

**TIPPECANOE COUNTY DRAINAGE BOARD**  
**March 18, 2020**  
**Drainage Board Meeting Minutes**

**Those present were:**

Tippecanoe County Drainage Board President Thomas P. Murtaugh, Vice President David S. Byers, member Tracy A. Brown, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson and Drainage Board Executive Administrator Brenda Garrison. James Butcher, Surveyor Office Project Manager was also in attendance. Engineering Consultants: Dave Eichelberger from Christopher B. Burke Engineering LLC and Michelle Watts from Butler Fairman and Siefert were absent.

**Approval of Minutes**

Tracy Brown made a motion to approve the February 5, 2020 Drainage Board minutes as written. David Byers seconded the motion. Motion carried.

**Rose Business Park**

Surveyor Zach Beasley presented the Rose Business Park project to the board. The project site was located on the northwest corner of Old County Road 350 South and County Road 500 East and consisted of approximately 30 acres. He reviewed the area utilizing GIS while noting this site was just east of the Milestone Contractors location. He stated Moench Engineering was the designer. However, considering the recent Covid-19 virus, ten-person protocol; he would present the project to the board. The Business Park's entrance would be off County Road 350 South. He noted Branch #12 of the S.W. Elliott Drain #100 was located within the northwest corner of the site. The Surveyor recommended conditional approval as stated in the March 5, 2020 Burke memo. There was no public comment. David Byers made a motion to grant conditional approval as stated in the March 5, 2020 Burke memo. Tracy Brown seconded the motion. Motion carried.

***Petition to Vacate a Portion of S.W. Elliott Drain #100 /Rose Business Park***

Surveyor Zach Beasley presented a Petition to Vacate a Portion of Branch #12 of the S.W. Elliott Regulated Drain #100. He had reviewed the petition as submitted and recommended approval. David Byers made a motion to approve the Petition to Vacate a Portion of the S.W. Elliott Drain #100 as submitted. Tracy Brown seconded the motion. Motion carried.

**Petition to Convert a Private Drain to a County Regulated Drain/Timberbrook Meadows**

**Resolution 2020-02-DB Contingent Acceptance of Timberbrook Meadows as a Regulated Drain**

The Surveyor stated the Timberbrook Subdivision petition was submitted by the developer for the infrastructure of the entire subdivision. The developer had provided all necessary information and as stated in the February 2020 meeting of the Board, he recommended approval. He then referred to Attorney Masson. Attorney Masson stated due to the fact the drain does not yet exist, a resolution was in order. The resolution outlined once the drainage infrastructure has been built, the Drainage Board would accept the Timberbrook Meadows Drain into the County Regulated Drain Maintenance system. He discussed the difference with a petition to construct a new regulated a drain- as the drain already exists. In this instance the drainage infrastructure does not exist and has yet to be built. Once the drain is completed, the resolution allows for the drain to be included in the County Maintenance system. Responding to Tracy Brown's inquiry, the Surveyor stated Timberbrook Meadows is the first development including this process into the beginning of their planning and project submittal, as such the process is still being ironed out. The Attorney noted, once the drain has been approved by the Surveyor, a completed maintenance report and schedule of assessments would be presented to the Board during a maintenance hearing for action. Responding to Tracy Brown's inquiry, the Surveyor stated it was his intention to present this type of petition one time for all phases of a subdivision, regardless of the time of phasing. He stated a process was already in place to approve the infrastructure prior to final approval for construction. Therefore, his intent was to set the framework now for all phases of any development. As the phases were constructed those lots would be assessed, until each lot was sold – the owner would be responsible for the assessment. Attorney Masson stated in this case it was one owner. It may be possible that he has the option to waive attendance at the hearing and the Board could still act. Due to imposing a tax on a landowner, a hearing is required. The Surveyor stated he would provide Attorney Masson with examples of verbiage from other County's which are currently accepting these types of drains into their drain maintenance system during the early stage of presentation to a Drainage Board for overall approval. St. Joe, Allen, Hamilton and Hendricks County have been utilizing this process for over a decade. He requested the issue be continued to the May 3, 2020 Drainage Board Agenda. Tracy Brown made a motion to accept Resolution 2020-02-DB as written. David Byers seconded the motion. Motion carried.

**Zach Beasley/Other Business**

**Petition to Encroach S.W. Elliott Regulated Drain #100**

The Surveyor presented a Petition to Encroach on the S.W. Elliott Regulated Drain # 100 (Branch #14) submitted by Tate and Lyle, located within the City of Lafayette, and located immediately west of the county highway garage location. He

stated his staff had been on site for review and recommended approval by the Board. David Byers made a motion to approve the Petition to Encroach as submitted. Tracy Brown seconded the motion. Motion carried.

**Other Business/Meeting(s) Request**  
**Jeremiah Edwards Regulated Drain**

The Surveyor requested the Board to schedule two drain reconstruction hearings for landowners. He stated two regulated drain petitions received by the Board had been referred to him for reports. The requests were as follows:  
The first requested date was May 6, 2020 for the Jeremiah Edwards Regulated Drain Reconstruction Hearing. He suggested the hearing could follow directly after the monthly held meeting on scheduled date. David Byers made a motion to set May 6, 2020 for the Jeremiah Edwards Regulated Drain Hearing as requested. Tracy Brown seconded the motion. Motion carried.

**Beutler Gosma #95 Regulated Drain**

The second date was June 3, 2020, for the Beutler Gosma #95 Bi-County Regulated Drain Reconstruction Hearing. He suggested the hearing could follow directly after this previously scheduled meeting as well. He noted the Beutler Gosma Regulated Drain #95 was a Bi- County Drain. By Indiana Code a five-member Board must be formed. Two (2) representatives from Tippecanoe County Drainage Board, two (2) representatives from White County Drainage Board and a fifth member from a county which is not affected. The Surveyor's office would notify on behalf of the Board the White County Commissioners and Surveyor Office to begin the process of notification and obtaining the fifth member for the Board. David Byers made the motion for Thomas Murtaugh and Tracy Brown to serve on the Bi-County Drainage Board. Tracy Brown seconded. The motion carried.

**Huffman Weimert Regulated Drain #125**

Responding to Thomas Murtaugh's inquiry, the Surveyor noted he had received an email notifying him the jack and bore project had been bid out by the railroad (Norfolk and Southern) regarding the Huffman Weimert Drain project. The railroad contact stated they would conduct the project itself.

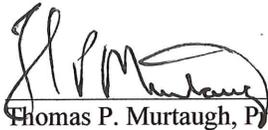
**Bonds:**

The Surveyor presented Maintenance Bond#1082349 submitted by Atlas Excavating in the amount of \$65,099.30 regarding the Avalon Bluff Section 3 Phase 1 project. He recommended acceptance by the Board. David Byers made a motion to accept Maintenance Bond #1082349 as presented by the Surveyor. Tracy Brown seconded the motion. Motion carried.

**Public Comment**

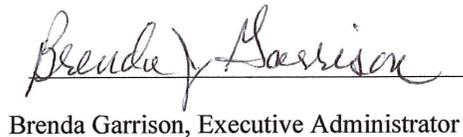
Mike Spencer of Tippecanoe County Highway department approached the Board. He stated he supported the Surveyor for including subdivision's drainage infrastructure as a county maintained regulated drain. He asked if the County Highway would be assessed on the regulated drain as they currently are with other regulated drains. The Surveyor stated he believed there would be a per acre rate for county owned streets as currently being assessed. Discussion was held on who would be responsible for the maintenance of the culvert under the streets/roads once this was accepted for maintenance by the County. The Surveyor noted that he would investigate further for Mr. Spencer and inform him of the outcome. There was no other public comment.

Tracy Brown made a motion to adjourn. The meeting was adjourned.

  
Thomas P. Murtaugh, President

  
David S. Byers, Vice President

  
Tracy A. Brown, Member

  
Brenda Garrison, Executive Administrator