

April 6, 2026

The Wabash County Drainage Board convened at 10:00 a.m. for a regularly scheduled meeting. Board Chairman Jeff Dawes; Board Members Tyler Niccum and Cheryl Ross were in attendance and a quorum was present for the meeting. Others in attendance included: Surveyor, Cheri Slee; Assistant Surveyor, Braden See; Highway Superintendent Ryan Smith and Deputy Surveyor Tonya Blair.

Drainage Board Minutes

Chairman Jeff Dawes initiated the review of the minutes from the March 16, 2026 Drainage Board meeting. Mr. Niccum moved to approve the minutes as written, and Mrs. Ross seconded the motion. The motion passed unanimously with a 3-0 Board vote.

Kevin Bowan – private drainage issue

The Surveyor presented the signed petition from Kevin Bowman along with documentation, maps and the watershed regarding the drainage obstruction (on Army Corp property). We have received everything we asked for and will forward the information to the County attorney for review. She cited that under Indiana code, 36-9-27-2, a mutual drain is defined as drain located on 2 or more tracts of land (which it is) and secondly if established by mutual consent of all the owners which would be hard to prove in this case. The third condition states if the drain is subject to a drainage stature, which has been determined this is not a regulated drain. Title work research would need done to verify if the drain was originally one owner. She stated she contacted Andrew Shelton, CIV US Army CELRE (Army Corp), to notify him that a petition was submitted. He sent title work without an explanation and she has not had time to review the paperwork provided. She also noted that there is an obstruction from trees and there are several places where there is water coming up through the tile. The next step is to present the petition to the County Attorney and work on researching the drain, and then it will need to be determined if it's an intentional or unintentional obstruction. She noted that her opinion it was unintentional. After that, a decision would be needed on how to handle the removal of the obstruction. The County attorney has questioned how much authority the Drainage Board has over the federal government for the obstruction removal.

Kevin Bowan said he did not expect Army Corp to pay for repairs to the drain, they simply want permission to remove the obstruction. He also mentioned that he had not seen the title work that was received from Army Corps.

Mr. Niccum motioned to accept the petition based on the conclusion that the drain meets two of the three criteria per Indiana code that defines a mutual drain. Mrs. Ross second. Motion passed 3-0.

Homer Miller Drain

Mrs. Slee updated the Board regarding the Homer Miller reconstruction. She said she spoke with the engineers and they did not feel it is necessary for them to be involved in the project and suggested working with a contractor to determine correct size and placement of the manhole. The project will require three quotes if the job is estimated over \$15,000.00 (maximum amount determined by the Drainage Board for work without acquiring quotes) and she felt it would be unfair to have a contractor size the manhole and not hire him to do the work. Mr. Niccum suggested having three contractors that are quoting the project give their opinion on the manhole size. Mrs. Slee said she has one other engineer she could contact to see if he would be available. Mr. Niccum approved of contractors Troy Eads Excavating, Eads and Son Excavating and Earthworks (contractors recommended by the landowners) for sizing the manhole and obtaining quotes for the reconstruction project.

Ray Figert Drain

Mrs. Slee presented reconstruction plans and cost estimates to the Board and stated that they were received from Banning Engineering last week. We will need to review and then figure a cost per acre. Once the plans are reviewed and a cost per acre has been accepted, a hearing date will be set. The hearing will be 40 – 50 days after the plans and figures are accepted by the Board. She mentioned that the road cut cost should be lower than estimated because the County highway usually provides the backfill stone and the asphalt to repair the road.

John Maiden Drain

Engineering plans and a cost estimate has been received from Banning last week for the John Maiden reconstruction. A cost per acre will need to be determined and the plans will need further review. After the plans are reviewed and a cost per acre has been accepted, a hearing date will be set. Mrs. Slee stated that the engineer determined the tile did not need upsized from the existing 12” and 15” the existing tile has failed due to tree roots and collapsed the tile. The new tile will be re-directed around the trees and outlet into the open ditch on the north end. The engineer said, if requested by landowners, the tile could possibly be upsized to an 18”, but is not needed. Since the tile is in a pasture the work could be done this summer. Mr. Dawes suggested figuring an alternate cost option for 18” in case the landowners would want to upsize the tile. If a landowner would request the up size they would be responsible to pay the difference of the larger tile.

Transfer of funds – Auditor

Mrs. Slee presented a claim for repayment of loan/transfer total of \$17,988.35 from #1158 General Drian Improvement to:

#2600 Drain Reconstruction Fund; \$14,452.71

#2700 Drain Maintenance Fund; \$3,535.64

Mr. Niccum motioned to approve the transfer of \$17,988.35 from General Drain Improvement fund #1158 to #2600 in the amount of \$14,452.71 and #2700 in the amount of \$3,535.64. Mrs. Ross second. Motion passed 3-0.

Miscellaneous Drainage business

Building Permits

The Drainage Board agreed at the January 17, 2023 meeting to allow the county surveyor approval to allow for minor impact construction permits meeting the requirements established. The varied requests were for the following: John & Melinda Davis, 85-12-20-400-030.000-003, pool & pool deck; Jon & Heather Timmons, 85-19-27-203-005.000-006, inground pool & patio; CoCo Jo's RV Campground, 85-16-29-100-002.000-003, steel carport; Steven & Deborah Freshour, 85-02-23-200-003.000-012, 2 storage sheds; Ronald D Wiley, 85-07-33-200-003.000-001, grain bin; Ricky Miller, 85-11-27-400-021.000-003, pole building; Martha Willett, 85-11-34-100-002.000-004, 2 sheds; carport; Micheal Wilson, 85-13-02-200-003.000-007, new home; Tim & Angela Zumbaugh, 85-10-13-200-015.000-010, patio; Micheal Shriver, 85-05-02-100-001.000-012, garage & 2 sheds; Robert & Rachel Gross/Cliff & Arlene Kindy, 85-03-23-400-012.000-001, solar panels; Amos & Barbara Garber, 85-15-01-200-031.000-003, storage shed & barn; Joseph & Alison Smith, 85-19-26-103-008.000-006, pole barn w porch; John & Deborah Burke, 85-06-10-102-049.000-012; Andrew & Jennifer Koseike, 85-02-32-300-009.000-012, shed; Nathan Hilty, 85-16-19-300-017.000-003, pole barn; Mr. Niccum motioned to approve the building permits as presented. Mrs. Ross second. Roll call vote, motion carried 3-0.

Claims

The Board reviewed drainage invoices: Maintenance: Heeter-Blickenstaff-Creager #571, \$920.00 to L.I. Excavating: Reconstruction; Ray Figert #552, \$742.50 & \$477.50 to Banning Engineering; Mr. Niccum motioned to accept the claims as presented. Mrs. Ross seconded. Motion passed 3-0.

There being no further business Mr. Niccum made a motion to adjourn. Mrs. Ross seconded the motion. Roll call vote, motion carried 3-0.

Jeff Dawes, Chairman

Cheryl Ross, Vice-Chairman

Tyler Niccum, Member