hour	\$340.00
Labor	2 Hours	\$ 75.00/hour	<u>\$150.00</u>
Total			\$790.00

Grand Total **\$2,590.00**

These changes result in the following adjustment of the Contract Price and Contract Times:

Contract Price Prior to this Change Order \$ \$73,350.00

Net (Increase) Resulting from this Change Order \$ \$2,590.00

Current Contract Price Including this Change Order \$ \$75,940.00

Contract Time Prior to this Change Order May 30, 2024

Net (Increase) (Decrease) Resulting from this Change Order June 20,
2024

Current Contract Time Including this Change Order June 30, 2024

Bill Hartman moved to approve as presented Change Order #1 from Knott Excavating for the *Fred Groscup Regulated Drain No. 352-00-0* reconstruction project. Sandy Harrison 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 informed the Board of the following:

- The *Fred Groscup Drain No. 352-00-0* reconstruction project was moving along. The relocation of the City of Garrett's waterline was almost complete. Once the section of the drain was completed under the road the contractor would be moving to the next field west of the Woodview subdivision. The restoration of the first field south of the subdivision was completed. The hope was for the project to be completed in two weeks.
- The *John Bemenderfer Lateral 1 Regulated Tile Drain No. 49-01-0* had been repaired by the NIPSCO subcontractor Pipe Strong.
- The *John Bemenderfer Lateral 3 Spur 1 Regulated Tile Drain No. 49-03-1* kept filling up with water despite having two pumps working to pump water out of the excavated area. The recent rains were adding to the issue. The Pipe Strong crew pulled off for the week and were going

to try to complete the repairs next week depending on the weather. They were trying to keep from having the road wash out.

- Maintenance on other drains was ongoing. The restoration of the properties along the *James Ferguson Regulated Open Drain No. 86-00-0* was ongoing using City Park grass seed.
- Next week, June 6, 2024, was the Public Hearing for the tile portion of the *George Wade Regulated Drain No. 31-00-0*. The office had received three objection letters from Chris and Judy Krafft, Ben and Kyla Krafft, and David and Esther Schmucker. Mr. Lanning stated that he had spoken with Ben Krafft last week and no comments of objection were made in that meeting, so the letters were a surprise. Especially since the Kraffts had wanted the drain reconstructed. Mr. Lanning stated that the letters were because the Kraffts didn't want to be included in the watershed. The Kraffts only wanted the property that the tile crossed included. The Kraffts included pictures of what they thought were additional issues in the open portion of the drain that should be included in the reconstruction, logs, silt, and such. Mr. Lanning stated that those items would normally be taken care of under drain maintenance. Mr. Lanning brought up the GIS maps with the overland flow paths layer generated by LIDAR information which showed how the watershed map was determined.

Mr. Hartman stated that he had been in contact with the Kraffts and had walked part of the drain. Mr. Hartman stated that there was silt in the culverts and sections of the open ditch that needed to be removed. Mr. Hartman stated that he believed the Kraffts wanted to have the drain reconstructed. He didn't believe their objections were to the cost, but to the open drain being able to take the water from the tile portion of the drain.

Mr. Lanning explained that dipping the drain was a bit complex, as the entire open ditch was not county-regulated. The county-regulated portion of the ditch ended in the woods west of State Road 1. The unregulated portion of the ditch continued through the woods, under State Road 1, and outletted at the St. Joe River. Mr. Lanning further explained that the invert for the reconstructed tile would be at 828 and that the tile would be shallow with not a lot of coverage as designed. There was \$7,800.00 in the drain's maintenance fund.

Ms. Kruse advised Mr. Lanning that the County Surveyor would need to write a rebuttal to the objection letters per the State Drainage Code I.C. 36-9-27-52 (e). Ms. Kruse further explained that the rebuttal needed to contain evidence to counter the landowners' statements. The Board needed to have as much information as possible to make a decision. The Board wanted to make the best and fairest decision. Ms. Kruse advised that the Surveyor's Office should get GPS shots of the open ditch to have as backing at the public hearing.

Both Mr. Bell and Mr. Hartman agreed that the Surveyor's Office should get GPS shots of the open regulated drain to make sure the Board had good numbers and full evidence upon which to base a decision.

Mr. Lanning stated that he wanted to reach out to the Kraffts to discuss their objections. Ms. Kruse stated that reaching out to them for clarification was a good path to take.

DISCUSSION

Mrs. Harrison asked Mr. Lanning if he had checked on the flooding issues at Mr. Greg Parker's property at 5694 County Road 17. Mr. Lanning stated that he had but had not looked at the culvert under the road. Mr. Lanning felt that it was going to be tough to stop the water from going through Mr. Parker's yard. Mr. Lanning stated that he would stop to look at the culvert today. If it were blocked that would be a County Highway project to clear the blockage.

There being no further business or discussion, Mr. Bell thanked everyone for attending the meeting and declared the meeting adjourned at 9:11 a.m.



Bruce Bell, II, Chair



Michelle Lassiter, Secretary