

August 17, 2026

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

Drainage Board Minutes

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

Obstruction Removal – Findings & Order

Kevin Bowman – private drainage issue

Mrs. Slee presented the findings and order from the obstruction hearing prepared by the County Attorney (Mark Frantz) for Board Members to sign.

Evan Bowman spoke up and requested that the Board Members refrain from signing the findings and order because he wanted to discuss the case law that he found while researching the matter. Mrs. Slee stated that this (the findings and order) is documentation of the Board's final action taken from the obstruction hearing.

Evan stated that he did not feel the action taken was in line with case law presidents and Indiana code. Mrs. Slee added that Board Members voted at the hearing and this paperwork is describing the action that was taken from that hearing. It was decided additional information should be taken to Mr. Frantz.

Evan was concerned if Board Members signed the findings and order before the additional information was presented that would mean starting the whole process of the obstruction removal over again.

Board Members debated and decided it would be better to wait until they could address the matter with Mr. Frantz.

After discussion, Mr. Niccum motioned to table signing the findings and order on the obstruction removal until the next Drainage Board meeting (9-8-26). Mrs. Ross second. Motion passed 3-0.

Evan Bowman stated that it was brought to his attention that the reasoning for the ruling denying the obstruction removal was because it was not proved the drain was created by mutual consent. He was unaware that the burden of proof was on him to prove it was a mutual drain. He presented highlights of a case regarding Frazee / Skeeses that was litigated in court several years ago in Lafayette which involved a mutual drain with similar characteristics. After discussion, Board Members requested that Mr. Bowman send them the entire case for further review and tabled the matter until the September 8, 2026 Drainage Board meeting.

John Maiden Drain

The Surveyor presented the certification for the increased annual maintenance for the John Maiden Drain. Board Members signed certification.

Logan Charles Drain

Huntington County Drain

Mrs. Slee reported that Huntington County is asking the Drainage Board to waive the rights on a project on the Logan Charles Drain that Bowman Agri-Corp (Evan & Kevin Bowman) have presented to them. There wasn't a good description of the ditch so Huntington County was contacted and they sent a legal description on the drain. There is more of the tile in Wabash County that was not documented on our maps. It was also discovered that Huntington County did not have all the information on their maps, they had the drain stopping at the county line.

Map of the proposed project were given to Board Members and Evan Bowman explained the scope of the project. The water shed involved is large and most of the drain is open until it reaches the upper end. They will replace approximately 3000 feet of subsurface drain beginning at the outlet in Huntington County. It will continue into Wabash County and once the drain reaches 1000 S, it will be replaced under the road and then continue to the outlet on the upper end. He has spoken with all of landowners within the watershed and they have approved the project.

Mrs. Slee noted that since the additional (tile) footage was added, Huntington will need to confirm that the majority (80%)+ percentage is in Huntington Co.

Mr. Niccum motioned to waive the rights for to be represented on the joint board the Logan Charles Drain project contingent that Wabash County is under 20% of the watershed. Mrs. Ross second. Motion passed 3-0.

Ray Bechtold Drain / Ed Stone Drain

NIPSCO - encroachment permit

The Surveyor explained that Mr. See was working with NIPSCO and it is similar to the last permit.

Mr. See stated that they want to wrap a couple of lines and will dig no more than a 5 x 5 foot area in different locations on each drain. It is specified that the office is contacted so one of us is there when the work is being completed.

Mr. Niccum motioned to accept the encroachment permit for the Ray Bechtold and Ed Stone Drains. 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; Jeffery & Ellen Sipes, 85-06-10-203-005.000-012, shed; Roger & Patricia Waltz/Teresa Bunnell, 85-15-17-200-033.000-007, deck; Steve Judy; 85-01-36-200-003.000-012, addition; John & Teresa Reed; Bradley & Kimberly Tennant, 85-02-32-300-023.000-012; storm damage replacement; Randy James; 85-09-02-204-009.000-011, porch; Darrell & Marilyn Penrod, 85-07-02-400-011.000-001; barn/storage; Krom Family Trust; 85-10-04-100-001.000-010, shop addition; Brian McLane, 85-14-30-200-005.000-007, patio for hot tub; Beneficiaries of Guyer Family Trust; 85-19-11-300-011.000-005, pole barn – cold storage; Double J Dairy LLC, 85-

19-08-400-049.000-005, building addition; Billy Miller, 85-19-01-200-015.000-005; lean-to; Derek & Kathleen Leckrone, 85-19-16-200-021.000-006, pole barn w porch; Brian & Pamela Campbell, 85-14-05-300-017.000-007, concrete porch w/pergola & deck; Paul & Linda Smith, 85-10-03-200-005.000-010, pole building; Mr. Niccum motioned to give a favorable recommendation the building permits as presented. Mrs. Ross second. Roll call vote, motion carried 3-0.

Claims

The Board reviewed drainage invoices: Maintenance; Kennedy Hamilton, \$400.00 to Troy Eads Excavating; Henry Bowman, \$1,361.00 to Fitch Excavating; Mr. Niccum motioned to accept the claims as presented. Mrs. Ross second. 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