

DEKALB COUNTY DRAINAGE BOARD MEETING

November 7, 2024

Drainage Commissioners Present:

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

Others Present:

Troy Bungard, Survey Tech
Tyler Lanning, Lead Survey Tech
Shannon Kruse, Attorney
Katie Rutan, Office Clerk
Rebecca Wright, Office Manager

Absent:

Glenn Crawford, County Surveyor

Guests:

Ann Finchum

Mr. Bruce Bell called the November 7, 2024, Dekalb County Drainage Board meeting to order at 8:30 AM.

Approval of Minutes

He introduced the first order of business, the approval of the minutes of the October 31, 2024, Drainage Board meeting. Bill Hartman made the motion to approve the minutes, and Sandy Harrison seconded the motion. Mr. Bell asked if there was any discussion, and Jim Miller noted an error on the second page of the minutes. He asked that The Office correct it, and The Board accept the amended minutes. The Office noted and corrected the error. The Drainage Board moved to accept the amended minutes, and the motion carried.

Utility Permits

The meeting then moved to the next business item on the agenda, a utility permit for Auburn Essential Services in Sections 9 and 16 of Jackson. Tyler Lanning discussed the project with The Board and explained that AES intended to bore new fiber optic line on the south side of Bear Creek on CR 56 and pass four drains. The line would pass the Alex Provines Drain No. 70-00-0, the Nowlin Rafine Yoder Drain No. 262-00-0, Nowlin Rafine Yoder, Lateral 1 Drain No. 262-01-0, and the Nowlin Rafine Yoder, Lateral 2 Drain No. 262-02-0. Mr. Lanning noted that The Office would have to work with AES because the extension to the Bear Creek subdivision was also planned for the area. The subdivision would require a reconstruction of the Nowlin Rafine Yoder Regulated Drain. The Office should receive plans from the city next week for the subdivision. The reconstruction would mirror one completed earlier which charged each lot \$1000 per lot to offset the cost of the reconstruction. Mr. Lanning pointed out a few changes that would be made to the drain during the reconstruction. Bruce Bell asked how definite the plans for the reconstruction of the drain were, and Mr. Lanning answered that the Bear Creek Extension could not progress without it. The Office was not concerned about the new fiber optic lines because AES was always good about communicating with the surveyor, but the new lines should be noted for the future reconstruction. Mr. Jim Miller questioned if AES would bore under the tile and Tyler Lanning responded that he would discuss the depth with Glenn Crawford and work with John Hunt from AES about it. Mr. Miller also asked if the laterals were part of the reconstruction, and Mr. Lanning answered that they would be tied into the main during the reconstruction.

Bruce Bell asked for a motion to approve the utility permit for Auburn Essential Services on CR 56 in Sections 9 and 16 of Jackson Township on the Alex Provines Drain No. 70-00-0, the Nowlin Rafine Yoder Drain No. 262-00-0, Nowlin Rafine Yoder, Lateral 1 Drain No. 262-01-0, and the Nowlin Rafine Yoder, Lateral 2 Drain No. 262-02-0 approved by the Surveyor's Office. Mr. Bill Hartman made the motion; Mr. Jim Miller seconded the motion, and the motion carried unanimously.

Certification of Drains

Moving to the next order of business for the meeting, Bruce Bell introduced the first of two Drain Completion of Assessments Certifications for the Reconstruction of Drains, the Albert Hibgea Drain No. 268-01-0. Tyler Lanning discussed the assessment scroll and the final cost of \$86,290.09 for a cost of \$683.18 per acre. Mr. Bill Hartman asked for the original estimate, and Mr. Tyler Lanning answered that it was 87,124.12. Mr. Hartman added that it was slightly under the original projection. Bruce Bell asked if there was any discussion, and since there was none, he called for a motion to accept the Certification of Assessment for the Reconstruction of the Albert Higbea Drain No. 268-01-0 in the amount of \$86,290.09. Mr. Jim Miller made the motion and Mrs. Sandy Harrison seconded the motion. Since there was no further discussion, Bruce Bell called for a vote and the motion carried.

Mr. Bell introduced the second Certification of Assessments for the Reconstruction of Drains, the Fred Grosscup Drain No 352-00-0. Mr. Lanning addressed the assessment scroll for this reconstruction and the final cost. He noted the final cost at \$230,641.83. He added that The Office had an agreement with the City of Garrett to increase the size so the drain could handle additional building expansion in the future. Garrett had agreed to pay \$28,530.90 for the increase. The amount billed to the watershed was \$202,110.93 He continued that the cost came to \$563.69 per acre. The estimate on the project was \$280,379.00 which meant the project came in quite a bit under the original total. The office hoped the landowners would be happy with the final product and cost. Mr. Bell asked if there was any discussion about the certification. He then called for a motion to accept the Certification of Assessments for the Reconstruction of the Fred Grosscup Drain No 352-00-0 in the amount of \$230,641.83, and Mr. Jim Miller made the motion. Mrs. Sandy Harrison seconded the motion, and the motion carried.

Change Order

Bruce Bell then introduced a change order for Fleming Excavating and the John Ketchum Drain Number 334-00-0. He noted it was Change Order Number 3. Tyler Lanning explained that the change order was for extra milling that had to be done. It was in the amount of \$7,500.00 and had been approved by the City of Auburn earlier in the week. Mr. Bill Hartman asked if the Change Order was for asphalt that needed to be replaced. Mr. Lanning confirmed it was. He continued that it was the last change order, and the office had already submitted the final pay installment to Fleming. The Drainage Board had several questions about the billing process between the City of Auburn, INDOT, and the county, and Mr. Lanning answered that the process had been long, but the project was complete, and the final invoices were being paid. Bruce Bell asked for a motion to approve the Change Order for the John Ketchum Regulated Drain 334-00-0 Reconstruction in the amount of \$7,500.00 to Fleming Excavating for extra milling. Bill Hartman made the motion, and

Sandy Harrison seconded it. Bruce Bell asked if there was any further discussion, called for a vote, and the motion carried.

Surveyor's Report

Tyler Lanning delivered the Surveyor's Report and asked Ms. Shannon Kruse if The Office needed to schedule a hearing to reconstruct the Nowlin Rafine Yoder drain with the expansion of the Bear Creek subdivision. She responded that it would be in the best interest of the surveyor to do so as that would allow full transparency for all parties involved. She also asked if the drain was on maintenance and suggested the office bump up the maintenance cost. Mr. Bell asked how the cost per lot was decided, and Mr. Lanning responded that the developer verbally agreed to the amount. Ms. Kruse added that previously The Board held a hearing in a similar situation and said the drain would not need reconstruction without the added development. Thus, it was the responsibility of the developer to fund the reconstruction. Bruce Bell asked if it was the same developer and Tyler Lanning said it was. The developer planned to submit plans for the development in another week, and The Office wanted to be prepared if a hearing needed to be scheduled. Mr. Jim Miller confirmed that it sounded like a hearing was the safer route to take in approaching the reconstruction. Mr. Bell agreed that the reconstruction did not sound like a consent and waiver situation, and holding a hearing should be the course of action. Mr. Lanning asked The Board if The Office should prepare a signed agreement with an amount the developer would contribute for the reconstruction. Ms. Kruse and The Drainage Board agreed. Mr. Jim Miller asked what would happen if the reconstruction exceeded the projected cost. Tyler Lanning responded that The Office would look at what the reconstruction would require so a better estimate could be figured and cost per lot established.

Tyler Lanning continued the Surveyor's Report and said that The Office had received a pond permit, and the landowner had placed the bank of the pond 40' from the boundary line of his property. The Surveyor felt the overflow would spill onto the neighboring properties. He added that DeKalb County does not have clear established pond ordinances, but Allen County did. He explained some differences between the pond that was submitted compared to the regulations in Allen County, and gave examples of what could happen to the neighboring property. He asked Ms. Kruse if the applicant could enter into an agreement with the neighboring property and have it recorded with the deed. Ms. Kruse responded that she had several concerns about how the pond could impact the neighbor's property. Mr. Jim Miller asked if the pond was allowed with a recorded document, what would happen when the neighboring property was sold, and the new owner disliked the agreement. She answered that the new owner would have no recourse. Mr. Bell asked about drainage to the east, but there was very little in the area. He also asked about DeKalb County Pond Regulations, and Tyler Lanning said The Office was working on them. Mr. Bill Hartman agreed that the overflow could eventually create a wetland on the neighbor's property, and then create a situation where he would lose control of a portion of his land. Sandy Harrison agreed that granting permission for the pond but creating an issue for the neighbor would put The Office in a bad position. The Board decided that the petitioner needed to seek an agreement with the neighboring landowner or redesign the pond. The Surveyor's Office should also work on creating clear pond ordinances.

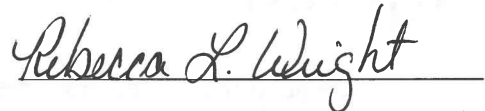
Mr. Lanning added that the Levi Dennison Reconstruction was underway. He encouraged the board members to go out to the job site to see Pankop Excavating's wheel machine at work.

Discussion

There being no further discussion, Bruce Bell adjourned the meeting at 9:06 AM.



Bruce Bell, II, Chair



Rebecca L. Wright
Drainage Board Secretary

DEKALB COUNTY DRAINAGE BOARD

NO.	NAME	PHONE (HOME)	PHONE (CELL)	EMAIL ADDRESS	MAILING ADDRESS	PETITION OF INTEREST
1	AmFmckum	280-920-4109			Auburn Main Street	
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4						
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DATE
11/07/2024

