

September 15, 2025

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

#### Drainage Board Minutes

Chairman Tyler Niccum initiated the review of the minutes from the September 2, 2025 Drainage Board meeting. Mr. Dawes moved to approve the minutes as written, and Mrs. Ross seconded the motion. The motion passed unanimously with a 3-0 Board vote.

#### Frank Truss Drain

Mr. Niccum opened the meeting with a request for a motion on the reconstruction project. Mr. Dawes motioned to dismiss the Frank Truss proposed Reconstruction project. Mrs. Ross second. Motion passed 3-0. Mr. Niccum read the findings and order which summarized the Drainage Board determination and final action. The said drain will remain on the list for reconstruction but will not be considered a priority. The Drainage Board ordered a payment \$5688.03 for reimbursement to the County (Frank Truss Drain Reconstruction Fund) for costs incurred to date, which includes a compensation to the contractor.

Ms. Smith questioned how much and why the contractor would be compensated. Mr. Niccum replied that the contractor lost time and passed up other jobs so this is to reimburse some of the time he had involved with the project.

Mr. Whitesel asked if the same percentage for the reconstruction would be the same for the reimbursement payment of \$5688.03? Mrs. Slee replied that the County Attorney advised her that the landowners wanting to dismiss the project and agreed to pay the costs accrued would be responsible for reimbursement. Other landowners involved that did not request the dismissal of the project or submit a written letter to oppose the project were considered as in favor of the reconstruction so therefore, would not be responsible for reimbursement of expenses. The percentages discussed include all landowners included on the schedule of assessments.

Mr. Whitesel asked if assessments on the drain will still go up. Mrs. Slee stated the new maintenance on the above said drain has been accepted and certified so that will go up and be capped at the four-year balance and won't be collected unless it falls below that amount.

Mr. Whitesel also asked when the payment was due. Mr. Niccum stated that was yet to be decided. He noted that the classification of the Frank Truss Drain will remain as in need of reconstruction, but will be moved to the bottom of the list.

Mrs. Downey questioned how they would know how much of the \$5,688.03 would be theirs to pay. Mr. Niccum explained that the group in agreement that didn't want the project will be responsible for the full amount and it would be up to them to determine how it should be divided. After discussion, one option would be to take the group involved and take the percentage each landowner has within the watershed. Mrs. Slee stated she will need to get with the Auditor and the Treasurer on proper procedure for reimbursement to the ditch. Board signed the Findings and Order for the Reconstruction proceedings.

Present: JD & Phyllis Downey; Susan Stewart Floor; Steve & Jennifer Smith, Lee Smith, William Gallo & Jessica Lynn.

#### Henry Keaffaber Reconstruction

Mrs. Slee reported that advertisement for bids will be published in the paper this week and that will include dates for the pre-bid meeting, receiving and acceptance of the bids. There is still the question of how to get a final cost on reconstruction for those landowners who have questioned if they can pay ahead. Mrs. Slee stated that it's difficult to calculate because we won't know cost of the reconstruction until bids are received and the railroad along with INDOT's involvement makes it more complicated. Board Members discussed the issue and there was no decision made on how to move forward on the matter.

The Surveyor reported that she has had landowners ask if the Plaintiffs are going to be held responsible for the attorney and court fees for the judicial review. In talking to the County Attorney, it was her understanding that he did not specify to have landowners pay for the County's court fees if the judgement was not in their favor. Board Members discussed and agreed to have the fees taken out of the Drainage Board contractual fund.

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#### Staver Eckman

Mrs. Slee updated the Board and stated that she is working on appraisals and hopefully those will be completed soon. Pre bid date is September 23, 2025.

#### Thad Reynolds Reconstruction

Board members discussed their concerns regarding private lateral taps that have been connected to the main drain on the above said drain. The Surveyor told Board Members that Evan and Kyle were coming at 1:00 this afternoon to discuss the issue. Mr. Niccum questioned if they were every 4-5 feet. Mr. See replied that they are at least 20 – 40 feet apart and the reasoning for that is if the tile were to fail, there would be enough room to run new laterals in between the failed ones. Indiana Code specifies that reconstruction plans are to be presented to the Drainage Board. Joe (Banning Engineering) suggests not more than 3-5 taps into the main. There are some counties that charge a fee of \$100 per tap into the main. The Surveyor presented warranty and specifications on Springfield tile that she received from the company. It specifies that the tile is 100% virgin material and made to last 100 years. Policies from other counties were presented for Board members to review. Some options discussed were to possibly charge a fee per tap and also creating a permit which would require specifications for anything larger than a 12" tile when tapping into the main. The Board agreed that a written policy is needed to address this situation which would be through an ordinance. Mr. Niccum suggested contacting the county attorney for directives on this issue. The Board agreed that a policy is needed to protect the County's regulated drains.

The tile coming into the Osborne property was questioned. Mrs. Slee stated that Mr. See dug and found the tile going to the Osborne's and she informed Evan Bowman of its location. Evan assured her that they will make sure the tile coming onto the Osborne property will be hooked into the new main and will have positive flow. They plan to hook it into a new 8" tile which will be installed to the north of the Osborne property line and flow north to the new main. Her concern is that records show the tile currently flowing south to east and out-

letting into the main north east of the property. She also stated that there was a portion of the main tile that was changed according to our records and the Drainage Board will have to determine what to accept as part of the county regulated drain.

Miscellaneous Drainage business

Funds transfer / Loan from #1158 General Drain Improvement

Mrs. Slee presented a claim for transfers in the amount of \$14,725.82 from General Drain Improvement fund #1158 were to distributed to the following accounts:  
Drain Maintenance Fund: \$13,421.38  
Drain Reconstruction Fund; \$1,304.44

Addison Wiley – Pond

Information presented by the Plan Commission for a pond permit for Addison Wiley (85-11-25-200-028.000-003, Pt NE ¼ 25-28-7 40.445 ac) was brought before the Board for their consideration. It was noted there was no involvement with any county regulated drains. After review, Mrs. Ross motioned for a favorable recommendation. Mr. Dawes second. Motion passed 3-0.

Building Permits

Building permits meeting the requirements established by the County Drainage Board at the January 17, 2023 meeting to allow the County Surveyor’s approval for minor impact construction were presented to the Board for their acknowledgement. The varied requests were for the following; Todd Vigar, 85-06-33-100-001.000-010, lean to; Neil & Nancy Tate, 85-07-15-100-007.000-001, corn crib; Tommy & Lynn Frame, 85-10-02-300-010.000-010, pole barn/concrete floor; Phillip & Tahiani, 85-19-15-400-006.000-005, 4 season room & porch; Richard & Michelle Sluss, 85-12-31-100-002.000-003, 27’ pool; Addison Wiley, 85-15-17-200-034.000-007; buggy garage; Cecil & Rita Overmyer, 85-02-21-400.010.000-012, in ground pool/pavilion/concrete pool patio, enclosed porch & open porch; Jorge & Esther Mendez, 85-18-34-400-011.000-013; James Francis, 85-09-02-202-085.000-011, pool & patio cover; Mrs. Ross motioned to approve the building permits as presented. Mr. Dawes second. Roll call vote, motion carried 3-0.

(Claims)

The Board reviewed drainage maintenance invoices: Maintenance; George Wolfe Drain #664, \$450.00 and Staver Eckman Drain #641, \$150.00 to Northern Indiana Wildlife Control, LLC.

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

Special Meeting

Bowman’s - Thad Reynolds Drain Reconstruction

The Drainage Board reconvened at 1:00 P.M. for a discussion (Mrs. Ross was absent) with Bowman Agri Corp. on the reconstruction of the Thad Reynolds Regulated Drain. Present: Evan Bowman and Kyle Bowman.

Evan and Kyle Bowman explained their reconstruction drain project regarding private lateral taps coming into the County’s main. A detailed map of the drainage system and a technical data sheet from Springfield Tile was presented to Board Members for review. Chairman Tyler Niccum questioned what kind of spacing was being used for their lateral taps, to which Evan bowman replied that they were running 40’, 30’ and 20’ spacings staggering between sides of the main.

Jeff asked if there were any actual benefits to taping directly into the main versus running sub mains alongside of the county main. Evan replied that the prosses is cheaper to install and based on topography he thought it wouldn’t make sense to run sub mains, Evan also voiced his opinion that this type of drainage system was beneficial for the soil and standard operating procedure for good stewardship of the land. The Bowmans then presented a sample of tile with a tap tee in it to show how secure their connections can be. Stating that Springfield tile can handle unlimited quantities of taps.

Cheri Slee questioned what would be the consequences of all these taps in the future if the tile needed to be reconstructed. Evan Bowman stated that with the life of this tile we will never have to worry about that. The Surveyor then reminded them that other new tile innovations have under preformed and failed in the past and that we don’t know the life of this tile. She also reenforced that it’s her job to look to the future with these types of projects. Evan Bowman in turn challenged that these drains belong to the land owners and not the Surveyor’s Office or Drainage Board, and that the only reason the drain exist is to benefit the landowners and that these taps are the only way

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the drain could benefit them. From there he began a questionable monolog regarding tractors versus combines and his opinion of how government should work and handle these projects claiming that the Drainage Board has no authority or responsibility to contemplate hypotheticals about the future. Kyle bowman interrupted to move the conversation forward.

Drainage Board member Jeff Dawes then questioned the strength of the tile with several taps per stick of tile and conversation continued for several minutes about Springfield Plastics tile specs.

Cheri Slee then asked how would Bowmans react if neighboring landowners within the watershed wanted to tap this drain and would the tile handle it. Evan insured that they have thought to the future and prepared for all neighboring properties to tap in the future. Mrs. Slee asked about the tile coming into the Osborne property. Evan said they will run an 8” tile onto the north side of their property and connect to the tile that was located by the Surveyor’s Office. It was mentioned that the records indicated their tile flowed a different direction to witch the Bowmans guaranteed that it did not and it flowed toward their northern property line. The Bowmans claimed that they would wheel around all properties connected to the field to ensure that they wouldn’t miss any connections and if they did, they would be happy to connect them in the future.

The Drainage board then asked where they were at with permitting on the open portion to which Bowmans stated that they were still waiting on approval and permits from IDEM and Army Corps.

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

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Tyler Niccum, Chairman

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Jeff Dawes, Vice-Chairman

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Cheryl Ross, Member