MARSHALL COUNTY DRAINAGE BOARD

REGULAR MEETING

July 20, 2026

The Marshall County Drainage Board met for a regular meeting on Monday July 20, 2026 at 8:30am in the Commissioner's Room of the Marshall County Building, 112 W Jefferson St. Plymouth, IN. Board members present were: Randy Glingle, 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.

US 31-SR 10 Project/Proposed Drainage Basins

VS Engineering sent Mr. Cultice a proposed Drainage Basins plan for US 31-SR 10 project. They will have two outlets that will go into one service pipe that will outlet into Argos Town Drain, which is a County Regulated Drain. Mr. Cultice notes with the contours of the land, storm water automatically goes toward the drain. Outlet 1 will have 30.74 cubic feet per second and outlet 2 has 44.64 cubic feet per second flow, which in total is 75.48 (cfs). VS Engineering estimates that it is lower than what is going into the drain now. Mr. Cultice did talk to Mr. Klotz regarding this matter, Mr. Cultice told the company he was bringing this before the board to see if any board members had concerns or questions about this plan. Mr. Cultice feels this is acceptable if it does not go over 75.48 cubic feet per second. The board members did not have any concern and agree with Mr. Cultice.

Harris Buck Tile/Variance Request

Mr. Cultice presents the board with pictures and a diagram of a request for a variance on the Harris Buck Tile. Property owners' current septic system is failing, and they are needing to put in a mound septic system. By the project's diagram, the mound system will be on the east side of the county tile with the northwest corner of the perimeter drain system measuring 16 feet from the tile and southwest corner at 27 feet. Mr. Cultice does recommend to the board that the pipe that will cross over the regulated tile the contractor uses a gasketed pipe so if any leaks, should happen it will not leak into the drain system. Mr. Glingle notes that he would be comfortable if the variance was at least 20 feet. Mr. Cultice states that if work needs to be done, they could squeeze in and put the spoils on the other side of the tile. The property owner, Mrs. Stasia Gomez of 10711 Dennis Court, came before the board. Mr. Glingle asked her if she could move the system to 20 feet from the county tile. Mrs. Gomez responds that she did not know what could or could not be done. She informs the board that she did go to the Health Department and had soil samples tested, and this is what the Health Department recommended to her, without the Health Department or the contractor there answering the board's questions, other options are off the table. Mrs. Gomez states that the current septic system has been failing for over a year and has been

backing up into her house. Mr. Glingle states he was wondering if the septic could be rotated 90 degrees to help offset the variance. Mr. Faulstich asked Mrs. Gomez if she was told she had to put in a mound septic system. Mrs. Gomez said yes that is what they told her and that Jamie Lemler will be doing the work. Mr. Klotz reminds the board that they could approve the plan with the stipulation that if there was ever a problem down the road any expenses would be on the property owners, the board has done that before but never at a variance of 16 feet. Mr. Bohannon replies that he is just wondering if they are truly legally required to put in a mound system there and if it is possible to rotate it by 90 degrees and get it in the requirements. Mr. Faulstich feels they need to approve it because with her system failing it's going to have to get done one way or another. Mr. Faulstich also makes note that he notices a power tower just south of the proposed septic and that could be the reason why the septic is horizontal. Mrs. Gomez confirms that the tower has a 30 foot variance around it too. Mr. Cultice informs the board that he spoke to Faith at the Health Center and she is not aware of these plans and he also talked to the person that drew up the plans and they said they were not going to submit to the Health Department until the Drainage Board approved the variance. Mr. Cultice continues that board could suggest some adjustments to the plans since it has not been submitted to the Health Department yet, so whatever the board decides, Mr. Cultice can take it back to them and they can design around the board's request. Mr. Surrisi states that the board can approve with a suggested variance of 20 feet. **Mr. Bohannon motions to approve of the variance with the suggestion that they look at rotating the septic system 90 degrees to create a maximum setback if they move forward with the setback as little as 16 feet the property owners assume responsibility for any damage to their system should the county need to go in there and do repairs. Second by Mr. Stults. Motion carried 5-0.**

The Lake of the Woods Dam/Marvin Houin

Mr. Marvin Houin of 7563 Plymouth Goshen Trl in Bremen and Charlie Houin of 5125 W. Shore Dr Bremen came before the board today to discuss the dam on the Lake of the Woods. Mr. Cultice supplied board members with a visual of the dam and reminds the board members of the judgment by Marshall Circuit Court on the 11th day of August 1986, "The average normal water level of the Lake of the Woods in Marshall County, Indiana shall remain and is hereby reestablished at 803.85 (elevation, mean sea level datum) for the time period between May 15 and September 15 of each year. From September 15 to May 15 of each year the control structure gates should be opened and lower sill elevation of 802.85 feet (elevation, mean sea level datum) shall serve as the low water control." Mr. Marvin Houin came before the board to inform them of the situation going on with the dam. Mr. Marvin Houin is the representative of the farms around Lake of the Woods and one of the key holders to open and close the dam. He did tell the board that there is a PVC pipe established by Rick Keller and some of the people of Lake of the Woods. There was a scale that measured the water level, but it fell off and the DNR wasn't coming up to fix it. The PVC pipe has been used for the last 3-4 years to regulate the lake level. Mr. Charlie Houin was there when this was first established, and it was at the right level when it got to the top of the PVC pipe. This worked very well for anyone to drive by and verify the level of the lake. Mr. Marvin Houin continues that there were a lot of water issues this year and the lake being supposedly too low and everyone was blaming the farmers. Mr. Houin did provide the board with pictures of what looks like someone standing by and messing with the elevation of the water gauge. He believes this affected the integrity of the gauge. Mr. Houin is asking the board to check the level and verify that the level is correct. Mr. Glingle doesn't believe the drainage board has any authority to mess with the gauge. Mr. Surrisi agrees with Mr.

Glingle and asks Mr. Houin if the DNR actually owns the property the dam is on. Mr. Houin confirms that the DNR owns the property. Mr. Surrisi states anyone can make a police report and then the prosecutor would be involved with deciding whether to bring any charges to said person. He continues that the drainage board was not part of the court order. Mr. Surrisi doesn't recommend having Mr. Cultice weigh in and police the dam. Mr. Houin disagrees with Mr. Surrisi, he believes the drainage board is to protect the farmer's drainage. He believes that the drainage board has not done anything to help with this matter for years and Mr. Houin states he and his family have spent hundreds of thousands of dollars on this matter. He continues that the drainage board is to protect his drainage rights. Mr. Houin would like Mr. Cultice to check and see if the gauge has been tampered with and verify the lake levels. Mr. Surrisi asked Mr. Houin about how the key holder and checking the elevation works with in the judgment. Mr. Houin tells Mr. Surrisi that the DNR did put up a fence around the controls due to people messing with it. There is a key holder for the farmer's side and a key holder from the lake association side. This has worked well and they try to do their best to keep it at the right level. This is all the responsibility they have to monitor the gauge and keep it at the correct level. Mr. Houin would like someone to verify the lake level since this person in the photographs was tampering with it and possibly ruined the integrity of the gauge. Mr. Houin would like some help; he is getting the farmers complaining to him and then he gets the lake people complaining to him and he is just controlling the water level per judgment. Mr. Surrisi notes this property is not county property and has no authority over the property or the person that tampered with the gauge. He believes that policing this court order is outside of the drainage board jurisdiction. Mr. Bohannon asked Mr. Houin if he has gotten any response from the DNR regarding this matter. Mr. Houin said DNR said they are not going to touch the dam and not do anything with it. Mr. Glingle follows by asking if the DNR owns the dam, Mr. Houin replies yes. Mr. Houin doesn't believe the DNR owns the gauge. Mr. Bohannon did go to the lake over the weekend and believes Mr. Surrisi is right, that the board does not have jurisdiction over this, he believes the DNR should go out there and inspect and make sure gauge is correct since it does look like someone tampered with the gauge. Mr. Bohannon states he will be happy to make some phone calls to the State and DNR for him. Mr. Glingle reconfirms that the board has no authority to do anything and the board will be taking the advice of their attorney regarding this and that Mr. Bohannon may call the DNR on his has a commissioner and not as a Drainage Board member. Mr. Faulstich asked Mr. Houin where the gauge came from; Mr. Houin says that it was distributed by Chris Smith when he oversaw the division of water through the DNR. Mr. Houin believes it is a waste of time and will take forever to get the DNR up here to check. Mr. Glingle thanks Mr. Houin for coming in and the board will move on to the next thing on the agenda.

Albert Bohmer Ditch/ Sediment in Lake

Mr. Cultice informs the board that Kevin Chaney recently called him regarding his lakefront property adjacent to the Bohmer Ditch. After a rain event in early July, sediment from the Bohmer Ditch had settled in front of his property. Mr. Chaney is concerned about getting it cleaned up, Mr. Cultice did contact DNR and they said there are permits available through the Lake Preservation Act, this is something that we've never done before. He continues that this permit is different than permits for ditches. Mr. Glingle makes note that the drainage board does not have jurisdiction on the lake and the county has enough ditches to take care of now. Mr. Cultice said whatever the board decides he will get back with Mr. Chaney. Mr. Surrisi states that it's not an obligation of the board to pursue the permit for the lake. Mr. Glingle asked where the money for this would come from if pursued. Mr. Faulstich

understood that in some heat the algae would be present at the top of lakes, he asked if this was like a chunk of land. Mr. Bohannon states that he saw it on social media and that his takeaway was that it was floating around out there in the lake. He continues that if this is floating out in the lake it's a DNR concern, Mr. Klotz agrees with Mr. Bohannon. Mr. Bohannon said he will bring this up to the DNR when he calls regarding the dam.

Maintenance Contract

Maintenance contract from November 17, 2025 for the West Bunch Ditch and John Mattern Ditch to be signed.

Minutes

Motion made by Mr. Klotz, seconded by Mr. Bohannon, to approve January 20, 2026 minutes. Motion carried 5-0

Public Comments

Mr. Glingle opens for public comments, Ms. Brittney Parks of 3860 W. Shore Dr Bremen, comes before the board. She states she has a couple of things to comment on, first she believes she knows where the grass and sediment came from. She states that the Bohmer Ditch has a big gape in the ditch where it goes down and out to the lake, she was driven out and was shown where part of the land came off the bank and into the ditch. Ms. Parks said she heard Mr. Bohannon is going to call the DNR and she feels like there was some defamation of character, assuming someone trespassed and did damage to the gauge by video, especially if the other said person had video of them being around that the whole time and they didn't do anything but measure it because they're trying to get knowledge and gain knowledge of it. She continues that she thinks, and she could be wrong, is that in private waterway or is that public waterway, because she didn't cross over a gate to get to the gauge. She went through Brian and Tabby Teal's property. They gave her permission to go onto their property. She went into their waterway and looked at the water gauge. She did not touch it in an inappropriate way. She does have full video of it and has no problem sharing it. Ms. Parks feels like it's defamation of character to think someone gaining knowledge is trying to sabotage anything which she was not trying to do. Ms. Parks now takes a seat at the back. Mr. Surrisi states that, going off seeing a few random pictures from an email thread and what's been presented today, he doesn't know what's going on around there. It's his understanding that DNR controlled a certain area and if that were the case, perhaps somebody could be trespassing on a controlled property that they didn't have permission to. Ms. Parks came back up to front and asked if it would have to be in the gated concrete area and not in the open channel. She continues as she walks back to take a seat in the back, that the gauge is in the open channel. Marvin Houin came to the front with a handout for the board. He explains the mass at the end of the Bohmer Ditch did not come from

the Bohmer Ditch. It would have to go through two culverts that are only 30 inches wide and would have to make two right angle turns to get to the lake. Mr. Houin took pictures of a man raking a mass away from the bank and that it looks like it had been cut off the bank and laying there. He continues that the ditch actually empties into the lake to the right. Mr. Houin says the banks are made up of muck and when the water got high this last time, the keyholders from lake association were out of town for two days and when they got back, they opened the dam to get the water down and then another two inches of rain on top of that. The water actually went out into the fields and then when it receded that's when the banks caved in about five feet on both sides of the ditch. Mr. Glingle interrupted to state that Mr. Cultice has been out on several phone calls with other ditches having problems too. Mr. Houin states he is requesting to put Bohmer Ditch on the list to get cleaned out and taken care of once the crops are taken off the fields. Ms. Annette Fox of 4076 Lipton St. Bremen came up before the board to discuss that she was on the lake on July 5th or 6th and she saw a hunk of grass that was probably 8 feet by 30 inches wide floating in the lake. She went looking around and saw a man in the water and this man has a fence that he put up right at the end of the sea wall. She noticed that his property was probably washed out 30 inches, the next day she took her pontoon boat down there and they were working on their bank. She states her deceased father owned 4124 West Shore Dr., when her father built their house, he had a binder of what to do with the land for building and over 19 years they have never had their shoreline ever cave. She wonders if the property was built correctly, there wouldn't be grass floating in the lake. It is dangerous for boats and jet skiers to have this floating around. She recommends the board take a boat out and look at the corner of his property all the way to the corner of the ditch, the ditch line is clean. Mr. Bohannon asked if there were still pieces floating in the lake. Ms. Fox states that there are a few pieces still floating in the lake. She also would like the gauge back up and correct on the dam.

Adjournment

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

MARSHALL COUNTY DRAINAGE BOARD

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Randy Glingle, President

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Stan Klotz, Vice-President

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Jesse Bohannon, Board Member

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David Stults, Board Member

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Adam Faulstich, Board Member

Attest: _____

Angie Kibbe, Drainage Board Secretary