

PULASKI COUNTY DRAINAGE BOARD MEETING
February 17, 2026

The Pulaski County Drainage Board met in regular session on Tuesday, February 17, 2026, in the Courthouse Meeting Room. The meeting was called to order at 10:00 a.m. Those present were: Members Mike McClure, Jennifer Knebel, Don Street, Secretary Lynn Wilder, Board Attorney Tim Murray, Jake Ballah/BF&S, Brandi Larkin, Scott Fritz, Nathan Origer, Josh Stamper, Tim Hollandsworth/VS Engineering, and several other members of the public.

SCOTT FRITZ - PRIVATE / MUTUAL DRAIN CLOSURES

Scott Fritz appeared before the board to inform them of his intent to close several ditches. He identified each one and described his plans accordingly. Once closed, he indicated several of the ditches would require the installation of tile to sustain sufficient drainage in the absence of the ditch. The Board was assured that Scott had spoken with all the adjoining landowners that would be affected by the closures, and that they were ok with the closures. The Board then acknowledged they were in receipt of a form identified as "Checklist for Landowners Wanting to Close in Private/Mutual Drains" that had been prepared by the Surveyor, asking them to approve the form for dissemination when the Surveyor's Office is contacted for possible closures. The form was read aloud for the record. Don made a motion to approve the checklist as read, Jennifer seconded, all were in favor, motion carried and signed by the Board. Scott was then provided a copy of the checklist to proceed with following those guidelines.

CHECKLIST FOR LANDOWNERS WANTING TO CLOSE IN PRIVATE/MUTUAL DRAINS

- If the ditch is exclusively on the requestee's property and not affecting anyone else and it will not negatively impact any of the surrounding landowners, then they may close in the ditch.
- If the ditch is shared amongst several landowners (more than one), then the requestee must speak with the affected landowners. Those landowners must agree and a plan written to present to the Drainage Board. Their water must still be able to get through and travel to the outlet.
- Landowner permission must be in writing and presented to the Board along with the plans.
- You should also make inquiries with your ASC office or Army Corp to make sure that you do not need any permits to perform this type of work.
- You need to make sure that the area you are wanting to close in is not in a floodplain or wetland.
- You must install the adequate size tile so that it does not negatively impact others. If it happens to do so, then the requestee will be liable for any damage or made to install a bigger tile.
- If the adjoining landowners are not in agreement, then the ditch shall not be closed in.

ED FRAIN TILE UPDATE

Jacob, from Butler, Fairman & Seufert, reported that they were able to finalize the plans and were ready to move forward, working with the Surveyor's Office, to advertise the projects for bids. Jennifer made a motion to approve the advertisement for bids, Don seconded, all were in favor, motion carried.

APPROVE MINUTES FROM JANUARY 20, 2026

Don motioned, Jennifer seconded, all in favor, motion carried to approve the minutes as presented.

PRAIRIE MARSH, INC. SPRAY CONTRACT

Board signed Contract with Prairie Marsh, Inc. for 2026 Ditch Spraying.

OTHER BUSINESS

Tim Murray, Board Attorney, prompted a discussion regarding Mammoth Solar's intent to rely on Alta surveys to determine the top of bank with regard to the 75ft easements.

I guess there's some question about where you start the 75 ft. This is the picture he sent and why he used the term berm, but I think it can be something of an optical illusion because in one of his emails he describes that the two sides of the ditch bank are unequal height. But I think it's just the way it looks, because you can see in the background, they're the same height on both sides. I don't think this is the Big Monon, but this is a similar, but slightly smaller ditch like the Big Monon. If you've ever seen those ditch banks, they're built up and I've always figured they did that because of flooding, and they've built the ditch banks higher. It's not a dyke or a levee or berm. Solar in all of this aside, which is the question on this, I think you have to go back to why do we have a 75 ft easement? It's for maintenance and access for the county to get in there and do their thing. So, you come to the top of this ditch bank which is up here. Now, to me, that is where the 75 ft would start and would measure out. Why would we accept anything less than that and cut off our maintenance pathway to get in and clean the ditches? It just doesn't make any sense, common or otherwise, that the County would think there would be any argument that would be acceptable to shorten that distance up and make it down the ditch bank or anywhere else. I just wanted to point that out. I just wanted to get that on the table. That is my assessment. There is no definition under Indiana Law where the top of a ditch bank is. It's referred to several times and this and that. When you have an artificially built-up bank that goes up to top, the highest point of elevation is what is referred to sometimes in case law statutes. That would obviously be on top of this high ditch bank.

Don: Well, 75 ft is in Indiana Code isn't it?

Tim M.: Yes. And it can be deviated from by the Board.

Don: Now, also, you made reference to some language about Indiana Code with rivers?...but it doesn't affect the ditches.

Tim M.: Several years ago I had some experience with rivers and natural water. Those boundary lines can change, and they're subject to the natural water.

Tim H.: I wanted us to get a line and with any argument they come back with, we're prepared and we have a clear path forward. It had appeared that some of the sediments, which we call berm, were created from them doing dredging and pulling back inside the ditch. So many times over the years you've shifted where the edge of the bank is back. So I just wanted to make sure from a legal standpoint that once we say this is the top edge of bank that we're good to say that the top edge of bank and we are able to continue to move that back with maintenance activities.

Tim M.: I think based on what I said that that's my response to his inquiry.

Tim H.: Okay then, whatever Jenny says the top of bank is as long as we're comfortable.

Tim M.: I think it also has to be looked at from the perspective of county maintenance, not solar setbacks or anything else. It's always first to be looked at from the aspect of access to county maintenance and why that 75 ft is there. I just can't believe it would be that big of an issue with that, and have to argue over, so that they can gain extra access to put more. We have to have 75 ft. That's

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PUBLIC COMMENT

None

ADJOURNMENT

Don motioned, Jennifer seconded, all in favor, meeting adjourned at 10:24am.

PULASKI COUNTY DRAINAGE BOARD


MICHAEL MCCLURE-CHAIRMAN


JENNIFER KNEBEL- VICE CHAIRMAN


DONALD STREET - MEMBER

ATTEST:
LYNETTE WILDER
DRAINAGE BOARD SECRETARY