

DEKALB COUNTY DRAINAGE BOARD MEETING

February 6, 2025

Drainage Commissioners Present:

Bruce Bell, II, Chair
William L. Hartman, Member
Steve Kelham, Member

Absent:

James A. Miller, Vice-Chair
Kellen Dooley, Member

Others Present:

Glenn Crawford, County Surveyor
Tyler Lanning, Lead Survey Tech
Troy Bungard, Survey Tech
Shannon Kruse, Attorney
Katie Rutan, Office Clerk
Rebecca Wright, Drainage Board Secretary

Guests:

Todd Ramsey (ASMI)	Dany Gabet (ASMI)
Victor Eicher (Variance)	Mitch Shepherd (Variance)
Nathan Eicher (Variance)	Kevin Aldrich (John Diehl Lateral 5 Drain Number 45-05-0)

Chair, Bruce Bell, called the February 6, 2025, regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m.

APPROVAL OF MINUTES

The first business item was the approval minutes from the January 23, 2025, meeting. Mr. Bell asked for a motion to approve the minutes. Mr. Steve Kelham motioned to approve the minutes as presented, and Mr. Bill Hartman seconded the motion. Mr. Bell asked if there were any questions or discussion about the minutes. Since there were none, he called for a vote to approve the minutes, and the motion carried.

DEVELOPMENT PLAN

Bruce Bell introduced a development plan for ASMI, Exurban E-Recycling in Garrett, IN. Todd Ramsey with Fuller Ramsey Properties was present to discuss the plan and relay information and questions to engineers in Canada. He also introduced engineer Dany Gret. Mr. Ramsey stated he knew ASMI and The Surveyor's Office had a history of positive communication.

Mr. Ramsey gave background on the property stating it was a combination of two parcels: The F & H Property and the Handshoe Farm. He answered a question he knew many people had, "One of the questions, I know they were wondering if we were crossing down at the old Handshoe Homestead. We will not be going over the tracks down there. That 2 acres is not included in this." He added that the facility's main entrance would be by IKG. Mr. Ramsey also asked if the engineer from Toronto could join future meetings via conference call. The board decided that it was agreeable.

Mr. Tyler Lanning added the ASMI development plan was large in scope and had 3 retention ponds on site. Mr. Glenn Crawford agreed with Mr. Lanning and added the run-off coefficients were acceptable. He appreciated the time and attention the engineers had taken designing the project. Mr. Ramsey asked Mr. Crawford if he had received an answer to his question regarding the water quality unit. Mr. Crawford said he had not received the revised drawings yet, and Mr. Ramsey said the engineers were working on them. Mr. Gret stated the engineers would address Mr. Crawford's inquiry in the revised drawings.

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Surveyor Glenn Crawford, noting his comment on the drawings, said, "The outlet to the regular ditch needs an energy dissipation pool to keep the bank erosion to a minimum to slow the water down before it outlets to the south." Mr. Lanning pointed out the three ponds on the drawing displayed for The Board and added that two of the ponds would be directed into the southernmost retention pond which would outlet into the George Carper North Open Ditch No. 167-60-0. He explained that The Surveyor's Office desired a dissipation pool to ensure the bank was not eroded.

Ms. Shannon Kruse asked if the George Carper Tile Drain Number 167-00-0 had been vacated. Todd Ramsey stated that he understood when he purchased Parcel Number 07-05-35-326-012, the George Carper Tile Drain Number 167-00-0 had been vacated but was not reported. He thought his surveys showed the drain but postulated the drain might have been vacated in the 1990's. He offered to find the information and return to a future Drainage Board Meeting to clarify what portion of the drain had been vacated.

Mr. Lanning pointed out that ASMI would connect to the George Carper North Open Ditch Number 167-60-0 and not the George Carper Tile Drain Number 167-00-0.

Mr. Bell asked if there was more discussion, and Ms. Kruse asked if the Development Plan presented was preliminary. Mr. Tyler Lanning answered that it was the development plan. Surveyor Glenn Crawford stated that The Board could decide if it was ready to accept the plans as presented as he did not have the revised version yet. Ms. Kruse remarked if The Board desired to vote on the development plan, it needed to include conditions in the motion. Mr. Ramsey and Mr. Gret agreed they would like a condition added to the motion as they both had to report back to the engineers in Canada and a condition would provide clarification but also let ASMI know their "first hurdle had been cleared."

Mr. Bruce Bell asked if there was more discussion about the ASMI E-Recycling Development Plan. Since there was none, he asked for a motion to approve the development plan for ASMI Exurban E-Recycling at 1797 Forrest Park Drive in Garrett, IN in Section 35 of Keyser Township on the Garrett City Drain Number 44-00-0, the George Carper North Open Ditch Number 167-60-0, and the Cedar Creek Drain Number 470-00-0 with the conditions that the outlet to the George Carper Open Ditch Number 167-60-0 would have an energy dissipation pool with riprap to keep the erosion of the bank to a minimum and slow the water down before it entered the open ditch and the condition that the George Carper Tile Drain Number 167-00-0 would be vacated from north of the railroad tracks to the property line of Parcel Number 07-05-35-400-015. Mr. Bill Hartman made the motion. Steve Kelham seconded the motion, and the motion carried.

VARIANCES

The meeting then moved to the first of two variances on the agenda.

Nathan Eicher stepped to the podium to represent the variance for a driveway culvert he and his brother wished to install at CR 71 and CR 72 in Spencerville, IN, on the A.A. Jackson Open Ditch Number 1920-00-0. Tyler Lanning explained that the Eichers had the driveway sized by the Allen County Surveyor's Office and were given three options of different culverts and sump levels that would effectively create the driveway. The brothers had selected one of the suggested sizes, and The Office approved the plan for the culvert.

Bruce Bell then asked for a motion to approve the variance at CR 71 and CR 72 in Spencerville, IN, in Section 31 of Newville Township on the A. A. Jackson Drain Number 1920-00-0 with the favorable recommendation from the Surveyor's Office. Steve Kelham made the motion, and Bill Hartman seconded the motion. Mr. Bell asked if there was any more discussion. Hearing none, he called for a vote, and the motion carried.

The last variance on the agenda was for a culvert on the Samuel Healey Open Drain Number 258-00-0 in Troy Township for Lance Mitchell and Robert D. Slentz. Mitch Shepherd stepped to the podium and explained that the landowners wished to install a culvert to run cattle from the west side of the property to the east side so they could graze. He also reported that the size of the culvert necessary was more costly than expected, and he thought a bridge would be more economical. He added he would report his final structure to The Surveyor's Office.

Tyler Lanning told the Board that The Office approved the ditch crossing and the two landowners on the variance were Mr. Shepherd's son and father-in-law. He commented that The Office would work with the family to ensure the crossing was the appropriate size for the ditch. Since there was no more discussion, Mr. Bell asked for a motion to approve the variance for a drain crossing with the understanding that the landowner would work with The Surveyor's Office to establish exactly what the crossing would be at County Road 71 in Butler, IN in Section 18 of Troy Township on the Samuel Healey Open Drain Number 258-00-0. Mr. Bill Hartman made the motion, Steve Kelham seconded it, and the motion carried.

SURVEYOR'S REPORT

Mr. Bruce Bell asked for the Surveyor's Report, and Mr. Tyler Lanning asked Troy Bungard to display the John Diehl Lateral 5 Drain Number 45-05-0 at CR 34 and SR 327. Mr. Lanning explained that Aldrich Farms Inc. had purchased Parcel Number 09-05-16-100-005 and removed trees to expose more farmland. He continued that the tile running through the parcel was in poor condition, and the landowner had inquired about options for the tile. Addressing Ms. Kruse, Mr. Lanning stated that the landowner wished to reroute 360+- feet of the John Diehl Lateral 5 Drain Number 45-05-0 at the southern corner of a stand of trees southwest toward the John Diehl Open Ditch Number 45-00-0 which also crossed the parcel on the west side. This would avoid the road crossing on County Road 34. The landowner felt this would improve the flow of the tile north of the stand of trees and prevent a wetland from increasing in size.

Mr. Lanning stated the Office had maintenance funds to cover the project cost, but he wanted to clarify if this type of project was considered "maintenance." Mr. Lanning continued that a drain could be moved through a Consent and Waiver, but the affected landowners were required to pay for the project. In addition, to move or reroute a drain, a hearing could be held to reconstruct a drain, but most of the landowners in the watershed would need to agree to the reconstruction. Ms. Kruse affirmed Mr. Lanning's statements, adding that maintenance money could not be used to move or reroute a drain. She expounded that The Drainage Code explicitly stated if a landowner wanted a drain to be rerouted on his land and was the only landowner impacted, he must pay for the move. Mr. Lanning clarified that if a landowner wanted to hold a hearing to move the drain and the members in the watershed agreed, up to 75% of the maintenance funds could be used for rerouting the drain. Mr. Bungard displayed the watershed so The Drainage Board could see how many parcels would be impacted by rerouting the portion referenced in Mr. Lanning's discussion. Mr. Lanning

commented that because the John Diehl Lateral 5 Tile Drain Number 45-05-0 also ran through wetlands, The Surveyor's Office was limited to the extent it could reconstruct the drain.

Mr. Steve Kelham inquired if the outlet would be moved upstream and if anyone had checked the elevations. Mr. Kevin Aldrich stepped to the podium and stated, "there's plenty of fall to catch whatever is there. I don't know why they didn't go straight to the ditch at the beginning." Mr. Bruce Bell asked Mr. Aldrich to explain the main issue and where he wanted to begin rerouting the tile. Mr. Aldrich asked Mr. Bungard to zoom in on the map, and he directed the Board's attention to a white dot he identified as a "blow hole." He said from that point the open ditch was about 350 feet. Mr. Bell then asked if Mr. Aldrich felt the tile north of the blow hole was in working order. Mr. Aldrich stated, "No, I know there's blow holes to the north of that in a field we farm as well." Then Mr. Bell suggested reconstructing the ditch under County Road 34 and using the maintenance fund to repair the rest of the drain line because Ms. Kruse previously stated maintenance funds could not be used to reroute a drain on a single landowner's property.

Mr. Bill Hartman reiterated if Kevin Aldrich agreed to the "shortcut" of a Consent and Waiver to move the drain, the rest of the funds could be used to repair the drain tile. He would have to pay for the work, but he could do it himself. Mr. Lanning agreed with Mr. Hartman and acknowledged that the maintenance fund could not cover the cost of routing the drain to the open ditch, but it could be used to repair the blow holes.

Bruce Bell inquired about the benefits of rerouting the drain towards the west versus under the road for Mr. Aldrich. Mr. Aldrich replied that it was half the distance. He asserted that more trees "would have to be cleared on the south side of the road not to mention the road itself." Mr. Bell said he understood Mr. Aldrich's point, but by reconstructing a small portion of the tile, The Surveyor's Office could direct the maintenance money toward fixing the blow holes Mr. Aldrich said existed. Mr. Aldrich countered Mr. Bell suggesting that The Office could save money by rerouting the drain, and Mr. Bell asked if Mr. Aldrich would agree to move the drain through a Consent and Waiver. Mr. Aldrich said, "Yes."

Tyler Lanning explained that a Consent and Waiver would be straightforward as Kevin Aldrich would be the affected landowner and he would pay the cost of rerouting the drain toward the open ditch. Mr. Lanning added holding a hearing for the entire watershed was also an option.

Mr. Aldrich stated he wanted to hold a hearing, "and have the county pay for it. It doesn't make sense to me that you have \$9,000.00 in there and you have an issue with it, why not fix it, with a cheap way to do it and that would be to redirect it."

Surveyor Glenn Crawford asked if it was the Drainage Code, and Ms. Kruse stated, "The Drainage Code states that you can't move it unless you have a hearing."

Mr. Aldrich replied, "Ok, fine. Let's do a hearing," as he felt the watershed would be impacted by rerouting the tile. Ms. Kruse asked if The Office knew the cost of rerouting the drain, and Mr. Lanning replied the cost was minimal. Ms. Kruse then asked Mr. Aldrich how his neighbors felt about the status of the drain. He answered that his neighbor to the north had asked him why it was in such poor condition, but Mr. Bell wondered what benefit Mr. Aldrich's neighbor would see by rerouting the end of Lateral 5. Mr. Aldrich answered that his neighbor thought the end of the drain was in poor condition and that rerouting to the open ditch would improve the drain and prevent the wetland from increasing in size.

Mr. Lanning concluded that The Surveyor's Office would hold a hearing to Reconstruct the John Diehl Lateral 5 Drain Number 45-05-0. He added the field inspectors would walk the lateral to ascertain the condition of the drain all along the watershed. He acknowledged that with a hearing landowners in the watershed at the top end must pay for something that benefitted landowners at the bottom end. In addition, since much of the lateral went through wetlands, a reconstruction of the entire lateral would prove problematic. He added that if the landowners agreed to the reconstruction The Board and The Office would need to agree on the priority of the drain on The Reconstruction List.

DISCUSSION

Then Tyler Lanning introduced the 2024 Drain Report. He referenced the packet The Office provided for the Board Members and information in different tabs.

He noted the 2025 Drain Reconstruction Priority List. He explained what put a drain on the reconstruction priority list and what might move it up on the list. For example, if a drain was causing a road to flood, it moved to the top of the list. Also, a reconstruction was moved up on the list if landowners were willing to contribute extra funds to the reconstruction budget. Otherwise, it was in order of when they were petitioned or when the Surveyor's Office had recommended them. Mr. Lanning pointed out a few drains that were more of a priority and different plans to reconstruct them, specifically noting the Erwin Selke was next in line for reconstruction and that the E.P. Griffin might have to be completed in stages as driveways and roadways increased the complexity of the reconstruction plan.

Mr. Lanning discussed how the Office financed reconstructions and what parameters it must observe. Mr. Hartman inquired about the process for borrowing money against the maintenance fund to fund reconstruction, and Mr. Lanning answered the question noting how the Auditor assisted the Surveyor's Office in the process.

Mr. Crawford noted that the Reconstruction Fund would benefit from receiving the interest deposits from reconstruction payments made over time which it did not currently receive. The Board also discussed increasing the Reconstruction Fund and the amount to borrow against the Maintenance Fund. Chairman Bruce Bell pointed out that increasing the funds was necessary to keep them relevant compared to inflation.

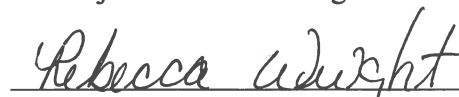
Mr. Bell and Mr. Lanning asked Ms. Kruse about the limitations of where interest payments could be deposited. She answered that the applicable code was Section 41, and the account needed to be a maintenance fund.

Mr. Crawford added that he and Troy Bungard had almost finished designing the Erwin Selke Drain No. 439-00-0 Reconstruction Project. They asked Ms. Kruse about outletting the drain into area waters and what paperwork would be needed.

Bruce Bell asked if there was any further business to discuss. He asked if The Surveyor's Office was performing brushing work on CR 45 and 68 on the Jerry Davis Dr. No. 191-00-0. Tyler Lanning said it was not. That ended the business for the day, and Mr. Bell adjourned the meeting at 9:24 a.m.



 Bruce Bell, II, Chairman



 Rebecca Wright, Secretary

DEKALB COUNTY DRAINAGE BOARD

NO.	NAME	PHONE (HOME)	PHONE (CELL)	EMAIL ADDRESS	MAILING ADDRESS	PETITION OF INTEREST
1	<i>Todd Ramsey</i>		438-2483			<i>Carol Devine</i>
2	DAVY LOET	+32	472 43 58 82			
3	MICHAEL SHERRARD	260-987-4580			7883 CRIA BUIER, TN 4681	
4	Kevin Mladich	260 541-0055			0751 CR20 Consume Tr 46120	
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2/06/2025