

August 18, 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, Cole Wyatt and Assistant Tonya Blair

Drainage Board Minutes

Chairman Tyler Niccum initiated the review of the minutes from the July 21, 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  
Continued Reconstruction hearing

Mrs. Slee explained that the above said hearing was continued so the existing box could be investigated and bids could be taken and received. The box was examined and was determined that it will not work with the new tile and in need of being replaced. This was already included in the proposed reconstruction plans. The Board after taking bids acted accordingly awarding the project to Smith Excavating who was the lowest bid at \$67,550.00.

Chairman Niccum reviewed the timeline of the reconstruction process from the original hearing date, April 21, 2025, noting that continued hearing notices were mailed out on August 7, 2025 which included amended estimate costs that were based on the bid. The floor was then opened up for public comments. Mrs. Downey questioned why the cost of the proposed project was still higher than she was hoping it would be.

Mrs. Slee replied that the cost of the proposed reconstruction dropped from the original estimated costs of \$451.75/ac & \$400.00/min to \$272.00/ac & \$250.00/min. with the bids received and there were also engineering bills that were outstanding from the original hearing date. The contractor's bid was \$67,550.00, engineering fees \$5,500.00 which would include things that were asked to be addressed by landowners/contractors. Advertising fees totaled \$75.00 and interest on the bank loan estimated at \$15,000.00. A 10% contingency on the total estimated cost was added to cover any unforeseen problems that come up during the reconstruction project.

Mr. Whitesel asked for a breakdown of the bank loan.

Mrs. Slee stated that she contacted the bank and gave them the estimated amount of the loan and was given an approximate amount of what the interest could be. There is no way of knowing the exact interest rate or amount until a contract is signed with the bank.

Mrs. Stewart asked what the interest rate would be.

Mrs. Slee stated the interest rate was based on the amount of \$80,900.00 over five years but she does not have the exact interest of the rate.

Mr. Whitesel asked what the 10% contingency was used for.

Mrs. Slee said that the 10% would be used for problems that come up during a project that aren't included in the original design plans. If that money isn't used then it would go back into the maintenance fund for the drain to be used for future maintenance projects.

Itemized costs of the proposed project was discussed.

Mrs. Downey asked if there was a pay ahead deduction?

Mrs. Slee replied that it would be on the interest only. I would need to know if you are planning to pay ahead in advance for the bank loan.

Mr. Whitesel stated that he thought the cost was too high on the project and requested that the project not go forward.

Mr. Niccum stated that costs will only get higher.

Mrs. Downey also stated that she would also like to cancel the proposed reconstruction.

Mrs. Ross mentioned that the County has already incurred engineering costs of approximately \$5,500.00.

Mrs. Slee said per Indiana code, the Drainage Board is responsible for upkeep of a county regulated drain. This drain has several holes and needs to be upsized which requires a reconstruction.

Mr. Downey stated that he has walked the drain and did not see anything that couldn't be repaired.

Mrs. Ross said the contractor has probably purchased the tile for the proposed project.

Mr. Downey asked how much the County has invested in the proposed reconstruction to this point.

Mrs. Ross replied that the contractor could be charged a restocking fee for the returned tile.

Mr. Whitesel stated that the cost is higher than it needs to be and that as a group, they should have input on decision making and accept the consequences for the outcome.

Mrs. Slee said there are engineering fees and possibly restocking fees incurred by the contractor.

Mrs. Ross questioned money would be spent over ten years repairing rather than fixing.

Mr. Wyatt stated that another thing to consider is the money the contractor has lost by passing up jobs because he had planned on this job.

Mr. Downey asked if he and the landowners in attendance could step out in the hallway to discuss the matter.

Chairman Niccum granted the request.

After the break, Mrs. Downey stated that she did not want to spend eight to nine thousand on something that she would not benefit from. Since Mr. Smith and Mr. Whitesel were the ones who brought this matter to the Board and now are no longer in favor of it along with she and other landowners, the project should be canceled.

Mr. Downey added that the landowners that are present would like the project stopped and are agreeable to pay equally per acre for any costs incurred by the County. This will give us time to reconsider this matter at a different time and even if we are wrong, we will accept that.

Mr. Niccum said he was unsure if it could be stopped at this point because of legal and financial also, the contractor has probably lost out on business.

Mrs. Ross replied that we will need to contact the county attorney and the contractor to get the expenses he has incurred for the reconstruction project to this point.

Mrs. Slee stated that the contractor also had the expense of a bid bond.

Mr. Whitesel asked that if the reconstruction does move forward, would there be an option to pay ahead?

Mr. Niccum replied that anything paid ahead would have to be paid 30 days before the project is started.

Mrs. Stewart requested that any further decisions regarding the reconstruction project be fully communicated.

Mrs. Slee said that notices will be sent out notifying them of the continued hearing.  
Mr. Dawes motioned to table the hearing (continue from day to day) to consult with the county attorney and contact the contractor.  
Mrs. Ross second. Motion passed 3-0.  
Present: JD & Phyllis Downey, Steve & Jennifer Smith, William Gallo, Susan Floor, Matt Whitesel

Ray Figert Drain Reconstruction

The Surveyor stated that damages were included in her initial Reconstruction report to the Board, but were not discussed when she presented the reconstruction report. She noted that there could be crop damage with the possible timing of the project, but will be addressed at that time. The Board reviewed the report.

Garl Eppley Drain

Mrs. Slee presented pictures of the trees that Tim Denney is requesting to be cleared from along the bank on his property. She explained that is an area that has grown up because it is hard to get the spray equipment along the ditch with the space available. Mr. See reported that he had walked the ditch and there is no visual evidence that the drain needs to be dipped and there are no obstructions at this time. It was noted that it is planned to survey the drain in the near future. Mrs. Slee stated that the City of Wabash would like to have the drain cleaned because of the new tile they have installed, but to date funding is an issue and a hearing is needed to raise the maintenance. After discussion concerning the proposed pond expansion, Board members agreed to hold off on clearing trees until there is a decision made regarding the detention pond and the agreement with the City on funding. Chairman Niccum said he would contact Mayor Long to discuss the funding issue with the pond expansion.

Henry Keaffaber Drain

No. 227

The Surveyor noted that Board Members have read the judges’ decision on the judicial review on the above said drain. Banning Engineering said they will begin working bid documentation. The County Attorney suggested waiting the 30 day appeal period before taking bids which means the bids could go out no earlier than September 5, 2025.

Thad Reynolds Drain

The Surveyor stated that when the Bowman’s came in to present their plan for reconstruction of the above said drain, they did not present engineer plans as required of her when reconstructing a regulated drain. She expressed to the Board that she would like to get clarification from State Board of Accounts and the County Attorney on requirements for a private landowner reconstructing a regulated drain. Drainage Board approval was given for the plan they presented, but they were told that all existing tile on other properties need to be connected to the new main. Per Evan Bowman the upper end of the Branch 4 does not exist, but per Assistant Surveyor, Mr. See there were clay pieces laying on the ground in the location of the branch. There is a concern that some of the county tile they said does not exist, does exist, and if abandon and not connected to the new main correctly could cause drainage problems for neighboring property owners.

Mr. Bowman has also installed system drainage and currently there are approximately 50 taps (20 – 40 feet apart). Their original plan did not include a request for tapping the main and was not discussed when approval was granted for reconstruction. She explained that usually a contractor will run a smaller main for the system drainage and only tap the county regulated drain a couple of times, with permission from the County Surveyor and Drainage Board. When the reconstruction is complete there could have up to 100 taps going into the County main on their property. Pictures of the relief well showing the 24” tile going into a 15” on the Bassett property were presented to the Board. Mr. See was going to check the site since there was a significant rainfall the last couple of days. The Surveyor stated that she would like to investigate the location of the county tile (branch 4) on the Osborne property. Mr. Niccum responded that we need to continue to monitor the situation and inspect the reconstruction project when it is finished.

Homer Kester Drain

Mr. Wyatt reported that Kevin Baer had contacted the County Highway Department concerning his private bridge (spanning across the Homer Kester Open Drain), and that it may be causing issues with county road. Mr. Wyatt stated that the very edge of the bridge approximately 3’ from the edge of the road has started to erode, but said there was no real issue with the county road at this time. It was noted that it is a private bridge and was installed across the drain without approval of the Board. Pictures were presented of a bridge on the Kevin Baer property for Board Members to review.

Miscellaneous Drainage business

Nipsco

Regulated drain encroachment permit

The Surveyor stated that the signed regulated drain encroachment permit was sent to Nipsco and they questioned that the permit was only valid for 180 days. Their projects most likely won’t begin until 2027 so they would have to re-apply every 6 months for a permit. Mrs. Slee recommended that the permit be extended to a year term. After discussion, Mr. Dawes motioned to amend the regulated drain encroachment permit for Nipsco to reflect the validity of the permit from 180 days to one year. Mrs. Ross second. Motion passed. Board Members signed the revised regulated drain encroachment permit for Nipsco.  
Mrs. Slee mentioned that the permit was not valid until the encroachment permit is signed and returned.

2025 Budgets

Mrs. Slee presented the 2025 budgets for the Board Members to review. The only major change was adding funding in for a drone. Board Members reviewed and approved the budgets for 2025.

(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; Jeff & Amy Beer, 85-09-14-400-015.000-010, Home and garage addition; Todd & Sara Chamberlain, 85-11-08-400-011.000-003, above ground pool; Craig & Michelle Kirby, 85-14-19-400-005.000-007, in ground pool & patio; Edward Church, 85-19-27-403-028.000-006, carport; Christina Carter, 85-19-43-300-012.000-005, lean to & portable garage; Adam & Maegan Martin, 85-02-23-300-009.000-012, pole barn; Earl & Kimberly Enyeart, 85-11-06-303-025.000-003, shed; Proactive Realty Income Fund II, Inc, 85-19-22-300-008.000-005, manufactured home; Terry & Trudy Sloan,85-16-05-200-016.000-003, pole barn; John & Kelly Folbrecht, 85-18-06-300-016.000-013; Meghan Daub, 85-16-31-400-019.000-003, porch/patio; Jerry Maxwell, 85-09-11-200-017.000-010, new home; 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: There were no claims to review.

There being no further business Mrs. Ross made a motion to recess. 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