

DEKALB COUNTY DRAINAGE BOARD MEETING

February 20, 2025

Drainage Commissioners Present:

Bruce Bell, II, Chair
Kellen Dooley, Member
James A. Miller, Vice-Chair
William L. Hartman, Member
Steve Kelham, 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:

Susan Sleeper-County Auditor
Deryck Jefferies-NIPSCO Utility
Tyler Peterson-IMP Utility
Dylan Melcher-IMP Utility
Joe Herendeen- J & C Acres Minor Subdivision

Chairman, Bruce Bell, called the Drainage Board Meeting for February 20, 2025, to order at 8:30 a.m.

APPROVAL OF MINUTES

The first item of business was the approval of minutes from the February 6, 2025, meeting. Mr. Bell asked for a motion to approve the minutes. Mr. Steve Kelham motioned to approve the minutes as presented, and 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. The motion carried. Mr. Kellen Dooley and Mr. Jim Miller abstained from the vote as they could not attend the February 6, 2025, Drainage Board Meeting.

GENERAL DRAIN FUND DISCUSSION

Mrs. Susan Sleeper, County Auditor, reported that in 2020 the council approved the Surveyor's Office to borrow up to \$1.4 million against the General Drain Maintenance Fund for reconstruction projects. She added that money is only transferred when it is needed, so The Office only carried a balance when it completed a reconstruction. She continued that to date, the Office had \$897,923 left to borrow for reconstruction projects. Mr. Hartman asked about a balance on the John Ketchum Drain Number 334-00-0 Reconstruction Project, and Mr. Tyler Lanning answered that INDOT still had to pay its share of the reconstruction cost. The Office expected that payment in July. Once INDOT paid its share, The Surveyor's Office would have \$1,256,829.93 for drain reconstruction projects.

Mr. Bell asked if the Board could increase the \$1.4 million as construction costs had increased since 2020, and Mrs. Sleeper answered it could if the Commissioners would allow it.

Ms. Kruse added that the Office did not want The Board to use all the money for reconstruction and leave none for maintenance. She also noted that this was done so that the Surveyor's Office would not have to incur the expense of bonds and pass that on to landowners. The Board questioned why the amount was limited to 5% of the taxed amount, and Ms. Kruse read a portion of The Drainage Code that answered the question.

The Board thanked Mrs. Sleeper for the information she provided.

APPROVAL OF FEBRUARY ATTORNEY CLAIM

Mr. Bell asked for a motion to approve the February Attorney claim of \$1295.00 for Shannon Kruse. Mr. Jim Miller made the motion, and Steve Kelham seconded it. Mr. Bell asked if there was any discussion, but since there was none, he called for a vote, and the motion carried.

REPLATS

Bruce Bell transitioned the meeting to the first of two replats on the agenda, Candy Hill Farm. County Surveyor Glenn Crawford explained the replat located on County Road 10 saying that two lots would be five acres and the others would become fifteen acres. Mr. Tyler Lanning added that a family was splitting the original parcel for single-family residential construction. Mr. Bell asked for a motion about Candy Hill Farm Parcel Number 04-03-18-200-005 on County Road 10 in Waterloo, Indiana, in the Northwest quarter of Section 17 at T35N and R14E in Franklin Township in the Cedar Creek Watershed, Drain Number 470-00-0. Mr. Jim Miller made a motion to approve the replat with the favorable recommendation of the surveyor, and Mr. Steve Kelham seconded the motion. The motion carried.

The second replat was for the Moughler Addition located at 1729 County Road 51 in Waterloo, Indiana. Chairman Bell asked for an explanation of the replat, and Tyler Lanning stated that the parcel would be used for a single-family residence. Mr. Kellen Dooley asked if the replat impacted the drainage, and Mr. Lanning replied, "No." Mr. Bell asked for a motion regarding the Moughler Addition at 1729 County Road 51 in Waterloo, Indiana, in Section 29 of Franklin Township on the George Matson Drain Number 73-00-0, the George Matson Lateral 4 Drain Number 73-04-0, and the Cedar Creek Drain Number 470-00-0.

Commissioner Kellen Dooley motioned to approve the replat, and Commissioner Bill Hartman seconded it. Chairman Bell asked if there were any questions or discussion about the replat, but since there were none, he called for a vote, and the motion carried.

UTILITY PERMITS

Concluding the replats for the morning, Bruce Bell introduced the first of two utility permits on the meeting's agenda, a NIPSCO utility permit at County Road 34. Mr. Deryk Jefferies approached the podium to discuss the project. Mr. Jefferies explained the length of utility line NIPSCO planned to run along CR 34. He also noted the plan to contact The Surveyor's Office 48 hours before beginning the work.

Mr. Lanning thanked him for the additional comment on the plans as the Surveyor's Office Field Inspectors would visit the worksite to mark the drainage tile. He added that NIPSCO would need to bore under the tile so The Office could work on it in the future without disrupting their utility. Kellen Dooley asked what would happen if a tile was damaged during a utility installation. Mr. Lanning answered that the utility company was responsible for repairing the tile. The responsibilities were outlined in the utility agreement which The Drainage Board was approving. He added The Office tried to prevent damage by marking field tiles in advance for work crews and communicating with utility crews.

Bruce Bell called for a motion regarding the NIPSCO utility permit at County Road 34 and County Road 1 in Kendallville, IN, in Section 16 of Richland Township on the Ed F. Haynes, Lateral 1 Drain Number 8-01-0. Bill Hartman motioned to approve the permit and Kellen Dooley seconded it.

Having a motion and a second, Mr. Bell asked if there was any discussion about the motion. Since there was none, he called for a vote, and the motion carried.

The second utility permit was for Indiana Michigan Power and Tyler Peterson and Dylan Melcher stepped to the podium to explain it.

Mr. Peterson stated he was the project manager; he and Mr. Melcher were designers for the Fort Wayne team. He continued that IMP was installing new poles along County Road 60 beginning at County Road 31. He asked Mr. Melcher, the site manager, to explain the details of the project. Tyler Melcher specified that most of the poles were 40' tall, but there was one that was much taller. He added that pole replacement would commence at County Road 31 and conclude at County Road 35. Surveyor Glenn Crawford asked when the project would begin, and Tyler Melcher answered, "In April."

Mr. Bell asked if there was any more discussion about the utility permit. Hearing none, he called for a motion regarding the IMP utility permit at County Road 60 and County Road 31 through County Road 35 in Auburn, Indiana, in Section 21 of Jackson Township on the Daniel Hursey South Lateral 2 Drain Number 48-82-0 and the Ellen Reed Miller Lateral Drain Number 151-43-0.

Councilman Jim Miller motioned to approve the NIPSCO utility permit, and Steve Kelham seconded it. Mr. Bell called for a vote, and the motion carried.

MINOR SUBDIVISION

Moving the meeting to the J & C Acres Minor Subdivision, Joe Herendeen addressed the Drainage Board and discussed the project in the southeast corner of County Road 68 and 327. He stated it was a single-family residential subdivision. He did not foresee drainage issues with the parcel but was happy to answer questions from The Drainage Board.

Mr. Bill Hartman stated that the subdivision ^{he voted no in the meeting} was a ~~no vote~~ last night because someone could buy it later and put a CFO (confined feeding operation) on it. Mr. Lanning clarified that this could only occur in the event of a rezoning. Mr. Hartman added that the owner wanted to put a storage building and horses at the location. Mr. Kellen Dooley asked if there were issues with drainage on the property, and Mr. Lanning said there were not.

Mr. Bruce Bell asked if anyone would like to make a motion about the J & C Acres Minor Subdivision in the southeast corner of County Road 68 and 327 in Garrett, Indiana, in the northwest ¼ of section 34 at T33N and R12E in Butler Township on the Frank Yarde Drain Number 27-00-0 upon the favorable recommendation of the surveyor. Kellen Dooley made a motion to approve the minor subdivision with the favorable recommendation of the Surveyor's Office. Jim Miller seconded the motion, and it carried by a vote of 4-1.

CONSENT AND WAIVER

Surveyor Glenn Crawford introduced the Consent and Waiver for Reconstruction stating it was for the Bear Creek developer, Jeff Thomas. Mr. Lanning continued that The Board had discussed the reconstruction of the Nowlin Rafine Yoder Drain Number 262-00-0 and the Nowlin Rafine Yoder Lateral 2 Drain Number 262-02-0 at length in the past as it was a condition of approving the Bear Creek X subdivision. He continued that a homeowner to the south side of CR 56 was experiencing

flooding, and the reconstruction would benefit them as the tile would feed into retention ponds in the subdivision which should eliminate flooding along County Road 56. He informed the Board that Knott Excavating would reconstruct the drain and had submitted the plan to the Office for approval. He further explained that all water on the north side of the road would be carried to the east to the retention ponds and then to the south.

The developer had agreed to pay the cost of the reconstruction, so the Consent and Waiver benefited all affected parties. Mr. Hartman asked how much maintenance money was in the Nowlin Rafine Yoder maintenance fund, but Mr. Lanning said the maximum amount in the fund was \$5000.00 as there was a small number of landowners. It currently carried a negative balance as the Office had fixed large suck holes along Lateral 2, but there were still several that needed attention.

Mr. Kellen Dooley asked about the traffic flow of the subdivision and the retention ponds, wondering how the subdivision would impact County Road 56. Mr. Troy Bungard displayed the map of the drain reconstruction and subdivision so The Board could view the drainage plans, the traffic pattern, and the pond retention system.

Mr. Bell asked for a motion to approve the Consent and Waiver for Bear Creek Estates Section X for the Nowlin Rafine Yoder Drain Number 262-00-0 and the Nowlin Rafine Yoder Lateral 2 Drain Number 262-02-0 in Section 16 of Jackson Township in Auburn, Indiana, based on the surveyor's favorable recommendation.

Mr. Bill Hartman motioned to approve the Consent and Waiver for Reconstruction, and Mr. Steve Kelham seconded the motion. Having a motion and a second, Mr. Bell asked if there were any questions or discussion, but hearing none, he called for a vote. The motion carried.

SURVEYOR'S REPORT

Mr. Bell asked for the Surveyor's Report, and Mr. Tyler Lanning began it, reminding the board of a landowner who lived on CR 62 & 71 who wanted to build a pond. He wanted to vacate the Henry Geddis Lateral 2 Tile No. 157-02-0 to build a pond but had struggled to gain the necessary signatures. The landowner asked if The Board would schedule a hearing to vacate the tile.

Mr. Lanning asked Mrs. Kruse if The Board could approve a hearing. Mr. Bell asked why the landowner could not get the signatures, and members of the Surveyor's Office responded that some landowners did not live in town. Mrs. Kruse also read a portion of the code that explained why a tile could be vacated.

The Board discussed at length the wisdom of vacating the tile. Mr. Jim Miller stated that vacating the tile west of CR 71 eliminated the tile outlet east of CR 71. Mr. Lanning stated The Surveyor's Office was seeking guidance about options for the landowner and the tile. He suggested a Consent & Waiver to move a portion of the tile.

Mrs. Kruse suggested that the consensus of The Board was that it was inadvisable to vacate the drain, as it did not fit the criteria for vacation, and thus the situation did not mandate a hearing.

Bruce Bell asked Mrs. Kruse how moving the drain would impact neighboring landowners and the drain right-of-way concerning a Consent & Waiver to Reconstruct a small portion of the tile. She responded that the landowner would need to obtain signatures from the affected landowners, in this

specific case, a landowner to the south, as a reconstruction would alter the drain right-of-way on his property.

Continuing with the Surveyor's Report, Mr. Lanning asked Ms. Kruse about the Erwin Selke Reconstruction. Mr. Lanning reviewed the history of the drain. Ms. Kruse urged The Office to type an agreement between The Office and the landowner to the west of CR 17 that stated the Erwin Selke could outlet under CR 17 as it had in the past.

DISCUSSION

Mr. Troy Bungard asked if he should pull up the Frank Albright Drain Number 14-00-0, but The Board said their question had been answered: They knew it needed a bridge.

Mr. Bruce Bell asked about the drain maintenance and reconstruction interest earned and where it was deposited. Mr. Lanning said Bill Hartman had come to the office to discuss the topic. The interest was invested in a CD that matured in 2026. Members of the Surveyor's Office, The Drainage Board, and The Auditor discussed maintenance funding and drain interest at length.

Mr. Bell inquired about the current tax levy for the current year. He requested The Surveyor's Office report the amount back to the Drainage Board so it could decide if it should pursue increasing the drain reconstruction loan amount.


Mr. Hartman asked if The Office would need more for drain reconstructions than it would have access to in 2025. Surveyor Glenn Crawford said he would gather a budget for scheduled reconstruction projects for 2025. He thought The Office could reconstruct part of the EP Griffin, the Erwin Selke, and possibly work with a co-op to reconstruct the Ora Bohler. Mr. Miller commented that landowners had asked him what their share of the reconstruction of the Ora Bohler Drain would be. Surveyor Glenn Crawford said he would send him the information.

Kellen Dooley asked about "Zooming in" to Drainage Board meetings. He mentioned that commissioners could attend via video chat when their schedules prevented them from attending in person. He noted this method allowed them to vote on important items. Ms. Kruse replied she did not know the answer to his question.

Referring to the Drainage Board Meeting on February 6, 2025, Mr. Hartman asked about the John Diehl Lateral 5 Drain Number 45-05-0. Tyler Lanning reported that Kevin Aldrich had spoken with him after the last Drainage Board Meeting and said he didn't want to pay for it. Mr. Lanning told him the drain would go to the bottom of the reconstruction list, which was the usual procedure when a drain was recommended for reconstruction by a landowner and was not causing major flooding issues. Tyler Lanning offered to look at the drain and advise Mr. Aldrich and The Board since reconstructing the small portion of the drain tile Mr. Aldrich requested was inexpensive.

There being no further discussion, Mr. Bruce Bell adjourned the meeting at 9:46 AM.


Bruce Bell, II, Chairman


Rebecca Wright, Secretary

DEKALB COUNTY DRAINAGE BOARD

2/20/2025

Petition of Interest

Name & Contact Information

Petition of Interest	Name & Contact Information
County Permit for ACP	Tyler Peterson 260-503-0117
N/Info	Ryan Melcher 260-340-8867
A/works	Derek Setchell 260-450-9992
MC Annex	Susan Sledge
	Joe Hencroft 260-409-3300