

MARSHALL COUNTY DRAINAGE BOARD

REGULAR MEETING

July 21, 2025

The Marshall County Drainage Board met for a regular meeting on July 21, 2025 at 8:30am in the Commissioner's Room of the Marshall County Building, 112 W Jefferson St. Plymouth, IN. Board members present were: Randy Gling, President; Stan Klotz, Vice President; Board Members; David Stults, Jesse Bohannon, and Adam Faulstich. Also present were Craig Cultice, County Surveyor; Sean Surrisi, Board Attorney; Angie Kibbe, Drainage Board Secretary. The meeting was opened in due form and the following business was considered. The Drainage Board meeting is streaming live and is available for live view at: www.co.marshall.in.us.

SEQUEL WIRE & CABLE CONSTRUCTION OF ROAD/MYERS TILE ARM NO 7

Representatives for Sequel Wire, Charles Thompson with Abonmarche Consulting, 17 Washington St. Valparaiso and Jamie Lindstrom, 201 W Walnut St. Argos with Town of Argos Utilities came before the board. Mr. Cultice provided visuals of the area where Sequel wants to construct a road. It will be on the south side of Dewey St. heading south. Mr. Gling asked Mr. Lindstrom if the tile were to break down around their newly requested street, the Town of Argos will accept all responsibility for the cost if damage occurs to the street. If tile work is done, Mr. Lindstrom assures the board they will cover the cost and responsibility. Mr. Klotz asked Mr. Cultice if this was the original plan for the street; Mr. Cultice states he worked with the engineers and made the plan better; the water now will collect in the detention pond. Mr. Cultice makes note that if the board agrees that something should be drawn up by Mr. Surrisi on the agreement. Mr. Lindstrom states that the agreement should be with the Town of Argos. **Mr. Klotz motions to approve the request for construction of the street and with the agreement that will be approved by Mr. Cultice that if damage occurs to tile in the right of way of the new street, the Town of Argos is responsible. Second, Mr. Faulstich. Motion carried 5-0.**

PETITION TO ASSUME JURISDICTION OVER PRIVATE TILE/SNYDER-CAROTHERS WATERSHED

A petition requesting the board assume jurisdiction over a private/mutual tile drain was brought to the Surveyor's office. This tile is in the Snyder-Carothers Watershed. Mr. Cultice tells the board a private tile is causing flooding on Olive Rd per the landowners in that area. Mr. Cultice did go and look at the tile and it appeared to be obstructed. It is up to the board to accept the petition, and Mr. Cultice will look further into the tile. Another petition in regard to the Snyder Carothers was filed, this petition is requesting to expand the Snyder Carothers watershed that is on collection for maintenance. If the board agrees to expanding the watershed, then the assessments will need to be raised to cover the cost of the shed. The Snyder Carothers currently has \$930.00 in the account and only brings in \$1,200.00 in annual assessments. Mr. Cultice states that if they accept this the Surveyor's office will

send out notices to landowners and schedule a public hearing regarding raising the rate. He would like to send a contractor out and do more exploration on the tile but needs the board to direct him where the money should come from to pay the contractor. Mr. Cultice suggested that the money come out of the Snyder Carothers watershed funds, Mr. Glinge asked if it is a private tile then why the funds would come from the board. Mr. Surrisi states using the funds to investigate the tile with the intent to take over the tile, it is appropriate use of the funds. Mr. Faulstich questions a pond that is north of the private tile and wondering if someone tried to tap into the tile and damage it. Mr. Cultice states that the property owner of the pond has complained that the pond does not drain anymore. Mr. Klotz questioned Mr. Cultice about the money in the fund, if there is not enough money to cover the exploration, where would the money come from. Mr. Cultice replies that the GDI (General Drain Improvement Fund) will cover it till the yearly assessments come in. If the assessments are raised to cover the additional drain and the add-on of the private tile, it should be enough to pay back the GDI quickly. **Mr. Stults motions to accept both petitions and to have Mr. Cultice go and investigate the private tile, Mr. Klotz seconds the motion. Motion carried 5-0.**

BATES ET AL ARM TILE/VARIANCE REQUEST

John Bontrager 306 S. Washington St. came before the board requested a variance for construction on the Bon Bon Reality Parcel on S. Harris St. Bourbon. Mr. Cultice presents the site plan to the board and explains that Mr. Bontrager is wanting to put up a duplex with a driveway that would run along the Bates Tile. Based on Mr. Bontrager's plan the building will be within 15 feet from Northwest corner of the tile and 18 feet from the Northeast corner. Mr. Cultice tells the board that he spoke with Mr. Bontrager about the plans and that 15 feet would be hard to get approved by the board. Mr. Bontrager did supply visual of a plan B proposal for the site. The revised plan moved the building south by 10 feet, which would make it 25 feet from the tile on one side and 28 feet on the other side. Mr. Bontrager tells the board that this plan does line up with the house that is there now. Mr. Faulstich states that he prefers the 25-foot variance then the 15 feet; Mr. Glinge notes that the 15-foot is not acceptable. Mr. Bohannon makes note that the new building in the revised plan isn't any closer than the house that is already there and he would be in favor of the 25 feet variance. Mr. Glinge tells Mr. Bontrager if work is done on the tile and his yard is disturbed; he will have to be the one to fix the yard at his own expense, Mr. Bontrager agrees. **Mr. Faulstich makes a motion to approve the plan B variance request on the Bates Tile of 25 feet, Mr. Bohannon seconds. Motion carried 5-0.**

MAINTENANCE ASSESSMENTS/GALL UNSICKER WATERSHED

Mr. Cultice reminds the board they accepted a petition on January 21, 2025 for a possible rise in the periodic maintenance assessment for the Gall Unsicker Watershed. This drain is a joint drain with

Kosciusko County and Marshall County holds the funds. Kosciusko County only holds 10% of the drain and per I.C. 36-9-27-14 (d)(1) Mr. Cultice requested them to waive their rights to appoint a member to a board. The Marshall County Surveyor's office is waiting for a signed waiver from Kosciusko Drainage Board. Mr. Cultice provides stats on the drain, it brings in \$12,164.00± in yearly assessments and the fund is setting at -\$16,833.00. The assessment rate right now is \$2.25 an acre with a \$5.00 minimum. Mr. Cultice believes the yearly maintenance cost to be between \$30,000-\$40,000. There is a lot of work that needs to be done in this watershed. Mr. Cultice will bring before the board different assessment rates to the next meeting, and the board will have to come to an agreement on the new rate. The Surveyor's Office will send out notices to the landowners regarding this rate and set a date for a public hearing.

MARION SCHROEDER DITCH/TRANSFER OF FUNDS

October 9, 1997, a hearing regarding the Robbins 4-County Drain and its arms and tributaries were combined pursuant to I.C. 36-9-27-41 with each other and with the Robbins Drain for the purpose of annual assessments. In November 1998 the Marshall County Drainage Board states they will discontinue the maintenance assessment on the Schroeder Marion Ditch in Marshall County in view of the Robbins Ditch Assessment which these funds are sent to Starke County. Per Marshall County Drainage Board minutes on December 19, 2011, the Marion Schroeder Drain with its balance to remain in the funds and said funds to be applied for any work until such time the balances are depleted. With the possibility of upcoming work needing to be done on the Marion Schroeder Drain in the Robbins Watershed it is recommended Marshall County Drainage Board forward the \$7,365.90 balance of the Schroeder Drain to Starke County Drainage to be applied to the Robbins Watershed. **Mr. Bohannon motion to approve of forwarding the Marion Schroeder fund to Starke County Drainage for the Robbins 4-County Watershed, seconded by Mr. Klotz. Motion carried 5-0.**

OTHER BUSINESS

Mr. Cultice addresses Mr. Surrissi regarding agreement contracts. Mr. Surrissi states upon looking into the agreement with the Bowen Center site variance, it appears that this agreement was never signed or recorded based on their records and emails. Mr. Surissi did reach out to the representatives of the Bowen Center, and he also made some changes to the agreement. The changes he made were instead of having the past board members sign to the current board. He is hoping to have this signed and recorded by the next drainage board meeting. He has drawn up the Sequel's variance agreement and the only signature needed on this agreement is Sequel's representative and he will have this recorded as well. Mr. Surissi believes no action is needed in this matter. Mr. Klotz questioned if this agreement would need to be signed by the Drainage Board. Mr. Surrissi assures the board that the way he drew up the agreement, only Sequel will have to sign. The Bowen Center will need a signature from the board. **Mr. Bohannon motion to have Mr. Klotz sign the agreement on behalf of the Drainage Board. Second, Mr. Faulstich. Motion carried 5-0.**

MINUTES

Mr. Faulstich motioned to approve the February 17, 2025 minutes and the Special Meeting on June 2, 2025, seconded by Mr. Stults. Motion carried 5-0.

PUBLIC COMMENT

No public comment.

ADJOURNMENT

With no further business to come before the board **Mr. Bohannon motion to adjourn, seconded by Mr. Stults. Motion carried 5-0.**

MARSHALL COUNTY DRAINAGE BOARD

Randy Gling, President

Stan Klotz, Vice-President

Jesse Bohannon, Board Member

David Stults, Board Member

Adam Faulstich, Board Member

Attest: _____

Angie Kibbe, Drainage Board Secretary