

February 10, 2026
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 February 10, 2026, 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, Secretary Barry Kauffman, Commissioner Bob Barnes and Mathew Morehouse. Others attending Steven Olsen County Attorney, Philip Barker County Surveyor, Steve Schweisberger Deputy Surveyor and Carl Gilbert Drainage Supervisor/Drone Program Coordinator.

II. Approval of Minutes

Mr. Loucks opened the floor for discussion on the Drainage Board meeting minutes from January 13, 2025.

A motion was made and seconded (Barnes/Kauffman) to approve the minutes from January 13, 2025 meeting. Mr. Loucks called for comments or discussion on the motion, hearing no one called for a vote. The Board voted unanimously in favor of the motion.

II. CDF Report

Expenditure through 12/31/25		\$29,895.92
Income		\$0
Cash Ending Balance as of 12/31/2025		\$3,327,106.08
Funds Appropriated for project		\$320,212.48
Funds Available to Appropriate		\$3,006,893.60

III. Drainage Items

A. Public Notice / Project Review/ Bid Openings

1. Howard Ditch Maintenance Project #26-001 – Bid Opening

Steve Schweisberger reported the project is located in Section 21 of Concord Township. It is located just north of CR 22 between CR 9 and CR 11, through the Elkhart Christian school property. The purpose of this project is to restore the ditch’s ability to convey water by performing maintenance on approximately 1,750 L.F. of Howard Ditch. The project is to be completed by May 11, 2026. The estimated cost of the project is less than \$15,900.00. Landowners have been notified of the project and are in favor of the project.

A. Public Notice / Project Review/ Bid Openings (continued)
1. Howard Ditch Maintenance Project #26-001 – Bid Opening

Sealed bids were opened and read aloud by Barry Kauffman.

BMF Excavating	\$ 9,932.50
Jerry Reed Excavating	\$10,505.00
JJC Excavating	\$15,950.00
Slabaugh Excavating	\$14,500.00
SAR Excavating	\$12,225.00

Bids were reviewed for accuracy prior to awarding the project to the low bid, BMF Excavating for \$9,932.50.

A motion was made and seconded (Morehouse/Barnes) to award Howard Ditch Maintenance Project #26-001 to BMF Excavating for \$9,932.50. 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. York Twp. Ditch Lateral “F” – Michael Lambright Property

Carl Gilbert reported this site is south of I80/90 west of CR 35 in Section 20 of York Twp., on the Lambright property. Beavers have been a nuisance building dams in the ditch area causing the water levels to rise. Beavers and dams were removed; the Beaver Leveler Control Structure was installed in 2022 to help with the problem.

Mr. Lambright dug out the ditch. Staff onsite 2/5/26 to confirm the beaver are now building a dam at the end of the leveler. The leveler is blocked and is not working. Possibly a brushing and digging project could be done through the area between the pond and the spot where the ditch digging had stopped. The leveler is not a long-term solution for this problem. This is perfect habitat for the beaver.

Michael Lambright, 13658 CR 4 Middlebury 46540, stated that this has been a problem for 6 to 8 years. At first it was a novelty, but now it is just a nuisance. When we bought the property, it would drain by fall time. The beavers built several dams, now it has gone from a wetland to a lake. The surrounding neighbors are starting to notice problems from the rising water in the swamp. The higher water is now reaching out into the fields and causing damage to the trees. You can tear out the dam, and they build it back within 36 hours. We tried the beaver leveler. I am wanting ideas for a long-term solution. He suggested letting the beaver have their dam but drain the extra water away with a tile. Last year since we did not get rain the swamp dried the up some.

Carl Gilbert noted that the current level is the lowest the pond has been. The proposed tile would be approximately 1,000 ft. Staff can investigate the options and cost comparisons for the proposed tile. A possible cost share with the landowner will be discussed later.

A motion was made and seconded (Barnes/Morehouse) to table York Twp. Ditch Lateral “F” issue on the Michael Lambright property for more information on the options and cost of the proposed tile. 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. Arme y, Burkholder, Jones AP Drains – Kosciusko County Drainage Board – 2026 Assessments

The 2026 assessment collections for the joint systems with Kosciusko County include Arme y Ditch (\$1,334.52), Burkholder Ditch (\$189.59) and Jones AP (\$2,291.16) totaling \$3,815.27.

A motion was made and seconded (Pippenger/Kauffman) to approve payment of the 2026 Drainage Assessments for the Joint Systems of Arme y Ditch, Burkholder Ditch and Jones AP totaling \$3,815.27. 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. Comstock Ditch – R & R Property Leasing Inc. (MORryde Plant 12 & 13 Building Addition) - Temporary Permission to Enter & Permission to Enter 8” or Less

Steve Schweisberger reported this site is in Section 6 of Jefferson Twp. north of the CR 14 & CR 19 intersection. The Temporary Permission to Enter Comstock Ditch will be for 5 different discharge points: 3 pipes 12” in diameter and 2 pipes 8” in diameter for dewatering of the site. Diagrams of the discharge plan have been received and appear to be within the County temporary discharge standard. This discharge should be monitored daily by the contractor to make sure it is not overloaded or causes harm to the system. The contractor has stated that not all 5 points will be discharged at the same time. The Surveyor’s office shall be advised when the dewatering commences and concludes so staff can monitor it for any impact to the ditch and evaluate any erosion concerns. If erosion occurs, the contractor will be required to repair any erosion at the discharge point and remove any sediment deposits from the channel caused by the dewatering.

Matt Schuster, Jones Petrie Rafinsi, 325 South Lafayette Blvd., South Bend, Indiana 46601, requested if any changes need to be made with the dewatering that the contractor could work through staff during the construction.

Permission to Enter with an 8” tile to provide an emergency release from the new Stormwater Basin #2 as shown on the MORryde Plant 12 & 13 Building Addition plan, Job #2025-01595, dated December 2025.

A motion was made and seconded (Pippenger/Kauffman) to grant Temporary Permission to Enter Comstock Ditch at 5 different sites for dewatering with the standard requirements and Permission to Enter with an 8” tile to provide an emergency release from the new stormwater basin #2 as shown on the MORryde Plant 12 & 13 Building Addition plan, Job #2025-01595, dated December 2025. 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 (continued)

3. Horn Ditch – NIPSCO – Utility Permission to Cross

Carl Gilbert reported this is located on the north end of the Horn 2-stage ditch, south of CR 36 (College Avenue), Goshen, Indiana. NIPSCO's request includes retiring the existing gas main in place and installing a new 8" plastic gas main 10' below the ditch as shown on NiSource Project ID# M10068361 drawing, DES: 1900739 College Ave. from US 33 to Century Drive Goshen, Elkhart.

A motion was made and seconded (Pippenger/Kauffman) to approve Utility Permission to Cross Horn Ditch to NIPSCO for the installation of a new 8" plastic gas main to be installed 10' below the ditch as shown on NiSource Project ID# M10068361 drawing, DES: 1900739 College Ave. from US 33 to Century Drive Goshen, Elkhart. 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. Lohri-Cripe Ditch Lateral "KC" – NIPSCO – Utility Permission to Cross

Carl Gilbert reported NIPSCO request for Utility Permission to Cross Lohri-Cripe Ditch Lateral "KC". A new pole and line to an existing pole will be placed within the regulated drain easement. The site is located at 14447 CR 36, Goshen as shown on NiSource project ID# NBE-WC-14446 CR 36 Goshen, dated 1/13/2026.

A motion was made and seconded (Pippenger/Morehouse) to approve Utility Permission to Cross Lohri-Cripe Ditch Lateral "KC" for a new pole and line to an existing pole to be placed within the regulated drain easement at 14447 CR 36, Goshen, as shown on NiSource project ID# NBE-WC-14446 CR 36 Goshen, dated 1/13/2026. 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. Stuckman Tile – NIPSCO – (2) Utility Permission to Cross

Request #1 - Carl Gilbert reported NIPSCO request Utility Permission to Cross Stuckman Tile. The existing overhead Project specifications include use of a vac truck to install pole to avoid any damage to the tile with an auger. Staff requested stipulations be added to the approval; if the tile needs to be repaired, removed or replaced the utility company will be responsible for any cost associated with the required stabilization/holding or removing/resetting of the pole necessary to do that maintenance to the tile at the request of the Drainage Board. Also included was that the utility line should be located by Vactor at the crossing site to identify the top of the tile with representatives from the Surveyor's office on site. Site location is shown on NiSource Project #PIE – Airport Dr & US 6, Nappanee, dated 7/8/2026.

(motion on next page)

B. Petitions, Permits, Variances and Requests (continued)
5. Stuckman Tile – NIPSCO – (2) Utility Permission to Cross (continued)

A motion was made and seconded (Pippenger/Kauffman) to approve request #1 for Utility Permission to Cross to NIPSCO for utility lines to be relocated and a new pole installed within the regulated drain easement of the Stuckman Tile shown on NiSource Project #PIE – Airport Dr & US 6, Nappanee, dated 7/8/2026. If the tile needs to be repaired, removed or replaced the utility company will be responsible for any cost associated with the required stabilization/holding or removing/resetting of the pole necessary to do that maintenance to the tile at the request of the Drainage Board. The utility should be located by Vactor at the crossing site to identify the top of the tile with a representative from the Surveyor’s office on site. 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.

Request #2 – This request is at the same location on US 6 south of the airport. The request is to install a new 2” plastic gas service at a minimum of 2’ above the regulated drain. The existing gas service to be abandoned in place as shown on US 6 Aero Ranch Industrial Park Road Widening WO# 4000068628. Staff requested that the utility be located by Vactor at the crossing site to identify the top of the tile with representatives from the Surveyor’s office on site. An as-built of the crossing will also be required.

A motion was made and seconded (Morehouse/Pippenger) to approve request #2 for Utility Permission to Cross to NIPSCO for installation of a new 2” gas service at a minimum of 2’ above the Stuckman Tile as shown on NiSource Project #PIE – Airport Dr & US 6, Nappanee, dated 7/8/2026. The utility should be located by Vactor at the crossing site to identify the top of the tile with a representative from the Surveyor’s office on site. An as-built of the crossing will also be required. 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. Baugo Creek Bank Restoration Design/Build – Colby Stanger – LARE Grant
Steve Schweisberger reported SWCD is sponsoring a LARE grant for the Cullen Stanger property. The sites are located east of CR 3 and south of CR 26, in Section 36 of Baugo Twp. LARE grant will have an in-kind match which SWCD will provide. The scope of the work will be based off the 2012 Baugo Creek Feasibility Study through the Indiana Dept of Natural Resources Lake and River Enhancement (LARE) Program evaluated erosion and sedimentation processes through the watershed using the WARSSS methodology. The funding is request for design, permitting and construction of approximately 1,000 L.F. of stream restoration along Baugo Creek, divided between two actively eroding project sites identified through field assessment. Propose activities include regrading unstable streambanks, installation of toe protection to prevent further undercutting, erosion control measures, and establishment of native riparian vegetation to improve long-term bank stability. Elkhart County SWCD will administer the project and manage procurement in accordance with applicable requirements. Design, permitting and

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

6. Baugo Creek Bank Restoration Design/Build – Colby Stanger – LARE Grant (continued)

construction oversight will be provided by the SWCD or its designated representatives. Post-construction inspections will be conducted to verify project stability and performance.

Colby Stanger, Stanger Group, 15763 CR 46 Goshen, IN explained that this is a \$186,000.00 project design/build. LARE grant managers have been on site and believe this is a favorable project. Today's request is for assistance for the mandatory 10% cash match, which would be approximately \$17,000.00. The landowner will be providing some of the cash match also. The SWCD will provide in-kind services for the 10% match. We are looking for \$17,000.00 to get \$186,000.00 worth of maintenance and stabilization work completed on the Baugo Creek. It will be at least July before the grant is awarded.

Staff noted that 3 projects removing log jams would be approximately the requested amount but would not provide any stabilization to the creek.

A motion was made and seconded (Pippenger/Morehouse) to support the Baugo Creek Bank Restoration Design/Build LARE grant project and are willing to review an appropriate cash contribution based on the relevant need of the system area and what would be appropriate for further review after determination of the grant. 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. Werntz ditch – Frontier Communications – Installation Issue

Carl Gilbert reported that Nate Miller, Permit Manager for County Highway Dept., brought this to our attention last week that WKRS 2424 FTTH Rear of 310 E. Harrison St. 287 SFU Project # 2520083 has been completely installed. He supplied the Surveyor's Office with the final path as-built from Frontier Communications. Frontier Communications did not get Permissions to Cross for these crossings, nor have they asked for it at this point. Staff would like guidance on how to proceed. This includes 3 locations in the Town of Wakarusa; directional bore crossings on Maple Lane and SR 19 in 2 locations. At the SR 19 site, 2 tiles would have been crossed. The depth the utility was installed at is unknown.

Nate Miller recommended that the utility company in violation should be required to invest their time to locate and document the depth of each of the crossings.

Frontier Communications must take all the necessary actions to submit a proper application for Utility Permission to Cross showing as-built locations, depth and separation distance and all penetrations across the right of way within 30 days of receipt of notification. No other Permissions to Cross will be granted to Frontier Communications until this issue has been resolved. Staff from the Surveyor's office must be notified and on site when the crossings depths are located and confirmed by the utility company.

(motion on next page)

B. Petitions, Permits, Variances and Requests (continued)
7. Wertz ditch – Frontier Communications – Installation Issue (continued)

A motion was made and seconded (Morehouse/Kauffman) to direct staff to notify Frontier Communications of the violation of entry and require them to take all the necessary actions to submit a proper application for Utility Permission to Cross showing as-built locations, depth and separation distance of all penetrations across the right of way within 30 days of receipt of notification. No other Permissions to Cross will be granted to Frontier Communications until this issue has been resolved. Staff from the Surveyor’s office must be notified and on site when the crossings depths are located and confirmed by the utility company. 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.

C. Drainage Project Update and Reviews

1. Millersburg Lateral “A” of Horn Ditch – Review of Proposed Project

Carl Gilbert reported this system consists of 6”, 7” & 8” clay tiles which are plugged and broken down south of CR 42, west of the Town of Millersburg, in Section 03 of Benton Twp. This is the top end of the Horn Drain system. Price comparisons between flexcore and dual walled pipe were reviewed. Staff recommended the project to include use of 12” N-12 (600 L.F.), 10” N-12 with gravel (2,350 L.F.), 48” manholes (4), 6” or less lateral connections (10), larger than 6” connections (1), riser (1), and riprap (20 tons) for an estimated project cost of \$80,100.00. Staff plan to receive 3 quotes and purchase materials needed to this project; contractors would only bid on the cost of installation of the supplied materials.

A motion was made and seconded (Pippenger/Kauffman) to approve moving forward with the Millersburg Lateral “A” of Horn Ditch project with materials recommended by staff to include 12” N-12 (600 L.F.), 10” N-12 with gravel (2,350 L.F.), 48” manholes (4), 6” or less lateral connections (10), larger than 6” connections (1), riser (1), and riprap (20 tons) for an estimated project cost of \$80,100.00. 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.

2. Pratt Ditch Maintenance Project #25-008 – Time Extension

Carl Gilbert reported this project is a cost share with the City of Elkhart on Pratt Ditch. The contractor tried to knock down the spoil pile, but the conditions did not allow for satisfactory leveling. The contractor, A1 Backhoe Service, is requesting a time extension to April 15, 2026, due to the extreme weather we have been experiencing.

A motion was made and seconded (Pippenger/Kauffman) to grant A1 Backhoe Service a time extension to April 15, 2026, due to the extreme weather conditions during the project time. 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.

C. Drainage Project Update and Reviews (continued)

3. Berlincourt and Wagner Ditch Maintenance Project # 25-026 – Time Extension

Carl Gilbert reported SAR Excavating started right away and worked consistently on the Berlincourt and Wagner Ditch Maintenance Project # 25-026 but the extreme weather conditions in the month of January have caused him to fall behind schedule. A time extension is requested until April 10, 2026.

A motion was made and seconded (Morehouse/Pippenger) to grant SAR Excavating a time extension to April 10, 2026, due to the extreme weather conditions during the project time. 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 Lateral “A” - Video Review

The review of Berlincourt Lateral “A” inspection video was postponed allowing more time to prepare the presentation.

V. Other Business – Additional Staff Items

1. Menges Ditch & Lateral “A” – NIPSCO – Power Pole Issue Update

Communications with NIPSCO, indicate they are considering removing and relocating all the power poles outside of the Menges Ditch and Lateral “A” right of way to correct the violation. We have not been officially notified of their decision.

A motion was made and seconded (Pippenger/Morehouse) to contact NIPSCO requiring a decision within 30 days on how they intend to correct the violation of placing power poles in the Menges Ditch and Lateral “A” right of way. 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

A motion was made and seconded by (Kauffman/Morehouse) to adjourn the February 10, 2026, 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