

**May 13, 2025**  
**Minutes of the Elkhart County Drainage Board Meeting**  
**Elkhart County Public Services Building**  
**4230 Elkhart Road, Room A**  
**Goshen, Indiana 46526**  
**At 9:30 A.M**

**I. Call to Order**

The Elkhart County Drainage Board held its May 13, 2025, Meeting in Room “A” of the Public Service Building, located at 4230 Elkhart Road, Goshen, Indiana 46526. Board Chairman Lynn Loucks called the meeting to order at 9:30 A.M. The following Drainage Board Members were in attendance: Chairman Lynn Loucks, Vice Chairman Ed Pippenger, and Barry Kauffman. Others attending were Meghan Sink representing the County Attorney, Steve Schweisberger Deputy Surveyor, Carl Gilbert Drainage Supervisor/Drone Program Coordinator, and Tadd Troxell Drainage Technician.

**II. Approval of Minutes**

Mr. Loucks opened the floor for discussion on the Drainage Board meeting minutes from April 8, 2025, hearing none, called for a motion.

**A motion was made and seconded (Kauffman/Pippenger) to approve the Drainage Board meeting minutes from April 8, 2025. Mr. Loucks called for comments or discussion on the motion, hearing none called for a vote. The Board voted unanimously in favor of the motion.**

Mr. Loucks opened the floor for discussion on the minutes for the Emergency Drainage Board Meeting held April 8, 2025, hearing none, called for a motion.

**A motion was made and seconded (Pippenger/Kauffman) to approve the Emergency Drainage Board meeting minutes from April 8, 2025. Mr. Loucks called for comments or discussion on the motion, hearing none called for a vote. The Board voted unanimously in favor of the motion.**

**II. CDF Report**

Expenditures – thru 5/8/25	\$25,046.22
Cash Ending Balance	\$2,751,630.14
Funds Appropriated for Ditch Projects	\$357,624.48
Funds Available to Appropriate for Future Projects	\$2,394,005.66

**III. Drainage Items**

**A. Public Notice / Project Review/ Bid Openings**

**1. Boyer Tile Replacement Project #25-001 – Bid Opening**

Carl Gilbert reported the project scope involves replacing approximately 2,000 L.P. of existing 15” tile from the outlet located north of CR 28 and west of CR 35 extending east to a new structure to be located approximately 500 feet east of CR 35. The proposed 18” tile will follow the existing route. The project is in Section 32 & 33 of Middlebury

**A. Public Notice / Project Review/ Bid Openings**

**1. Boyer Tile Replacement Project #25-001 – Bid Opening (continued)**

Township. The work will be performed in an area less than 150 feet wide along the proposed tile. The project is scheduled to be completed by August 29, 2025. The estimated cost of the project is less than \$180,000.00 with \$100.00 per day liquidated damages.

All potential bidders were required to come to the Surveyor's Office for a mandatory review of the plans, specifications, bidding documents, instructions to bidders and general conditions and supplementary conditions with staff prior to obtaining a bid packet for this project.

Sealed bids were opened and read aloud by Barry Kauffman.

Jerry Reed Excavating	\$174,005.00
<u>L.I. Excavating</u>	<u>\$112,932.95</u>
Martin Farm Tiling	\$175,733.00

Bids will be checked for accuracy by the Surveyor's Office before awarding the project to the apparent low bid.

**A motion was made and seconded (Pippenger/Kauffman) to award Boyer Tile Replacement Project #25-001 to the apparent low bid from L.I. Excavating for \$112,932.95, if all calculations and paperwork are in order. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**2. Horn Ditch Maintenance Brushing & Stabilization Project #25-006 – Bid Opening**

Tadd Troxell reported the project is located on the north side of College Avenue and east of US 33 in Section 14 of Elkhart Twp. The project consists of brushing the east bank, removing the indicated obstructions in the channel, and stabilizing erosion on the west bank. A portion of this work will coordinate with Lippert's July shutdown (June 30, 2025 – July 7, 2025) and the entire project will be completed no later than July 7, 2025. The estimated cost of the project is \$22,900.00. Since this project is within the City of Goshen there will be an Interlocal agreement to share the cost of this project.

All potential bidders were required to come to the Surveyor's Office for a mandatory review of the plans, specifications, bidding documents, instructions to bidders and general conditions and supplementary conditions with staff prior to obtaining a bid packet for this project.

Sealed bids were opened and read aloud by Barry Kauffman.

Beaver Excavating	69,950.00
<u>Jerry Reed Excavating</u>	<u>22,200.00</u>
SAR Excavating	28,807.92

Bids were reviewed prior to awarding the project to the low bid.

**A motion was made and seconded (Pippenger/Kauffman) to award Horn Ditch Maintenance Brushing & Stabilization Project #26-006 to the low bidder, Jerry Reed, for \$22,200.00. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**A. Public Notice / Project Review/ Bid Openings (continued)**

**3. Lamar-Livengood, Millersburg Lateral A and Rink Lateral Project #25-017 – Bid Opening**

Carl Gilbert reported the project is located north of Wasterwater Drive, 1,000 feet east of SR 13 in Section 35 of Clinton Township. There are 2 tiles that run through the same property. The project consists of repairing the specified tile breakdowns and backfilling. This work is to be completed no later than June 27, 2025. The estimated cost of the project is less than \$1,700.00. The Drainage Board will supply the parts and supplies for the project. The tile has been video inspected in the past. The plan is to relocate and combine these two tiles in the future.

Sealed bids were opened and read aloud by Barry Kauffman.

RL Yoder Excavating	invited but did not bid
SAR Excavating	\$1,450.00
TNT Bobcat Service	\$1,300.00

Bids were checked for accuracy prior to awarding the project to the low bid.

**A motion was made and seconded (Kauffman/Pippenger) to award Lamer-Livengood, Millersburg Lateral A and Rink Lateral Project #25-017 to TNT Bobcat Service for \$1,300.00. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**4. Berlincourt Ditch Obstruction Removal Project #25-016 – Bid Opening**

Tadd Troxell reported the project is located on Derksen Road, between the baseball diamond and North Miriam Avenue in Section 30 of Union Township. The project consists of removing the obstructions in the channel, on the bank and suspended in the tree canopy. The City of Nappanee will provide a truck to dispose of the materials for their portion of the project. The work is to be completed no later than June 10, 2025. The estimated cost of the project is less than \$1,250.00.

Sealed bids were opened and read aloud by Barry Kauffman.

SAR Excavating	\$1,050.00
TNT Bobcat Service	\$1,100.00

Several other contractors were invited to bid but did not.

Bids were checked for accuracy prior to awarding the project to the low bid.

**A motion was made and seconded (Pippenger/Kauffman) to award Berlincourt Ditch Obstruction Removal Project #25-016 to SAR Excavating for \$1,050.00. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**5. Lily Creek Rodent Control Project #25-014 – Project Review**

Steve Schweisberger reported the office was advised on April 3, 2025, that beaver had returned and built a dam on the Lily Creek – Simonton Lake Weir. This site is located in Section 16 of Osolo Township. Staff were on site April 4, 2025, to investigate and document the water level. The landowner had cleared dam on April 4, 2025, and again on April 5 and 6<sup>th</sup>, 2025. The trapper was engaged to investigate and to set traps. A total

**A. Public Notice / Project Review/ Bid Openings (continued)**

**5. Lily Creek Rodent Control Project #25-014 – Project Review**

of 6 beavers were removed from the site. The request is to pay for the services provided by Terry Smith which totaled \$550.00.

**A motion was made and seconded (Pippenger/Kauffman) to approve Lily Creek Rodent Control Project #25-014 and payment for services rendered by Terry Smith in the sum of \$550.00. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**6. Haverstick-Darkwood CR 7 Crossing Replacement Project – Co. Highway**

Carl Gilbert reported that County Highway contacted the office concerning the condition of the Haverstick-Darkwood crossing at CR 7. The site is in Section 19 and 20 of Union Township. Staff investigated and found the culvert to be rusted out and in failure. The culvert should be replaced prior to the 2025 paving project. The culvert is estimated to cost less than \$15,000.00. The Highway Department will install the new culvert. It is proposed to increase the size of the culvert from 4 ft. to 5 ft. diameter. Quotes to be received in the Surveyor's office.

**A motion was made and seconded (Kauffman/Pippenger) to move forward with the Haverstick-Darkwood CR 7 Crossing Replacement Project and approve the purchase of a 5 ft. diameter culvert. The Highway Department will install the new culvert. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**7. Berlincourt CR 3 Beaver Dam Removal – Project Review**

Carl Gilbert reported that a landowner notified the office that beaver built a dam in Berlincourt Ditch, west of CR 3, south of CR 52 in Section 26 of Locke Township. His concern was that the water that is being backed up might flood low ground to the north on Lateral B. A visit to the site found the dam with a hole which was reducing the flow. There was no sign that the beaver was still active at this site. The obstruction is holding water and should be removed. The project is estimated at less than \$2,000.00. Quotes will be received in the office.

**A motion was made and seconded (Kauffman/Pippenger) to approve the Berlincourt CR 3 Beaver Dam Removal Project and to move forward with receiving quotes in the office. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**B. Petitions, Permits, Variances and Requests**

**1. Pine Creek – NIPSCO – Utility Permission to Cross**

Steve Schweisberger reported NIPSCO, 801 E 86<sup>th</sup> Ave., Merrillville, IN 46410, have requested to place an electric utility pole in-kind replacement located on the Pine

**B. Petitions, Permits, Variances and Requests (continued)**

**1. Pine Creek – NIPSCO – Utility Permission to Cross (continued)**

Creek top of bank. This is in Middlebury Community Mobile Home Park, east of SR 15, in Section 22, of Jefferson Township. Staff have no issue with this request.

**A motion was made and seconded (Kauffman/Pippenger) to allow placement of an electric utility pole in the drainage right-of-way of Pine Creek for NIPSCO Project ID# M10431300. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**2. Osborne Ditch – NIPSCO – Utility Permission to Cross**

Steve Schweisberger reported NIPSCO, 801 E 86<sup>th</sup> Ave., Merrillville, IN 46410, have requested Utility Permission to Cross Osborne Ditch. The site is at 58991 Timber Trails, east of CR 23 in Section 27 and 28 in Jefferson Township. The electric utility cable will cross at a minimum of five feet below the bottom of the ditch for Project ID# M10431300.

**A motion was made and seconded (Kauffman/Pippenger) to approve Utility Permission to Cross Osborne Ditch at 58991 Timber Trails to NIPSCO for an electric utility cable at a minimum of five feet below the bottom of the ditch. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**3. Haverstick-Darkwood Ditch – Community Fiber - Utility Permission to Cross**

Carl Gilbert reported Community Fiber, PO Box 47, New Paris, IN 46553 requested Utility Permission to Cross Darkwood Ditch on the west side of CR 7, north of CR 150, in Section 19 & 20, of Union Township. Job #NPT25-008 will bore fiber optic cable at a minimum of 5 feet below the bottom of the open ditch. Community Fiber will be informed that this crossing will be replaced this spring and should accommodate for culvert installation to possibly be 6-inches lower.

**A motion was made and seconded (Kauffman/Pippenger) to approve Utility Permission to Cross Haverstick-Darkwood Ditch to Community Fiber for Job #NPT25-008 on the west side of CR 7 at a minimum of 5 feet below the bottom of the ditch. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**4. Preston Miles Ditch – Community Fiber – Utility Permission to Cross**

Tadd Troxell reported Community Fiber, PO Box 47, New Paris, IN 46553, requested Utility Permission to Cross Preston Miles Ditch on the south side of US 6, approximately 750 feet west of SR 15, in Section 32 of Jackson Township. Job #NPT23-161 will bore fiber optic cable at a minimum of 5 feet below the bottom of the open ditch.

**B. Petitions, Permits, Variances and Requests (continued)**

**4. Preston Miles Ditch – Community Fiber – Utility Permission to Cross (continued)**

**A motion was made and seconded (Pippenger/Kauffman) to approve Utility Permission to Cross Preston Miles Ditch on the south side of US 6 to Community Fiber for Job #NPT23-61 to bore fiber optic cable at a minimum of 5 feet below the bottom of the ditch. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**5. Boyer Ditch – Daryl Bontrager – Variance Request**

Steve Schweisberger reported Jacob Lambright, contractor, submitted the request for a 25 ft variance on behalf of Daryl K. Bontrager, 61041 CR 33, Goshen, IN 46528. The proposed variance would allow for the placement of a septic leach area 50 feet from the Boyer ditch east top of the bank. This site is west of CR 33, south of CR 28, in Section 21 of Clinton Township. Maintenance has typically been done from the opposite side of the ditch. Permission to Enter for the perimeter drain has already been approved.

**A motion was made and seconded (Pippenger/Kauffman) to grant a 25 ft variance to Daryl K. Bontrager, 61041 CR 33, Goshen, IN 46528, to allow the placement of a septic leach area 50 feet from the Boyer Ditch east top of the bank. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**V. Other Business – Additional Staff Items**

**1. Public Assessment Hearing for A.P. Jones Ditch**

Steve Schweisberger reported that the Kosciusko and Elkhart County Joint Drainage Board will hold a public hearing to consider increasing the annual maintenance assessment for the AP Jones (551) county regulated drain on May 22, 2025, at 9:00 A.M. The hearing will be held in the Old Courtroom on the third floor of the Courthouse at 100 W Center St., Warsaw, IN 46580. Lynn Loucks will represent Elkhart County on this board. **Information only, no action needed.**

**2. Baugo Creek South Fork Obstruction Removal Project #25-010 – Time Extension**

Tadd Troxell reported a 4-day time extension will be required for the Baugo Creek South Fork Obstruction Removal Project #25-010. The contractor experienced unforeseen delays in securing the proper equipment for the project. The project is now complete.

**A motion was made and seconded (Pippenger/Kauffman) to approve a 4-day time extension on the Baugo Creek South Fork Obstruction Removal Project #25-010. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

**VI. Adjournment (10:05 am)**

**A motion was made and seconded by (Pippenger/Kauffman) to adjourn the May 13, 2025, Elkhart County Drainage Board meeting. Mr. Loucks called for comments or discussion on the motion, hearing none, he called for a vote. The Board voted unanimously in favor of the motion.**

Respectfully submitted,

Doris Biller, Recording Secretary