

2. Defendant Dannie's Mobile Homes, Inc. and its agents, including defendant Diversified Contractors, Inc., hereby are authorized to relocate the two branches of the Elliott Ditch which cross the above real estate shown on the site plan which is hereto attached and made a part of this Decree and marked "Exhibit A" hereto.

3. The flow line of the relocated branches into the main channel of the Elliott ditch shall not be more than sixteen inches lower than the flow line of the former branches which are being relocated into the main channel of said ditch.

4. All twenty-four inch tile used in said relocated branches of the Elliott Ditch shall be made of reinforced concrete.

5. When said branches of the Elliott Ditch are relocated, there shall be installed catch basins of adequate size to drain the surface water, with a maximum beehive of ten (10) inches.

6. When said branches have been relocated as permitted hereunder, defendants Dannie's Mobile Homes, Inc. shall maintain same for a period of three (3) years from the date of the completion of such relocated construction.

7. At the time of the installation of the tile in the relocated branches, defendant Dannie's Mobile Homes, Inc. shall pay all reasonable costs for on site inspectors furnished by plaintiffs.

8. The easement provided by Section 601 of the Indiana Drainage, Burns Ind. Statute 27-301, along said relocated branches of the Elliott ditch across the above real estate hereby is reduced to a total width of fifty (50) feet, as shown by "Exhibit A" hereto.

9. There shall be no permanent structures placed on said easement, except streets and utilities as shown by "Exhibit A" hereto.

Dated at Lafayette, Indiana this _____ day of January, 1973.

ENTER: _____

Judge

Upon motion made and carried the meeting adjourned.

Edward J. Shaw

Edward Shaw

Robert H. Fields

Robert Fields

Bruce Osborn

Bruce Osborn

ATTEST:

Gladys Ridder
Gladys Ridder, Exec Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD FEBRUARY 7, 1973

The regular meeting of the Tippecanoe County Drainage Board held its meeting in the County Commissioners Room in the Tippecanoe County Court House at 9:00 a.m., on Wednesday, February 7, 1973. Present at the meeting were: Bruce Osborn, Robert Fields, Edward Shaw, Dan Ruth, Fred Hoffman and Gladys Ridder.

Minutes Approved

Upon motion by Edward Shaw, seconded by Bruce Osborn and made unanimous by Robert Fields the minutes of the January 3rd, 1973 meeting be approved as read.

Ditches
Referred to
Engineer

Several Ditches were referred to the Engineer to set up for a maintenance fund. The Alexander Ross ditch in Fairfield and Wea Twps, the Martin V. Erwin Ditch, in Shelby Twp., James Sheets ditch in Tippecanoe Twp. the County Farm Ditch in Tipp. and Wabash Twps. and the Joseph Sterrett ditch in Tippecanoe Twp.

Abe Smith
Ditch Maintenance
Hearing
9:30a.m.

The Engineer opened the hearing on the Abe Smith ditch located in Perry Twp. His report and recommendations were as follows:

MAINTENANCE REPORT
ABE SMITH LEGAL DRAIN

After spending considerable time on the site of the ditch, and discussing the ditch with a number of the property owners in the area it is the judgement of the Surveyor that a maintenance fund should be established on this ditch with the following provisions.

The Drainage Board should classify that portion of the main ditch west of road 850E and open ditch and extend the reconstructed branch to it. This could be accomplished over a period of years with maintenance funds as they became available.

This ditch consists of 5439 Feet of main line tile and approximately 1000 feet of branch at the present time there is no open tile on this ditch.

The area served by this ditch is 306.68 acres and will bring in \$319.38 per year.

At the present time there are no charges against this drain.

/s/ A. D. Ruth, Jr.
A. D. Ruth, Jr., Tippecanoe
County Surveyor

Those in attendance were: Alva Stime, Clarence Behringer, Omer Murphy, Dale Remaly and Dich Welch.

Many personal conflicts entered into this ditch hearing as was brought out in the oral remonstrances. No remonstrance had been filed prior to the hearing. After

Mr. Ruth told the Board he had met with John Tse. His plan for the lakes on the McClure ditch were far in the future and Mr. Ruth felt the hearing should be set for a maintenance fund on McClure ditch possibly May 6, 1973.

Mr. Francis Albrechts discussed the possibility of placing a breather in the side ditch of I-65 and Fellbaum branch of the Berlovitz ditch to alleviate a ponding there. Board granted permission and said if the breather created trouble elsewhere it could always be removed.

9:30 a.m. Hearing
on
Alexander Ross
Ditch

The Engineer opened the hearing on the Alexander Ross ditch by reading his report and making recommendations. Those in attendance were: Walter Pendleton, Pete Keiser, George Hatke, Frances Albrechts and Dick Smith.

Mr. Keiser reported that water was standing on top of the Ross ditch on the Ferrall land and this situation had only began since I-65 was built. Mr. Ruth said he would look into the situation and if the problem was created by the State Highway, he would notify them of same and they would have to correct it.

Mr. Pete Keiser said the acreage in Sec. 25 of 5.22 A that he had sold VanMeeter was assessed on the Berlovitz ditch but that before he had sold it, he had placed new tile on that land and drained that acreage to the Alexander Ross ditch. He suggested removing the acreage from Berlovitz and placing it on the Alexander Ross Ditch. The Board agreed and instructed the Secretary to do so.

Discussion followed among those present as the amount of per acre assessment. As the majority felt \$.75 per acre would be adequate, the Board moved to establish a \$.75 per acre assessment.

10:30 a.m. Hearing
on
John VanNatta Ditch

The Engineer opened the hearing on the John VanNatta Ditch by reading his report and making his recommendations. Those in attendance were: Charles R. VanNatta, Charles R. VanNatta, Jr., M.P. Plumlee, Ward W. Smith and Douglas McGill.

The Engineer read a letter from Mr. Plumlee, Don Brown, Ted Hunt and Charles VanNatta. The point being they had taken such good care of the ditch they felt \$.35 would be adequate. They asked for a portion of the tile ditch be made into a grass waterway. They also said they would continue to take care of their ditch even though a maintenance was established.

Because of their great concern for each other's needs and perfect cooperation, the Board moved to establish a \$.35 per acre assessment as requested.

11:30 a.m. Hearing
on
Joseph Sterrett Ditch

The Engineer opened the hearing on the Joseph Sterrett ditch by reading his report and making his recommendations to the Board. Those in attendance were: Charles R. VanNatta, Harry W. Hampton, Douglas McGill, and Charles R. VanNatta, Jr. Mr. Ruth read a letter from Mr. Charles Van Natta and Harry Hampton stating that this drain was so well designed and installed that their maintenance over the years had been very small. They asked for a \$.25 per acre assessment. Mr. Ruth said he felt this was too small. The landowners present said if it proved too small, they would gladly consent to a new hearing for the purpose of raising the amount.

Mr. Charles VanNatta said in Sec. I out of a 175A tract only 50A drained instead of 80A as assessed. The Board asked Mr. Ruth to check and correct the acreage after elevations were taken. The final decision was A.

After a bit of a discussion the Board moved to establish a \$.35 per acre assessment.

Order & Findings
and
Certificate of
Assessments

After establishing a maintenance fund on the Alexander Ross, the John VanNatta and the Joseph Sterrett ditches, the Board signed the Order and Findings and the Certificates of Assessments.

Upon motion made and carried the Board adjourned.

Edward J. Shaw
Edward J. Shaw
Robert Fields
Robert Fields
Bruce Osborn
Bruce Osborn

ATTEST:

Gladys Ridder
Gladys Ridder, Exec. Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

The Tippecanoe County Drainage Board met Wednesday, January 6, 1988 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana 47901.

Chairman Bruce Osborn called the meeting to order at 8:30 A.M. with the following being present: Eugene R. Moore and Sue W. Scholer Boardmembers, Michael J. Spencer Surveyor, Mark Houck Drainage Consultant, J. Frederick Hoffman Drainage Attorney, and Maralyn D. Turner Executive Secretary. Others present are on file.

This being the first meeting of the year Chairman Osborn ask Mr. Hoffman to preside over the meeting to conduct the election of officers.

Mr. Hoffman asked for nominations for Chairman, Sue W. Scholer nominated Bruce V. Osborn Chairman, seconded by Eugene R. Moore, there being no other nominations Mr. Osborn was elected Chairman of the Board.

Mr. Hoffman asked for nominations for Vice-Chairman, Sue W. Scholer nominated Eugene R. Moore, seconded by Bruce V. Osborn, there being no further nominations Eugene R. Moore was elected Vice-Chairman of the Board.

Sue W. Scholer moved to appoint J. Frederick Hoffman Drainage Board Attorney, seconded by Eugene R. Moore, unanimous approval.

The Board had agreed to have Mark Houck as Drainage Board Consultant.

Sue W. Scholer moved to appoint Maralyn D. Turner as the Executive Secretary of the Drainage Board, seconded by Eugene R. Moore, unanimous approval.

Mr. Hoffman read the Active Ditches for the year of 1988.

E.W. Andrews, Juluis Berlovitz, Herman Beutler, Michael Binder, John Blickenstaff, N.W. Box, A. P. Brown, Buck Creek (Carroll County) Train Coe, County Farm, Darby Wetherhill (Benton County), Christ Fassnacht, Marion Dunkin, Christ Fassnacht, Issac Gowen (White County) Martin Gray, Thomas Haywood, E.F. Haywood, Harrison Meadows, Lewis Jakes, Jenkins, James Kellerman, Frank Kirkpatrick, John A. Kuhns, Mary McKinney, Wesley Mahin, Samuel Marsh (Montgomery County) F.E. Morin, Hester Motsinger, Audley Oshier, Emmett Raymon (White County) a letter of January 5, 1988 is on file from White County requesting ditch be active, Arthur Rickerd, Abe Smith, Gustavel Swanson, Treece Meadows, Wilson-Nixon (Fountain County) Simeon Yeager, S.W. Elliott, Dismal Creek, and Shawnee Creek.

Ditches which have been inactive and need to be made active are Jesse Anderson, Dempsey Baker, Floyd Coe, Shawnee Creek.

Inactive ditches John Amstutz, Delphine Anson, Newell Baker, Nellie Ball, A.P. Brown, Alfred Burkhalter, Orrin Byers, Grant Cole, J.A. Cripe, Chas Daughtery, Fannie Devault, Jess Dickens, Thomas Ellis, Martin V. Erwin, Elijah Fugate, Rebecca Grimes, Fred Hafner, E.F. Haywood, George Ilgenfritz, George Inskeep, Eugene Johnson, F.S. Kerschner, Amanda Kirkpatrick, James Kirkpatrick, Calvin Lesley, John McCoy, John McFarland, Absalm Miller, Ann Montgomery, J. Kelly O'Neal, Lane Parker, James Parlon, Calvin Peters, Franklin Resor, Peter Rettereth, Alexander Ross, James Sheperdson, John Saltzman, Ray Skinner, Joseph C. Sterrett, Wm A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohy, John VanNatta, Harrison Wallace, Sussana Walters, William Walters, McDill Waples, J&J Wilson, Franklin Yoe.

Luther Lucas ditch is made inactive and to be combined into the Dismal Creek ditch.

Mr. Osborn asked if first and second alternates could be appointed to be representatives for Tri-County ditches? Mr. Hoffman advised the board to go ahead and appoint them, if this isn't proper action can be taken later. The following representative and alternates were appointed for the following ditches.

Hoffman ditch, Eugene R. Moore, Sue W. Scholer was appointed first alternate and Bruce V. Osborn second alternate.

McLaughlin ditch, Bruce Osborn, Eugene R. Moore first alternate, and second alternate Sue W. Scholer.

Michael stated he had received a letter from Benton County in regards to the Darby Wetherhill ditch and he asked the board to appoint a representative and alternates for this ditch.

Sue W. Scholer is representative, first alternate Eugene R. Moore, second alternate Bruce V. Osborn.

Otterbein Ditch representative will be Sue W. Scholer, first alternate Eugene R. Moore, second alternate Bruce V. Osborn.

Michael asked that the Secretary send letters to each county informing them of the appointments.

Michael Spencer presented a Petition received from Purdue Research Foundation to vacate a portion of the Dempsey Baker Ditch lying south of the north right-of way line of County Road 350 North and lying in the east half of the southeast quarter, Section 1, Township 23 North, Rge 5 West, and the North 50 acres more or less of the West half of

through a pipe system into the interim basin on out discharging to the existing pipe under the Interstate. Phase 1 basin will be connected to the interim basin by twin 42-inch pipes which are to remain and ultimately connect to the future storm.

Mr. Osborn asked if they needed to get permission from the state. Mr. Grove stated there wouldn't be any more water going in there than what is going in there now. They are by passing some of the problems that are existing there now.

Mr. Osborn asked about maintenance later? Mr. Grove asked Tom McCully to address the question.

Michael stated this brings up questions as it is in the watershed area of Alexander Ross legal drain. Don't know who the property owner is where the interim basin would be, or the temporary outlet swale.

Mr. McCully went through the maps with the board explaining the transactions that have taken place, and the property the developer now owns or will be acquiring in the near future. When they come before the board for final approval they will own the property in question.

Michael stated that was their biggest question.

Michael stated he would like to see a drawing showing the existing drain and its easements to see if they are getting involved with the drain, the old agricultural tile, and easements. Some legal steps may have to be taken to make sure all is satisfactory. The developer was aware of this.

Mr. Hoffman was concerned about the temporary pool and permanent pool. He asked is it going through a pipe or is flooding? Its all pipe, the existing outlet will be building up 2 foot of water at that point it would over flow into the structure which is serviced by the 2 42" gravity pipes on into proposed basin proposed with 1 27" pipe out, ditched in the area that the ultimate storm sewer would go which the ditch would follow the same line. No new pipe will go under the Interstate at this time. Water is being discharged to the surface into the existing pipes.

Michael Spencer asked what happens to the existing maintenance agreement of the Red Roof Inn on the pond they have today? Mr. McCully stated they are going to modify the agreement with Red Roof Inn. What they want to do is improve the drainage situation for Red Roof and Mountain Jacks consolidate it so that an easement will be released giving them a new easement. Their outlet would have to be modified. This is detention now, it will be a lake, it will be permanent with storage on top.

Sue W. Scholer asked if the board needed a letter to the fact that there is a maintenance agreement? Mr. Hoffman stated the board should have a letter in regards to the maintenance agreement.

Mr. Hoffman asked while they are doing this, there will be no increase of run off. Mark Houck stated once the interim and the permanent pool was established there is going to be more water. Much discussion.

Michael Spencer asked in the final plans they address the drainage ordinance in regards to the permanent pool showing the existing ditch, grades on the swale and the pipe. Mr. Hoffman stated the board should have that before giving preliminary approval. If it would interfere with the legal drain the property owners in the legal drain watershed area would have to be notified. Mr. Grove doesn't think there is any problem with what they are doing with this phase. Mr. Hoffman stated could have a problem if the tile would be cut.

Mr. McCully asked if they need to get preliminary approval now or whether they should get preliminary approval subject to Michael Spencer's confirmation that the plans do not affect the ditch. Mr. Hoffman stated that if Michael thinks it does not affect the tile, there would be no reason to go ahead and give preliminary approval, but if it does affect the tile there should not be any preliminary approval given. Discussion was held.

Sue W. Scholer moved to grant preliminary approval for Park East Phase I subject to confirmation to the County Surveyor that the legal drain is not affected, seconded by Eugene R. Moore, unanimous approval.

Wilder Ditch

Mr. Osborn stated he assumed the Raymond Miller project on the Wilder ditch had been completed. Mr. Grove stated that everything he was supposed to do has been done, and Mr. Kelly has not called Mr. Grove to stake the project. Mr. Hoffman stated he will be in contempt of court if it is not done by April 10, 1988.

KINGSRIDGE SUBDIVISION

Robert Grove engineer representing Lafayette Bank and Trust requested approval of a drainage revision for KingsRidge subdivision. Previously there had been a verbal agreement between CME Builders and adjoining property owner in regards to the basin. Mr. Meshberger of Lafayette Bank and Trust stated the agreement did not follow through with the transition of the property and the other property owner. Lafayette Bank and Trust now owns the ground.

Detention Basin #2 as originally proposed was to be located on the East side of Drawbridge Lane approximately 600 feet South of Castle Drive. About one half of this basin was to be placed in an easement on adjoining land, This easement is no longer available for detention. The remaining area is not large enough to construct the

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 4, 1989

The Tippecanoe County Drainage Board met in regular session Wednesday, January 4, 1989 at 9:00 A.M. in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

The meeting was called to order by J. Frederick Hoffman, County Attorney for the reorganization of the Drainage Board for 1989. Those present were: Bruce V. Osborn, Eugene R. Moore, Sue W. Scholer, Michael J. Spencer, J. Frederick Hoffman, and Maralyn D. Turner, others in attendance are on file.

Mr. Hoffman asked for nominations for Chairman of the Board. Bruce V. Osborn nominated Eugene R. Moore as Chairman seconded by Sue W. Scholer, there being no further nominations Eugene was elected Chairman of the Board.

Mr. Hoffman asked the newly elected Chairman Eugene R. Moore to preside over the meeting.

Eugene Moore asked for nominations for Vice-Chairman, Bruce V. Osborn nominated Sue W. Scholer for Vice-Chairman, seconded by Eugene R. Moore, there being no further nominations Sue W. Scholer was elected Vice-Chairman.

Eugene R. Moore asked for nominations for Secretary, Bruce V. Osborn nominated Maralyn D. Turner as Secretary, seconded by Eugene R. Moore, no further nominations from the floor for secretary Maralyn D. Turner was elected.

Bruce V. Osborn moved to appoint J. Frederick Hoffman as Drainage Attorney for the year 1989, seconded by Sue W. Scholer, unanimous approval.

Mr. Hoffman read the Ditch Assessments for Active and Inactive ditches. The following ditches being Inactive for 1989 are: John Amstutz, Jesse Anderson, Dempsey Baker Newell Baker, Nellie Ball, A.P. Brown, Orrin Byers, Floyd Coe, Grant Cole, J.A. Cripe, Fannie DeVault, Jess Dickens, Martin V. Erwin, Elijah Fugate, Rebecca Grimes, Geo Ilgenfritz, George Inskeep, Lewis Jakes, E. Eugene Johnson, F.S. Kerschner, Amanda Kirkpatrick, John A. Kuhns, Calvin Lesley, Luther Lucas, John McCoy, John McFarland, Absalm Miller, Ann Montgomery, J. Kelly O'Neal, Lane Parker, James Parlon, Calvin Peters, Franklin Resor, Peter Rettereth, Alexander Ross, James Sheperdson, John Saltzman, Ray Skinner, Joseph C. Sterrett, Wm. A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohey, John VanNatta, Harrison Wallace, Sussana Walters, McDill Waples, Lena Wilder, J&J Wilson, Franklin Yoe.

The following ditches read are Active Ditches: E.W. Andrews, Delphine Anson, Juluis Berlovitz, Herman Beutler, Michael Binder, John Blickenstaff, N.W. Box, Buck Creek (Carroll County), Train Coe, County Farm, Darby Wetherill (Benton County), Marion Dunkin, Crist/Fassnacht, Issac Gowen (White County), Martin Gray, E. F. Haywood, Thomas Haywood, Harrison Meadows, Jenkins, James Kellerman, Frank Kirkpatrick, Mary McKinney, Wesley Mahin, Samuel Marsh (Montgomery County), Hester Motsinger, Aduley Oshier, Emmett Raymon (White County), Arthur Richerd, Abe Smith, Mary Southworth, Gustavel Swanson, Treece meadows, Wilson-Nixon (Fountain County), Simeon Yeager, S.W. Elliott, Dismal Creek, Shawnee Creek.

The following ditches read were made Active for 1989: Alfred Burkhalter (Clinton County), Charles Daugherty, Thomas Ellis, Fred Hafner, James Kirkpatrick, F. E. Morin, William Walters, and Kirkpatrick One. Michael Spencer wanted the Martin Gray to be included in the Active, it had been read as active, but for the records read in the Make Active. Sue W. Scholer moved to activate the ditches as read, seconded by Bruce V. Osborn, unanimous approval.

Alfred Burkhalter ditch joint with our County the Board secretary should send a letter to the Tippecanoe County Auditor and the Clinton County Auditor.

Michael stated in June 1987 a hearing was held to combine the Treece Meadows branch with S. W. Elliott ditch. These maintenance funds need to be combined and treated as the S.W. Elliott ditch. Sue W. Scholer moved to combine the maintenance funds on the Treece Meadows with the S. W. Elliott ditch treat them all as one, seconded by Bruce V. Osborn, unanimous approval.

J. Frederick Hoffman asked if the Treece Meadows was considered designated branch under the S. W. Elliott ditch? Michael answered it is; Treece Meadows has a beginning point and ending point.

Michael Spencer received a letter signed by two property owners, Malcomb Miller and Jerry Frey on the John Hoffman requesting that the board set up a maintenance fund. A hearing was held in 1988 for reconstruction, this did not go too well. Some were going to try to contact the downstream property owners to make it a legal drain all the way down to Coffee Run. Hearing nothing these property owners are requesting a maintenance fund.

Mr. Hoffman stated this is the ditch that does not have a positive outlet. Correct. They hope to make a positive outlet with the maintenance funds.

Michael will have to make a maintenance report before a hearing can be held. Discussion continued.

Jim Strother property owner 3876 Kensington Drive concerned about drainage of the Orchard Park Subdivision. Michael told Mr. Strother he had received Preliminary submittal that was requested from the engineer to supply with more information, but that

HOFFMAN
DITCH

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR Meeting January 3, 1990

The TIPPECANOE County Drainage Board met Wednesday, January 3, 1990 in the Community Meeting room of the TIPPECANOE County Office Building 20 North Third Street, Lafayette, Indiana.

Those present were Bruce V. Osborn and Sue W. Scholer, Board Members; Michael J. Spencer, Surveyor; Todd Frauhiger, Drainage Consultant; J. Frederick Hoffman, Drainage Attorney; and Maralyn D. Turner, Executive Secretary, others present are on file.

The meeting was called to order at 9:00 a.m. by Drainage Attorney J. Frederick Hoffman. Mr. Hoffman stated that it is time for election of officers for a new year.

Bruce V. Osborn nominated Sue W. Scholer for chairman of the board, seconded by Sue W. Scholer, motion carried, there being no other nominations from the floor Sue was elected Chairman of the Board.

Sue W. Scholer chairman continued the meeting asking for nomination for Vice Chairman, Sue W. Scholer nominated Bruce V. Osborn as Vice-Chairman, seconded by Bruce, motion carried, there being no other nominations from the floor Bruce was elected Vice-Chairman.

Bruce V. Osborn nominated Maralyn D. Turner as Secretary, seconded by Sue W. Scholer, there being no other nominations from the floor Maralyn was elected Executive Secretary.

Bruce V. Osborn moved to accept J. Frederick Hoffman's continued services as Drainage Attorney for the year 1990, seconded by Sue W. Scholer, motion carried.

Michael J. Spencer recommended to continue the services of the Chris Burke Engineering, LTD as Drainage Engineer Consultant for the year 1990. Bruce V. Osborn moved to accept Michael's recommendation, seconded by Sue W. Scholer, motion carried.

1990 DITCH ASSESSMENTS

Fred Hoffman read the following ditches to be made Active for assessments in May 1990. Jesse Anderson, A.P. Brown, Orrin Byers, John McFarland, Ann Montgomery, and the J. Kelly O'Neal.

Ditches that are In Active are: John Amstutz, Dempsey Baker, Nellie Ball, N.W. Box, Alfred Burkhalter, Floyd Coe, Grant, Cole, J. A. Cripe, Fannie Devault, Marion Dunkin, Jess Dickson, Martin V. Erwin, Crist/Fassnacht, Elijah Fugate, Rebecca Grimes, Harrison Meadows George Ilgenfritz, George Inskeep, Lewis Jakes, Jenkins, E. Eugene Johnson, F. S. Kerschner, Amanda Kirkpatrick, James Kirkpatrick, John A. Kuhns, Calvin Lesley, John McCoy, Mary McKinney, Absalm Miller, Lane Parker, James Parlon, Calvin Peters, Franklin Resor, Peter Rettereth, Arthur Richerd, Alexander Ross, James Shepherdson, John Saltzman, Ray Skinner, Joseph C. Sterrett, Wm A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohey, John VanNatta, Harrison Wallace, Sussana Walters, McDill Waples, J. & J. Wilson, Franklin Yoe, and Shawnee Creek.

Ditches that are Active are: E. W. Andrews, Delphine Anson, Herman Beutler, Michael Binder, John Blickenstaff, Buck Creek (Carroll County), Train Coe, Darby Wetherill (Benton County), Thomas Ellis, Issac Gowen (White County), Martin Gray, Fred Hafner, E.F. Haywood, Thomas Haywood, James Kellerman, Frank Kirkpatrick, Wesley Mahin, Samuel Marsh (Montgomery County), Hester Motsinger, Audley Oshier, Emmett Raymon (White County), Abe Smith, Mary Southworth, William Walters, Wilson-Nixon (Fountain County), Simeon Yeager, S. W. Elliott, Dismal Creek, and Kirkpatrick One.

Bruce V. Osborn moved that the ditches that were read to be made active become active on the May 1990 Assessment, seconded by Sue W. Scholer, motion carried.

COUNTRY CHARMS

John Fisher asked that this be continued until next meeting February 7, 1990.

TRASH TRANSFER

John Fisher presented site drawings. Outlet goes into the Flood Plan. Mr. Hoffman asked who owns the Flood Plan? Leroy Barton. Question as to if it would increase the flow and the speed onto Barton. Question do you have permission from Mr. Barton? Answer - No. Mr. Hoffman stated that permission should be received from Leroy Barton. Mr. Fisher stated they are providing rip-rap, it will not increase the velocity. Mr. Fisher pointed out that they had met with the Soil Conservation and have worked out the one condition of erosion control. Mr. Hoffman asked if Mr. Barton knew about this meeting? NO. Presentation and discussion continued.

Bruce V. Osborn asked John Fisher to explain the plans to the Barton's.

Michael stated that the water is tributary to that area now, it will go through a pond now instead of sheet drainage.

Mr. Hoffman stated they should have their chance to object, so that they can't say we are damaging their property.

Sue W. Scholer stated there are two recommendations made.

1. The erosion control. 2. The calculations.

Bruce V. Osborn moved to give approval to the drainage control for the Trash Transfer with exception of #9 and the other recommendations as stated in the Christopher Burke

COUNTRY
CHARMS

TRASH
TRANSFER

**TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
FEBRUARY 5, 1992**

The Tippecanoe County Drainage Board met Wednesday, February 5, 1992 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Keith E. McMillin calling the meeting to order.

Those present were: Keith E. McMillin, Chairman, Nola J. Gentry and Hubert Yount, Tippecanoe County Commissioners, Michael J. Spencer, County Surveyor, Ilene Dailey, Chris Burke Consulting Engineers, J. Frederick Hoffman, Drainage Board Attorney, and Dorothy M. Emerson, Executive Secretary Drainage Board.

The first item on the agenda was to approve to the minutes of the meeting for the last Drainage Board meeting on January 8, 1991. Nola Gentry moved to approve the minutes, seconded by Hubert Yount. Unanimously approved.

CARROLL COUNTY JOINT DRAIN

Mike Spencer, County Surveyor stated Keith McMillin and Hubert Yount needed to be appointed to the Carroll County Joint Drain for the Andrew and Mary Thomas Drains.

Nola Gentry motioned to appoint Keith McMillin and Hubert Yount to the Carroll County Joint Drain for the Andrew and Mary Thomas Drains.

Hubert Yount, seconded. Motion carried.

DRAINAGE BOARD ATTORNEY CONTRACT

Mike presented the Board with a contract for the Drainage Board Attorney J. Frederick Hoffman, that needed to be executed for 1992.

Hubert Yount moved to approve the contract between Tippecanoe County Drainage Board and J. Frederick Hoffman as Attorney for said group.

Nola J. Gentry, seconded. Motion carried.

ACTIVE AND INACTIVE DITCHES

Nola Gentry moved to include the active and inactive ditches into the February minutes and mail the appropriate notices to the surrounding counties. Hubert Yount, seconded. Motion carried.

The following is a list of the active and inactive ditch assessment list for 1992.

DRAINAGE BOARD ASSESSMENT LIST				
DITCH No.	DITCH	TOTAL 4 YEAR ASSESSMENT	1991	1992
1	Amstutz, John	\$5,008.00	Inactive	Inactive
2	Anderson, Jesse	\$15,675.52	Active	Active
3	Andrews, E.W.	\$2,566.80	Active	Active
4	Anson, Delphine	\$5,134.56	Active	Active
5	Baker, Dempsey	\$2,374.24	Inactive	Inactive
6	Baker, Newell	\$717.52	Inactive	Inactive
7	Ball, Nellie	\$1,329.12	Inactive	Inactive
8	Berlovitz, Juluis	\$8,537.44	Inactive	Inactive
9	H W Moore Lateral (Benton Co)			Active
10	Binder, Michael	\$4,388.96	Active	Active
11	Blickenstaff, John	\$7,092.80	Inactive	Inactive
12	Box, NW	\$11,650.24	Inactive	Inactive
13	Brown, A P	\$8,094.24	Active	Active
14	Buck Creek (Carroll Co)		Active	Inactive
15	Burkhalter, Alfred	\$5,482.96	Inactive	Active
16	Byers, Orrin	\$5,258.88	Inactive	Inactive
17	Coe, Floyd	\$13,617.84	Inactive	Inactive
18	Coe, Train	\$3,338.56	Active	Inactive
19	Cole, Grant	\$4,113.92	Inactive	Inactive
20	County Farm	\$1,012.00	Active	Active
21	Cripe, Jesse	\$911.28	Inactive	Inactive
22	Daughtery, Charles E.	\$1,883.12	Active	Active
23	Devault, Fannie	\$3,766.80	Inactive	Inactive
25	Dunkin, Marion	\$9,536.08	Inactive	Inactive
26	Darby, Wetherill (Benton Co)		Active	Active
27	Ellis, Thomas	\$1,642.40	Active	Inactive
28	Erwin, Martin V	\$656.72	Inactive	Inactive
29	Fassnacht, Christ	\$2,350.56	Inactive	Inactive
30	Fugate, Elijah	\$3,543.52	Inactive	Inactive
31	Gowen, Issac (White Co)		Inactive	Active
32	Gray, Martin	\$6,015.52	Active	Inactive
33	Grimes, Rebecca	\$3,363.52	Inactive	Inactive
34	Hafner, Fred	\$1,263.44	Active	Active
35	Haywood, E.F.	\$7,348.96	Active	Active
36	Haywood, Thomas	\$2,133.12	Active	Active
37	Harrison, Meadows	\$1,532.56	Inactive	Inactive
39	Inskeep, George	\$3,123.84	Inactive	Inactive
40	Jakes, Lewis	\$5,164.24	Inactive	Inactive
41	Johnson, E. Eugene	\$10,745.28	Inactive	Inactive

41 Johnson, E. Eugene	\$10,745.28	Inactive	Inactive
42 Kellerman, James	\$1,043.52	Active	Inactive
43 Kerschner, Floyd	\$1,844.20	Inactive	Inactive
44 Kirkpatrick, Amanda	\$2,677.36	Inactive	Inactive
45 Kirkpatrick, Frank	\$4,226.80	Active	Inactive
46 Kirkpatrick, James	\$16,637.76	Inactive	Active
47 Kuhns, John A	\$1,226.96	Active	Inactive
48 Lesley, Calvin	\$3,787.76	Inactive	Active
50 McCoy, John	\$2,194.72	Inactive	Inactive
51 McFarland, John	\$7,649.12	Active	Inactive
52 McKinny, Mary	\$4,287.52	Inactive	Inactive
53 Mahin, Wesley	\$3,467.68	Active	Active
54 Marsh, Samuel (Montgomery Co)		Inactive	Inactive
55 Miller, Absalm	\$3,236.00	Inactive	Active
56 Montgomery, Ann	\$4,614.56	Active	Inactive
57 Morin, F.E.	\$1,434.72	Active	Active
58 Motsinger, Hester	\$2,000.00	Active	Active
59 O'Neal, J. Kelly	\$13,848.00	Active	Active
60 Oshier, Aduley	\$1,624.88	Active	Active
61 Parker, Lane	\$2,141.44	Inactive	Active
62 Parlon, James	\$1,649.96	Inactive	Active
63 Peters, Calvin	\$828.00	Inactive	Inactive
64 Rayman, Emmett (White Co)		Active	Active
65 Resor, Franklin	\$3,407.60	Inactive	Active
66 Rettereth, Peter	\$1,120.32	Inactive	Inactive
67 Rickerd, Aurther	\$1,064.80	Inactive	Inactive
68 Ross, Alexander	\$1,791.68	Inactive	Inactive
69 Sheperdson, James	\$1,536.72	Inactive	Inactive
70 Saltzman, John	\$5,740.96	Inactive	Inactive
71 Skinner, Ray	\$2,713.60	Active	Active
72 Smith, Abe	\$1,277.52	Active	Active
73 Southworth, Mary	\$558.08	Active	Active
74 Sterrett, Joseph C	\$478.32	Inactive	Active
75 Stewart, William	\$765.76	Inactive	Active
76 Swanson, Gustav	\$4,965.28	Active	Active
77 Taylor, Alonzo	\$1,466.96	Inactive	Inactive
78 Taylor, Jacob	\$4,616.08	Inactive	Inactive
79 Toohy, John	\$542.40	Inactive	Inactive
81 VanNatta, John	\$1,338.16	Inactive	Inactive
82 Wallace, Harrison B.	\$5,501.76	Inactive	Inactive
83 Walters, Sussana	\$972.24	Inactive	Inactive
84 Walters, William	\$8,361.52	Active	Active
85 Waples, McDill	\$5,478.08	Inactive	Active
86 Wilder, Lena	\$3,365.60	Inactive	Inactive
87 Wilson, Nixon (Fountain Co)		Inactive	Inactive
88 Wilson, J & J	\$736.96	Inactive	Inactive
89 Yeager, Simeon	\$615.36	Active	Active
90 Yoe, Franklin	\$1,605.44	Inactive	Inactive
91 Dickens, Jesse	\$288.00	Inactive	Inactive
92 Jenkins	\$1,689.24	Inactive	Inactive
93 Dismal Creek	\$25,420.16	Active	Active
94 Shawnee Creek	\$6,639.28	Active	Active
95 Buetler/Gosma	\$19,002.24	Inactive	Active
96 Kirkpatrick One	\$6,832.16	Active	Inactive
97 McLaughlin, John	\$0.00	Inactive	Inactive
98 Hoffman, John	\$72,105.03	Active	Active
99 Brum, Sarah (Benton Co)		Active	Active
100 S.W.Elliott	\$227,772.24	Active	Active

DISCUSSION ON TILE BIDS

Mike Spencer presented a tile bid that had been inadvertently returned to the bidder. Fred Hoffman opened the bid.

Mike stated he had received two proposals for Professional Services on the Berlovitz Watershed Study, one from Christopher Burke Engineering and one from Ticen, Schulte and Associates. Mike recommended Christopher Burke Engineering the lowest bidder.

Nola moved to approve the proposal from Christopher Burke Engineering for the Berlovitz Ditch Study. Hubert, seconded. Motion carried.

JOHN HOFFMAN DRAIN

Mike stated to the Board that work will be done on the Hoffman Drain at a cost less than \$25,000.00. Since it was under \$25,000.00 Mike requested quotes be done on the project rather than bids since quotes are faster.

Mike read the proposal into the minutes.

TO WHOM IT MAY CONCERN:

The Tippecanoe County Drainage Board is interested in taking quotes for maintenance work on the John Hoffman Ditch, beginning at the tile outlet which is located along County Road 900 East just north of State Road 26 East.

Work will consist of dredging approximately 1000 feet of channel down stream of the tile outlet, cleaning out road culvert under 900 East. Then clearing trees over and along the tile for some 4000 feet to the east.

After the clearing all tile holes will be fixed and or wide joints patched, then the waterway over the tile will be graded as directed by the Surveyor. When all work is completed all disturbed areas will be seeded.

There will be a pre-quote site visit held at the site on February 19th, 1992 at 9:00 am.

Written quotes will be on a per foot basis for dredging, clearing and grading of waterway.

Tile repair will be on time and material basis. Seeding will be lump sum.

Quotes will be due on March 4th at 11:00 am in the Tippecanoe County Auditors Office.

For further information please contact the Tippecanoe County Surveyor, Mike Spencer at 423-9228.

Discussion followed.

Hubert Yount moved to accept quotes for the John Hoffman Drain. Nola, seconded. Motion carried.

HADLEY LAKE DRAIN

Mike stated that West Lafayette Wetland Delineation Study will be done on February 15. We need to have that before we advertise for the proposals for engineering work.

PINE VIEW FARMS

Roger Kottowski, Weitzel Engineering and Tom Stafford, Melody Homes presented their drainage plans for Pine View Farms to the Drainage Board.

Discussion followed.

Mike Spencer recommended preliminary approval to the Board.

Nola moved to grant preliminary approval contingent on completion of restrictions and receipt of the recorded easements or agreements.

Hubert Yount, seconded. Motion carried.

Being no further business, Hubert Yount moved to adjourn the Drainage Board meeting. The next regular scheduled meeting will March 4 at 8:30 AM and will reconvene at 11:00 AM for quotes on the John Hoffman Drain.

Keith E. McMillin
Keith E. McMillin, Chairman

Nola J. Gentry
Nola J. Gentry, Member

Hubert D. Yount
Hubert D. Yount, Member

ATTEST: Dorothy M. Emerson
Dorothy M. Emerson, Executive Secretary

Tippecanoe County Drainage Board
Minutes TRANSCRIPT
Regular Meeting
January 6, 1993

The Tippecanoe County Drainage Board met Wednesday, January 6, 1993 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana, with Nola Gentry calling the meeting to order for the re-organization of the Board. She then turned it over to J. Frederick Hoffman, Drainage Board Attorney to preside.

Those present were: Nola J. Gentry, Hubert Yount, Bill Haan, Tippecanoe County Commissioners, Michael J. Spencer, County Surveyor, Ilene Dailey, Christopher Burke Consulting Engineer, J. Frederick Hoffman, Drainage Board Attorney, Hans Peterson, Paul Elling, Project Engineers SEC Donohue, Greg Griffith, Great Lakes Chemical Corporation, Josh Andrews, West Lafayette Development Director, Opal Kuhl, West Lafayette City Engineer, and Shelli Hoffine Drainage Board Executive Secretary.

J. Frederick Hoffman, Drainage Board Attorney asked for nominations from the floor for the Board President. Commissioner Gentry nominated Commissioner Haan for President, seconded by Commissioner Yount. Unanimously approved.

Mr. Hoffman then turned the meeting over to Commissioner Haan to preside over the remainder of the meeting.

Commissioner Haan asked for nominations from the floor for the Board Vice President. Commissioner Haan nominated Commissioner Gentry for Vice President, seconded by Commissioner Yount. Unanimously approved.

Commissioner Haan asked for nominations from the floor for the Board Executive Secretary. Commissioner Gentry nominated Shelli Hoffine for Executive Secretary, seconded by Commissioner Yount. Unanimously approved.

The first item on the agenda was to approve the minutes of the meeting for the Drainage Board meeting on December 2, 1992. Hubert Yount moved to approve the minutes of December 2, 1992, seconded by Commissioner Gentry. Unanimously approved.

Hire the Attorney

Commissioner Gentry moved to appoint J. Frederick Hoffman as Attorney for the Drainage Board, seconded by Commissioner Yount. Motion carried.

Active and Inactive Ditches for 1993

Mr. Hoffman suggested putting the active and inactive ditches in the January minutes. Mr. Hoffman also read them aloud to the Board.

ACTIVE DITCHES

<u>Number</u>	<u>Names</u>
2	Anderson, Jesse
3	Andrews, E.W.
4	Anson, Delphine
9	See #103
12	Box, N.W.
13	Brown, Andrew
18	Coe, Train
20	County Farm
22	Daughtery, Charles
26	Darby, Wetherill (Benton Co.)
29	Fassnacht, Christ
34	Haffner, Fred
35	Haywood, E.F.
37	Harrison Meadows
38	Ilgenfritz, George (combined with Dismal)
45	Kirkpatrick, Frank
46	Kirkpatrick, James
48	Lesley, Calvin
49	Lucas, Luther (combined with Dismal)
53	Mahin, Wesley
55	Miller, Absalom
57	Morin, F.E.
58	Motsinger, Hester
59	O'Neal, J. Kelly
60	Oshier, Aduley
61	Parker Lane
62	Parlon, James, (combined with Shawnee)
65	Resor, Franklin
71	Skinner, Ray
72	Smith, Abe
73	Southworth, Mary
74	Sterrett, Joseph C.
76	Swanson, Gustav

- 84 Walters, William
- 89 Yeager, Simeon
- 91 Dickens, Jesse
- 93 Dismal Creek
- 94 Shawnee Creek
- 95 Buetler, Gosma
- 98 See #101
- 99 See #102
- 100 Elliott, S.W.
- 101 Hoffman, John
- 102 Brum, Sophia (Benton Co)
- 103 Moore H.W. (Benton Co)

INACTIVE DITCHES

<u>Number</u>	<u>Names</u>
1	Amstutz, John
5	Baker, Dempsey
6	Baker, Newell
7	Bell, Nellie
8	Berlovitz, Julius
10	Binder, Michael
11	Blickenstaff, John M.
14	Buck Creek (Carroll Co.)
15	Burkhalter, Alfred
16	Byers, Orin J.
17	Coe, Floyd
19	Cole Grant
21	Cripe, Jesse
23	Devault, Fannie
24	Deer Creek
25	Dunkin, Marion
27	Ellis, Thomas
28	Erwin, Martin
30	Fugate, Elijah
31	Gowen, Isaac (White Co.)
32	Gray, Martin
33	Grimes, Rebecca
36	Haywood, Thomas
39	Inskeep, George
40	Jakes, Lewis
41	Johnson, E. Eugene
42	Kellerman, James
43	Kerschner, F.S.
44	Kirkpatrick, Amanda
47	Kuhns, John
50	McCoy, John
51	McFarland, John
52	McKinney, Mary
54	Marsh, Samuel (Montgomery Co)
56	Montgomery, Ann
63	Peters, Calvin
64	Rayman, Emmett (White Co.)
66	Rettereth, Peter
67	Rickerd, Arthur
68	Ross, Alexander
69	Sheperdson, J.A.
70	Saltzman, John
75	Stewart, William
77	Taylor, Alonzo
78	Taylor, Jacob
79	Toohey, John
81	Van Natta, John
82	Wallace, Harrison
83	Walters, Sussana
85	Waples, McDill
86	Wilder, Lena
87	Wilson, Nixon (Fountain Co.)
88	Wilson, J & J
90	Yoe, Franklin
92	Jenkins
96	Kirpatrick One
97	McLaughlin, John

Storm Water Drainage Improvement Plan

Hans Peterson and Paul Elling from SEC Donohue presented the Stormwater Drainage Improvement Plan for the Cuppy-McClure watershed. Mr. Peterson discussed the project overview and objectives, project design criteria and constraints, hydrologic/hydraulic analysis, alternative improvements and recommendations, permits, and the schedule.

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

The cost of the low flow pipe and high flow channel - \$930,000.00

The pipe in this alternative would be two to three feet deep under the ground from the Celery Bog to U.S. 52 then opens up and flows under US 52 with the existing pipe, then drops down into another pipe and flows on down to Hadley Lake.

Mr. Hoffman asked how big the pipe would be?

Mr. Peterson answered the pipe ranges in size from 36 inches to 42 inches.

Alternative #2 All pipe improvements.

The cost of all pipe improvements - \$1,570,000.00

Pipe size ranges from 54 inches to 60 inches.

This alternative would run completely under the ground from Celery Bog to Hadley Lake that is the main reason for the high cost. Mr. Peterson said this would look the nicest after it is complete.

Alternative #3 All channel improvements.

The cost of all channel improvements - \$755,000.00

This alternative does not have any pipe. It is a standard open channel all the way from Celery Bog down to Hadley Lake. There would have to be a concrete lining treatment at the bottom of the channel.

Mr. Peterson recommended alternative was #1 the low flow pipe and high flow channel.

Mr. Hoffman asked on these changes of easement are they giving and taking from the same landowners or taking from some landowners and giving others?

Mr. Peterson said based on the assessment map that we have, it is generally give and take on the same properties except for one parcel. Parcel #13 looks like we are taking.

Mr. Hoffman assumed there will be a petition for reconstruction to make those changes in easement.

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

Bening no further business Commissioner Gentry moved to adjourn until February 3, 1993 at 8:30 a.m., seconded by Hubert Yount.

Meeting adjourned.


William D. Haan, President


Nola Gentry, Vice President


Hubert Yount, Member

ATTES: 
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
FEBRUARY 3, 1993

The Tippecanoe Drainage Board met Wednesday February 3, 1993 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, Hubert Yount, County Surveyor Michael J. Spencer, Drainage Board Attorney J. Frederick Hoffman, Christopher Burke Consulting Engineer Ilene Dailey, Woolpert Consultants Project Manager Steve Nixon, Representing Meijer Properties Scott Nowakowski, American Consulting Engineer Willard Hale, Indiana Department of Transportation Engineer Robert Rhoades, Tippecanoe County Highway Engineer Steve Murray, Drainage Board Secretary Shelli Hoffine.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held on January 3, 1993 Commissioner Gentry moved to approve the minutes. Seconded by Commissioner Yount. Unanimously approved.

MEIJER PROPERTIES, INC

Mr. Hoffman, entered for the record he is a representative of the O'Ferrall Estate, Mr. O'Ferrall is the owner of this real estate. Steve Nixon, Project Manager for Woolpert Consultants, introduced Pat Cunningham from Vester & Associates. Mr. Cunningham represents the O'Ferrall Estate. Mr. Nixon also introduced Scott Nowakowski the Meijer Real Estate Representative.

Mr. Nixon stated that currently as part of the Alexander Ross Drain there are two tiles, a 10" and a 12" that encumber the property that Meijer intends to purchase. What Mr. Nixon and Mr. Cunningham requested, due to the size of building on the site, is that on the storm drainage plan the legal drain needs to be relocated to bypass the building and parking area. Mr. Nixon plans to use reinforced concrete pipe so the easement widths can be decreased to 50 feet for both drains. Mr. Nixon also requested that the Drainage Board approve the location of the joint detention pond and that the County accept the facility into its maintenance assessment district. Mr. Nixon stated that Meijer and O'Ferrall agreed on a joint retention facility.

Mr. Cunningham defined what the perimeters are and what storm events he and Mr. Nixon are dealing with. Mr. Cunningham has looked at some concepts with Jim Shook Sr., a commercial real estate broker, on the concepts on marketability and things that might take place. Mr. Cunningham and Jim Shook realize they can fit the pond in a three and a half acre area. They are presently proposing that the pond be a wet bottom with safety ledges and four (4) foot of storage area on top.

Commissioner Yount asked if the pond was going to be at a later date?

Mr. Cunningham replied that they hope to do it with the construction of Meijer property project.

Commissioner Gentry asked Mr. Cunningham if they will have to come in with a reconfigured pond?

Mr. Cunningham answered, Yes.

Mr. Spencer asked if detention pond would serve the entire site.

Mr. Cunningham replied, No it will not serve the total watershed area, not included is the portion that goes to the South and East.

Mr. Hoffman stated that the South and East portion goes into the Berlovitz Ditch.

Commissioner Yount asked if the open area has any projection of what it might be used for?

Mr. Cunningham said it is possibly going to be used for an outlet mall.

Commissioner Gentry made a motion that the Board approve the preliminary storm drainage for the Meijer properties. Seconded by Commissioner Yount. Unanimously approved.

US 231 RELOCATION SR25 to River Road

Willard Hale from American Consulting Engineering introduced Bob Rhoades from Indiana Department of Transportation. Mr. Hale and Mr. Rhoades presented plans for the middle section of three projects that are being designed for US231 relocation and a new crossing for the Wabash River. The project will start south of SR25 midway between Old Romney Road and County Road 100 West including the intersection of SR25. The project will stop just short of tying into South River Road. The majority of the drainage goes westward along SR25. Approximately 50 acres out of the 500 acres will be taken on the Northwest side between SR25 and Elston/Shadeland Road. Old Romney Road will be relocated and go North instead of West. As SR25 depresses down hill, there will be a bridge at Elston Road. The grade will depress 20 feet keep going down under the two railroads and across the river. Water in this depression goes North to the outlet in the wetland just south of the river.

Steve Murray Tippecanoe County Highway Engineer stated that in 1992 or 1993 one or both of the railroad bridges were scheduled for construction. He asked if there is any indication on the contracts.

Mr. Hale stated that the ground will be broke on some portion of the project.

Mr. Rhoades said that he can not say for sure. The bridge project has not received all of the needed environmental approval.

Mr. Hoffman asked Mr. Hale if he is going to do the work by the Cement Construction Company?

Mr. Hale said not this year, hopefully next year.

Mr. Hale stated that they will have to shut Elston down completely.

Mr. Hoffman asked when you do SR25 are you going to let traffic through?

Mr. Hale said, yes traffic will be able to get through. First one half will be under construction and then the other.

Mr. Hoffman asked Mr. Hale if he had to have a Corp of Engineers permit for the wetlands?

Mr. Hale said, yes.

Commissioner Yount asked if SR25 will be an at grade crossing?

Mr. Hale said, it will be an at grade crossing.

Mr. Hoffman asked if there would be an access to the toepath?

Mr. Hale said, they have to relocate a piece to go under the new bridge. It is an emergency exit for Lilly and the sewage treatment plant still uses it.

Ilene Dailey, Christopher Burke Engineering Consultant, asked Mr. Hale if he had to get a flood easement up stream from the bridge?

Mr. Hale said no as he understood it they did not have to get an easement.

Mr. Hoffman asked if they have to purchase any right-a-way for that?

Mr. Hale said no.

Mr. Spencer recommended approval of the drainage plan as submitted to the Board.

Commissioner Gentry moved to approve the drainage plan as submitted by American Consulting Engineering for their section of the US231 relocation.

Seconded by Commissioner Yount. Unanimously approved.

BIDS FOR ELLIOTT DITCH

Mr. Spencer had a bid to accept for maintenance work on the Elliott Ditch. He recommended that the Board accepts the bid from F & K Construction.

Mr. Hoffman asked if that was the only bid?

Mr. Spencer said no we had four other bids.

Commissioner Gentry asked for the figures of the other bids.

Mr. Spencer read the amounts of the bids as follows:

Cement Construction	\$144,422.00
F & K Construction	\$49,620.00
Fairfield Contractors	\$88,955.00
Merkel Excavation	\$79,500.00

Commissioner Gentry moved to award the bid to F & K Construction on the Elliott Ditch for \$49,620.00. Seconded by Commissioner Yount. Unanimously approved.

PROPOSALS FOR DRAINAGE STUDIES

Mr. Spencer requested the Board allow him to issue a request for proposals of drainage studies on the Alexander Ross watershed and the James N. Kirkpatrick watershed area.

Commissioner Gentry asked if the Alexander Ross and James N. Kirkpatrick studies would be paid out of engineering funds or if the ditches have money in their maintenance fund?

Mr. Spencer said that the ditches have money in their maintenance funds, but he would prefer to use engineering funds first.

Commissioner Gentry moved to have Mr. Spencer develop requests for proposals for the drainage studies of the Alexander Ross watershed and the James N. Kirkpatrick watershed. Seconded by Commissioner Yount. Unanimously approved.

ATTORNEY CONTRACT

Mr. Spencer presented a contract between the Drainage Board and Mr. Hoffman for attorney services for the year 1993.

Commissioner Yount moved to approve the contract for the Tippecanoe County Drainage Board for legal services performed by J. Frederick Hoffman in the amount of \$10,000.00 due and payable by the County in monthly proportions on proper claims and allowances. Seconded by Commissioner Gentry. Unanimously approved.

REGIONAL STORMWATER DETENTION FACILITY

Mr. Spencer requested acknowledgment of a receipt of an executed copy between the City of Lafayette and Lafayette Union Railway, (LUR), for a regional stormwater detention facility located on the LUR property. LUR entered into this agreement and requested that the Board acknowledge its existence.

The agreement reads as follows:
(quote)

The Tippecanoe County Drainage Board acknowledges receipt of an executed copy of the above Agreement and to the extent the facility referred to therein remains within its jurisdiction, agrees to regulate the use of such facility as provided by the provisions of this Agreement to the extent that such provisions conform to the laws of the United States of America, and the State of Indiana, as well as the ordinances of the Tippecanoe County, Indiana, that are then in effect, but at no time shall the Tippecanoe County Drainage Board be required to approve any Drainage Plan for any part of the Area involved in such Agreement which does not comply with the terms of the Tippecanoe County Drainage Ordinance in effect at the time such Drainage Plan is presented to it.

Tippecanoe County Drainage Board

By: _____

William Haan, President

Nola Gentry

Hubert Yount

(unquote)

CERTIFICATE OF ASSESSMENT FOR ANNUAL MAINTENANCE ON HADLEY LAKE

Mr. Spencer had a Certificate of Assessment for Annual Maintenance on the Hadley Lake. This encompasses the Dempsey Baker Reconstruction Drain and Hadley Lake Drain which is the outlet channel from the lake itself, north to Cole Ditch. At the hearing, one of the stipulations was that the maintenance fund would not start on those drains until the work had been done and accepted. The surveyor would like for the Certificate to be signed so that it can be submitted to the Auditor's Office and they can put it in the budget for this year. The yearly total is \$16,336.24 and it will change as developments come on line, Pineview Farms is one that has come on line since the hearing, plus Hadley Moore Subdivision will be added when the acreage becomes lots.

Commissioner Gentry moved to approve the Certificate of Assessment for Annual Maintenance on the Hadley Lake Drain. Seconded by Commissioner Yount. Unanimously approved.

Commissioner Gentry asked Mr. Spencer to update the Board on the Cuppy-McClure Drainage Project.

Mr. Spencer reported that he met with Great Lakes Chemical to discuss alternate one, the low flow pipe and the high flow channel. Great Lakes was unhappy with alternate one, mainly from an aesthetic standpoint. Mr. Spencer and SEC Donohue are looking into a few things with DNR and Fish and Wildlife to see if they have any problem with moving the drain. SEC Donohue is looking into the possibility of the floodway ever going away. Until that question is answered, SEC Donohue is not going into any more alternative plans. If the floodway can not go away, there is no reason for not following alternate one.

Commissioner Gentry asked if the all pipe alternative requires any additional permits?

Mr. Spencer said no additional permits are required, but the application for the permits would be different.

Being no further business Commissioner Gentry moved to adjourn. Seconded by Commissioner Yount. Meeting was adjourned

The next scheduled Drainage Board meeting will be March 3, 1993 at 8:30 a.m.

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JULY 7, 1993

The Tippecanoe County Drainage Board met Wednesday July 7, 1993 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, Hubert D. Yount, Tippecanoe County Surveyor Michael J. Spencer, Christopher Burke Engineering Consultant Ilene Dailey, and Drainage Board Secretary Shelli Hoffine.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held June 2, 1993. Commissioner Gentry moved to approve the minutes. Seconded by Commissioner Yount. Unanimously approved.

VALLEY FORGE PHASE IV

Pat Cunningham from Vester and Associates represented the developers, Greg Sutter and Pat Cunningham, they asked and received preliminary approval at the March 1993 drainage board meeting. Mr. Cunningham proposed final approval for Valley Forge Phase IV, Part 1, Section 1, 2, 3, and 4, which is located on 430 South and South Ninth Street. Phase IV is a continuation of the existing Valley Forge Subdivision, phase IV consist of 34.94 acres in the watershed area and 5 acres tributary in total there will be 52 lots. Mr. Cunningham stated that the 52 lots drain through the storm sewer into two different catch basins. There will be an uncontrolled watershed area around South Ninth Street that will continue to drain to the south into an existing pipe. Mr. Cunningham also stated some details need to be worked out between the developers and the County Highway department.

Commissioner Yount asked if the uncontrolled area will continue to flow into the tile it currently flows into?

Mr. Cunningham answered yes.

Mr. Spencer said for the Kirkpatrick drainage study there are preliminary figures on run off values, maps showing the Sub areas and the possible location of two regional storage basins. One basin located upstream of the new 350 South crossing and another located East of 18th Street. Preliminary storage volumes are around 480 acre feet of storage needed to reduce the totally developed flow back to the 10 year rate. The study should be completed within the next thirty days.

Commissioner Yount asked what is going to happen when the next phase is built.

Mr. Cunningham stated the storm sewer system will be identical to the phase IV and the run off will drain into the existing pond that is proposed for phase IV.

Commissioner Gentry asked if it would be more prudent to wait until the study of the Kirkpatrick watershed is completed?

Mr. Spencer stated that would be his preference. The area which the pond occupies was not included in the proposed after development condition. The Board recommended approval of the preliminary drainage plan with the condition of item #1 and that has not been resolved.

Commissioner Yount asked if the study shows a problem with the intersections, what would the developers do to correct it?

Mr. Cunningham stated that there may be a problem with the intersections and if that is the case the plan is to move the catch basin so that there is no uncontrolled run off.

Commissioner Gentry asked if the TR-20 model was received?

Ms. Dailey stated that she received a revised TR-20 model, but it still did not include the acreage of the pond. She interrupted sub area F as being a separate area.

Mr. Cunningham said he would go back and check to see whether the pond was included on the calculations.

Commissioner Gentry moved to continue Valley Forge Phase IV until the Highway Department and the Surveyor's Office have received the necessary information then a special drainage board meeting will be held for the final approval. Seconded by Commissioner Yount. Unanimously approved.

MEIJERS STORE

Pat Cunningham from Vester and Associates represents the land owners of the proposed Meijers Store. This project received preliminary approval in February and is now seeking for revised preliminary approval. Currently in Sub area B there is a 520 acre tributary that flows under I-65 onto area B. Sub area A drains to the South and initially the plan was Sub area B and part of Sub area A drain to the pond and the tributary drain across the pond and to another outlet. With the revised plan it will take the entire Sub area A and add the run off to the wet bottom pond.

Mr. Spencer stated that he has taken a look at calculations on the pond and how it would affect the Alexander Ross watershed. The only condition is Mr. Cunningham, Christopher Burke Engineering and Mr. Spencer will have to work together on the configuration of the pond to make sure that it will fit in with the overall plan for a regional storage basin on the site.

Commissioner Gentry moved to approve the revised preliminary design for the Meijers property. Seconded by Commissioner Yount. Unanimously approved.

HAWK'S NEST SUBDIVISION

Jack Kovich asked preliminary approval for Hawk's Nest Subdivision located off county road 600 North, East of State Road 43 North which consists of 84.67 acres. The entire Subdivision drains from the South to the North and the plan is to try and utilize the natural configuration of the property and avoid disturbing the trees that exist. There will be two detention areas with one utilizing the ravine.

Ms. Dailey stated the existing channel which runs through some of the lots has a 40 foot drainage easement that will have to be maintained. It needs to be clear to the lot owners that there are restrictions as to what can be done to the ravine and the trees.

Mr. Kovich said they have covenants that are preliminarily complete and one of the restrictions is related to tree removal. If the trees do not exist in the basic foundation of the house, the driveway area or the sidewalk the trees are not to be removed without consulting the developers.

Commissioner Yount suggested giving an undivided interest to any lot owner that has part of the ravine attached to the lot.

Ms. Dailey stated that there are some items that need to be refined before final approval can be given, but should not hold up preliminary approval. Emergency overflow spillways over the top of the pond are not shown, erosion control measures are a concern, for example the proposed dam that is planned for basin A seems to extend into the flood plan. There is potential for erosion on the lot's side but also on the other by the water being diverted around the corner. Intercon is showing the proper amount of storage, but there are some detailing of outlet structures that need to be carefully considered. Ms. Dailey recommended that a backwater analysis be done for the ravine that runs up through the middle of the development. They have also requested two variances for their detention.

Commissioner Yount asked how deep the detentions basins will be.

Ms. Dailey stated that basin A will be 7 feet deep.

Mr. Spencer said the reason for basin A to be higher than 4 feet is the developers want to use the natural ravine lines instead of excavation.

Commissioner Yount moved to approve preliminary approval of Hawk's Nest Subdivision subject to the seven conditions set forth on the report also subject to the outlots being deeded an undivided interest to the outlots and subject to the approval of the two variances. Seconded by Commissioner Gentry. Unanimously approved.

SIRLOIN STOCKADE

Robert Grove asked for final approval on the Sirloin Stockade located west of the Olive Garden and involves .53 acres. The property drains to the Northwest into a drainage swale that the developers plan to use as a detention area it would discharge to an existing shallow ditch along the frontage road which is State Road 26. That required a drainage permit from the State of Indiana and it is on file in the Surveyor's Office.

Mr. Spencer asked what type of slope is at the bottom of the swale?

Mr. Grove stated that the slope gets up to .5.

Ms. Dailey requested the stage storage calculations, for example if the elevation is 66 there will be so many acre feet, be presented before approval.

Commissioner Gentry moved to approve final approval with the condition that the stage storage calculation be provided and approved by the Surveyor. Seconded by Commissioner Yount. Unanimously approved.

ORTMAN LEGAL DRAIN - Vacation

Jim VanNess from Smith Enterprises presented a fourth petition to vacate the Ortman legal drain that effects Twykenham Estates. He asked for conditional

vacation subject to the letter from the City indicating approval and that the drain will be completed and approved before the final plat.

Mr. Spencer added that the upstream land owners have been notified thirty (30) day in advance of this hearing. The mail receipts are on file in the Surveyor's office.

Mr. Spencer read the two conditions that need to be met before vacation of the Ortman legal drain can be approved.

1) A letter needs to be received from the City indicating approval and acceptance for maintenance and that the city has approved the construction drawings for this area of the storm sewer that is proposed.

2) That the drain will be completed and approved before the final plat can be recorded and building permits issued.

Commissioner Yount moved to approve conditional approval of vacation subject to the City's acceptance letter and the drain being completed before the final plat. Seconded by Commissioner Gentry. Unanimously approved.

Being no further business Commissioner Gentry moved to adjourn. Seconded by Commissioner Yount. Unanimously approved.

JULY 7, 1993 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 5, 1994

The Tippecanoe County Drainage Board met Wednesday January 5, 1994 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, Hubert D. Yount; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Drainage Board Engineering Consultant Jon Stolz and Drainage Board Secretary Shelli Hoffine.

ELECTION OF 1994 OFFICERS

Mr. Hoffman asked nominations for the President of the Tippecanoe County Drainage Board. Commissioner Haan nominated Commissioner Gentry, seconded by Commissioner Yount. Unanimously approved.

Mr. Hoffman turned the meeting over to Commissioner Gentry to preside.

Commissioner Gentry asked nominations for Vice President of the Tippecanoe County Drainage Board. Commissioner Gentry nominated Commissioner Haan, seconded by Commissioner Yount. Unanimously approved.

-APPOINTMENTS-

Commissioner Haan moved to appoint Shelli Hoffine for Executive Secretary of the Tippecanoe County Drainage Board, seconded by Commissioner Yount. Unanimously approved.

Commissioner Haan moved to appoint J. Frederick Hoffman as Attorney for the Tippecanoe County Drainage Board pending an agreement of a contract, seconded by Commissioner Yount. Unanimously approved.

Commissioner Yount moved to extend the existing contract into 1994 for Christopher Burke Engineering, LTD. to provide engineering services to the Tippecanoe County Drainage Board pending review of the contract, seconded by Commissioner Haan. Unanimously approved.

-MEETING DATES FOR 1994-

January 5, 1994	July 6, 1994
February 2, 1994	August 3, 1994
March 9, 1994	September 7, 1994
April 6, 1994	October 5, 1994
May 4, 1994	November 2, 1994
June 1, 1994	December 7, 1994

Commissioner Haan moved to accept the meeting dates for the Tippecanoe County Drainage Board, seconded by Commissioner Yount. Unanimously approved.

Commissioner Yount moved approve the minutes from the last Drainage Board meeting held December 1, 1993. Seconded by Commissioner Haan. Unanimously approved.

Joe Bumbleburg asked the Board to approve a resolution for vacation of a drainage easement located on a part of lot 5 in Capilano By the Lake Subdivision, Phase I. The drainage easement ended up in the middle of lot 5 when it was replatted.

Mr. Spencer stated he has been out to the site, Mr. Cunningham of Vester and Associates checked the easement and it definitely will not cause a problem with the lot or any of the adjoining lots. Mr. Spencer recommended the vacation of the drainage easement in lot 5, Capilano By the Lake Subdivision, Phase I.

The petition and the resolution to vacate a portion of a drainage easement on lot 5, Capilano by the lake subdivision, Phase I is on file in the Tippecanoe County Surveyor's Office.

Commissioner Yount moved to approve the resolution to vacate a portion of an easement on lot number 5, Capilano by the Lake Subdivision, Phase I, seconded by Commissioner Haan. Unanimously approved

HAWKS NEST SUBDIVISION, PHASE I

Greg Hall, Intercon Engineering, asked the Board for final approval of Hawks Nest Subdivision, Phase I and the detention ponds for the entire project. Mr. Hall also, requested a variance for exceeding the four foot of depth in Basin A.

Mr. Spencer stated he recommended approval of Phase I and the detention ponds.

Mr. Hall stated there will be eighteen lots in Phase I, one detention basin will be located in this phase.

Commissioner Haan asked if the permits from the IDNR have been processed?

Mr. Stolz stated that the portion that was requiring a permit has been moved from the floodplain and no longer requires a permit.

Commissioner Yount moved to grant the variance to exceed the maximum four foot depth in Basin A, seconded by Commissioner Haan. Unanimously approved.

Commissioner Yount moved to grant final approval of Hawks Nest Subdivision, Phase I and the detention basin for the entire project, seconded by Commissioner Haan. Unanimously approved.

TRIPLE J POINTE SUBDIVISION

Bob Grove, representing Smith Enterprises, asked for preliminary approval of Triple J Pointe Subdivision, which involves fifteen acres with 75 lots, located off Old Romney Road and County Road 250 South. The proposal is to detain the water offsite which will hold seventy two acres of offsite runoff, then take the ten year flow through the subdivision to a basin that will hold the 15 acres of developed subdivision, a pipe will carry the runoff from the basin to an existing structure of Ashton Woods Subdivision detention system. The ditch will be used as overflow for runoff that exceeds the 10 year flow.

Commissioner Yount asked if pipe along Old Romney Road would be in the road right-of-way if so, has the County Highway Department approved a permit for the pipe?

Mr. Grove stated yes, we are proposing to put the pipe in the right-of-way and no, we have not obtained a permit from the Highway Department.

Mr. Spencer stated the Highway Department has a set of plans, but he has not heard a report from them.

Commissioner Yount asked about the use of the pond offsite easement?

Mr. Grove stated that G. Mark Smith will be preparing an agreement for the easement.

Mr. Spencer stated John Fisher did a drainage study of the Wea-Ton drainage area, in the report it shows the watershed area delineated certain runoff values for sub-areas within the watershed area. Ashton Woods kept in compliance with the idea for sub-areas to be within the watershed area, at that time, the Board accepted the idea. Ashton Woods created an outlet for the Wea-Ton watershed area and during construction they have created the outlet channel and incorporated their storage area with Old Romney Heights storage area. In the study, there are recommendation about how water moves to the east as development progresses. A pipe was sized under Old Romney Road at the end of the channel to pick up water to the east. Triple J Pointe Subdivision does not comply with this idea as far as construction of proper pipe size under Old Romney Road to convey the water from the east.

Mr. Grove stated Smith Enterprises asked John Fisher for the drainage study, but were not able to obtain a copy. It was decided to make an alternate route from the project's outlet to go along the east side of Old Romney Road in an easement just outside the right-of-way, provide a manhole and a crossing based on a 10 year predeveloped flow from the Wea-Ton area.

Commissioner Gentry suggested getting a meeting set up between the Commissioners, the Surveyor, Smith Enterprises, Mr. Gloyeske, and Mr. Fisher.

Commissioner Yount moved to continue Triple J Pointe Subdivision with Mr. Grove's consent until after the above meeting has been held, seconded by Commissioner Haan. Unanimously approved.

HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

Kyle Miller, Triad and Associates, presented the Board with the plans to improve Harrison High School and McCutcheon High School. Harrison and McCutcheon will be adding approximately one acre of roof to the existing structures over what is now parking lot signifying no increase in the volume of runoff for either plan. Harrison's storm sewer pipes run around the perimeter of the school, some of the pipe are undersized and will be replaced along with all new pipe to go around the perimeter of the constructed area. All roof drainage will run into the storm sewer then to an existing pipe and discharge into the **Cole Ditch/"Burnett Creek"**. Mr. Miller indicated a portion of one existing outfall pipe will be replaced and a permit from the IDNR is required for construction in the floodway area.

Commissioner Gentry asked what the design is of the outfall pipe into the creek?

Mr. Miller stated there will an end section on the pipe and that rip-rap will be placed on both sides of the banks.

Mr. Miller explained that McCutcheon High School storm sewer pipes run the perimeter of the existing structure and outlets into the **Wea Creek**. The

improvements will replace what is now asphalt and the storm sewer pipe around the perimeter of the constructed area.

Commissioner Yount moved to approve Harrison High School's final improvement plan subject to the approval of the permit from the IDNR, seconded by Commissioner Haan. Unanimously approved.

Commissioner Yount moved to approve McCutcheon High School's final drainage improvement plan, seconded by Commissioner Haan. Unanimously approved.

ACTIVE DITCHES FOR 1994

Ditch No.	Ditch Name	Four Year Assessment	Balance Fund 94
2	Anderson, Jesse	\$15793.76	\$11549.19
3	Andrews, E.W.	2566.80	987.71
4	Anson, Delphine	5122.56	1365.36
8	Berlovitz, Juluis	8537.44	7288.07
13	Brown, Andrew	8094.24	4625.60
14	Buck Creek (Carroll Co.)		
15	Burkhalter, Alfred	5482.96	4285.72
20	County Farm	1012.00	(994.25)
26	Darby, Wetherill (Benton Co.)		
27	Ellis, Thomas	1642.40	760.68
29	Fassnacht, Christ	2350.56	965.04
31	Gowen, Issac (White Co.)		
33	Grimes, Rebecca	3363.52	3357.75
37	Harrison Meadows	1532.56	-0-
48	Lesley, Calvin	3787.76	1622.08
53	Mahin, Wesley	3467.68	2864.18
54	Marsh, Samuel (Montgomery Co)		
57	Morin, F.E.	1434.72	-0-
58	Motsinger, Hester	2000.00	1090.53
59	O'Neal, J. Kelly	13848.00	7398.17
60	Oshier, Aduley	1624.88	-0-
64	Rayman, Emmett (White Co.)		
67	Rickerd, Arthur	1064.80	842.58
71	Skinner, Ray	2713.60	(64.53)
72	Smith, Abe	1277.52	1053.33
73	Southworth, Mary	558.08	314.04
74	Sterrett, Joseph C.	478.32	-0-
76	Swanson, Gustav	4965.28	(1473.83)
84	Walters, William	8361.52	6716.94
87	Wilson, Nixon (Fountain Co.)		
89	Yeager, Simeon	615.36	342.15
91	Dickens, Jesse	288.00	-0-
93	Dismal Creek	25420.16	86.15
94	Shawnee Creek	6639.28	-0-
95	Buetler, Gosma	19002.24	16368.00
100	Elliott, S.W.	227772.24	76956.82
101	Hoffman, John	72105.03	34631.86
102	Brum, Sophia (Benton Co)		
103	Moore H.W. (Benton Co)		
104	Hadley Lake	65344.56	4402.77
105	Thomas, Mary (Carroll Co)		
106	Arbegust-Young (Clinton Co)		

INACTIVE DITCHES FOR 1994

Ditch No.	Ditch Names	Four Year Assessment	Balance Fund 94
1	Amstutz, John	\$5008.00	\$5566.86
5	Baker, Dempsey	2374.24	2814.71
6	Baker, Newell	717.52	2016.73
7	Bell, Nellie	1329.12	2077.51
10	Binder, Michael	4388.96	5513.73
11	Blickenstaff, John M.	7092.80	7994.87
12	Box, N.W.	11650.24	15333.92
16	Byers, Orin J.	5258.88	7337.50
17	Coe, Floyd	13617.84	18262.88
18	Coe, Train	3338.56	7923.36
19	Cole Grant	4113.92	9940.56
21	Cripe, Jesse	911.28	1557.87
22	Daughtery, Charles	1883.12	2290.95
23	Devault, Fannie	3766.80	7764.58
25	Dunkin, Marion	9536.08	12390.41
28	Erwin, Martin	656.72	1095.68
30	Fugate, Elijah	3543.52	5114.39
32	Gray, Martin	6015.52	8253.80
34	Hafner, Fred	1263.44	1559.07
35	Haywood, E.F.	7348.96	7564.29
36	Haywood, Thomas	2133.12	2799.85
39	Inskeep, George	3123.84	7655.03
40	Jakes, Lewis	5164.24	6026.73
41	Johnson, E. Eugene	10745.28	14592.35
42	Kellerman, James	1043.52	1063.29
43	Kerschner, F.S.	1844.20	4618.29
44	Kirkpatrick, Amanda	2677.36	3110.15
45	Kirkpatrick, Frank	4226.80	4440.35
46	Kirkpatrick, James	16637.76	16816.54
47	Kuhns, John	1226.96	1528.87
50	McCoy, John	2194.72	3182.80
51	McFarland, John	7649.12	8766.27
52	McKinney, Mary	4287.52	5791.10
55	Miller, Absalm	3236.00	5168.30
56	Montgomery, Ann	4614.56	5250.77
61	Parker Lane	2141.44	3261.19
63	Peters, Calvin	828.00	2327.12
65	Resor, Franklin	3407.60	5659.22
66	Rettereth, Peter	1120.32	1975.43
68	Ross, Alexander	1791.68	3895.39
69	Sheperdson, J.A.	1536.72	3609.60
70	Saltzman, John	5740.96	6920.20
75	Stewart, William	765.76	900.58
77	Taylor, Alonzo	1466.96	3447.90
78	Taylor, Jacob	4616.08	6544.52
79	Toohey, John	542.40	1069.50
81	Van Natta, John	1338.16	2714.51
82	Wallace, Harrison	5501.76	6573.81
83	Walters, Sussana	972.24	2061.09
85	Waples, McDill	5478.08	9188.51
86	Wilder, Lena	3365.60	4921.20
88	Wilson, J & J	736.96	5639.22

90	Yoe, Franklin	1605.44	2509.75
92	Jenkins	1689.24	2549.43
96	Kirpatrick One	6832.16	11352.18
97	McLaughlin, John		

OTHER BUSINESS

Mr. Spencer asked if section six, letter F of the Drainage Ordinance, Submittal and Consideration of Plans, could be clarified to clear up questions pertain to the twenty days submittal deadline being twenty working days or twenty calendar days.

Commissioner Yount suggested changing the twenty days to thirty calendar days and requiring a review memo from the County Engineering Consultant to the petitioner, ten days prior to the hearing date.

Mr. Hoffman stated he will write an amendment to the Drainage Ordinance, letter F in section six, Submittal and Consideration of Plans, to change the twenty days submittal to thirty calendars days and the Surveyor will make a report to the petitioners not less than ten days prior to the hearing date.

GREAT LAKES CHEMICAL

Mr. Spencer stated all the landowners along the proposed channel have been informed of the Great Lakes project, the County has a complete set of construction plans, a drainage report, and Army Corp of Engineers permit. The County does not have IDNR or the IDEM, but those have been filed and should be approved soon. Ken Baldwin had some question for insurance reasons on fencing around the sediment basin before the water goes into **Hadley Lake**. The County will contribute \$700,000.00 dollars out of that the County has spent approx \$150,000.00 on Engineering, the Engineer's construction estimate is 1,040,000.00.

Commissioner Gentry asked what the time table is on advertising for reconstruction, and does the project have to be advertised before the bidding or concurrent with the bid process?

Mr. Hoffman stated the advertising has to be done before the bid processing. The County would have to give thirty to forty day notice and then have the hearing, if approved the bidding can go out, all that together would take about three months.

Judy Rhodes asked if there was any legal document showing West Lafayette committing to an agreement of participation in this project?

Commissioner Gentry stated that the County has a signed worksheet by Nola J. Gentry and Mayor Sonya Margerum showing the break down of contribution between the State of Indiana, Tippecanoe County and the City of West Lafayette for Great Lakes Chemical Corporation/**Cuppy McClure** watershed project

Ms. Rhodes asked and received a copy of the worksheet.

Being no further business Commissioner Yount moved to adjourn until February 2, 1994, seconded by Commissioner Haan. Unanimously approved.

TIPPECANOE COUNTY DRAINAGE BOARD
SPECIAL MEETING
APRIL 19, 1994

The Tippecanoe County Drainage Board met Wednesday, April 19, 1994, in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

Those present were: Tippecanoe County Commissioners Nola J. Gentry, William D. Haan, Hubert D. Yount; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Drainage Board Engineering Consultant Jon Stolz and Drainage Board Secretary Shelli Hoffine.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held April 6, 1994, Commissioner Yount moved to approve the minutes, seconded by Commissioner Haan. Motion Carried.

TRIPLE J POINTE SUBDIVISION

Due to an absents of representatives the next project was presented.

HAWKS NEST SUBDIVISION

Greg Hall, Intercon Engineering, asked the Board to approve a redesigned plan of the majority of Phase I and the street elevations of Phase II in Hawks Nest Subdivision. Mr. Hall mentioned a meeting he had with Mr. Spencer and the County Highway Department on the original plans, at that time suggestions were made to help draft the redesigned plans.

Mr. Spencer stated the redesigned plans have been reviewed by him and the Engineering Consultant, the questions that came about after the review were setting lot grades in Phase I and the dirt balances for the total project, those have been resolved and final approval is recommended.

Commissioner Yount moved to grant final approval of the redesigned plans for Hawks Nest Subdivision, seconded by Commissioner Haan. Motion carried.

ARBY'S RESTAURANT - BRITT SUBDIVISION

Ken Russell, Russell Engineering, asked for approval of the storm water system planned for Arby's Restaurant. The storm water drains parallel to the proposed Brinker Street and Britt Farm Drive in easements to the Britt detention pond.

Mr. Spencer recommended granting final approval with the addition of an erosion control plan and the County Highway granting approval of the storm drain under the proposed street and drive.

Commissioner Haan moved to grant final approval of Arby's Restaurant drainage plan with the condition that an erosion control plan is submitted and approved by the County Highway for work within the Right-of-Way, seconded by Commissioner Yount. Motion carried.

MEIJERS REGIONAL RETENTION POND

Mr. Hoffman excused himself from the hearing of the Meijers Regional Retention Pond.

Pat Cunningham, Vester & Associates, asked the Board for final approval of Meijers regional retention pond. This project is located off State Road 26, east of I-65 and includes 106 acres. A drainage tributary of 460 acres from the west side of I-65 is also included in the design of the retention pond. Subarea B currently drains directly to the Alexander Ross Ditch, subarea A currently does not. The proposed plan is to route subarea A through the proposed retention pond, creating a positive outlet to the Ross Ditch which will not increase the rate of flow to the ditch. The overall development plan for the 106 acres includes construction of the Meijer store on 38 acres that drains into the retention pond. The projected curve number for the Meijer site and the commercial area is 91, the projected curve number for the land south of the Meijer site is 87, based on those numbers the proposed retention pond has been sized to handle 460 acres tributary that will pass through the site at the 10 year release rate. Plus the pond will store the runoff from the 106 acres which will be released under State Road 26. Mr. Cunningham stated the proposal to relocate an existing 24 inch tile is still in affect. During evaluation of this project, it was discovered the 460 acre tributary will change the configuration of the pond. To compensate for the change, the pond will be lowered to create more live storage.

Commissioner Haan moved to grant final approval of Meijers Regional Retention Pond with the condition of the County Surveyor approving the design of the outlet structure, seconded by Commissioner Yount. Motion carried.

Mr. Hoffman returned.

PINE VIEW FARMS II PHASE I

Jerry Kittle, Schneider Engineering, asked for final approval of Pine View Farms II Phase I with three variances:

1. The requirement for a fence to surround the proposed pond
2. On lot water storage
3. Gutter spread calculations, the ordinance calls for 10 feet clear and the plan shows 8.5 feet clear for one gutter spread and 9.8 feet for another.

Mr. Spencer stated the variance for the gutter spread calculations is a decision for the County Highway Department.

Mr. Hoffman asked the depth of the pond?

Mr. Kittle stated the pond will be at a depth of 10 feet and will be completed with Phase I.

Mr. Stolz stated there are a few locations where water is going to back up on subbasins 500 and 700. What is the capacity and where will they drain?

Mr. Kittle stated subbasin 700 will be reduced from 2.87 cfs to .97 cfs, subbasin 500 will drain through the 12 inch storm sewer that is in Pine View Farms I.

Evero Crouse is the landowner of 52 acres across McCormick Road from the proposed Pine View Farms II, Phase I. On the West side of McCormick Road the landowner, with the help of the Soil and Water Conservation, constructed a water

way along the road to help prevent erosion, presently the water way is in good working order. Ms. Crouse stated Gary Workman contacted her for an easement across her 52 acres. She is not willing to give an easement because the water way is not a legal drain. If she granted an easement everyone along the water way would have to grant Mr. Workman an easement. Another reason Ms. Crouse will not grant the easement is the 52 acres will not always be a field, eventually it will be lots and an easement is a restriction against a lot.

Mr. Kittle stated when Schneider first looked at this project they thought about the possibility of draining it across the 52 acres. The current proposed plan is to drain the project through Pine View Farms I which will not affect the 52 acres across McCormick Road other than to reduce the release rate from 3.77 cfs to 1.89 cfs.

Mr. Spencer stated the emergency routing needs to be clearly shown to function without going two different ways.

Mr. Kittle stated the safety ledges start above the normal pool with a 5 foot ledge and a 4 to 1 slope to another 5 foot ledge with 2 to 1 slope to another 5 foot ledge.

Mr. Spencer asked Mr. Hoffman to help with the language in the covenant for the maintenance of the pond.

Commissioner Yount moved to grant the variance for the fence and the on lot storage, seconded by Commissioner Haan. Motion carried.

Commissioner Yount moved to grant final approval with the conditions of the emergency routing being approved by the County Surveyor and a Rule 5 application being filed, seconded by Commissioner Haan. Motion carried.

OTHER BUSINESS

Town of Dayton Resolution

Mr. Spencer presented the Board with a resolution from the town of Dayton. Dayton would like the Board to provide review recommendations and approval of drainage plans for construction within the town.

Commissioner Gentry asked Mr. Hoffman if Dayton could adopt the County Drainage Ordinance and name the County Surveyor and the Drainage Board as the approval body?

Mr. Hoffman replied Dayton could adopt the ordinance and have the Drainage Board do the work for hire. The Drainage Board would have to keep track of the expenses related to the projects so that Dayton can reimburse the County.

Cuppy McClure Update

Mr. Spencer stated he has met with DNR Forestry Division, one of the requirements of obtaining the Water Quality permit is the project will have to replace the trees at a 2 to 1 ratio. Approximately four acres of trees will have to be planted to replace the two acres that will be cleared. Mr. Spencer stated he suggested to the DNR an interlocal agreement between the County and the City of West Lafayette to plant the four acres in the Celery Bog Park Plan, the DNR did not have any objection.

Commissioner Gentry asked if a hearing could be held and the bid process started?

Mr. Spencer stated it would be better to wait until the Water Quality Certification is approved instead of getting everyone geared up for the hearing and then not be able to give them the approved plans.

Discussions

Mr. Spencer stated John Rowe brought a set of plans April 15, 1994 for the proposed Rowe Trucking located off 475 East. Mr. Rowe would like the review to be completed in time for the May 4, 1994 Drainage Board Meeting.

Commissioner Haan asked about the progress to change the ordinance to construct a specified pond or require a fence to surround the pond?

Mr. Stolz stated he has been discussing the issue with others in his firm trying to get ideas of how other counties are handling this situation. Mr. Stolz plans to have a report together by the May 4, 1994 Drainage Board meeting to give the Board different options.

Mr. Bumbleburg stated he wrote a letter to Mr. Spencer asking him to seek the Boards approval for him to write a letter to the Area Plan Commission indicating the Board agrees a detention pond is no longer needed on Lot 28 of Orchard Park Subdivision and its replat.

Commissioner Yount stated an easement has to be established for the pipe, it is shown on the drawing submitted by Russ Ticen, but it is not recorded.

Commissioner Yount explained an underground pipe was installed to tie the yard drains into the pipe to connect to a storm drainage system, but an easement was never recorded. He suggested stating the pond that is on the original plat has been reconfigured and reduced in size and now is included within the easement of Creasy Lane.

Mr. Bumbleburg needs a recordable easement with a drawing showing it has been recorded for the Drainage Board.

Mr. Spencer received a video tape from Steven Schneider, a landowner in Sherwood Forest. Mr. Schneider asked the Board to view the tape because he has concern that the proposed Wake Robin Estates Phase II will cause more water to flow through the water way in Sherwood Forest. The video tape is on file in the County Surveyor's Office.

Being no further business Commissioner Yount moved to adjourn until May 4, 1994, seconded by Commissioner Haan. Motion carried.

TIPPECANOE COUNTY DRAINAGE BOARD

REGULAR MEETING

DECEMBER 7, 1994

The Tippecanoe County Drainage Board met Wednesday, November 2, 1994, in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

Those present were: Tippecanoe County Commissioners Nola J. Gentry, Hubert D. Yount; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Drainage Board Engineering Consultant Jon Stolz and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held November 2, 1994, Commissioner Yount moved to approve the minutes, seconded by Commissioner Gentry. Motion carried.

O'Ferrall Property detention pond

Mr. Hoffman excused himself from the meeting room.

Pat Cunningham of Vester and Associates, represented the O'Ferrall Estate Trust, asked the Board for a waiver on the fence requirement to surround the recently constructed pond on the O'Ferrall property. Mr. Cunningham felt the fence would cause a maintenance problem and become an eye sore for the surrounding commercial businesses. The pond is for retention of storm water from the Meijer site and is located at the Southwest corner of State Road 26 and I-65.

Commissioner Yount stated there needs to be a way to restrict trash from getting into the pond.

Mr. Cunningham stated the location of the pond in a commercial area will reduce pedestrian traffic and the probability of children playing around the pond. There is a safety ledge seven feet wide, one and half feet below permanent pool elevation.

Mr. Spencer stated the pond is within the Alexander Ross Drain easement, but is not under County maintenance. At the time of final acceptance there will be a petition to include the pond as part of the Alexander Ross Drain maintenance.

Commissioner Gentry asked if landscaping is planned around the pond and if mounds or scrubs could be used to help prevent trash and debris from getting into the pond?

Mr. Cunningham stated landscaping and scrubs are planned, but no plans for mounds.

Mr. Yount moved to approve the request to waive the requirement for a fence surrounding the pond on the O'Ferrall Property, seconded by Commissioner Gentry. Motion carried.

Mr. Hoffman reentered the meeting room.

OTHER BUSINESS

Drainage Board Meeting Schedule

Commissioner Yount moved to approve the 1995 Drainage Board Meeting schedule, seconded by Commissioner Gentry. Motion carried.

Certificate of Insurance

Mr. Spencer presented the Board with a Certificate of Insurance for Marion C. Fairfield and Dallas G. Ridener of D & M Demolition. D & M has all the proper DNR permits and has been hired to remove the nuisance rodents from the County Ditches.

Commissioner Gentry mentioned the changes to the Drainage Board Ordinance had passed first reading and were approved by the County Commissioners. On Monday, December 19, 1994 the second reading is scheduled and if passed will take effect

January 1, 1995.

Being no further business Commissioner Yount moved to adjourn until January 4, 1995, seconded by Commissioner Gentry. Motion carried.

TIPPECANOE COUNTY DRAINAGE BOARD
 REGULAR MEETING
 FEBRUARY 1, 1995

The Tippecanoe County Drainage Board met Wednesday February 1, 1995 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney pro-tem David Luhman; and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held January 4, 1995. Commissioner Gentry moved to approve the minutes, Seconded by Commissioner Jones. Motion carried.

ACTIVE AND INACTIVE DITCH LIST 1995

Mr. Luhman read the active ditch list into the minutes.

Ditch No.	Ditch Name	Four Year Assessment	Balance Fund 94
2	Anderson, Jesse	15793.76	\$15745.45
3	Andrews, E.W.	2566.80	1385.41
4	Anson, Delphine	5122.56	1302.37
13	Brown, Andrew	8094.24	5365.93
14	Buck Creek (Carroll Co.)		
16	Byers, Orrin	5258.88	4453.68
18	Coe Train	3338.56	112.19
20	County Farm	1012.00	(724.45)
26	Darby, Wetherill (Benton Co.)		
27	Ellis, Thomas	1642.40	874.96
29	Fassnacht, Christ	2350.56	630.15
31	Gowen, Issac (White Co.)		
33	Grimes, Rebecca	3363.52	(5780.23)
35	Haywood, E.F.	7348.96	6405.57
37	Harrison Meadows	1532.56	399.99
42	Kellerman, James	1043.52	513.73
46	Kirkpatrick, James	16637.76	13804.40
48	Lesley, Calvin	3787.76	511.43
51	McFarland, John	7649.12	6823.11
52	McKinney, Mary	4287.52	2344.53
54	Marsh, Samuel (Montgomery Co)		
57	Morin, F.E.	1434.72	264.90
58	Motsinger, Hester	2000.00	184.36
59	O'Neal, J. Kelly	13848.00	9902.13
60	Oshier, Aduley	1624.88	429.56
64	Rayman, Emmett (White Co.)		
65	Reser, Franklin	3407.60	(1799.25)
71	Skinner, Ray	2713.60	2003.50
73	Southworth, Mary	558.08	470.62
74	Sterrett, Joseph C.	478.32	120.35
76	Swanson, Gustav	4965.28	(314.21)
87	Wilson, Nixon (Fountain Co.)		
89	Yeager, Simeon	615.36	515.63

91	Dickens, Jesse	288.00	93.96
93	Dismal Creek	25420.16	5408.64
94	Shawnee Creek	6639.28	1004.91
100	Elliott, S.W.	227772.24	95756.64
102	Brum, Sophia (Benton Co)		
103	Moore H.W. (Benton Co)		
104	Hadley Lake	65344.56	15588.62
105	Thomas, Mary (Carroll Co)		
106	Arbegust-Young (Clinton Co)		

Mr. Luhman read the inactive ditch list into the minutes

Ditch No.	Ditch Names	Four Year Assessment	Balance Fund 94
1	Amstutz, John	\$5008.00	\$5797.94
5	Baker, Dempsey	2374.24	2931.55
6	Baker, Newell	717.52	2100.45
7	Bell, Nellie	1329.12	2163.76
8	Berlowitz, Julius	8537.44	9835.71
10	Binder, Michael	4388.96	4844.52
11	Blickenstaff, John M.	7092.80	7352.92
12	Box, N.W.	11650.24	14523.89
15	Burkhalter, Alfred	5482.96	5661.22
17	Coe, Floyd	13617.84	19021.00
19	Cole Grant	4113.92	10353.24
21	Cripe, Jesse	911.28	1622.55
22	Daughtery, Charles	1883.12	2386.04
23	Devault, Fannie	3766.80	8086.91
25	Dunkin, Marion	9536.08	11422.15
28	Erwin, Martin	656.72	1141.16
30	Fugate, Elijah	3543.52	5326.70
32	Gray, Martin	6015.52	6440.23
34	Hafner, Fred	1263.44	1380.75
36	Haywood, Thomas	2133.12	2916.09
39	Inskeep, George	3123.84	7972.80
40	Jakes, Lewis	5164.24	5493.58
41	Johnson, E. Eugene	10745.28	13692.14
43	Kerschner, F.S.	1844.20	4165.28
44	Kirkpatrick, Amanda	2677.36	3239.28
45	Kirkpatrick, Frank	4226.80	4754.52
47	Kuhns, John	1226.96	1592.33
50	McCoy, John	2194.72	3185.39
53	Mahin, Wesley	3467.68	3878.12
55	Miller, Absalm	3236.00	5382.84
56	Montgomery, Ann	4614.56	5468.74
61	Parker Lane	2141.44	3276.36
63	Peters, Calvin	828.00	2423.73
66	Rettereth, Peter	1120.32	2057.43
67	Rickerd, Arthur	1064.80	1148.17
68	Ross, Alexander	1791.68	4057.08
69	Sheperdson, J.A.	1536.72	3759.44
70	Saltzman, John	5740.96	7207.47

72	Smith, Abe	1277.52	1430.16
75	Stewart, William	765.76	937.96
77	Taylor, Alonzo	1466.96	3591.02
78	Taylor, Jacob	4616.08	6759.96
79	Toohy, John	542.40	1113.90
81	Van Natta, John	1338.16	2827.20
82	Wallace, Harrison	5501.76	6195.61
83	Walters, Sussana	972.24	2146.65
84	Walters, William	8361.52	8906.49
85	Waples, McDill	5478.08	9569.95
86	Wilder, Lena	3365.60	5125.49
88	Wilson, J & J	736.96	5873.30
90	Yoe, Franklin	1605.44	2613.93
92	Jenkins	1689.24	2655.25
95	Butler-Gosma	19002.24	20988.51
96	Kirkpatrick One	6832.16	11653.93
97	McLaughlin, John		
101	Hoffman, John	72105.03	55880.51

Mr. Spencer stated the John Hoffman Ditch is on a three year assessment which started in 1991 with a ten dollar an acre assessment. It is now necessary for the Board to schedule a meeting between Clinton, Carroll and Tippecanoe Counties to reduce the assessment.

Commissioner Haan appointed himself and Commissioner Gentry to serve on the Tri County Board.

CHRISTOPHER B. BURKE ENGINEERING CONTRACT

Mr. Luhman stated after reviewing the original contract from Christopher B. Burke Engineering a few items were discussed and changes were made. The contract was revised with one exception on page 6 paragraph 24. The suggested revision was if a contractor was doing work based upon the Engineers plans the contractor would indemnify Burke for any damages to Burke because of the contractors negligence. Also suggested was to include Burke as a named insured on the insurance policy. Mr. Luhman explained the main reason for the suggestion was so the County and Christopher B. Burke Engineering would not be held liable.

Commissioner Gentry moved to approve the contract with Christopher B. Burke Engineering, LTD., and authorize the President of the Board to sign the contract, seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

Mr. Spencer presented the Board with the reforestation proposal for the Cuppy-McClure Drain, which will comply with the DNR requirements for a 2 to 1 mitigation on tree removal. The Parks Department for the City of West Lafayette suggested sites for the trees replacement. Mr. Spencer explained he wanted the Board to be aware of the progress and that Mr. Ditzler of J.F. New will submit the plan to Dan Ernst of the Indiana Department of Natural Resources.

Being no further business, Commissioner Gentry moved to adjourn until March 1, 1995, seconded by Commissioner Jones. Meeting adjourned.

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JUNE 7, 1995

The Tippecanoe County Drainage Board met Wednesday, June 7, 1995 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, and Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Engineering Consultant Jon Stolz and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held May 3, 1995. Commissioner Gentry moved to approve the minutes, seconded by Commissioner Jones. Motion carried.

CREASY LANE III

Bill Davis, Hawkins Environmental, presented the Board with final drainage plans for Creasy Lane III. Mr. Davis referred to the May 5, 1993 Drainage Board Minutes, which approved Creasy Lane II with the condition Creasy Lane III would not increase the release rate. Creasy Lane III will replace the two lane roadway and connect with the existing four lane roadway from State Road 26 North to Greenbush. The discharge rate pre-developed is 172.82 cfs and the post-developed discharge will be 167.02 cfs which is a decrease in the discharge. The velocity of flow into the ditch has been reduced from 2.98 fps to 2.3 fps. Mr. Davis presented the Board with letters approving the partial filling of the Potters Hollow ravine. Those letters are on file in the Surveyor's Office.

Commissioner Gentry asked if a permit was needed from DNR to partially fill the ravine.

Mr. Davis stated no approval from DNR is needed.

Commissioner Gentry moved to grant final approval of Creasy Lane III, seconded by Commissioner Jones. Motion carried.

STONEWICK & THORNHILL SUBDIVISIONS

Dan Lee, Ticen Schulte & Associates, presented the Board with proposed final drainage plans of Stonewick and Thornhill Subdivisions located at the corner of County Road 300 South and 50 East, downstream from the regulated Elliott Ditch. Stonewick and Thornhill subdivisions are split by a high ridge running from Northeast to Southwest. Stonewick is proposed as a single family 44 lot development on 16.2 acres and Thornhill is proposed as a two family 47 lot development on 20.9 acres. Mr. Lee asked for a waiver on the requirement of an onsite detention facility explaining the site has natural swales which can handle the runoff to the Elliott Ditch after being caught by the storm sewer system. Mr. Lee concluded in a 100 year storm event the peak for the subdivisions is 1.23 hours and in a 100 year storm event the peak for the Elliott Ditch is 19.02 hours, therefore giving ample time for the water from the subdivision to escape before upstream water would reach the proposed subdivisions.

Mr. Stolz recommended final approval with these conditions.

1. A typical lot drainage detail has been supplied which references some of the lots. However, more information concerning side-yard swales must be supplied. Either, typical lot drainage details for all lots must be provided or additional spot grades must be shown in the side-yard swales to ensure drainage to the storm sewer structures. In addition, the emergency flow path for Stonewick Subdivision in the vicinity of lots 9-11 must be clarified. It appears that these lots would be significantly impacted during a low frequency event.

2. The provided profiles of the storm system do not include all of the lateral pipes. Although the size for these pipes are shown on the ILLUDAS computations, the materials, sizes and inverts must also be shown on the plans.

3. The final set of plans need to be certified.

Commissioner Gentry moved to grant final approval of Stonewick and Thornhill Subdivision subject to the three conditions, seconded by Commissioner Jones. Motion carried.

DUNBAR HIGHLANDS/HIGHLAND MEADOWS

Dale Koons, Civil Engineering, presented the Board with preliminary drainage plans of Dunbar Highlands/Highland Meadows Subdivision, located at the Northwest corner of County Road 550 East and 50 North. Originally the two Subdivisions were one, but were divided as a result of negotiations with surrounding home owners. The two subdivisions combined consist of approximately 35 acres, Area 1 consist of 19.1 acres and drains to an existing 15" culvert under County Road 550 East, Area 2 consist of 9.2 acres draining by a swale to the Wildcat Creek, Area 3 consist of 1.7 acres draining by tributaries to the South Fork of the Wildcat Creek, Area 4 consist of 5.1 acres which sheet flows westerly to the flood plain of the Wildcat Creek and Area 5 consist of 1.0 acres and drains to a culvert under County Road 50 North. A retention pond is proposed at the Southeast corner of the site which will retain runoff from the entire site except for 4.85 acres of Area 4 will continue to sheet flow to the Wildcat Creek and .5 acres of Area 5 will continue to drain to in the road right-of-way along County 50 North. The retention pond will discharge into a 15" outlet pipe as part of the new storm drainage system and the existing 15" pipe under County Road 550 East will provide an emergency outlet. Mr. Bob Adams is an adjacent landowner that has agreed to provide a drainage easement for the proposed site starting at County Road 550 East to the flow line of a tributary ravine of the South Fork Wildcat Creek. The system will be designed to handle a portion of Mr. Adams property as part of the agreement. Mr. Koons asked the Board to determine the easement widths.

Mr. Hoffman suggested making the width of the easement 50 feet, 25 feet either side of the ditch. Also, before final approval is granted the Board needs a written statement from Mr. Adams agreeing to the easement and the possibility of the ditch becoming a regulated drain.

Mr. Spencer recommended preliminary approval.

Commissioner Gentry moved to grant preliminary approval of Dunbar Highland/Highland Meadows Subdivision, seconded by Commissioner Jones. Motion carried.

SADDLEBROOK SUBDIVISION

Bill Davis, Hawkins Environmental, asked the Board for final approval of the drainage plans for Saddlebrook Subdivision. Brookfield Farms Subdivision is to the North, County Road 500 East is to the West of the site which consist of approximately 52.98 acres. Currently Area A drains west into a side ditch along County Road 500 East the Berlovitz Ditch, Area B drains east to the Southeast corner and is intercepted by the Berlovitz Ditch, and Area C drains north by existing swales along the South boundary of Brookfield Farms Subdivision eventually draining to the Alexander Ross Ditch. After development storm water will drain into swales along the South and East property lines which will allow the flow to enter an open channel. The Berlovitz Regional Detention Basin will serve as the detention storage area and the developer has agreed to contribute the portion of the basin which the development requires.

Mr. Spencer recommended preliminary approval until further information is received on the development of the Berlovitz Regional Detention Basin.

Commissioner Gentry moved to grant preliminary approval of the drainage plans for Saddlebrook Subdivision, seconded by Commissioner Jones. Motion carried.

LEWIS JAKES DITCH HEARING

Mr. Spencer called for this hearing to propose making a portion of the Lewis Jakes Ditch an open channel, starting at County Road 750 North to a part of the ditch that is blown out and will be observed in the video shown.

Mr. Spencer stated the video tape is of the downstream portion of the Lewis Jakes Ditch where broken tile have created an open channel effect. After the video had been shown Mr. Spencer asked Mr. Hoffman to give his legal opinion as to whether or not maintenance money could be used for a temporary open channel instead of a tile.

Mr. Hoffman explained whenever a tile drain goes to an open drain it is considered to be a reconstruction. The maintenance money that is in the Lewis Jakes ditch is only to be used to minor repairs such as moving obstruction, repairing small portions of tile and spraying.

Mr. Spencer stated he would be willing to file a reconstruction report, get a set of Engineering drawings and cost estimate, then arrange the necessary public hearings to get the project started.

Paul Neulieb, 7606 North 250 West, opposed the open channel feeling it would degrade his back yard.

Mr. Spencer replied a reconstruction does not mean it has to be an open channel it could be the installation of a larger tile or a combination of both.

Charles R. Vaughan made a recommendation to the Drainage Board requesting them to ask the Surveyor to file a reconstruction report.

Commissioner Gentry moved to instruct the County Surveyor to file a reconstruction report, seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

US 231 RELOCATION - update

Jon Stolz reported on a meeting between the State Highway Department and Christopher B. Burke Engineering on the US231 relocation. Mr. Stolz stated the

first question asked was: "What is the pre-developed and post-developed conditions for the site?" The State still showed the post-developed figures higher by 25% because of the lack of restricting the flow. Options were discussed on how to restrict the flow, holding the water in the road side ditches, installing a smaller pipe or by creating a retention pond. Mr. Stolz felt the State was willing to agree to one of the options.

Commissioner Gentry requested Mr. Spencer and Mr. Hoffman put together a letter to the State Highway Engineer indicating the 25% increase is significant and the Board still requires the pre-developed and post-developed conditions to be the same.

Mr. Stolz explained on structure 55 the State claims the size of pipe was determined by a Court case in a property settlement.

Commissioner Gentry suggested asking for a copy of the court case in the letter to the State Highway.

SHEPERDS POINT SUBDIVISION

Mike Gipson, 47 W 500 N in Sheperds Point Subdivision, explained his property is located adjacent to the detention pond for the subdivisions and wanted to let the Drainage Board know the conditions he has to put up with because he feels the detention pond is not working properly and would like the Board to request the developer to fix it.

Commissioner Gentry requested Mr. Spencer to write the developer, asking him to regrade the pond so that water will flow out of the pond.

Mr. Hoffman stated the Board will also hold the bond until the pond has been regraded.

ROMNEY STOCK FARM DITCH

Mr. Spencer presented the Board with a letter from Montgomery County Surveyor's Office explaining the Romney Stock Farm Ditch was discussed in their Board meeting and it was decided that Paul Dickson and Don Hester would serve on the joint board for this project.

Commissioner Haan appointed himself and Commissioner Gentry to serve on the joint board with Montgomery County and requested Mr. Spencer to appoint the fifth member.

TWYCKENHAM SUBDIVISION

Mr. Spencer explained that he has received several phone calls from landowners in Twyckenham Subdivision complaining about the detention pond in the subdivision and stating they were referred to him by the City Engineer's Office. In the covenants it states the Tippecanoe County Drainage Board may perform maintenance and any other acts necessary to correct any drainage problems.

Commissioner Gentry stated the Board needs to formally inform the City the Subdivision is in the City limits and request the City to enforce the regulations.

Being no further business Commissioner Gentry moved to adjourn until July 12, 1995, seconded by Commission Jones. Motion carried.

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 3, 1996

The Tippecanoe County Drainage Board met Wednesday January 3, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, and Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Drainage Board Engineering Consultant Dave Eichelberger, and Drainage Board Secretary Shelli Muller.

ELECTION OF OFFICERS

The first item on the agenda was to elect new officers for 1996.

Mr. Hoffman opened the floor to nominations for President.

Commissioner Haan nominated Commissioner Gentry.

Commissioner Haan moved to close nominations for president, seconded by Commissioner Jones. Motion carried, Commissioner Gentry was elected.

Mr. Hoffman turned the meeting over to the President.

Commissioner Gentry asked for nominations for Vice President.

Commissioner Haan nominated Commissioner Jones for Vice President.

Commissioner Haan moved to close nominations for Vice President, Commissioner Gentry seconded. Motion carried, Commissioner Jones was elected.

APPOINTMENTS TO THE BOARD

The next item on the agenda is to renew the contracts with Hoffman, Luhman & Busch as the law firm.

Commissioner Haan moved to renew the 1995 contract with Hoffman, Luhman and Busch, seconded by Commissioner Jones. Motion carried.

Mr. Spencer presented the Board with two proposals for the contract with Christopher B. Burke Engineering Limited.

- 1) A proposal for professional engineering services on a varied rate depending on specified standard charges.
- 2) a proposal for professional engineering services on a fixed rate of \$50.00 per hour.

Commissioner Gentry asked for a report on the number of engineering review hours in 1995 for all the projects submitted in 1995. The discussion of which contract to be used will be continued at the February meeting.

Commissioner Haan moved to extend the 1995 contract with Christopher B. Burke Engineering Limited for one month into 1996, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to reappoint Shelli Muller as Drainage Board Secretary for 1996, seconded by Commissioner Jones. Motion carried.

1996 ACTIVE/INACTIVE DITCH LIST

Mr. Hoffman asked for the active and inactive ditches to be placed in the minutes.

Commissioner Haan moved to place the 1996 active/inactive ditch list the minutes, seconded by Commissioner Jones. Motion carried.

1996 - ACTIVE/INACTIVE DITCH LIST

ACTIVE

E.W. ANDREW, ANSON-DEPHINE, JULIUS BERLOWITZ, BEUTLER-GOSMA, ANDREW BROWN, TRAIN COE, COUNTY FARM, THOMAS ELLIS, FASSNACHT-CRIST, REBECCA GRIMES, HARRISON MEADOWS, EUGENE JOHNSON, JAMES KELLERMAN, AMANDA KIRKPATRICK, FRANK KIRKPATRICK, JAMES KIRKPATRICK, CALVIN LESLEY, MARY MCKINNEY, F.E. MORIN, KESTER MOTSINGER, J. KELLY O'NEAL, AUDLEY OSHIER, FRANKLIN RESER, SKINNER RAY, JOSEPH STERRETT, GUSTAV SWANSON, JACOB TAYLOR, JESSE DICKENS, DISMAL CREEK, SHAWNEE CREEK, SAMUEL ELLIOTT, JOHN HOFFMAN, BUCK CREEK, DARBY-WETHERHILL, ISSAC GOWEN, SAMUEL MARSH, EMMETT RAYMAN, WILSON-NIXON, SOPHIA BRUMM, H.W. MOORE, MARY THOMAS, ARBEGUST-YOUNG

INACTIVE

JOHN AMSTUZ, JESSE ANDERSON, DEMPSEY BAKER, BAKER VS NEWELL, NELLIE BALL, MICHAEL BINDER, JOHN BLICKENSTAFF, NATHANIEL BOX, ALFRED BURKHALTER, ORIN BYERS, FLOYD COE, GRANT COLE, JESSE CRIPE, CHARLES DAUGHERTY, FANNIE DEVAULT, MARION DUNKIN, MARTIN ERVIN, ELIJAH FUGATE, MARTIN GRAY, FRED HAFNER, E.F. HAYWOOD, THOMAS HAYWOOD, GEORGE INSKEEP, LEWIS JAKES, FLOYD KERSCHNER, JOHN KUHN, JOHN MCCOY, JOHN MCFARLAND, WESLEY MAHIN, ABSOLEM MILLER, ANN MONTGOMERY, PARKER LANE, CALVIN PETER, PETER RETTERETH, ARTHUR RICHERD, ALEXANDER ROSS, JAMES SHEPHERDSON, JOHN SALZMAN, ABE SMITH, MARY SOUTHWORTH, WILLIAM STEWART, ALONZO TAYLOR, JOHN TOOHEY, JOHN VANNATTA, HARRISON WALLACE, SUSSANA WALTERS, WILLIAM WALTERS, WAPLES-MCDILL, LENA WILDER, J&J WILSON, SIMEON YEAGER, FRANKLIN YOE, JENKINS, KIRKPATRICK ONE, MCLAUGHLIN, JOHN HOFFMAN

Commissioner Gentry mentioned the ditches that are in red:

COUNTY FARM, REBECCA GRIMES, FRANKLIN RESER, GUSTAV SWANSON

Mr. Spencer read a letter he received from Betty J. Michael.

"December 29, 1995

Nola J. Gentry, President
Board of Commissioners

Michael J. Spencer
County Surveyor

Re: Interest on Drainage Funds

At the Fall County Auditor's Conference held by the State Board of Accounts, a session was held concerning drainage ditches, charges, billings, investments, interest, etc.

The County Board of Accounts supervisors instructed the Auditors and personnel concerning the above issues. We were informed that most Counties put interest earned on Drainage funds into the County General Fund since County general pays for expenses such as tax bills, Surveyor and Drainage Board Budgets.

An alternative in some cases is to credit this interest to the County Drain Fund (unapportioned). When we inquired about the feasibility of apportioning the monthly interest into more than 100 separate drainage funds, the answer was a dead silence of incredibility that this was being done.

We have double-checked this information with District Board of Accounts personnel and have been told that there is nothing in the statutes that mandates interest should go into each Drain fund or even into the County General Drain Fund.

Therefore, as of January 1, 1996, we will be willing to allocate the monthly interest to either the General Drain Fund or to the County General Fund but NOT to each individual Drain account. Please let me know your preference.

Sincerely,

Betty J. Michael"

Mr. Hoffman stated the ditches are trust funds and the landowners in the watershed areas know the ditches are earning interest, it would not be appropriate to discontinue the investment.

Commissioner Haan moved to direct Mr. Hoffman to write a letter stating per the agreement that was made when the ditches were established the interest was to be allocated, but the Board is willing to distribute the interest on a semimonthly bases to coincide with the spring & fall settlements, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to approve the 1996 Drainage Board schedule, seconded by Commissioner Jones. Motion carried.

APPROVAL OF MINUTES

Commissioner Haan moved to approve the minutes from the December 6, 1995 Drainage Board meeting, seconded by Commissioner Jones. Motion carried.

BRENTWOOD COMMUNITY

Mr. Spencer stated Brentwood Manufacture Home Community is located off US52 West, South of the Elk's Country Club. They asked for preliminary drainage approval, which he recommended as long as the IDNR approved the construction within a floodway. There are approximately 280 lots on 60 acres with a dry bottom retention pond.

Mr. Spencer explained the retention pond does not comply with the Ordinance therefore the developer is asking for a variance. The Ordinance requires a 48 hour discharge time, the plans actual peak discharge is closer to 75 hours.

Commissioner Haan moved to grant preliminary approval to Brentwood Community contingent on the approval of construction in a floodway from IDNR, revised calculations and the request for the variance to the Ordinance, seconded by Commissioner Jones. Motion carried.

SOUTHERN MEADOWS

Mr. Spencer recommended granting Southern Meadows Subdivision final approval. The development is located at the corner of South 18th Street and 350 South within the City of Lafayette. Mr. Spencer explained the development needs approval from the County Drainage Board because it drains to the Elliott Ditch. At the Urban review meetings it was determined any development below the railroad tracks draining into Elliott Ditch would be allowed to direct release into the Ditch without onsite detention. The development includes a water amenity onsite, which water will flow into and out, but is not being planned as a detention pond and does not comply with the requirements of the Ordinance. Mr. Spencer had a question as to whether or not the pond would have to comply with the requirements of the Ordinance.

Mr. Hoffman stated the pond would not have to meet the Ordinance requirements as long as it does not affect the drainage.

Mr. Spencer explained the site drains to the pond.

Commissioner Haan stated if the majority of the site drains to the pond it is a retention pond and should meet the requirements of the Ordinance.

Ron Miller, Schneider Engineering, stated the current discharge in a one hour storm duration to Elliott is 2.7 hours. With the installation of a 42 inch pipe draining from the water amenity discharge into the Elliott in a one hour storm will be a little over an hour.

Commissioner Haan moved to grant final approval of Southern Meadows Subdivision with the condition the pond meets the Drainage Board Ordinance requirement for a non-fenced pond, seconded Commissioner Jones. Motion carried.

VILLAGE PANTRY #564R

Mr. Spencer introduced Village Pantry #564R, which is located at the corner of Brady and Concord, East of the existing Village Pantry. Weihe Engineering submitted final drainage plans and after the review it was recommended to grant final approval with the variance of a 12 inch pipe to a 10 inch concrete pipe for the outfall of the proposed detention area in order to limit the discharge.

Commissioner Haan moved to grant the variance of the Ordinance from a 12 inch required pipe to a 10 inch proposed pipe, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to grant final approval of Village Pantry #564R, seconded by Commissioner Jones. Motion carried.

PETITION TO ESTABLISH O'FERRALL LEGAL DRAIN

Mr. Hoffman excused himself from the meeting 9:45 a.m.

Mr. Spencer asked the Board to acknowledge the petition to establish the O'Ferrall Legal Drain, branch of the Alexander Ross Ditch as a valid petition.

Commissioner Haan moved to acknowledge the petition as a valid petition to establish the O'Ferrall Legal Drain, branch of the Alexander Ross Ditch and the petition represents over 10 percent of the effect landowners, seconded by Commissioner Jones. Motion carried.

Mr. Hoffman returned to the meeting at 9:57 a.m.

ALEXANDER ROSS DITCH EASEMENT REDUCTION

Mr. Spencer explained on the Meijer site two branches of the Alexander Ross Ditch were described, one on the Southeast corner of the site and the other along the West side of the site. After the construction of the site it was discovered the pipe described along the West side of the site is not actually on the Meijer site. Meijer is asking the description of the pipe on the West side be corrected and the easement on the Southeast corner be reduced from 75 feet to 25 feet center of the pipe either side.

Mr. Hoffman stated Mr. Spencer will have to define the easement as only being on the Southeast corner of the site and redefine the easement on the West side of the property.

Commissioner Haan moved to reduce the easement of the Alexander Ross Ditch located at the Southeast corner of the Meijer site from 75 feet to 25 feet either side of the center of the pipe, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to direct Mr. Spencer to correct the Survey maps to show the actual location of the Alexander Ross Ditch and document that the ditch does not run through the West side of the Meijer property, seconded by Commissioner Jones. Motion carried.

Commissioner Gentry asked Mr. Spencer to do a field check on the erosion of the Alexander Ross Ditch bank behind Meadowbrook Subdivision.

SANWIN APARTMENTS

Bob Grove presented the Board with Sanwin Apartments drainage plan and asked for preliminary approval. Located North of US52 West and East of County Road 250 West, the site consist of 3.11 acres and is planned to include a multi-family development with 63 units and a commercial area along the highway. After review from Christopher B. Burke Engineering consultant a revised preliminary plan was submitted addressing the concerns of the memo. The majority of the site, in the

revised plan, drains to the Northeast and Ken Baldwin will provide a 20 foot easement for a 12 inch outlet pipe that runs from the Northeast corner of the site to the existing McClure Ditch.

Commissioner Haan moved to grant preliminary approval of Sanwin Apartments, seconded by Commissioner Jones. Motion carried.

Cuppy-McClure - update

Mr. Spencer stated the notices for the hearing to be held February 7, 1996 on the reconstruction of the Cuppy-McClure Drain were sent January 2, 1996.

Mr. Spencer stated RUST Environmental & Infrastructure has submitted several proposals for construction inspection.

Commissioner Gentry suggested Mr. Spencer get other bids for the construction inspection or consider in-house inspections.

Being no further business Commissioner Haan moved to adjourn until February 7, 1996, seconded by Commissioner Jones. Meeting adjourned.

DRAINAGE BOARD MINUTES JANUARY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
SPECIAL MEETING
MAY 15, 1996

The Tippecanoe County Drainage Board met in a special session, Wednesday, May 15, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana.

O'FERRALL BRANCH OF THE ALEXANDER ROSS DITCH HEARING

Those present were: Tippecanoe County Commissioners Nola J. Gentry, Gene Jones and William D. Haan; Tippecanoe County Surveyor Michael J. Spencer; and Drainage Board Secretary Shelli Muller. also in attendance were: Walter Fassnacht, 5091 State Road 26 East; Patrick Cunningham, Vester & Associates; Francis Albregts, 3901 East 100 South; and Joseph Gaskill, 4228 East 100 South.

Mr. Spencer asked the Board to accept the petition of the O'Ferrall Branch as part of the Alexander Ross Ditch. No additional assessment will be implemented since the O'Ferrall Branch is located within the Alexander Ross Watershed area. The branch includes the new detention basin located west of the Meijer Store and the outlet structure. There were several phone calls concerning the notification, but after an explanation there were no objections to the petition.

Mr. Albregts asked if Mr. Spencer had received any plans for the proposed development west of the interstate.

Mr. Spencer stated he has seen a plan of Park East which is located west of the interstate. The Alexander Ross Ditch Watershed study includes two detention facilities one on the east and west side of the Interstate 65.

Commissioner Haan moved to accept the O'Ferrall Branch as part of the Alexander Ross Ditch, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to recess until 9:30 a.m., seconded by Commissioner Jones. Meeting recessed.

Commissioner Gentry called the meeting to order at 9:30 a.m.. Thomas H. Busch of Hoffman Luhaan and Busch joined the meeting.

Commissioner Haan moved to approve the minutes from the May 1, 1996 regular Drainage Board Meeting, seconded by Commissioner Jones. Motion carried.

BERLOVITZ REGIONAL RETENTION BASIN

Robert Foley, Hawkins Environment presented the Board with the plans of the Berlovitz Regional Retention Basin located in the southeast corner of County Road 50 South and 550 East. Mr. Foley asked the Board for final approval which will satisfy the last condition before the construction of Saddlebrook Estates Subdivision, Arlington Commons and Bridlewood Subdivision.

Mr. Spencer stated the 30 inch concrete tile that will pass under the proposed basin is in good condition and there is no plan to make any connection to the tile from the basin. The basin is currently planned to be a dry bottom pond, but in the future it will become a wet bottom basin as other developers are allowed to widen the pond to create storage for their developments. There will be a 2'x 4' box culvert under 550 East and a new road crossing under 50 South with a new box culvert which needs further discussion between Mr. Spencer and Mr. Murray.

Mr. Albergts asked what the depth between the top of the tile and the bottom of the basin will be.

Mr. Spencer stated the plans do not show what the elevation is, but he would find out and get back with Mr. Albergts.

Mr. Spencer recommended final approval with the condition of County Highway Department and the County Surveyor approval of the box culverts.

Commissioner Haan moved to grant final approval with the condition of both box culverts be studied and approved by the County Highway Department and the County Surveyor, seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

ELLIOTT DITCH WATERSHED STUDY

Mr. Spencer stated there is money available through the Department of Natural Resource to do some watershed mapping. Mr. Spencer presented the Board with a letter draft requesting assistance in the form of aerial topographic mapping, surveying or technical guidance from the DNR. Mr. Spencer stated the money would be used to further update the Elliott Ditch Watershed study done in 1987.

RUST Environment & Infrastructure - work agreement

Mr. Spencer presented the Board with a letter from RUST Environment and Infrastructure, Inc. stating the two IDNR permits had expired and must be renewed this additional work will increase the contract by \$1,500.00 above the current contract amount of \$99,985.00. RUST asked that an agreement for the additional work to be performed be signed by the Tippecanoe County Board of Commissioners.

Commissioner Gentry agreed to sign the agreement at the next Commissioners meeting.

Cuppy McClure - update

Mr. Spencer stated copies of the bids for the Cuppy McClure project were sent to the West Lafayette Engineer for his review. Mr. Spencer expects to hear from West Lafayette by the end of the week.

Valley Forge Subdivision

Mr. Spencer informed the Board of a drainage problem in Valley Forge Subdivision. The situation was viewed by the Commissioner last summer where a catch basin outletted in Mr. Roden's back yard which he disliked. Another landowner in Valley Forge Subdivision contacted Mr. Spencer complaining of water backing up in her back yard. When Mr. Spencer investigated the complaint he found the catch basin full of rock, concrete pieces and debris that was larger than the grate size on the catch basin. The County Highway Garage removed the debris and will fasten the grate down so that it cannot be lifted.

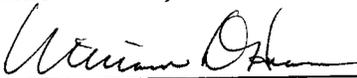
Being no further business Commissioner Haan moved to adjourn, seconded by Commissioner Jones. Motion carried.



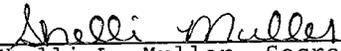
 Nola J. Gentry, President



 Gene Jones, Vice President



 William D. Haan, Member

ATTES: 

 Shelli L. Muller, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
SEPTEMBER 4, 1996

The Tippecanoe County Drainage Board met Wednesday, September 4, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana.

Those present were: Tippecanoe County Commissioners Nola J. Gentry, Gene Jones and William D Haan; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Engineering Consultant David Eickelberger and Drainage Board Secretary Shelli Muller.

ROMNEY STOCK FARM DITCH HEARING

Commissioner Gentry called the hearing to order.

Commissioner Gentry explained the proof of publication were not received for the Notice to Landowners in the watershed area of Romney Stock Farm Ditch, therefore the hearing cannot proceed. Another hearing will be set for October 2, 1996 at 9:00 a.m.

Commissioner Haan moved to continue the Romney Stock Farm Ditch Hearing until October 2, 1996 at 9:00, seconded by Commissioner Jones. Motion passed.

HIGH GAP ROAD DITCH HEARING

Commissioner Gentry stated the proof of publication were not received for the Notice to Landowners in the watershed area of High Gap Road Ditch, therefore the hearing cannot proceed. Another hearing will be set for October 2, 1996 at 9:15 a.m.

Commissioner Haan moved to continue the hearing for High Gap Road Ditch until October 2, 1996, seconded by Commissioner Jones. Hearing continued.

DISCUSSION

Commissioner Gentry asked the audience for any questions on either ditch.

Mr. William Windle, 6835 S 375 W, Lafayette Indiana, stated he opposed the idea of creating a maintenance fund for High Gap Road Ditch. He explained in the past the landowners maintained the ditch and it should continue to be that way.

Mr. Spencer stated Mr. Windle has an undivided 1/2 interest in parcel #128-02200-0030, the other half belongs to his sister, Phyllis Windle. The tax statement shows William & Phyllis Windle at Mr. Windle's address which is where the notice was sent. Should a notice of the October 2 hearing also be sent to Phyllis Windle?

Mr. Hoffman replied Phyllis Windle should receive a notice of the hearing.

Mr. Windle questioned the paragraph in the notice which states "The County Surveyor has estimated that the total cost of periodically maintaining such drain is estimated at the sum of \$6,000.00 dollars per annum." Mr. Windle stated when he spoke with Mr. Spencer concerning the \$6,000.00 dollar assessment he understood it to be only for the first year, then set at a rate of \$1.50 per acre thereafter.

Mr. Spencer stated the notice does not confirm the reduction after the first year, but a copy of the Surveyor's report was sent along with the notices, within the report and on the findings & order it clearly states an assessment of \$13.72 per acre for the first year which is for the excavating expense and then reduced to \$1.50 per acre thereafter for maintenance.

Mr. Windle asked the Board if the \$1.50 per acre will always be on the taxes?

Mr. Hoffman explained the ditch will have an assessment until it exceeds the 4 year annual assessment, when the ditch exceeds the 4 year annual assessment it will go dormant until money is depleted below the 4 year annual assessment, then the ditch assessment will become active.

Lloyd Leamon stated the notice on High Gap Road Ditch should have been sent to the Town of Shadeland, not the Union Township Trustee.

Mr. Spencer stated the assessment list will be corrected so that the Town of Shadeland will receive the notice.

There was no more discussion on either hearing so the meeting moved on to the discussion on Prairie Oaks Subdivision.

PRAIRIE OAKS SUBDIVISION - outlot "A"

Mr. Hoffman mentioned Dave Lux contacted him about the County buying outlot "A" which serves McCutcheon Heights, but is located and more accessible to Prairie Oaks Subdivision. This was discussed at the June 1996 meeting, but the County was not willing to buy the outlot. Commissioner Gentry suggested making it part of a legal drain. It was also suggested to have the landowners that border the outlot to have an undivided interest with restrictions concerning the landowners maintain the outlot as a functioning dry bottom detention basin. Mr. Hoffman stated he would share the suggestion with Mr. Lux and let him decide the next step.

JAMES N KIRKPATRICK - petition to reconstruct

Mr. Spencer stated he received a petition from the City of Lafayette to reconstruct the Kirkpatrick Ditch. The location of the portion that is being petitioned is south of 350 South, between US231 and south 9th Street then east to US52. Mr. Spencer stated an engineering study needs to be done on the ditch.

Mr. Hoffman stated the petition needs to be referred to the County Surveyor for his study and recommendation of the J.N. Kirkpatrick Ditch.

Commissioner Haan moved to refer the petition from the City of Lafayette on the reconstruction of J.N. Kirkpatrick legal Ditch to the County Surveyor for a study, seconded by Commissioner Jones. Motion carried.

CUPPY-MCLURE - update

Commissioner Gentry asked for an update on the progress of the Cuppy-McClure drainage project.

Mr. Spencer stated he spoke with Gab Horn of Atlas Excavating and the structures are being built for the project. When the structures are delivered they will get started, which should be within the month of September.

APPROVAL OF MINUTES

Commissioner Haan moved to approve the minutes of August 7, 1996 regular Drainage Board Meeting, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to recess until 10:00 a.m., seconded by Commissioner Jones. Meeting recessed.

REGULAR MEETING

Commissioner Gentry reconvened the meeting.

26 CROSSING PHASE II

Andy Slavens, Vester & Associates, asked for final approval of 26 Crossing, Phase II which is located on property of the O'Ferrall Estates south of State Road 26 behind the Meijer store off County Road 500 East.

Mr. Hoffman stated he represents the O'Ferrall Estate, but is not involved in this development because it is being sold to the developer.

Mr. Slavens explained runoff from the site will be stored in the existing detention pond located between the Meijer store and I-65. The drainage design is for the site only and does not include development of lots. As the lots are being developed each individual lot will have to receive Drainage Board approval. Mr. Slavens asked for a variance in the length of 400 feet between manholes. Line 1 and 2 of the south leg of the storm sewer system are longer than 400 feet between manholes. Mr. Slavens asked for a second variance on the cover over the pipe at structure 4, it is only 14 inches and the ordinance requires 18 inches of cover. Mr. Slavens felt with the development of the lots additional cover will be created.

Mr. Spencer stated he would agree to the second variance as long as the pipe is re-enforced concrete pipe. The plans currently show plastic pipe.

Mr. Slavens withdrew the request for a variance on the 14 inches of cover at structure 4 and stated they will provide addition cover to comply with the ordinance.

Mr. Spencer recommended final approval with conditions.

1) The applicant must provide additional information to verify that the inlet capacity and gutter spread calculations meet the ordinance requirements.

2) The applicant must obtain a U.S. Army Corps of Engineers permit for the proposed activity in the existing on-site wetland, if required.

3) Additional information must be provided to ensure that the proposed culvert under Meijer Drive is sized so that there is no adverse impact to Meijer Drive or County Road 500 East.

4) The applicant must petition the Drainage Board to vacate a portion of the Alexander Ross Ditch south of the Meijer store, east of Interstate 65 and west of County Road 500 East.

Commissioner Haan moved to grant the variance on the pipe length between structures for lines 1 and 2 on the south leg, seconded by Commissioner Jones. Motion carried

Commissioner Haan moved to grant final approval subject to the four condition stated by the Surveyor, seconded by Commissioner Jones. Motion carried.

WATKINS GLEN SUBDIVISION PART II

Mr. Spencer stated on behalf of R.W. Gross & Associates he asked for the Watkins Glen Subdivision part II hearing be continued.

Commissioner Haan moved to continue the hearing of Watkins Glen Subdivision part II to a future date, seconded by Commissioner Jones. Motion passed.

WOODS EDGE II MOBILE HOME PARK

Roger Fine, John E. Fisher & Associates, asked the Board for discussion on the proposed Woods Edge II Mobile Home Park and turned the discussion over to Doug Miller of Consulting Engineering.

Mr. Miller stated Woods Edge II Mobile Home Park consist of 95 acres located north of County Road 650 North. The site is designed to direct release into the north fork of Burnett Creek. Mr. Miller stated there will be no adverse affect on the peak discharge and asked the Board for a variance from the ordinance which requires on-site detention.

Mr. Spencer asked if the development is bounded by Burnett Creek along the north property line? If not, the developer will have to receive approval of the landowner(s) that will be affected.

Commissioner Gentry was concerned on granting the direct discharge because the surrounding area is not heavily developed and if the Board grants the variance for this project other projects to follow will except to be allowed to direct discharge. Commissioner Gentry felt that would eventually cause a problem with the Burnett Creek. Commissioner Haan and Commissioner Jones agreed with Commissioner Gentry's concern.

Mr. Miller stated he will continue to look at other solutions.

HERITAGE COVE

Todd Warrix, Schneider Engineering, asked the Board for a discussion on Heritage Cove Subdivision located south of Brookfield Heights and north of Heritage Estates. Mr. Warrix asked for a variance regarding the first floor elevation which should have 2 feet of freeboard above the 100 year flood elevation or have the flood protection grade. The lowest pad is 662.7 which is .59 feet of

protection above the 100 year flood elevation and 3/10 above the emergency routing for higher intensity storms. The second variance is no detention basin or water storage area shall be constructed under or within 10 feet of any power lines. The location of the detention basin are within PSI Energy easement and under high voltage lines. PSI has indicated to the developer approval of the location of the planned detention basins, all basins are dry bottom.

Mr. Spencer understood PSI did have a problem with the location of the basins because of pole access. The Board will need written documentation of PSI approval or denial of the detention basin located within the easement and under the lines.

Mr. Warrix stated the third variance is the maximum plan depth of dry bottom storm water storage shall not exceed 4 feet in depth. The maximum depth for this development is 4.11 feet of storage for the 100 year storm event this creates an increase of .11 feet over the maximum depth. The last variance is the peak runoff rate after development for the 100 year storm event must not exceed the 10 year storm event pre-development peak runoff rate. The existing 10 year runoff rate is 1.28 cfs at the post-development 100 year runoff rate is 1.51 cfs creating an increase of .23 cfs over the existing conditions. The overflow will go into the Brookfield Height system.

Mr. Hoffman stated the development will have to receive approval from Brookfield Heights Homeowners Association and approval from the landowner of the lot at which the hookup will occur.

Commissioner Haan stated his major concern is with the first variance. The second variance needs clarification, the third variance is acceptable and the last variance depends on Brookfield Heights and providing prove of the capacity of the existing pipe.

Being no further business, Commissioner Haan moved to adjourn until October 2, 1996, seconded by Commissioner Jones. Motion carried.

DRAINAGE BOARD MINUTES SEPTEMBER 4, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
 REGULAR MEETING
 FEBRUARY 5, 1997

The Tippecanoe County Drainage Board met Wednesday February 5, 1997 in the Tippecanoe Room of the Tippecanoe County Office Building, Lafayette, Indiana with Commissioner Hudson calling the meeting to order.

Those present: Tippecanoe County Commissioners Kathleen Hudson and Gene Jones, Tippecanoe County Surveyor Michael J. Spencer, Tippecanoe County Drainage Board Attorney Cy Gerde, Engineering Consultant David Eichelberger, and Drainage Board Secretary Shelli Muller.

Commissioner Hudson stated Commissioner Chase resigned Monday February 3, 1997 which created a vacancy in the position of Vice President to the Drainage Board. She nominated Commissioner Jones to fill the vacancy, seconded by Commissioner Jones. Motion carried to elect Commissioner Jones as Drainage Board Vice President.

The first item on the agenda was to approve the minutes from the meeting held December 11, 1996. Commissioner Jones moved to approve the minutes, seconded by Commissioner Hudson. Motion carried.

Commissioner Jones moved to approve the minutes of the last meeting held January 8, 1997, seconded by Commissioner Hudson. Motion carried.

Mr. Gerde asked for the active and inactive ditch list to be placed in the minutes and a motion be made to approve the list.

ACTIVE DITCH LIST 1997

DITCH NO	DITCH	PRICE PER ACRE	TOTAL 4 YEAR ASSESSMENT	1996 YEAR END BALANCE
4	Anson, Delphine	\$1.00	\$5,122.56	\$2,677.72
8	Berlovitz, Juluis	\$1.25	\$8,537.44	(\$2,933.43)
13	Brown, A P	\$1.00	\$8,094.24	\$7,921.94
14	Buck Creek	\$0.00		\$1,385.55
15	Burkhalter, Alfred	\$1.50	\$5,482.96	\$4,129.61
18	Coe, Train	\$0.50	\$3,338.56	\$1,306.84
20	County Farm	\$1.00	\$1,012.00	(\$381.25)
25	Dunkin, Marion	\$1.50	\$9,536.08	\$9,285.65
26	Darby, Wetherill	\$1.50		\$1,106.43
27	Ellis, Thomas	\$1.00	\$1,642.40	\$1,483.50
29	Fassnacht, Christ	\$0.75	\$2,350.56	\$2,124.49
31	Gowen, Issac	\$0.00		\$101.76
33	Grimes, Rebecca	\$3.00	\$3,363.52	(\$10,770.77)
35	Haywood, E.F.	\$0.50	\$7,348.96	\$1,283.61
37	Harrison, Meadows	\$1.00	\$1,532.56	\$463.71
41	Johnson, E. Eugene	\$3.00	\$10,745.28	\$8,137.10
42	Kellerman, James	\$0.50	\$1,043.52	\$693.98
43	Kerschner, Floyd	\$1.00	\$1,844.20	(\$2,254.41)
44	Kirkpatrick, Amanda	\$1.00	\$2,677.36	\$781.97
45	Kirkpatrick, Frank	\$1.00	\$4,226.80	(\$7,821.61)
48	Lesley, Calvin	\$1.00	\$3,787.76	\$2,440.88
51	McFarland, John	\$0.50	\$7,649.12	\$7,160.70

54	Marsh, Samuel		\$0.00		\$0.00
55	Miller, Absalm		\$0.75	\$3,236.00	\$2,221.92
57	Morin, F.E.	\$1.00	\$1,434.72	(\$1,130.43)	
58	Motsinger, Hester	\$0.75	\$2,000.00	(\$348.42)	
59	O'Neal, J. Kelly	\$1.50	\$13,848.00	(\$1,975.03)	
60	Oshier, Aduley		\$0.50	\$1,624.88	\$1,048.80
64	Rayman, Emmett	\$0.00			\$326.57
65	Resor, Franklin	\$1.00	\$3,407.60	(\$2,025.96)	
74	Sterrett, Joseph	\$0.35	\$478.32		\$276.65
76	Swanson, Gustav	\$1.00	\$4,965.28		\$1,351.62
82	Wallace, Harrison		\$0.75	\$5,501.76	\$5,408.79
84	Walters, William	\$0.00	\$8,361.52		\$7,999.20
87	Wilson, Nixon		\$1.00		\$158.62
89	Yeager, Simeon		\$1.00	\$615.36	(\$523.86)
91	Dickens, Jesse		\$0.30	\$288.00	\$206.26
93	Dismal Creek		\$1.00	\$25,420.16	\$8,652.86
94	Shawnee Creek		\$1.00	\$6,639.28	\$3,411.51
95	Buetler/Gosma		\$1.10	\$19,002.24	\$9,981.77
100	S.W.Elliott	\$0.75	\$227,772.24	\$174,474.74	
102	Brum, Sarah		\$1.00		
103	H W Moore Lateral				
104	Hadley Lake Drain	\$0.00			\$38,550.17
105	Thomas, Mary		\$0.00		
106	Arbegust-Young	\$0.00			
108	High Gap Road		\$13.72		0.00
109	Romney Stock Farm		\$12.13		0.00

INACTIVE DITCH LIST 1997

	DITCH	PRICE	TOTAL	1996
	PER ACRE	ASSESSMENT	4 YEAR	YEAR END
			BALANCE	
AA				
1	Amstutz, John	\$3.00	\$5,008.00	\$5,709.97
2	Anderson, Jesse	\$1.00	\$15,793.76	\$21,291.57
3	Andrews, E.W.	\$2.50	\$2,566.80	\$2,847.14
5	Baker, Dempsey	\$1.00	\$2,374.24	\$3,270.71
6	Baker, Newell	\$1.00	\$717.52	\$2,343.45
7	Ball, Nellie	\$1.00	\$1,329.12	\$2,414.08
10	Binder, Michael	\$1.00	\$4,388.96	\$5,244.63
11	Blickenstaff, John	\$1.00	\$7,092.80	\$8,094.49
12	Box, NW	\$0.75	\$11,650.24	\$15,935.84
16	Byers, Orrin	\$0.75	\$5,258.88	\$5,266.89
17	Coe, Floyd	\$1.75	\$13,617.84	\$19,495.56
19	Cole, Grant	\$1.00	\$4,113.92	\$9,688.52
21	Cripe, Jesse	\$0.50	\$911.28	\$1,810.25
22	Daughtery, Charles	\$1.00	\$1,883.12	\$2,662.08

23	Devault, Fannie	\$1.00	\$3,766.80	\$8,650.12
28	Erwin, Martin V	\$1.00	\$656.72	\$1,273.19
30	Fugate, Elijah		\$1.00 \$3,543.52	\$6,272.90
32	Gray, Martin		\$1.00 \$6,015.52	\$7,478.52
34	Hafner, Fred		\$1.00 \$1,263.44	\$1,336.75
36	Haywood, Thomas	\$1.00	\$2,133.12	\$3,253.45
39	Inskeep, George	\$1.00	\$3,123.84	\$8,267.68
40	Jakes, Lewis		\$1.00 \$5,164.24	\$6,039.76
46	Kirkpatrick, James		\$1.00 \$16,637.76	\$21,244.63
47	Kuhns, John A		\$0.75 \$1,226.96	\$1,467.00
50	McCoy, John	\$1.00	\$2,194.72	\$3,009.24
52	McKinny, Mary		\$1.00 \$4,287.52	\$4,326.98
53	Mahin, Wesley		\$3.00 \$3,467.68	\$4,346.05
56	Montgomery, Ann	\$1.00	\$4,614.56	\$4,717.40
61	Parker, Lane		\$1.00 \$2,141.44	\$3,658.56
63	Peters, Calvin		\$1.00 \$828.00	\$2,704.13
66	Rettereth, Peter	\$0.75	\$1,120.32	\$1,511.11
67	Rickerd, Aurthur	\$3.00	\$1,064.80	\$1,281.00
68	Ross, Alexander	\$0.75	\$1,791.68	\$4,348.39
69	Sheperdson, James	\$0.75	\$1,536.72	\$4,194.37
70	Saltzman, John		\$2.00 \$5,740.96	\$6,867.50
71	Skinner, Ray		\$1.00 \$2,713.60	\$2,961.68
72	Smith, Abe	\$1.00	\$1,277.52	\$1,595.63
73	Southworth, Mary	\$0.30	\$558.08	\$677.23
75	Stewart, William	\$1.00	\$765.76	\$1,046.47
77	Taylor, Alonzo		\$1.00 \$1,466.96	\$4,006.46
78	Taylor, Jacob		\$0.75 \$4,616.08	\$5,066.61
79	Toohy, John		\$1.00 \$542.40	\$1,207.75
81	VanNatta, John		\$0.35 \$1,338.16	\$3,089.01
83	Walters, Sussana	\$0.75	\$972.24	\$2,395.01
85	Waples, McDill		\$1.00 \$5,478.08	\$9,781.97
86	Wilder, Lena		\$1.00 \$3,365.60	\$5,718.48
88	Wilson, J & J		\$0.50 \$736.96	\$6,552.77
90	Yoe, Franklin		\$1.00 \$1,605.44	\$2,916.35
92	Jenkins		\$1.00 \$1,689.24	\$3,014.50
96	Kirkpatrick One	\$0.00	\$6,832.16	\$13,956.64
97	McLaughlin, John	\$0.00	\$0.00	\$0.00
101	Hoffman, John		\$1.00 \$72,105.03	\$3,502.62

Commissioner Jones moved to approve the active and inactive ditches for 1997, seconded by Commissioner Hudson. Motion carried.

1997 CONTRACTS

ENGINEERING CONTRACT

Mr. Gerde stated he commends the contract written for Christopher B. Burke Engineering, Limited, but some verbiage was changed to better protect the County's interest.

Mr. Eichelberger stated the changes will be made and the contract ready for signature at the March meeting.

ATTORNEY CONTRACT

Mr. Gerde stated the contract for Drainage Board Attorney is ready for approval and the signature of the Drainage Board. The contract is the same format as Mr. Hoffman's contract with a few changes; date, name and hourly rate changed to \$140.00 per hour also, the last paragraph was added to the contract.

Commissioner Hudson read the paragraph that was added:

"All parties hereto agree not to discriminate against any employee or applicant for employment with respect to his hire tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of his race, religion, color, sex, disability, handicap, national origin or ancestry. Breach of this convenient may be regarded as a material breach of the contract."

Commissioner Jones moved to approve the contract for Drainage Board Attorney, seconded by Commissioner Hudson. Motion carried. The entire contract is on file in the County Surveyor's Office.

JAMES N. KIRKPATRICK DITCH

Mr. Spencer asked that the **James N. Kirkpatrick Ditch** proposal discussion be continued until the March meeting allowing time to fill the vacancy of the third Drainage Board member.

Commissioner Hudson moved to continue the discussion of the James N. Kirkpatrick Ditch proposals until the March Drainage Board Meeting, seconded by Commissioner Jones. Motion carried

OBSTRUCTION OF DRAINS

Mr. Spencer referred to the following "PETITION TO TIPPECANOE COUNTY DRAINAGE BOARD TO REMOVE OBSTRUCTION IN MUTUAL DRAIN OF MUTUAL SURFACE WATERCOURSE" the "DRAINAGE BOARDS POWER EXTENDED TO PRIVATE DRAINS" article in "Indiana Prairie Farmer" and Indiana Code amendment act No. 1277. All of these documents are on file in the County Surveyor's Office. Mr. Spencer wanted the Commissioners to be aware of and have a discussion on this issue. Mr. Spencer felt this law was to protect against man-made obstructions and asked Mr. Gerde to examine the possibility of the law including natural obstructions.

Mr. Gerde gave an example of where this law could be taken into effect. The first being on North 9th Street Road, north of Burnetts Road, the current condition causes water to travel across the road producing a hazardous condition. The reason for the water across the road is due to drainage problems outside the County Road Right-of-Way.

Mr. Steve Murray, Executive Director, Tippecanoe County Highway Department, stated another persistent problem is 200 South, east of the South fork of the Wildcat Creek. Mr. Murray explained no actual source of funding is available to work on obstruction of drains which do not have a maintenance fund. Mr. Murray asked the Drainage Board to consider creating a fund which would help the Surveyor's Office and the Highway Department to determine what action could be taken. Mr. Murray stated when a problem becomes severe enough the County Highway Department will clean out an obstruction that is off county road right-of-way to protect the road way, but the funds used for the clean-up are funds that could be used elsewhere.

Commissioner Jones stated Steve Wettschurack told him that FEMA was going to help out with the situation on North 9th Street.

Mr. Murray pointed out with the older residential subdivision the storm water system were allowed to outlet into privately owned ravines, there is no funding available to help with maintenance on these situations. If the storm water system becomes plugged or breaks down causing the streets to flood the County Highway Department has repaired the problem, using funds that were not intended for that type of repair.

Mr. Gerde's understanding is that in the majority of those situation the County does not have an easement, which cause a legal problem for the County.

Mr. Spencer stated in all cases where the County has worked out side the easement a complaint was filed therefore the landowners are willing to grant entry onto their land.

MARCH DRAINAGE BOARD MEETING DATE

Mr. Spencer explained the March 1997 Drainage Board meeting date needs to be changed, if possible. Mr. Gerde is going to be out of town on the scheduled meeting date of March 5, 1997.

Discussion of the next Drainage Board Meeting, after an agreed date and time, Commissioner Hudson stated the next Drainage Board meeting will be Tuesday, March 11, 1997 at 9:00 a.m.

Being no further business Commissioner Hudson moved to adjourn until Tuesday, March 11, 1997 at 9:00 a.m., seconded by Commissioner Jones. Meeting adjourned.

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
July 2, 1997

The Tippecanoe County Drainage Board met Wednesday July 2, 1997 in the Tippecanoe Room of the Tippecanoe County Office Building, Lafayette, Indiana with Commissioner Hudson calling the meeting to order.

Those present: Tippecanoe County Commissioners Kathleen Hudson, Ruth Shedd, John Knochel, Tippecanoe County Surveyor Michael J. Spencer, Tippecanoe County Drainage Board Attorney Mary Russell pro-tem, Engineering Consultant David Eichelberger, and Drainage Board Secretary Shelli Muller.

Commissioner Shedd moved to approve the minutes from the regular Drainage Board meeting held June 5, 1997 and the special meeting held June 17, 1997, seconded by Commissioner Knochel. Motion carried.

BURNETT CREEK ELEMENTARY SCHOOL

Roger Fine, John Fisher and Associates, representing Tippecanoe School Corporation, presented the Board with drainage plans for Burnett Creek Elementary School located across the road from William Henry Harrison High School off County Road 50 West, south of County Road 600 North. Mr. Fine explained this school is the second school introduced to the Board this year the first was Wea Ridge Elementary School located south of town. The design of the two schools are exactly alike other than Burnett Creek School will have two entrances off the same road unlike Wea Ridge School had two entrances off different county roads. Mr. Fine introduced his associate, David Ayala, to explain the technical issues.

Mr. Ayala presented the Board with an overview of the watershed area of Cole Ditch. The Cole Ditch will be the outlet for the proposed site, the majority of the site will drain through a storm sewer system in the western right-of-way of County Road 50 West with swales to direct the water to the Cole Ditch. The storm sewer will begin north of the northern entrance of Burnett Creek School, then continue south along County Road 50 West, outletting directly into the Cole Ditch which travels east to the Burnett's Creek. The storm water from the site will discharge into the Cole Ditch approximately three hours before the peak flow reaches the point at which the runoff from the school enters the ditch. The increase in the amount of discharge into the Cole Ditch will be 1% from the post-developed condition of the site. Mr. Ayala requested a variance from the ordinance which requires onsite detention and asked for approval of the drainage plan.

Mr. Spencer asked if the County Highway Department has commented on the proposed storm sewer in the county road right of way?

Mr. Ayala stated he spoke with Kristy Alexander County Highway Engineer, and her main concern was the swale running above the storm sewer, they need cross-sections every fifty feet and the swale could not be less than three feet deep.

Mr. Ayala explained the storm drain under the south entrance of Harrison High School, which now handles the runoff from the proposed site would be capped off.

Mr. Eichelberger referred to the memo from June 19, 1997, stating the majority of the issues of the memo were addressed in a meeting held prior to this meeting.

Mr. Spencer recommended preliminary approval with the following condition: the ultimate outfall to Cole Ditch will require a Construction in a Floodway permit from the DNR and approval from the County Highway Department for the proposed storm sewer network located within the right of way of County Road 50 West.

Commissioner Shedd moved to grant preliminary approval with the conditions set forth by Mr. Spencer, seconded by Commissioner Knochel. Motion carried.

STERLING HEIGHTS SUBDIVISION

Jennifer Bonner, Hawkins Environmental, presented the Board with plans for Sterling Heights Subdivision located at the southwest corner of County Road 400 South and South 9th Street and consists of 61.24 acres. The site will have 227 residential lots and one commercial lot, the City of Lafayette will provide water and sanitary sewer services. An additional 12.22 acres also owned by the developer has been included in the calculations and in the offsite storm system design. Ms. Bonner requested a variance from detention storage requirements and acceptance of offsite storm sewer design. Ms. Bonner explained if the construction of the offsite system occurs prior to construction of the development than no onsite detention should be needed, but if the storm sewer is not constructed prior to the development, than an interim detention storage facility will be provided for review and approval of the Board.

Mr. Spencer stated the proposed subdivision has no detention and no outlet. Mr. Spencer would rather review a plan which has the interim detention facility proposed, before granting approval.

Ms. Bonner asked for the variance for no onsite detention with the ultimate plan of the construction of a storm sewer system.

Mr. Eichelberger stated the conditions in the memo dated June 30, 1997.

1. The drainage Board must either approve the variance request for no detention for the proposed development or the applicant must revise the stormwater management plan to include permanent detention.

2. If the Drainage Board approves the variance request for no detention and the applicant proceeds with design of the off-site storm sewer system, then Drainage Board approval for the off-site storm sewer system must be obtained, and construction of this system completed, prior to construction of the subdivision at the subject site.

3. If construction of the subdivision at the subject site must commence prior to the approval and construction of the off-site storm sewer system, the applicant must provide to the Drainage Board, construction plans and calculations for interim detention ponds to reduce the amount of runoff to adjoining properties. These interim ponds must receive Drainage Board approval prior to construction of the subdivision at the subject site.

Ms. Bonner stated an interim pond is being planned and will be submitted for the Drainage Board review and approval before construction on-site will occur.

Commissioner Knochel moved to approve the Sterling Heights Subdivision with the conditions, seconded by Commissioner Shedd, denied by Commissioner Hudson. Motion carried.

OTHER BUSINESS

26 CROSSINGS SUBDIVISION PH II (vacation of drainage easement)
Randy Williams asked for the vacation of a drainage easement located within the 26 Crossing Subdivision, Phase II.

Mr. Spencer stated within the 26 Crossing Subdivision, Phase II are branches of the old Alexander Ross agricultural field tile which no longer is in use. Portions of the tile were vacated with the Meijer Store and portions of the tile were relocated with the Meijer improvements. With the development of 26 Crossings the tile was replaced with the storm sewer system which outlets to the regional detention facility. Mr. Spencer recommended granting the vacation.

Commissioner Knochel moved to grant the vacation of the Alexander Ross Ditch easement, seconded by Commissioner Shedd. Motion carried.

HEMLOCK RIDGE SUBDIVISION

Todd Warrix of Schneider Engineering, representing Matthew Kohler, for the Hemlock Ridge Subdivision presented the Board with proposed drainage plans. Hemlock Ridge will be located between Elston Road, Beck Lane and Old Romney Road and consist of ten lots on 8.3 acres. The developer will sell each lot individually with building plans for an apartment. There is an existing tile that runs through the property which will be replaced with a storm sewer system outletting at the same point were the existing tile currently discharges. Mr. Warrix explained he wanted to address any concerns the Board may have before submitting for review and approval.

AUGUST DRAINAGE BOARD MEETING

Mr. Spencer informed the Board that he will not be in town for the August 6th Drainage Board Meeting and asked if the Board wanted to change the meeting date or meet on the regular meeting date.

After discussion the Commissioner decided to postpone the meeting until Tuesday August 12th at 9:00 a.m.

Being no further business, Commissioner Shedd moved to adjourn until August 12th at 9:00 a.m., seconded by Commissioner Knochel. Meeting adjourned.

TIPPECANOE COUNTY DRAINAGE BOARD

February 4, 1998

regular meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd, and John Knochel, County Surveyor Mike Spencer, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Shelli Muller.

The Tippecanoe County Drainage Board met Wednesday, February 4, 1998, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda was to approve the minutes from the October 15, 1997 and December 19, 1997 regular Drainage Board meetings. Commissioner Knochel moved to approve the minutes, seconded by Commissioner Shedd. Minutes Approved.

MIKE MADRID COMPANY

Bob Gross, and Craig Rodarmel of R.W. Gross and Associates, presented the Board with final drainage plans of Mike Madrid Company, located west of I-65, in the northeast portion of the intersection of Swisher Road and the Rail Road. Mr. Gross explained at the south end of the site an existing 15 inch culvert under Swisher Road is the outlet. In the post-developed condition the same 15 inch pipe will be used for the outlet of the site with two sub basin. The sub basin at the north and east sides of the site will outlet into a 12 inch pipe under the driveway and then flow into the 15 inch outlet pipe under Swisher Road. The second sub basin will be at the south end of the site and outlet through a 12 inch pipe with a 4.25 inch diameter orifice on the end to restrict the flow before outletting into the 15 inch pipe under Swisher Road. Mr. Gross explained neither of the two basins will be very deep, but they will be spread over a large area.

Mr. Spencer stated he recommends final approval with the condition the applicant receives approval from the County Highway Department for use of the road right-of-way as site detention.

Commissioner Shedd asked where the emergency overflow will go and who owns the property the overflow will go on?

Mr. Gross stated Mike Madrid Company owns the property for the proposed emergency overflow.

Commissioner Knochel moved to grant final approval of the Mike Madrid Company drainage plan with the condition the applicant receives approval from the County Highway Department, seconded by Commissioner Shedd. Motion carried.

DRAINAGE BOARD 1998 CONTRACTS

Attorney

Mr. Spencer presented the Board with a 1998 contract from Hoffman, Luhman and Busch Law Firm for their services to the Tippecanoe County Drainage Board.

Commissioner Knochel moved to approve the 1998 contract with Hoffman, Luhman and Busch Law Firm, seconded by Commissioner Shedd. Motion carried.

Engineering Consultant

Mr. Luhman presented the Board with a 1998 contract from Christopher B. Burke Engineering, LTD. for engineering consultant services for the Tippecanoe County Drainage Board.

Mr. Luhman suggested continuing the 1998 contract with Christopher B. Burke Engineering, Ltd. until some language is included, which is in the agreement from January 3, 1995 contract. Christopher B. Burke Engineering, Ltd. could copy the 1995 contract and update it to include the current rates.

Commissioner Knochel moved to continue the 1998 engineering consultant contract with Christopher B. Burke until the March 4, 1998 Drainage Board Meeting, seconded by Commissioner Shedd. Motion carried.

1998 ACTIVE AND INACTIVE DITCH LIST

Mr. Luhman read the 1998 active and inactive ditch list.

ACTIVE DITCH LIST

- 4. Delphine Anson 8. Julius Berlovitz 10. Michael Binder 14. Buck Creek
- 16. Orrin Byers 18. Train Coe 20. County Farm 26. Darby Wetherill
- 31. Issac Gowen 33. Rebecca Grimes 34. Fred Hafner 35. E.F. Haywood
- 37. Harrison Meadows 41. Eugene Johnson 42. James Kellerman 43. Floyd Kerschner
- 44. Amanda Kirkpatrick 45. Frank Kirkpatrick 47. John Kuhns 48. Calvin Lesley
- 52. Mary Mckinney 54. Samuel Marsh 55. Absalm Miller 57. F.E. Morin
- 58. Hester Motsinger 59. J. Kelly O’Neal 60. Audley Oshier 64. Rayman Emmett
- 65. Franklin Reser 67. Aurthur Rickerd 71. Skinner Ray 74. Joseph Sterrett
- 76. Gustav Swanson 78. Jacob Taylor 87. Wilson Nixon 89. Simeon Yeager
- 91. Jesse Dickens 93. Dismal Creek **94. Shawnee Creek** 101. John Hoffman
- 102. Sophia Brumm 103. H.W. Moore 105. Mary Thomas 106. Arbegust Young
- 108. High Gap Road 109. Romney Stock Farm

INACTIVE DITCH LIST

- 1. John Amstutz 2. Jesse Anderson 3. E.W. Andrew 5. Dempsey Baker
- 6. Newell Baker 7. Nellie Ball 11. John Blickenstaff 12. N.W. Box
- 13. A.P. Brown 15. Alfred Burkhalter 17. Floyd Coe 19. Grant Cole
- 21. Jesse Cripe 22. Charles Daughtery 23. Fannie Devault 25. Marion Dunkin
- 27. Thomas Ellis 28. Martin Erwin 29. Crist-Fassnacht 30. Elijah Fugate
- 32. Martin Gray 36. Thomas Haywood 39. George Inskeep 40. Lewis Jakes
- 46. J.N. Kirkpatrick 50. John McCoy 51. John McFarland 53. Wesley Mahin
- 56. Ann Montgomery 61. Parker Lane 63. Calvin Peters 66. Peter Rettereth
- 68. Alexander Ross 69. James Sheperdson 70. John Saltzman 72. Abe Smith
- 73. Mary Southworth 75. William Stewart 77. Alonzo Taylor 79. John Toohey
- 81. John VanNatta 82. Harrison Wallace 83. Sussana Walters 84. William Walters
- 85. Waples McDill 86. Lena Wilder 88. J & J Wilson 90. Franklin Yoe
- 92. Jenkins 95. Beutler-Gosma 96. Kirkpatrick One 100. S.W. Elliott

Commissioner Knochel moved to approve the 1998 ditch assessment list, seconded by Commissioner Shedd. Motion carried.

OTHER BUSINESS

Mr. Spencer brought to the Board's attention a public notice from the Corp. of Engineers regarding the proposed wetland constructed above a county regulated tile drainage system the **John McCoy Ditch** located south of Wea School along County Road 200 East. Mr. Spencer explained there have been some concern from the property owners in the watershed area with what the Corp. has proposed. Mr. Spencer asked the Board if the County should have an informational meeting regarding the wetland?

Commissioner Knochel moved to have an information meeting with all the effected landowner in the area of the proposed wetland, seconded by Commissioner Shedd. Motion carried.

Mr. Spencer asked if the 30 day requirement for a public notice would be in affect with this meeting only being an informational meeting?

Mr. Luhman stated no, not for an informational meeting because it is not being reconstruted, the assessment is not going to change and there is not going to be any legal affect on the landowners.

MINUTE BOOK

Mr. Luhman explained that there was a question as to whether or not a ledger size minute book was required to be used, if not, than could the minute book be changed to a letter or legal size. Mr. Luhman stated he could not find any statue where a ledger size book had to be used.

Commissioner Shedd granted approval to change the size of the minute book from ledger to letter, beginning with the 1998 Drainage Board minutes.

Being no further business, Commissioner Knochel moved to adjourn until March 4, 1998, seconded by Commissioner Shedd. Meeting adjourned.

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd and John Knochel, County Surveyor Mike Spencer, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Shelli Muller.

The Tippecanoe County Drainage Board met Wednesday, February 3, 1999, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda is to approve the 1999 Active and Inactive Ditch Assessment List. Mr. Luhman read the list.

ACTIVE

Delphine Anson Brown	Julius Berlowitz	Michael Binder	A.P.
Buck Creek Wetherhill	Train Coe	County Farm	Darby
Christ Fassnacht Hafner	Issac Gowen	Rebecca Grimes	Fred
E.F. Haywood Kirkpatrick	Harrison Meadows	Floyd Kerschner	Amanda
Frank Kirkpatrick McKinny	Calvin Lesley	John McFarland	Mary
Samuel Marsh Aduley Oshier Rickerd	F.E. Morin Emmett Rayman	Hester Motsinger Franklin Reser	J.Kelly O'Neal Aurthur
Joseph Sterrett Walters	Gustav Swanson	Jacob Taylor	William
Wilson Nixon Creek	Simeon Yeager	Jesse Dickens	Dismal
Kirkpatrick One Lateral	John Hoffman	Sophia Brum	HW Moore
Mary Thomas	Arbegust-Young	Jesse Anderson	

INACTIVE

John Amstutz	James Shepardson	E.W. Andrew	
Dempsey Baker			
Newell Baker	Nellie Ball	John Blickenstaff	NW Box
Alfred Burkhalter	Orrin Byers	Floyd Coe	Grant
Cole			
Jesse Cripe	Charles Daughtery	Frannie Devault	Marion
Dunkin			
Thomas Ellis	Martin Erwin	Elijah Fugate	Martin
Gray			
Thomas Haywood Johnson	George Inskeep	Lewis Jakes	Eugene
James Kellerman	James Kirkpatrick	John Kuhns	John
McCoy			
Wesley Mahin	Absalm Miller	Ann Montgomery	Parker
Lane			

Calvin Peters Saltzman Skinner Ray William Stewart	Peter Rettereth Abe Smith	Alexander Ross Mary Southworth	John
Alonzo Taylor Harrison Wallace Wilder J&J Wilson	John Toohey Sussane Walters Franklin Yoe	John VanNatta McDill Waples Jenkins	Lena
Shawnee Creek			
Buetler/Gosma Lake High Gap Rd	John McLaughlin Romney Stock Farm	S.W. Elliott	Hadley

Commissioner Knochel moved to approve the list of Active and Inactive Ditch Assessment for the year 1999, seconded by Commissioner Shedd. Motion carried.

WATKINS GLEN SUBDIVISION, PHASE 4, PART 3

Tim Beyer of Vester and Associates, asked the Board for preliminary approval of Watkins Glen Subdivision, Phase 4, Part 3 located off County Road 400 East. The proposed subdivision consists of 9 lot on a 5 acre site. Mr. Beyer asked for a variance from the Drainage Ordinance that requires on-site detention. The majority of the proposed plan drains to an existing pipe and then to an existing detention facility for Watkins Glen South, Part V. The facility has the capacity to handle the additional runoff of Phase 4, Part 2.

Mr. Spencer recommended granting the variance for no on-site detention and preliminary approval of the drainage plan for Watkins Glen, Phase 4, Part 3.

Commissioner Knochel moved to grant preliminary approval of Watkins Glen, Phase 4, Part 3 and to grant the variance allowing no on-site detention, seconded by Commissioner Shedd. Motion carried.

SEASONS FOUR SUBDIVISION, PHASE III

Roger Fine, of John E. Fisher and Associates, asked the Board for approval of the outlet pipe for Seasons Four Subdivision, Phase III. The City of Lafayette requires the project to receive approval from the Tippecanoe County Drainage Board because of the outlet pipe into the **Elliott Ditch**. Mr. Fine informed the Board a DNR permit is pending for work in the floodway.

Mr. Spencer recommended approval of the outlet pipe, subject to the project receiving the DNR permit.

Commissioner Knochel moved to approve the outlet pipe into **the Elliott Ditch** for Seasons Four Subdivision, Phase III, subject to the approval of the DNR permit, seconded by Commissioner Shedd. Motion carried.

Being no further business, Commissioner Knochel moved to adjourn until March 3, 1999 at 10:00 a.m., seconded by Commissioner Shedd. Motion carried.

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD
APRIL 7, 1999
Regular Meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd, John Knochel, and Kathleen Hudson, County Surveyor Mike Spencer, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Shelli Muller and Doris Myers.

The Tippecanoe County Drainage Board met Wednesday, April 7, 1999, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

Commission Shedd thanked Shelli Muller for being the Drainage Board Secretary for a number of years and commended her for doing a great job. Commission Shedd welcomed Doris Myers as new member.

The first item on the agenda is to approve the minutes from the February 3, 1999 Drainage Board Meeting. Commissioner Hudson moved to approve the minutes of February 3, 1999 Drainage Board Meeting, seconded by Commissioner Knochel. Motion carried.

CATERPILLAR LOGISTICS SERVICES, INC

Darrell Phillips with Weihe Engineers, Inc. representing Caterpillar Logistics Services, Inc. Mr. Phillips presented site plan and offsite drainage improvement. The site is along 500 E about 1500 feet south of McCarty Lane. 160,000 square foot warehouse, 65 parking spots, pond on site and a regulated tile drain on site is being relocated by the existing property owner in coordination with the County Surveyor.

At present storm water drainage goes through the legal drain tile. We will be rerouting the tile to the downstream regional storm water facility north of our site.

There will be two phases to the plan. First phase will direct these tile flows from the south west corner of our site north, along the east side of Co. Rd. 500 E, in a temporary storm drainage pipe system.

Phase two will be the installation of a major storm drainage pipe system that will handle our site runoff, the tile drain and approximately 70+ acres upstream of our site. Phase two is being designed by us, approval by the county and city will be forthcoming.

Construction is planned for this summer.

Commissioner Knochel asked Mike Spencer his comments on this project. Mike has been working with Ethan & Lauth and City of Lafayette and come to agreement for them to be a participant in the regional storage philosophy. They are participating in that regional storage philosophy. It all ties into an earlier study that the county commissioned with Burke several years ago on watershed areas around the city that are rapidly urbanizing.

Mike recommended approval of conceptual stormwater plan as submitted.

Commissioner Hudson moved to give approval to Caterpillar Logistic Services for the regional stormwater concept that they presented today, seconded by Commissioner Knochel. Motion carried.

Mike Spencer asked Dale Lehnig if she had anything to comment on behalf of City of Lafayette.

Have everything pretty well covered. City is working with sewer and water as well as with stormwater. Commissioner Knochel inquired about aggressive plan for construction. Dale Lehnig's comment was yes for the City of Lafayette. Caterpillar Logistic commented schedule is aggressive and time sensitive on

getting this facility up and operating. Pushing to get temporary drainage in place while City, Caterpillar and County are working on design of final storm sewer plans.

PARK EAST MARKETPLACE

They requested it be continued but Mike Spencer could bring the board up to date on project. Location of project St Rd 26 & I-65. The proposed development is in the Alexander Ross watershed area and there was a study done some years ago by county looking at the regional storage philosophy. Part of plan was set in motion when the Meijers store was built East of I-65. There is large retention area just west of meijer store near Steak & Shake. That was first phase. Also retention area was slated for West side of I-65 and as part of this plan they would be constructing a portion and developer setting aside an area for storage on the west side of I-65. These studies are approved now and developers are buying off the regional stormwater retention idea so every developer doesn't have their own pond. New pipe will be installed under I-65. This is good size development. They are following regional storage concepts that were put into place several years ago. Commissioner Knochel asked what kind of area Walmart will cover. Answer was 40 acres. Mike stated they would be coming to Drainage Board for approval next month. Hopefully they will have it ready for approval next month.

OTHER BUSINESS

Harold Kinkhamer asked Mr. Luhman if he received memo from Jim Huffer. Mr. Luhman did receive memo from Jim Huffer. Harold Kinkhamer asked Mr. Luhman if he listened to the tape and understands what he was saying. Mr. Luhman has not listened to the tape and doesn't intend to discuss the matter. Harold Kinkhamer asked if there had been any changes. Mr. Luhman commented there were no changes.

Being no further business, Commissioner Knochel moved to adjourn until May 5, 1999, at 10:00 a.m., seconded by Commissioner Hudson. Motion carried.

Ruth Shedd, President

Kathleen Hudson, Vice President

John Knochel, Member

Doris Myers, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD

May 13, 1999

Regular Meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd, John Knochel, and Kathleen Hudson, County Surveyor Mike Spencer, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Doris Myers.

The Tippecanoe County Drainage Board met Thursday, May 13, 1999, in the Grand Prairie Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda is to approve the minutes from the April 7, 1999 Drainage Board Meeting. Commissioner Hudson moved to approve the minutes of April 7, 1999 Drainage Board Meeting, seconded by Commissioner Knochel. Motion carried.

PARK EAST MARKETPLACE (WALMART)

John Rutte with JDN Development Company, Inc and Robert A. McCann, Haines, Gipson & Associates, Inc. gave presentation.

Robert A. McCann gave quick overview of project. Propose to place a Walmart Super Center at St Rd 26 & I-65. Walmart Super Center will be roughly 200,000 square feet replacing present Walmart. There will be about 37,000 square feet of miscellaneous retail space also. They have coordinated with county transportation, Area Plan Commission, and road network on how this will link into their overall plans.

A Phase I detention pond has been created to serve just the development and any future development that they may build close to I-65. Phase I will handle storm water of this area and including off site draining which is the existing development along St Rd 26 that drains to this area. Currently water drains into a storage area off south side of I-65 building up 4 or 5 feet till reaches a level where it can drain through two existing 38"x66" CMP (corrugated metal pipe) pipes that run under I-65 and drain into existing pond. JDN created a pond that models same storage area and improve drain of that area. They are going to bore an 18" RCP (reinforced concrete pipe) pipe under I-65 at a lower level, about 2' or 3' below existing pipes so water can drain under I-65.

Per Burke Report also wanted basic regional retention pond to work into the concept of two detention regional storage areas. JDN added regional pond area that can be developed when ever the future developer needs this area for drainage. JDN have permit to bore hole under I-65.

Commissioner Shedd asked if more pipes would be needed under I-65 when other portion is developed. All pipes that are there and the additional 18" pipe should serve as outlets for all. When Burke did the Alexander Ross watershed study no more water or at a greater rate will run through the existing culvert under State Road 26 to the Wildcat after this area is developed stated Mike Spencer. Study was done in 1993 to determine size of culverts & retention areas.

Shape is not set in stone with developers or owners of this land. Area could be wider or more ponds. Main thing is to reserve with developer or landowner is the number of acre-feet of storage that will be required for the future development.

John Rutte stated last week the sellers concern that Walmart represents roughly 45 acres. Are off site areas going to get free storage at JDN Development Co, Inc expenses. Walmart's attorney going to draw up papers concerning other developers sharing in the cost of acre-feet of storage. Off site developers should also contribute to cost of acre-feet of storage. Contribution can be accomplished through appraisal process.

Commissioner Knochel moved to have final approval for phase 1 retention pond and approval for Walmart Super Center, seconded by Commissioner Hudson. Motion carried.

Per Mike Spencer need motion on 2 more items. Letter from JDN developers request that we vacate some of the tile branches of the Alexander Ross Ditch. The branches need to be picked up and put into storm sewers.

Commissioner Hudson moved to vacate the branches for the Alexander Ross Ditch for purpose of Walmart Super Center, seconded by Commissioner Knochel. Motion carried.

Second request by Mike Spencer, after construction and after submittal of certified asbuilts, that the detention ponds were built according to the plan, they request that regional basin become part of the Alexander Ross drainage legal drain.

Commissioner Hudson moved to approve the concept of the regional basins becoming part of the Alexander Ross drainage legal drain, seconded by Commissioner Knochel. Motion carried.

John Rutte brought up the need for network of roads through development. Should be more east – west roads and north – south roads in development. As of now there are still farmers farming some of this land and they need access to fields. Culverts may need to be put in and also need to contact farmers to see how wide these culverts need to be.

Commissioner Shedd asked how soon anticipate roads would be put in. John Rutte commented has options on the remaining property. If can get somebody else interested to anchor the rest it could be next year or could be five years.

LANTERN HILLS MINOR SUBDIVISION & PARCELIZATION

Mike Spencer brought Commissioners up to speed with meeting Commissioner Knochel and Surveyor Spencer had with Mary Ann Oyer and tenant farmer, Tom Osborne, concerning Lantern Hill development, Don Whiteheads on 900 S at 450 E. This is a minor Subdivision with 4 lots and 8 lot parcelization. Mary Ann Oyer, downstream landowner, wrote letter to Area Plan regarding run off.

Area Plan made it a requirement that a developer receive drainage board approval. At the time they met Mike didn't know we had a drainage report filed by the developer. We do have a report filed. The report was filed on May 7, 1999, by Vester & Associates. Mary Ann Oyer request it not be on June agenda but should be on the July agenda. Chuck Rose and Mary Ann Oyer are both landowners and have copies of this report. This report will be 2 days short of the 30 day requirement. Wednesday, May 19, 1999, Commissioners, Tom Osborn and Mike will go to site and discuss problem then.

Being no further business, Commissioner Hudson moved to adjourn until June 2, 1999, at 10:00 a.m., seconded by Commissioner Knochel. Motion carried.

Ruth Shedd, President

Doris Myers, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

Those present were:

Tippecanoe County Commissioners Kathleen Hudson, John Knochel and Ruth Shedd, County Surveyor Stephen Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Doris Myers.

The Tippecanoe County Drainage Board met Wednesday, February 9, 2000, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Kathleen Hudson calling the meeting to order.

The first item on the agenda is to approve the minutes from the January 12, 2000, Regular Drainage Board Meeting and minutes from the January 21, 2000, Special Drainage Board Meeting. Commissioner Knochel moved to approve the minutes of January 12, 2000, Regular Drainage Board Meeting and January 21, 2000, Special Drainage Board Meeting, seconded by Commissioner Shedd. Motion carried.

Commissioner Hudson welcomed Stephen Murray, as new County Surveyor, to his first meeting with the Drainage Board.

CROSSPOINTE APARTMENTS SUBDIVISION

Wm. R. Davis with Hawkins Environmental gave presentation for Crosspointe Apartments Subdivision. This site is located east of Creasy Lane, south of Weston Woods Subdivision and east of the **Treعه Meadows Relief Drain**. The applicant proposes to construct apartments and associated parking. The stormwater management plan for this area was the subject of previous studies conducted as part of the Amelia Avenue extension over the **Treعه Meadows Relief Drain**. Two issues from C.B. Burke Engineering report to be discussed. First issue is ponding of waters on project. The parking lot plans were intended to pond 7" of water. Second issue concerning previously discharge channel that has been schematic approved for the drainage of this site. Their intention is to use this channel for draining this site. If not approved as is a modification can be brought before the board.

Commissioner Hudson asked Dave Eichelberger to explain about the wet bottom ponds.

Dave Eichelberger, Drainage Board Engineering Consultant, stated the previous stormwater management plan indicated that portions of this development would drain to proposed wet-bottom ponds prior to discharging to the **Treعه Meadows Relief Drain**. However, it does not appear these ponds are proposed as part of this subject development on their plans. Are these ponds already in place, are they going to be constructed as part of this project or are they going to have some interim outlet to the **Treعه Meadow Relief Drain** between now and then? If are wanting final approval may need to have condition that proposed ponds are constructed or proposed outlet is approved.

Steve Murray asked Wm. R. Davis what was their intent.

Wm R. Davis commented there is another project that has risen to this area. The project is not moving very rapidly. They want to get these projects temporarily constructed as did in schematic approval of wet-bottom channel as part of this project.

Commissioner Hudson asked if these outlets would be the ones carrying water over parking lot. Answer was no.

Commissioner Hudson asked what was going to be done about the water ponding over the parking lot area.

Steve Murray stated 7" water ponding over parking lot is allowable by ordinance. This is backwater from 100-year flood as composed to conventional ponding for storage in the lot.

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

Commissioner Knochel moved to grant final approval to Crossepoint Apartments Subdivision subject to the outlets being constructed as part of this project, seconded by Commissioner Shedd. Motion carried.

WABASH NATIONAL SITE DETENTION

Wm. R. Davis with Hawkins Environmental gave presentation for Wabash National Site Detention. This is a 340-acre site located north of C.R. 350 South, between Concord Road and U.S. 52. This is a schematic design for Wabash National and is the second time for reviewing this site. We are trying to come up with an overall plan for final development of Wabash National property. They are not placing structures, etc, but are determining the amount of improved surface they can have, what areas need to be stoned, types of drainage, etc. Currently there is a tile branch of **Elliott Ditch** traversing this property. At present a lot of water stands on this property. We are proposing how to move this water in a developed condition. Will be stoning parts of the property after constructing diversion ditches. Will be removing tile in the **Elliott Ditch** Branch and make open drain. The present detention pond is adequate for future use. Wm. R. Davis is asking for approval of schematic design for Wabash National Site Detention.

Dave Eichelberger suggests preliminary approval of the ditch network and final approval of the continued use of the existing detention pond.

Commissioner Knochel moved to grant preliminary approval of the ditch design for the Wabash National Site Detention and final approval for the drainage pond, seconded Commissioner Shedd. Motion carried.

WILLIAMS COMMUNICATIONS – FIBER OPTIC CABLE

Harold Elliott with Williams Communications gave presentation to install fiber optic cable communication system. This cable will stretch from Atlanta, Cincinnati, Indianapolis and through Chicago. Part of this system will go through a portion of Tippecanoe County. Have received permits for the road crossings. Had been working with Mike Spencer for permits on drainage ditches. They had sent a letter earlier, recommended by Mike Spencer, explaining what they were going to do. Mr. Elliott stated he thinks they should have a permit due to all the bonding, etc. Mr. Elliott's purpose for being here today is to go over project, find out for sure what they do want, and get bond, etc. ready for the next meeting.

Commissioner Hudson asked Mr. Elliott if he received Dave Luhman's letter.

Mr. Elliott's comment was yes. Mr. Elliott stated they have included what Mr. Luhman asked for. Mr. Elliott had a question on drawing for each ditch. Can they use what we use as a typical ditch crossing with it put to the ditch we are crossing? Instead of a complete profile of each ditch.

Dave Luhman asked if it would be similar to what is used on highways. If so, that would be adequate. Mr. Elliott commented yes. Williams Communications will furnish drainage board with a complete list of where line is as built.

Steve Murray stated he would like Mr. Elliott to give as much information possible to the contractor, so they can narrow down their area to start being aware that there may be a legal drain there.

Mr. Elliott commented there would be a crew out to survey each of the legal drains so contractor knows exactly where they start and will be. They are running a minimum of 42" below ground. Some of the survey work is being done now.

Steve Murray asked if they would trench or plow the lines.

Mr. Elliott stated the plan was to plow. When you go across ditches we know you can't plow. So we will be trenching these lines.

Steve Murray stated they would want the cable trenched not plowed. When you trench you can see turned up broken tiles. When you plow there is no visible evidence of broken tiles. May be 3 to 5 years before drain collapses and backs up. A lot of counties have gone too only allowing trenching now days as opposed to plowing.

Commissioner Knochel stated his concern was when turning up some private tiles who will repair. They want someone who is knowledgeable to do the field tile repair.

Mr. Elliott commented he had talked with Mike and would like for the drainage board to hire someone in our county to act as an inspector to find the legal drains and bill Williams Communications for that service.

Steve Murray commented his concern is finding an inspector. It doesn't matter if the drainage board hires or if Williams Communications hires. Stephen thinks it would be better if drainage board hired the inspector.

Mr. Elliott asked about a pay scale agreement. This can all be worked out when I come back for the next meeting.

Steve Murray asked what is your construction schedule.

Mr. Elliott stated this year, this spring. It depends on all the permits coming in and all the easements that are being required one way or the other.

Steve Murray felt comfortable with this if they are willing to work under the drainage board conditions.

Mr. Elliott suggested the \$5,000 bond might not be large enough. There is more potential damage than \$5,000.

Dave Luhman recommends \$25,000.00 bond. Wait on final draft at the March 1, 2000 meeting for details.

Mr. Elliott will return for the March 1, 2000, meeting with final draft and details.

2000 ACTIVE AND INACTIVE DITCH ASSESSMENTS

Mr. Luhman read the 2000 active and inactive ditch list

ACTIVE

Jesse Anderson	Delphine Anson	Julius Berlovitz	Michael Binder
A.P.Brown	Buck Creek	Orrin Byers	Train Coe
County Farm	Thomas Ellis	Christ Fassnacht	Issac Gowen
Rebecca Grimes	Fred Hafner	E.F. Haywood	Harrison Meadows
James Kellerman	Floyd Kerschner	Amanda Kirkpatrick	Frank Kirkpatrick
Calvin Lesley	John McFarland	Mary McKinny	Samuel Marsh
Ann Montgomery	F.E. Morin	Hester Motsinger	J.Kelly O'Neal
Aduley Oshier	Emmett Rayman	Franklin Resor	Aurthur Rickerd
Joseph C. Sterrett	Gustav Swanson	Nixon Wilson	Simeon Yeager
Jesse Dickens	Dismal Creek	Shawnee Creek	Kirkpatrick One
John Hoffman	Sarah Brum	HW Moore Lateral	Mary Thomas
Arbegust-Young	High Gap Road	Romney Stock Farm	Darby Wetherill Ext 2
Darby Wetherill Reconstruction			

INACTIVE

John Amstutz	E.W. Andrews	Dempsey Baker	Newell Baker
Nellie Ball	John Blickenstaff	NW Box	Alfred Burkhalter
Floyd Coe	Grant Cole	Jesse Cripe	Charles E. Daughtery
Fannie Devault	Marion Dunkin	Darby Wetherill	Martin V. Erwin
Elijah Fugate	Martin Gray	Thomas Haywood	George Inskip
Lewis Jakes	E.Eugene Johnson	James Kirkpatrick	John A. Kuhns
John McCoy	Wesley Mahin	Absalm Miller	Lane Parker
Calvin Peters	Peter Rettereth	Alexander Ross	James Sheperdson
John Saltzman	Ray Skinner	Abe Smith	Mary Southworth
William Stewart	Alonzo Taylor	Jacob Taylor	John Toohey
John VanNatta	Harrison B. Wallace	Sussana Walters	William Walters
McDill Waples	Lena Wilder	J & J Wilson	Franklin Yoe
Jenkins	Buetler/Gosma	S.W. Elliott	Hadley Lake Drain

Commissioner Knochel moved to approve the list of Active and Inactive Assessment for the year 2000, seconded by Commissioner Shedd. Motion carried.

OTHER BUSINESS

PETITION FOR ENCROACHMENT ON UTILITY & DRAINAGE EASEMENT LOT 63, RED OAKS SUBDIVISION

Steve Murray gave presentation of this petition for encroachment on utility & drainage easement Lot 63, Red Oaks Subdivision. The petition for encroachment reads as follows: The undersigned, John L. Maloney, who owns 609 Bur Oak Court, does hereby request permission of the Tippecanoe County Commissioners and the Tippecanoe County Drainage Board to encroach 25 feet into the utility and drainage easement at the rear side of their home on Lot 63, Red Oaks Subdivision, Wea Township, Tippecanoe County, Indiana, as shown on the diagram hereto attached and made a part of this petition. Diagram will be on file in surveyor's office. Stephen commented the real concern is the 25 feet encroachment will be too far down the bank and into the water level. This could be an obstruction if maintenance needs to be done to the bank for erosion purposes or pipe out fall. A 10-foot encroachment will bring to the top of bank. Stephen stated he would not recommend any more encroachment then to the top of the bank.

Commissioner Hudson asked if 10 foot would encroach into the utility and drainage easement.

Steve Murray commented without an actual survey tying the house to the lot lines we wouldn't know for sure. It would appear the 10-foot at the top of bank is roughly the easement line that they want to encroach into. If we do not grant requirement for encroachment they can not go any further than the top of bank.

Commissioner Hudson asked if Bill Augustin of Gunstra Builders was aware of this being on the agenda.

Steve Murray commented he had talked to Bill Augustin this week and thought he was aware of the agenda.

Commissioner Knochel asked if they wanted to build a deck and if it was already built.

Steve Murray answer was didn't believe so. Chris from surveyor's office had been out in the last month and took pictures. No deck was in the pictures.

Dave Luhman asked if they wanted to resubmit this petition for an amendment asking for a lower amount of encroachment. If the Drainage Board denies this petition they can resubmit another petition.

Commissioner Knochel moved to deny request for 25 foot encroachment on utility and drainage easement for Lot 63, Red Oaks Subdivision, Wea Township, Tippecanoe County, seconded by Commissioner Shedd. Motion carried.

CHICAGO TITLE INSURANCE COMPANY

Dave Luhman gave presentation regarding request of letter from Drainage Board to Chicago Title Insurance Company. The property is located at 3815 SR 38 E known as the **Kyger Bakery**. There has already been a dry closing on the sale. There are 2 buildings that come within the 75-foot easement. The Chicago Title Insurance Company in order to issue their title insurance need letter from Drainage Board acknowledging that buildings on this property were constructed prior to the requirement of the 1965 Drainage Act and are thus legally located structures and do not constitute illegal encroachments. Have tax records from Fairfield Township Assessors Office that show these structures were built in 1948. Dave Luhman presented Commissioner Hudson with letter on Drainage Board stationery for signature stating these structures were built prior to the requirements of the 1965 Drainage Act and are thus legally located structures and do not constitute illegal encroachments. Dave Luhman has reviewed this with Mr. Bumbleburg, who represents Kyger, and has his approval.

Commissioner Knochel moved president of Drainage Board to sign this letter stating the building were built before 1965 and do not constitute illegal encroachments, seconded by Commissioner Shedd. Motion carried.

Being no further business Commissioner Knochel moved to adjourn meeting, seconded by Commissioner Shedd. Meeting adjourned.

Kathleen Hudson, President

Doris Myers, Secretary

John Knochel, Vice President

Ruth Shedd, Member

TIPPECANOE COUNTY DRAINAGE BOARD
MAY 3, 2000
Regular Meeting

Those present were:

Tippecanoe County Commissioners Kathleen Hudson, John Knochel and Ruth Shedd, County Surveyor Stephen Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Doris Myers.

The Tippecanoe County Drainage Board met Wednesday, May 3, 2000, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Kathleen Hudson calling the meeting to order.

The first item on the agenda is to approve the minutes from the April 5, 2000, Regular Drainage Board Meeting. Commissioner Knochel moved to approve the minutes of April 5, 2000, Drainage Board Meeting, seconded by Commissioner Shedd. Motion carried.

52 SOUTH INDUSTRIAL SUBDIVISION

Paul Coutts with C & S Engineering gave presentation for final approval with conditions for 52 South Industrial Subdivision. The site is located on an approximately 19.6 acre parcel bounded by U.S. Highway 52 on the southwest and Old County Road 350 South on the north. The proposed overall development consists of an industrial subdivision. There are 4 industrial lots.

Steve Murray recommended final approval with the condition applicant receive approval from the Indiana Department of Transportation for all work proposed within the U.S. 52 right-of-way.

Commissioner Knochel moved for final approval with conditions of 52 South Industrial Subdivision, seconded by Commissioner Shedd. Motion carried.

AMELIA STATION PLANNED DEVELOPMENT

Tim Beyer with Vester & Associates gave presentation for final approval of Amelia Station Planned Development. This 21.3-acre site is generally located south of McCarty Lane and east of Creasy Lane. More specifically, the project site is south of the existing Weston Woods Subdivision and east of the proposed Cross Creek Lakes Planned Development. The site has approximately 61 duplex lots.

Steve Murray recommended final approval with conditions. One condition is resolution of Elliott Branch #13 ½ of the Elliott Ditch Regulated Drain relocation along with necessary easement, vacations and creations.

Commissioner Shedd asked why they were relocating the drain.

Steve Murray commented the developer was relocating. Primarily because where the drain is located doesn't fit the development well. We certainly don't want an under building site. The burden falls on the developer to provide a new location in lieu of the existing location. Through the construction plan process review we will make sure that it is engineered and still function as it does today.

Commissioner Knochel moved for final approval with conditions of the Amelia Station Plan Development, seconded by Commissioner Shedd. Motion carried.

Steve Murray wanted to make clear that the Elliott Branch #13 tile relocation was in the above final approval with conditions.

BREN BRELLA SUBDIVISION PHASE I

Tim Beyer with Vester & Associates gave presentation for final approval of Bren Brella Subdivision Phase I. This site is part of an overall 440-acre development along County Road 450 East between County Roads

600 and 700 South. The entire site will eventually be developed into a golf course community with approximately 450 to 550 single-family lots and a 160 to 200-acre golf course. Phase One of the development includes 71 lots and portions of the proposed golf course, in the east and southeast portions of the overall site. This project was previously addressed in the April 5, 2000, Drainage Board Meeting and was moved to continue until another drainage board meeting. They are requesting final approval of the 71 lots with detailed storm sewer calculations and then also the conceptional drainage plan for the total 184.5-acre water shed basin. Since they are providing ponds for an aesthetic purpose only, they are also asking for a detention storage variance.

The applicant has provided proof the adjacent landowner has been notified of this proposal and the time and place of this Drainage Board hearing.

Commissioner Knochel moves to grant final approval with conditions for Bren Brella Subdivision Phase I, seconded by Commissioner Shedd. Motion carried.

Commissioner Knochel move to grant approval of the detention storage variance for Bren Brella Subdivision Phase I, seconded by Commissioner Shed. Motion carried.

WALMART-SUPER CENTER/PHASE I POND FOR PARK EAST MARKET PLACE

Steve Murray, County Survey, gave presentation for the Walmart-Super Center/Phase I Pond for Park East Marketplace. This project involves the development of a 40-acre parcel into a Wal-Mart Super Center as part of the larger commercial subdivision, Park East Marketplace. The site is located just south of State Route 26 and just west of I-65. The area is located within the Alexander Ross Ditch watershed, which was the subject of a study completed by Christopher B. Burke Engineering in 1993. They are basically requesting as-built approval of the pond or detention facility. Christopher B. Burke Engineering has looked at these plans and is smaller than originally proposed. Materials excavated to create the detention pond were to be used as fill material for the Wal-Mart development. However, the amount of material needed for the Wal-Mart development was less than originally estimated. Therefore, the amount of material to be removed to create the detention pond was less than originally estimated, leading to a significantly smaller pond.

The water shed is another site issue. Received following letter from John P. Rutte, Project Manager, with JDN Development Company, Inc., dated April 25, 2000.

Mr. Steve Murray
Lafayette County Surveyor
20 N 3rd Street
Lafayette, IN 47901

Re: Request for Approval of As-built Phase I Pond
Park East Marketplace, Lafayette

Dear Steve:

I have received a copy of Dave Eichelberger's recommendation to approve the reconfigured Phase I pond (copy attached), which we greatly appreciate. The purpose of this letter is to request direction from your office as to how we should proceed in order to complete the work as soon as possible.

Also, while I was visiting the site earlier this week Milestone mad an observation and suggestion that I would like to pass along for you consideration.

Milestone noted that the regional detention pond will change shape one of more times in the future in response to the specific needs of future developments on both the north and south sides of the pond. In light of that, Milestone suggested that the concrete low flow itches be constructed in the drainage ways feeding into the pond, whose locations are not subject to change, but that they not be constructed through the pond itself (i.e. from the twin 60" RCP field crossing to the outfall structure). Milestone offered to

credit back the value of any ditch work deemed not necessary at this time. The value of the low flow ditch through the pond area is approximately \$30,000.

If your office agrees that this money might be better used for maintenance of the pond or to meet other county drainage needs, we could transfer this credit to the county through an amendment to the Utility service Agreement or similar means.

I would appreciate your timely consideration of this construction credit proposal, as well as formal approval of the Phase I pond configuration.

If you have any questions or comments, please contact me at (404) 504-6765.

Sincerely,
John P. Rutte, P.E.
Project Manager

Cc: Dave Eichelberger, CBB
Bob McCann, HGA
Larry Brooks, Milestone

Steve commented in lieu of building gutters they will give the county \$30,000.00 to use on maintenance or whatever we see fit. After talking with the City, Dave, and the Contractor this is a reasonable request per Steve Murray. Steve recommended approval of the construction of pond subject to giving the county \$30,000.00 to apply on this particular drain.

Commissioner Knochel moved to grant final approval of the Wal-Mart Super Center project and also approval for deletion of low flow ditch work in exchange for \$30,000.00., seconded by Commissioner Shedd. Motion carried.

OTHER BUSINESS

Gordon Hinkley, 2909 N 600 W, West Lafayette, IN, presented the drainage board with a drainage complaint. He had discussed this issue with former county surveyor, Mike Spencer, approximately 2 or 3 years ago and has been on going for a long time. Something needs to be done. The concern is the Erwin Ditch. Is concerned why he is now being told the Erwin Ditch stops at Jackson Highway. He thinks the tile continuing under Jackson Highway is also part of the Erwin Ditch owned by the county. Fifteen or Twenty years ago the 80 acres north of his property was sold and property owners bull dozed out trees and replanted trees under a government plan of some sort. He believes when they bull dozed out the trees they changed the lay of the land causing a ditch to wash through his land, which makes it impossible for him to farm a portion of his land, without going through his neighbors property. There was never an entrance to that 80 acres until they bull dozed the trees. They but in a sewer and tile that dumps water to the north. Over another 100 yards there is another ditch that has washed through neighbors field and now through his. He has talked to owners and got no satisfaction.

Commissioner Hudson asked who are the owners.

Gordon Hinkley stated Rutherford Farms owns the property.

Commissioner Shedd asked what is the name of ditch.

Gordon Hinkley commented the Erwin ditch.

Steve Murray stated based on his conversations with Mike, it appears the current regulated drain stops at Jackson Highway. The drain south of Jackson Highway could have been a legal drain at one time, but cannot find records per Gordon Hinkley's conversations with Mike Spencer. Will need to do more research on this project. Wanted Mr. Hinkley to get his drainage concern on the records.

Commissioner Knochel suggested taking a field trip to the site to visualize this problem. Steve Murray agreed with Commissioner Knochel suggestion.

Commissioner Shed asked if it is common for legal drains to stop at a State Road or intersection.

Steve Murray stated it is not uncommon for a tile to stop and dump out into a natural ditch or natural waterway. Usually when they stop they dump into a more defined stream.

Commissioner Hudson stated they need to take a field trip to site and do more research and get back with Mr. Hinkley.

Mr. Hinkley had another problem with Canadian Thistles, which are against the law to let go to seed. Canadian thistles are not being mowed along the roadside. The county highway mowed the Canadian Thistles along his road on December 6, 1998, after all the thistles had gone to seed. Last year the county highway mowed after October 1st. This is a highway department concern.

Commissioner Hudson asked for any comments.

Steve Murray stated generally as highway is notified they go out and mow these thistles. The question is do we always know where every Canadian thistle is in county road right-of-ways.

Commissioner Hudson asked if they were sprayed.

Steve Murray commented in that area he would have to talk to Joe Buntin.

Gordon Hinkley stated the Canadian Thistles being seeded into fields are a big concern of the farmers.

Commissioner Knochel also commented he has had problems and concerns with these Canadian Thistles in his own fields. Commissioner Knochel suggested Mr. Hinkley contact the Commissioners when he notices these Canadian Thistles and they would get someone out there to spray.

Gordon Hinkley commented the neighbor would take care of his Canadian Thistles when the state or county took care of theirs.

RETENTION FACILITIES

Steve Murray had a quick question or concern over the retention facilities being constructed. Over the years as these retention facility have been constructed he is not sure if they are requiring any kind of a maintenance bond. About 6 or 8 years ago when a new subdivision was done they started including, as part of the maintenance bond posted with the highway department, the storm sewer system. Because obviously one of the main functions of the storm sewer system is to drain the county roads that we accept. I think we should be requiring some sort of maintenance bond on the actual pond facilities, if we are not already. The easiest way to maybe do that would be to have that amount added to the bond that is posted with the highway, making clear on the face of bond that it includes street improvements and drainage facilities. In the meantime he will investigate and discuss this with Dave Luhman, County Attorney, if there would be any advantage to have them posted separately.

Commissioner Hudson asked Dave Luhman if they needed a motion for this.

Dave Luhman, County Attorney, stated could do on a case to case basis as they come up for their highway approval and approval of the bond.

Steve Murray commented a good example of this is this Wal-Mart pond. We won't be accepting any streets there, because is in the city. But as he understands it Wal-Mart is under the impression that drainage board will maintain that pond. Steve thinks pond construction and street construction are similar in that there can be defects in the design and construction of it and the drainage board shouldn't have to go back in a year or two and fix erosion or structural problems. The drainage board is not overly blessed with money

in that department. Any burden we can put back on the developer for proper construction and design through a year or three-year period would be in the public's best interest.

Commissioner Shedd asked if they could set up a policy like they have with the roads.

Steve Murray stated they can, but this is something he wanted to discuss with Dave Luhman.

Dave Luhman said he would look into this concern.

Steve Murray also wanted to check with other counties.

Being no further business Commissioner Knochel moved to adjourn meeting, seconded by Commissioner Shedd. Meeting adjourned.

Kathleen Hudson, President

Doris Myers, Secretary

John Knochel, Vice President

Ruth Shedd, Member

Tippecanoe County Drainage Board
July 3, 2001
Regular Meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily, Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met Tuesday July 3, 2001 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel, calling the meeting to order.

Approval of June 7th 2001 Minutes

KD Benson made a motion to approve the minutes from the June 7th regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

Shawnee Ridge Subdivision Phase II

Tim Beyer of Vester and Associates appeared before the Board to request final drainage approval for Shawnee Subdivision Phase II. He displayed a map of the site of the project and the surrounding area, including County Road 600 North, State Road 43, Hawk's Nest Subdivision, and the entire Shawnee Ridge property including Phase I, the proposed Phase II, and the pond that was constructed with Phase I, sized to handle capture runoff from everything to the south of the pond including virtually all of the runoff from Phase II.

On a larger scale map of Phase II, he showed the proposed storm sewer that captures the runoff and either ties into the Phase I storm sewer, or extends the Phase I storm sewer and outlets into a ravine at the north end. The water then travels to the pond as detailed on the first map.

Steve Murray asked at what stage construction was on the Phase I pond. Tim replied that they were finishing it up, the pond having been 80% completed during Phase I.

KD made a motion to grant final approval as requested with the standard conditions, (specified on the June 28th Burke Engineering memo). Ruth Shedd seconded and there being no further discussion, the motion carried.

Schroeder Property

Tim Balensiefer of T-Bird Design began with an overview of the Schroeder Property. He displayed a map that showed its location on State Road 38 next to the existing Quality Farm and Fleet store, and further away the locations of Subaru Isuzu, the proposed F Lake, and IvyTech.

The Schroeder property is a 3-acre tract. The proposal is to develop a commercial center on it, a strip center with parking on the majority of the site, the building with some sidewalk out front, and some greenspace around with some landscaping. There's a small area offsite that drains through the site in the present condition, and they have taken that into consideration. Runoff will drain into the State Road 38 drainage ditch, including water from the roof that passes through a catch basin. The water will eventually run from the ditch into the proposed F Lake.

The request Tim brought before the Board is that the onsite detention be stored in the future **F Lake**, with the understanding that there will be fees for such storage.

Steve Murray apologized for the Board not having the latest review memo available, and referenced a Burke memo dated June 28th 2001, which recommended preliminary approval. He reported that the Surveyor's Office concurred with that. He stated agreement that, as has been the case in this area, we have allowed direct discharge to go down to **F Lake**, and the developer would need to compensate the Drainage Board for storage in the F lake. He added that the last figure the Board had was \$15,000.00 per acre/foot.

Steve said that could all be decided as they continued to develop their plan, and that they wanted to know conceptually on a preliminary basis that the Board agreed with their plans.

In response to a question from KD, Dave Eichelberger explained that in the County's continuing effort to provide regional detention instead of having individual detention ponds scattered throughout all the different developments, the County is trying to put in the regional detention concept throughout various watersheds that are seeing a lot of development. He referenced the **Berlowitz Ditch and the Wilson Branch one**.

Steve added that the Board has a study on the entire **Elliott Ditch** watershed, which was updated in 2000 by Burke. As part of that, regional ponds were planned. One is complete and is located at the Tippecanoe Mall across from the County Extension Office, and another has been started and is partially designed. It will be east of Old Ross Road and east of IvyTech and is what has been referred to as **F Lake**. Property to the east and some to the north will drain to that.

Dave continued that they had determined a certain amount of area around there that could be drained directly to **Elliott Ditch**, and its storage could be taken care of by that **F Lake basin**. The Schroeder property is within that area.

Steve stated then that the request before the Board was in conformance with that study and the direction that the Drainage Board and Surveyor's Office have taken in the past, and repeated the recommendation for preliminary approval.

KD made the motion to grant preliminary approval to the Schroeder property, seconded by Ruth. There being no further discussion, the motion carried.

First Church of the Nazarene

Pat Sheehan of the Schneider Corporation presented the proposal for the development. The site is located east of County Road 500 East, and just south of State Road 26 East. It's just east of the Meijer's development and is also surrounded by other developments. To the north and east is Brookfield Farms, and to the south is Saddlebrook Estates. He continued that this is the last piece, it's twelve acres of farm field, and everything around it is developed.

They examined the existing drainage basin, and there are four different areas where this drains off site. It drains to the north into Brookfield Farms in two locations, to the south into Saddlebrook Subdivision, and there is a drainage area that goes to the County Road 500 East ditch and some ultimately goes off to the east.

The proposal was approximately a 35,000 square foot building structure and about 1.7 acres of parking. The drainage basins and the way they intend to drain the proposed area is to split it up so that about 80% of the area drains to the north into a dry detention pond. That pond will connect to an existing tile that crosses under C.R. 500 East and goes into the Meijer development, ultimately to the **Alexander Ross** drain.

The last portion of the development drains to another dry basin that ultimately discharges into the C.R. 500 East ditch, which drains to the south. They requested final approval based upon the condition in the Burke memo of June 28th 2001.

Steve commented that Pat and he had discussed doing direct release to the C.R. 500 East ditch, and gave the board a little history. Unfortunately, while the designs for the development surrounding this site were being done, the County didn't have access to the G.I.S. contouring data. Because of that, this site was ignored as far as their offsite water being accommodated into the surrounding developments. This made the site difficult to design for, and he suggested that Pat be able to do whatever was best for his client, given the amount of time they had spent on this design, and the fact that they were strapped with some design considerations that really weren't their fault. Steve recommended that the Board approve this design, or if Pat thought it was better for his client to look at direct release and free up that area as developable area, to go that route as well.

Pat stated that approval of direct release would enable a better development for his client. Trying to restrict so much in some of these smaller areas ends up causing areas that remain wet. They're hard to restrict and the restrictor is small and gets clogged. Ultimately, the impact to the C.R. 500 ditch is very minor. Direct release would create a better development, without small mosquito (producing) ponds.

KD asked if there were houses right up against there. Pat replied that there are some in Saddlebrook Estates Subdivision, but that the drainage will not be going in that direction, instead being captured and taken to the west into the C.R. 500 East ditch. In response to questions from Steve and KD, Pat stated that changing to direct release would involve removing a pipe and restrictor. The water would still collect in the same area with a discharge of 2.5 cubic feet per second as opposed to 1.2 cfs.

Steve added that to the north where they're discharging into the existing tile, once again that is probably not a desirable situation but they have absolutely no other choice. The tile picks up the backyard runoff from Brookfield Farms, and this

development will put a restrictor plate on their outlet to meter that water out to the point that the tile can accommodate the water. This addressed KD's question about drainage through backyards in Saddlebrook Estates. This water will go into a drainage easement there as it was intended to, and had always gone in that general direction. It just wasn't recognized and accommodated as they were doing their design on that phase of Saddlebrook. But once again, this property owner has no other choice, so the Board has to let them go that route. He added that it's been designed properly and will be metered out. Pat added that the water would be detained in the basin area.

KD asked if there was no choice but to have a wet area. Pat said that it would be dry except immediately after rainfall. Steve added that the in rear yard swale in the existing subdivision the effect really should be nominal, but that even under current conditions in certain rainfall events he was sure water stands until it can get out through the fairly small tile. Steve then recommended final approval with the conditions as stated on the June 28th memo.

KD moved to grant final approval with the conditions so specified, Ruth seconded, and there being no further discussion, the motion carried.

The Commons at Valley Lakes

Jerry Withered representing Cedar Run Limited, owner of The Commons at Valley Lakes, referenced a request sent to the Drainage Board to approve reconstruction of a portion of **Branch 7 and all of Branch 8 of the Kirkpatrick Ditch**, rather than going through the vacation process. This was suggested by Steve Murray and Dave Luhman per section 52.5 of the County Drainage Ordinance which states that the Drainage Board is permitted to authorize the reconstruction rather than the vacation of a legal drain on various conditions: First, that the project is on property all owned by the petitioner, which is true in this case; Second, that the specifications have been approved by the County Surveyor, which is also believed to be true in this case; Third, that the project will be completed under the supervision of the County Surveyor, and they are happy to have that supervision; Fourth, that as in this case, the petitioner will pay all costs of the reconstruction; Fifth, that the County Surveyor has investigated whether this reconstruction will adversely affect any of the landowners upstream, which has been done; Last, that the Drainage Board makes a finding that no landowner upstream is going to be adversely affected. Jerry summarized by saying all his client is doing is reconstructing and putting in a large drainage tile where formerly there had been a ditch. He then introduced civil engineer Alan Jacobson from Fisher and Associates to show the specifics of the proposal.

Alan gave some background with aid of a map showing South 18th Street, the direction of County Road 350 South and Valley Lakes Plaza, the location of Concorde Road, County Road 430 South, Wea Ridge Elementary School, and the site for Wea Ridge Middle School. He pointed out The Landing at Valley Lakes, Phases I and II. Phase I has been constructed, with only a few empty lots left in the subdivision. Phase II was accepted on the morning of July 3rd by the Lafayette Board of Works, and construction was to begin by the end of the week.

He then pointed out the site for The Commons at Valley Lakes, a 40-acre site that adjoins South 18th Street, the north line of it being roughly the main branch of the **James Kirkpatrick Drain**. When they did the development for The Landing Phase I, they created a retention pond to deal with the stormwater management issue. Currently there is a pipe that runs north from the pond some distance before ending. A temporary open channel has been cut through the high ground. The water is managed on site because there was no choice at that time due to the size of the development and the fact that the downstream facilities had limited capacity. When they did The Landing Phase II, the water originally drained through a low area via a temporary channel to a natural depression that currently exists on the site. It's quite a large depression, an old pothole swamp with lots of black dirt. This plan was approved by the Drainage Board.

The philosophy they took for The Commons was under the assumption that **the Kirkpatrick Drain** was to be improved in a significant manner, sized to accept water from developed areas on these properties and also to the east and north of the 18th Street crossing. He then cited three new culvert bridges planned. Their philosophy was then; that there would be no need for onsite stormwater detention, that the capacity of this newly reconstructed Kirkpatrick Drain would accept the water from the site.

Moving to a discussion of the current conditions of the drain, he detailed a 30-inch tile for the main branch. Branch 5 is a small branch that goes to the north. Across the Cedar Run Properties, Branch 7 runs to their southeast corner, and Branch 8 joins the north line at The Landing at Valley Lakes. This tile line has diameters of 10, 12, and 15 inches along its length.

In response to a question from KD about the current condition of the tile, Alan explained that the tile did continue further than it currently does before The Landing At Valley Lakes Phase II was developed. They obtained Drainage Board approval to vacate a small portion, and they intercepted three tiles from Mr. Yount's property on their south line, one from a pond and

the other two being field tiles. The water from them was directed through the storm drainage system for The Landing At Valley Lakes Phase II. That currently discharges through a 36-inch pipe just west of the existing tile. The creation of the temporary channel to the low area was so that its discharge could be regulated as opposed to letting it run off by its natural course down into the low area that runs along the **Kirkpatrick Drain**.

What they were proposing to do is extend the existing outlet pipe for the retention pond for Phase I of The Landing down through the proposed subdivision to exit into the improved or reconstructed **Kirkpatrick Drain**. This would be a 36-inch storm drain all the way down, and it would accept other water from the proposed developments, both current phases and future phases, and has been sized accordingly.

At the point where they discharge from The Landing At Valley Lakes Phase II, that storm line will also be continued across the open space which will eventually be developed, and then through the Commons. This would be a 42-inch storm drain increasing in size to a 60 inch before reaching the **Kirkpatrick Drain**, due to grade considerations. He then referred to a third series of storm drains proposed that will also outlet into the **Kirkpatrick**. These will accept water primarily from future phases of development, although some of the lots in the current development will actually drain through that pipe system.

The total proposal is for three outfall locations into the reconstructed Kirkpatrick Drain. The water that was originally detained in the low area for The Landing At Valley Lakes Phase II will now run completely through the pipe system, and therefore not be detained in that low area as soon as the construction is complete.

Alan then discussed the existing field tiles. No changes are proposed for Branch 5 on the other side of the ditch. Branch 7 will be left partially in place, connected to the 42-inch storm drain at the south line of their current phase. Branch 8 will be partially removed as the new storm drain is laid, the remainder continuing to drain to Branch 7. The portion of Branch 7 which will be left in place will be in a section that is proposed as a park and recreation area with no building activity proposed over it.

In response to a question from Ruth Shedd, Alan verified that not all of the tiles of Branches 7 and 8 would be replaced at this time, though he did confirm that future development on the 200 plus acres will bring requests to relocate upstream areas, and their design takes that into consideration. They will intercept on their east line, routing the water down through the site in the proposed storm sewer system. He then restated that the current proposal features intercepts at the south line of the phase, routing through a new, larger storm pipe out to the **Kirkpatrick Drain**.

Ruth then asked if approval is given for reconstruction on the branches but not all of it will be done now, whose responsibility and at what time will that approval be requested? Or, she continued, is the Board being asked to approve later reconstruction now? Steve Murray answered that at this time, the Board is being asked to grant approval for relocation of that portion of those branches within Phase I. As they develop on the south and east, he assumed they would follow the same procedure in seeking approval. One of the requirements is that they have construction plans approved, and generally they don't generate those plans until they are closer to getting ready to build that phase or section. He concluded that the board can grant approval incrementally with no problem, and there's really no need to act on future relocations at this time because the easement will exist for those branches until such time as they develop the plans for that phase or section.

Steve also added that this process is easier compared to in 2000 when they vacated that small portion to the south with the hearing and notice process. This is cleaner and easier, and for all intents and purposes they always have to pick up that water that comes overland or through the tile and run it through their storm sewer system anyway. The net result is leaving a 30-foot drain easement that follows the new storm sewer. KD asked if the Surveyor had to approve it. Steve confirmed that, and added for the record that this is in the City of Lafayette, so the Board's approval will be contingent on the City's approval. All the Board needed to do at this time compared to other developments is to look at the effect on the regulated drain which is soon to be the **Kirkpatrick open ditch**, and the two laterals that were referred to earlier.

KD asked Steve to confirm that they will all be part of the Regulated Drain when completed and he did so, adding that he wanted to distinguish the individual portions. Steve then asked Alan about the temporary storage issue, referring to a worst-case scenario in which the construction is complete but The Board has been unable to start on the **Kirkpatrick project**. Alan responded that given the uncertainty of the construction timetable for the excavation portion of the **Kirkpatrick Drain** reconstruction project, several discussions had been conducted between them and the City of Lafayette and also the County Surveyor's Office. Regarding providing interim storage in the event that their schedule gets ahead of the reconstruction schedule, one viable option is to partially excavate along the alignment of **the Kirkpatrick Drain channel**. In other words, they will have pipes in the ground below the existing grade at these three outlet locations. They propose to create an excavation in the vicinity of these outflow pipes. This isn't intended to be a full excavation to the actual depth and cross

section of the final ditch alignment, but a partial excavation that would provide enough volume in the interim to satisfy the requirements of the release rate in the ordinance. He responded to a question from Steve by replying that his client was willing to do that in the event it became necessary.

KD asked if that was the eventual park location. It is not, but rather in the proposed ditch channel alignment area. Steve reiterated that this is referring to a worst-case scenario, and that hopefully the Board will get its permit from the Indiana Department of Environmental Management and will be able to begin construction within the next month or so. Alan did a quick estimate on volume based on developed area. The schedules will determine whether they have to come back to the Board with an interim detention plan for a partial excavation within the **Kirkpatrick Legal Drain**.

KD asked Steve if he and the consultants were comfortable with the plans proposed, and Steve responded that they were.

Jerry Withered clarified that they needed two things: First, the final approval of the drainage plan for Phase I of the Commons at Valley Lakes; Second, the approval for reconstruction rather than vacating **Branches 7 and 8 of the Kirkpatrick Ditch**. Dave Luhman added that the second issue first required a finding by the Board that no landowner upstream would be adversely affected by the project. He continued that a condition of that finding might be that the temporary detention would have to be constructed if their plans got ahead of the Kirkpatrick, since it seemed that there might otherwise be some adverse effect on landowners.

Dave suggested a motion to find, subject to the condition that they include the temporary detention pond as part of the project, that no landowners would be adversely affected. Following that would be a motion to approve reconstruction. Steve commented that the first act should be on their drainage submittal, indicating that the Surveyor's Office and Drainage Board engineering consultants would recommend that the Board give final approval to The Commons at Valley Lakes Phase I subject to the conditions stated on the June 27th review memo, stating for the record that condition number one on the memo did discuss the temporary detention situation if in fact the **Kirkpatrick Drain** hasn't been reconstructed, and that it's all subject to the City of Lafayette's approval.

KD Benson so moved, Ruth Shedd seconded, and there being no further discussion, the motion carried.

Steve stated an area of concern on the second item, that he hadn't seen a final set of construction plans on the relocation of the **Kirkpatrick Laterals, Branches 7 and 8**. 52.5 does require approval of the Surveyor. Alan said that the City was reviewing internal storm drains, sanitary sewers and water. A few minor changes were yet to be made, and he expected to provide the Surveyor's Office with a final set of plans by July 9th. Steve added that he was satisfied that through the normal construction plan review process the Board would get what it needs; to accommodate those two tiles into their new storm sewer system along with a 30 foot new regulated drain easement to follow the new storm sewer route. With that he deferred to Mr. Luhman as to how to follow through on their request for the reconstruction.

Dave Luhman suggested first that there be a finding of no adverse effect on adjoining landowners based on the review and recommendations of the Surveyor's Office and the Drainage Board engineering consultants. Steve said; assuming as expected that a good set of plans that accommodates the flow of those tiles through a new route, it will not have an adverse effect on any upstream landowners. He continued that Branch 7 does cross onto property owned by another individual, which was partially why he suggested that they go this safer and easier route. Even with the worst-case scenario on the reconstruction of the **Kirkpatrick** they will provide temporary detention in the proposed easement for the new channel. That would be submitted for review if it were needed, so there would be an opportunity to review and make sure that nobody upstream would be adversely affected.

Ruth asked if the Board is just concerned with one other landowner there. Steve's response was that's primarily true, but this process is the safest way to do it and provides protection to upstream landowners, which is why he could report a finding that no upstream landowners would be adversely affected.

KD then made a motion that the Board find that no adjoining landowners would be adversely affected by this reconstruction. Ruth seconded, and there being no further discussion, the motion carried.

KD then made a motion to grant approval for reconstruction of **Branches 7 and 8** assuming final construction plans arrive. Ruth seconded, and there being no further discussion, the motion carried.

President Knochel asked Mr. Murray for a report on where the Board was with the reconstruction of the **Kirkpatrick**. Steve reported that the Board was still awaiting approval from IDEM and also awaiting offer letters for the right-of-way which

needs to be acquired, most of which is west or downstream of South 9th Street. He also verified that a bid had been accepted from a contractor who is ready to start. IDEM was insisting that a concrete bottom could not be included, and Steve stated that conceding that was likely to be required to move the project forward.

Petition For Partial Vacation Of The Vanderkleed Drain

Joe Bumbleburg referenced a petition given to Board members for the partial vacation of the Vanderkleed Drain. Included in it are: The legal descriptions required; the land over which it should run; and averments of the appropriate statutory requirements – that the abandonment will not be detrimental; and that the reconstruction of the drain would cost more than the benefits.

Joe stated that this was essentially a tying up of a loose end in that the proposed drainage plan for the Lindberg Village subdivision had been approved, and that the subdivision had received primary approval of the Area Plan Commission. Therefore, the only question to be decided before Board action would be the question of persons affected by this vacation. He references a very old drawing that suggests the area being drained by this drain is all on this site, and when they put in the drainage system for the subdivision, they will be taking care of everything within their own property that is subject to the drain as it currently existed. Since there are essentially no other persons affected by this, it would simply require the finding of no adverse effects as in the previous item on the Board's agenda. Then the Board would be able to decide the question of vacation.

Steve Murray commented that the Surveyor's Office would concur with the vacation as requested on this site, with his only concern be that the Board follow the statutory requirements. He added that he thought the petitioners had exercised due diligence in talking to adjoining landowners, but felt that anyone within the watershed to the north needed to be contacted and given a chance to respond.

Bill Davis of Hawkins Environmental came forward to demonstrate with the aid of the map that there are no other landowners upstream in the watershed in question. After discussion between Bill and Steve, it was agreed that this was the case.

KD made a motion to find that no other upstream property owners would be adversely affected by the vacation of the Vanderkleed Drain. Ruth Shedd seconded, and there being no further discussion, the motion carried.

KD then moved to approve the petition to vacate that portion of the Vanderkleed Drain. Ruth Shedd seconded, and that motion likewise carried.

Engineering Review Fees Ordinance

Steve Murray stated that he had placed the Engineering Review Fees Ordinance on the agenda primarily to make certain that the Drainage Board members and attorney were comfortable with the process that was followed to pass that ordinance. Dave Luhman stated that since the last Drainage Board meeting, the Tippecanoe County Board of Commissioners had adopted the ordinance on first and second reading so that all necessary action had been taken. The ordinance was scheduled to have taken effect on July 1st 2001, so with petitions now filed it would apply, and developers would be required to pay the cost of the engineering review fees for anything submitted on or after that date.

Cuppy McClure Regulated Drain - Assessment

Steve stated that this had also been discussed before. The Cuppy McClure was one of three branches of the Hadley Lake Drain. The outfall runs north and east of Hadley Lake. It was constructed and accepted, and an assessment was started on the acreage in that watershed. The Baker Dempsey was reconstructed as well, and an assessment started on it. Cuppy McClure was the last of these three drains, and has been completed and accepted, but an assessment was not started. Steve found this when he was researching the file when there was some blockage and stoppage on the Cuppy McClure tile as it runs through the Great Lakes Chemical property. He stated a belief that based on everything he found and Mr. Luhman's review that the Board should have that assessment start now.

KD referred to the earlier discussion having included the issue of mailing notification to landowners in that watershed. Steve stated that was correct. KD then made a motion to recognize that the construction was complete, and for the Board to move ahead with starting the assessment process. Ruth Shedd seconded, and there being no further discussion, the motion carried.

Other Business

Joe Bumbleburg rose to address the Board on behalf of another client, Kenneth Puller and his Foxfire development on Haggerty Lane. He wanted to address the issue of escrowing the funds for drainage improvements. This development is

contributory to the F lake, and they were seeking permission to put money into the **F lake** escrow fund against the time that it would be needed. He stated he understood from Dave Luhman that there was a form of agreement that had been used previously by the Drainage Board that would be provided to him, but the signal they sought from the Board was that they would authorize them to pay the monies into that escrow fund against the time that it would be needed by the Drainage Board for work on the F lake.

KD asked if this was to be in lieu of actually making road improvements. Joe responded that the road improvements are under the jurisdiction of the Board of Commissioners, but that he was essentially talking about the same thing for the offsite drainage improvements. John Knochel asked when the Commissioners had last heard proceedings on Foxfire, and Joe responded that they had heard two versions of this with the Area Plan Commission on the actual subdivision process, and once early in 2000 on a rezoning as well as on a tax abatement.

KD stated that she would like the Surveyor to review the request and make recommendations before she would feel comfortable making a motion. Dave Luhman commented that he had suggested using something similar to what the Board had used with the **Alexander Ross Drain** on Park 65. The initial developer knew they were going to have to build a large detention pond and weren't going to construct the whole thing, but there was an agreement that future developers who would participate in that would pay for the value of their usage. He stated that if the Board hadn't yet got a mechanism set up like that for F lake, the Board should probably look at it because there had been two projects impacting F lake at this meeting, and there would be more.

Joe asked if there was a current fund existing on the **F lake**. Steve replied that there are some funds, probably a nominal amount, adding that the city generally collects those funds for the Drainage Board. The last time it came up a few months ago, there still wasn't enough to finish the design let alone to construct the facilities. He added that as developments are occurring in the area, obviously the Board is getting closer to that.

Joe asked if whatever they put into this fund would facilitate the design of the lake, at least at this point. He then stated that all he was asking was for the Board's approval to use that vehicle, whatever that fund might be. Steve stated that the Board hadn't finished the review, that the site had a three-year Drainage Board history, and that he wasn't prepared to recommend the Board take the step requested by Mr. Bumbleburg. He added that former Surveyor Mike Spencer had been involved, that it was a very thick file, and he needed to finish the review and check the intent underlying previous reviews.

Ruth Shedd asked if the Board could have a standard resolution for something like this. Dave Luhman replied that the Board could, once the review was completed and there was a determination on what the costs were going to be and how to appropriately share those. Ruth added that this was obviously going to come up more than once. Steve agreed, mentioning that it had in the past, then adding that generally with these regional concepts, they're within the city's utility service area, and they've handled the cost recovery through their normal utility cost recovery system. On **Elliott**, he said, the money for water that goes to the Mall pond the city collects and holds, and water that goes to **F lake** where money is given in lieu of onsite detention, that money goes to the County.

Ruth asked if the petitioner could hold off for another month. Joe responded that a month would present a problem. Mr. Puller rose to speak, representing 'Faces', which is the sponsor for Foxfire. He stated that the problem they had was that their option was running out that they have to get financing on this, and that they had to get it approved through FHA just for the enhancement. The dollars were originally estimated at \$50,000.00. Their engineers now put that figure at \$66,000.00 that they have to put in at the time of closing.

Steve stated that the problem with this site is that it did not have an outlet currently, and so there were some proposed improvements that were supposed to be put in place in order to provide a positive outlet. Because of that, he didn't know that agreeing to escrow the money would ever result in the Surveyor's Office making a recommendation to approve their drainage plan. Ken stated that they were there to discuss the 66-inch offsite storm sewer line. In the drainage plan they proposed to put a permanent holding pond in the project.

Steve and KD stated their beliefs that this request was premature without engineering review and recommendations. Joe asked if assuming the plan gets approval, would the Board allow the developers to put the money into escrow. Steve restated that he was not prepared to recommend that at the present time, that he wasn't certain that the Surveyor's Office and engineering consultants would ever get to the point of recommending escrowing the improvements as opposed to putting them in. Joe drew a distinction between what he saw as Steve's position that he didn't know if the plan would be approved, and Joe's request for their financial planning purposes for an understanding that if the plan was approved, that the money would be accepted into escrow. Steve pointed out that part of the plan is the improvements.

Joe reiterated that he was only discussing the event that the plan was approved. If the plan were not approved, the money would not be needed and would not be given. He again requested an understanding from the board that if the plan was approved, that the Board would allow monies to be escrowed as requested. Steve stated that as long as the petitioners understood that part of the plan approval process may be that the improvements are required to go in and the monies not be escrowed, he could recommend agreement. He then clarified for KD that the improvements in question would be to convey water from the site to the F lake. Joe added that he understood that some of the money might need to be spent rather than escrowed.

Dave Luhman clarified that the money in question was the share of money to design and develop the F lake, not the money to design and build offsite improvements to outlet water from the site to the lake. KD asked if there was a reason the Board wouldn't want to escrow the money. Dave replied that if the Board weren't ready to complete the construction of the **F lake**, and has been able to determine what their share of the **F lake** cost would be and the developers agreed, the Board could accept those monies and put them in escrow. That's separate from approving the drainage plans.

Joe suggested that if the Board was having trouble raising the funds for the design of **F lake**, it should want contributors so that progress could be made, and reiterated that all he sought was an indication that the money would be accepted into escrow if the drainage plan was approved.

John Knochel indicated that he could personally give conceptual approval to that request. Ruth Shedd agreed, stipulating an understanding of the difference of the monies, who was going to use it, and where it was going to be used. KD also expressed agreement on that basis. Joe thanked the Board, then asked Dave Luhman to provide him a copy of the earlier agreement on the Alexander Ross Ditch, and Dave agreed.

There being no further business, KD moved to adjourn the meeting. Ruth Shedd seconded, and the motion for adjournment carried.

John Knochel, President

KD Benson, Vice President

Robert Evans, Secretary

Ruth E. Shedd, Member

Tippecanoe County Drainage Board
Minutes
April 7, 2004
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President John Knochel, Vice President KD Benson, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, County Highway Engineer Tim Wells, Drainage Board Secretary Brenda Garrison, and GIS Technician Shelli Muller.

Approval of March 3, 2004 Minutes

KD Benson motioned to approve the minutes of the March 3, 2004 regular meeting and minutes of the March 3, 2004 Obstruction Hearing as written. Ruth Shedd seconded the motion and the minutes of the March 3, 2004 regular meeting and the Obstruction Hearing minutes were approved as written.

Tippecanoe Shoppes Subdivision Lot 1

Steve Murray stated this was a new lot in the Meijer area inside the city of Lafayette's limits. The concern was it discharged into a pond, which was part of the Alexander Ross Regulated Drain. While the submitted plan was reviewed by the Surveyor's office, the intent was not to present it to the Drainage Board. The pond was designed originally to handle future development and based upon the submittal, the original drainage plan for the Meijer property was followed. KD Benson made a motion to withdrawal Tippecanoe Shoppes from the agenda. Ruth Shedd seconded the motion. The motion was granted.

Avalon Bluffs Section 1

Brandon Fulk from the Schneider Corporation appeared before the Board to request a variance on the post-developed release rates and final approval for Avalon Bluffs Subdivision Section 1. This section was a part of the overall Avalon Bluffs Development. In addition to Section 1, a conceptual plan was submitted for the overall development.

The project was located on the south end of the County, east of County Road 250 East (Concord Road) between County Roads 450 South and 500 South. Benjamin Crossing Development was located directly north of this site. Brandon stated there were five (5) separate off-site release points for the overall development. The northern portion of the site drained to the Kirkpatrick Regulated Drain watershed and the southern portion of the site drained to the Kenny Ditch, which was a part of the Wea Creek Watershed. Brandon pointed out that a private tile in the northwest corner of the site would not be used for discharge. The proposed site would have three discharge points. Section 1 and Section 2 discharge point was located in the northeast corner with a minimal of direct discharge and utilized a detention pond. The outlet ran parallel to and conveyed under County Road 450 South and continued approximately 350 feet (350') east to Benjamin Crossing Development's site. Section 3 was in the conceptual stage at this point, and would drain to the south. Brandon stated the developer was aware of the surrounding landowner's concerns regarding the existing pond and ecosystem south of 500 South. The developer had directed Schneider to be proactive in meeting those concerns. All downstream owners would be contacted when they were closer to developing that portion of the site. A meeting would be held with the landowners for review of the plans.

Brandon stated they conferred with the conditions on the April 2, 2004 Burke memo, but did need to clarify #4 regarding the variance for the post development runoff deviation. When Benjamin Crossing Development was analyzed, basins W1 and W2 were one basin. That basin was split in two and the methodology was revised. A model of the total system to include the Benjamin Crossing site would be documented to show no adverse impact on the adjoining landowners by the decision to split the basin. He stated the Surveyor's office request for signage and boat ramp accessibility would be provided.

The Surveyor recommended granting a variance for the direct discharge into the Benjamin Crossing storm system. The discharge would not be on a downstream landowner. The developer had control of the property, which would receive the discharge, and the storm system was designed to handle it. Dave Eichelberger informed the Board; the increase occurred when you compared the ten-year post developed to the two-year pre developed which was the first stage and the second stage was one hundred year to the ten year.

Steve felt it would be prudent to grant the variance subject to the Surveyor's office final review. KD Benson motioned to grant the variance request subject to the condition as stated by the Surveyor. Ruth Shedd seconded the motion and the variance was granted. Steve stated he was prepared to recommend final approval with the conditions as stated on the April 2, 2004 Burke memo as well as the rerouting the Kirkpatrick Regulated Drain around the detention pond at the northeast side of the Benjamin Crossing development, including the installation of two ten inch (10") pipes for outlets and correction of the erosion and sediment problems at the conspan located at Concord Road and Kirkpatrick Ditch. Brandon stated they concurred with that. KD Benson motioned to grant final approval with the conditions noted on the April 2, 2004 Burke memo in addition to those noted by the Surveyor. Ruth Shedd seconded the motion. Avalon Bluffs Section 1 was granted a direct discharge variance and final approval with conditions. Those conditions were noted on the April 2, 2004 Burke memo, as well as rerouting the Kirkpatrick Regulated drain, installation of two ten inch (10") outlets for the pond in the northeast corner of the Benjamin Crossing development and erosion and sediment correction.

Boothe Farms Subdivision

Robert Gross of R.W. Gross and Associates represented Greg Sutter and appeared before the Board to request a variance of the standard stormwater detention requirements and final approval for the Boothe Farms Subdivision project. The site consisted of ten and one tenth (10.1) acres located on the north side of County Road 700 North about one fourth (1/4) mile east of County Road 775 East in Washington Township and would contain five (5) residential lots. Wentworth Lane, a twenty-foot (20') wide paved road, would provide access from County Road 700 North. Most of the site discharged to an existing open ravine at the northwest corner of the property, then approximately three fourths (¾) of a mile north to the Wabash River. A 24" culvert conveyed runoff from the northeastern portion of the site to the west side of Wentworth Lane and eventually discharged into the ravine through a stormwater swale. Due to the amount of runoff from the site, a variance was requested. When modeling the project small changes were noted on the existing conditions to the proposed conditions. The runoff would increase slightly. The two-year runoff was increased from 21 cfs to 23 cfs, ten-year from 42 cfs to 46 cfs, and the 100-year from 71 cfs to 80 cfs. A rock dam to minimize erosion would be installed at the most upstream portion of the open ravine.

The Surveyor recommended granting the variance subject to the installation of riprap to help stabilize the ravine in addition to a covenant to restrict the amount of impervious area. KD Benson made a motion to grant the waiver subject to the Surveyor's conditions. Ruth Shedd seconded the motion and the variance was granted. The Surveyor recommended final approval with conditions as stated on the April 2, 2004 Burke memo. KD Benson motioned to grant final approval with the conditions stated on the April 2, 2004 Burke memo. Ruth Shedd seconded the motion. Boothe Farms Subdivision was granted final approval with the conditions stated on the April 2, 2004 Burke memo.

OTHER BUSINESS

Revised NPDES Phase II Stormwater Quality Management Plan and Permit Contract

The Surveyor presented to the Board a revised NPDES Phase II Stormwater Quality Management Plan and Permit contract with Christopher B. Burke Engineering for additional fees. The cost was shared between Tippecanoe County, City of Lafayette, City of West Lafayette and Purdue University. When the original contract was executed approximately two years ago, Rule 13 was not finished and deadlines were moved back. The NPDES project team had reviewed the revision to the contract. The cost covered additional meeting attendance, technical guidance through the process, development assistance of the Phase II website (program requirement), as well as reformatting the individual ordinances into one comprehensive ordinance. Tippecanoe County's portion of the revised contract amount would be \$22,000.00, City of Lafayette's \$16,000.00, City of West Lafayette's \$12,000.00, and Purdue University's portion would be \$10,000.00. The two cities and the University were in the process of executing the revision at the present time. As the monies were available, the Surveyor recommended granting the increase in the contract for Phase II with Christopher B. Burke Engineering. KD Benson motioned to approve the contract revision with Christopher B. Burke Engineering and Ruth Shedd seconded the motion.

Winding Creek Section 1/Reduction of Drainage Easement/ County Farm Regulated Drain

A request to modify the Legal Drain Easement of the County Farm Regulated Drain had been received by the Surveyor’s office for a part of Lots 45 and 46 of Winding Creek Section 1 Subdivision. The request involved the reduction of the current seventy-five feet (75’) Easement to fifteen feet from the centerline of the tile across lots 45 and 46 in Winding Creek Section 1 Subdivision. Dave Luhman had reviewed the request and stated since the parties had not signed it, the Board should approve the form itself. Once the parties submitted a signed request the Board could then sign it. KD Benson moved to approve the form and authorize the signing of the Easement once received with proper signatures. Ruth Shedd seconded the motion and the modification of the Legal Drain Easement was granted once the proper signatures were obtained.

Boland Heights/ Reduction of Easement/ Branch 1 of Branch 4 of S.W. Elliott Regulated Drain

The Surveyor presented a request to modify the Regulated Drain Easement for a portion of Branch 1 of Branch 4 of the S.W. Elliott Regulated Drain located in Boland Heights Subdivision. The requested modification was to reduce the existing seventy-five feet (75’) from the tile’s centerline to fifteen feet (15’) each side of the centerline of the tile for a total of a thirty-foot (30’) overall Easement. The portion of the Branch in question was located in Section 17, Township 22 North and Range 3 West and also a part of tract fourteen (14) and nineteen (19), as shown on the Plat of Survey recorded Document Number 98-06220.

KD Benson motioned to grant the Easement Reduction as presented by the Surveyor. Ruth Shedd seconded the motion and an Easement Reduction for a portion of Branch one (1) of Branch four (4) of the S.W. Elliott Regulated Drain was granted as presented to the Board by the Surveyor.

As there was no other business before the Board, KD Benson motioned to adjourn. Ruth Shedd seconded the motion and the meeting was adjourned.

John Knochel, President

KD Benson, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
February 2, 2005
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, County Highway Engineer Tim Wells, and Drainage Board Secretary Brenda Garrison. GIS Technician Shelli Muller was absent.

Approval of January 5, 2005 Minutes

John Knochel stated the January 5, 2005 minutes reflected his attendance. As he was absent for that meeting, he made a motion to approve the minutes with a correction indicating his absence. KD seconded the motion and the January 5, 2005 Drainage Board Regular minutes were approved with the correction as stated.

Comprehensive Stormwater Management Ordinance

Steve Murray updated the Board regarding compliance with the Federal Clean Water Act through Rule 13 and Rule 5 in Indiana. Part C was to be filed November 4, 2004. However an extension was requested and IDEM (Indiana Department of Environmental Management) granted an additional ninety days. February 4, 2005 was the extended deadline. IDEM granted an additional thirty-day extension. The filing deadline of Part C was now March 4, 2005. The following entities were on track to adopt and pass the Comprehensive Stormwater Management Ordinance in accordance with the federal guidelines; Lafayette, West Lafayette, Dayton and Battleground, as well as Tippecanoe County. Cost sharing was utilized between the entities.

The ordinance was patterned off of the existing Stormwater Ordinance, which addressed stormwater quantity. Provisions were added to address stormwater quality, and the various control measures as required by the aforementioned rules. A steering committee, project team and subcommittee reviewed technical standards. The Surveyor stated a majority of the local engineering companies were included in this process. Implementation of the federal guidelines had been a two to three - year process. The Drainage Board Attorney and Surveyor reviewed the ordinance and made appropriate corrections. The Surveyor stated he felt the ordinance was a good product for the community.

Pat Jarboe approached the Board and asked when the ordinance would be implemented and what would be the length of the interim period. The Surveyor stated he was unable to answer, as it was a federal mandate and would depend on legal aspects of the federal guidelines. The Surveyor felt once the ordinance had passed both readings, it would take precedence over the existing ordinance at that time. Copies of the proposed ordinance were available for public review at this time. It was discussed whether it should be on the web page, however the Surveyor felt it should be available by CD at this time only.

At that time, the Surveyor presented Ordinance No. 2005-04-CM amending Tippecanoe County Code, repealing Section 155.01, and adding the new Section 155.01 Comprehensive Stormwater Management Ordinance. Exhibit A was the Stormwater Ordinance guidelines as well as the Technical Standards Manual. John Knochel made a motion to approve and pass Ordinance No. 2005-04-CM on first reading. KD Benson seconded the motion. The following voted as indicated: KD Benson- yes, John Knochel-yes, Ruth Shedd-yes. Ordinance No. 2005-04-CM regarding Comprehensive Stormwater Management was passed on first reading unanimously. It was agreed to place the ordinance on the next Drainage Board meeting agenda for the second reading, followed by a Special Commissioners' Meeting for a second reading also.

Water Safety Committee

Mike Wylie of Schneider Engineering approached the Board as a member of the previously established Water Safety Committee. He stated he was in attendance to today give an update to the Board on the Committee's progress. The committee was formed to look at public safety issues, both in design and education. A design subcommittee and an educational (outreach to schools etc.) subcommittee were formed out of the main committee members. Mike stated he would like to review the outcome of these committees at the next Drainage Board meeting in March. A Power point presentation would likely be made at that time. The Surveyor stated safety recommendations from the subcommittee were included in Ordinance No. 2005-04-CM. The Surveyor also stated Mike would be added to the March meeting Agenda of the Drainage Board.

Other Business

Classification of Drains

In accordance with I.C. 36-9-27-34, the Surveyor presented a Report of Drains to the Board. The report listed classification of drains, drains in need of reconstruction, urban drains, drains in need of periodic maintenance, and drains with insufficient maintenance funds. He then reviewed the report for the Board. (A copy of which would be included in the official minutes book.)

Drains in need of Reconstruction: He stated reconstruction for the Berlowitz Drain was in the initial process. He noted an informal meeting regarding the Jakes Ditch had been held this past year with the benefited landowners. The original tile had eroded out and an open ditch had been created at the lower end. The upper end of the tile was exposed. Elliott Ditch had been a part of an ongoing planning process, specifically Branch #11 and the F-Lake detention facility behind Ivy Tech. Branch #11 of S.W. Elliott Ditch had been designed and would go to construction in the near future. J.N. Kirkpatrick's lower end had been reconstructed. In anticipation of a large industrial park near the upper end, a preliminary plan was in place for reconstruction from Concord Road to 450 East for the J.N. Kirkpatrick. Investigation of the Anson drain had been done. It was anticipated the drain would be presented for reconstruction or an assessment rate increase sometime this year. The J.B. Anderson, which served Clarks Hill, had another round of flooding the past couple of weeks. The Frank Kirkpatrick drain was also in need of reconstruction.

Urban Drains: In accordance with Indiana Code, the Surveyor designated drains that are in need of reconstruction and served an urban or urbanized area as Urban Drains. The drains listed were: S.W. Elliott, Berlowitz, J.N. Kirkpatrick, and the Alexander Ross which ran roughly behind the Super Wal-Mart located on S.R. 26.

Drains in need of Periodic Maintenance: The D. Anson, J. Blickenstaff, A. Brown, Burkhalter, T. Coe, County Farm, C. Daugherty, M. Dunkin, T. Ellis, M. Erwin, R. Grimes, F. Haffner, E.F. Haywood, L. Jakes, F. Kerschner, A. Kirkpatrick, F. Kirkpatrick, C. Lesley, F.E. Morin, H. Mottsinger, F. Resor, M. Southworth, J. Vvannata, and the H.B. Wallace were all drains listed in need of periodic maintenance. The Surveyor stated for the most part, these drains had their assessment rates set in the late 1960's. The present and future costs of construction projects required an increase of assessment rates from roughly \$1.00 an acre closer to \$2.00 - \$3.00 an acre, for adequate maintenance. KD Benson requested a GIS presentation of the drains listed on the report in the near future as time permits. John Knochel made a motion to accept the 2005 Report of Drains submitted by the Surveyor. KD Benson seconded the motion and the Board accepted the 2005 Report of Drains as submitted by the Surveyor.

The Surveyor presented Tippecanoe County Drainage Board Resolution No. 2005 – 01-DB to the Board for their approval. In accordance with I.C. 36-9-27-42, the Resolution increased assessments by twenty-five percent (25%) for the following drains: J. Blickenstaff, A. Brown, T. Coe, C. Daugherty, M. Dunkin, T. Ellis, M. Erwin, F. Haffner, F. Kerschner, A. Kirkpatrick, C. Lesley, H. Wallace, and S. Yeager. The drain had an insufficient maintenance funds in place. The Surveyor stated either the tile was in need of a significant amount of maintenance, or cleanout of the open ditch was warranted. He stated every ten to twelve years an open ditch should be cleaned out. In response to K.D.'s inquiry, the Surveyor stated a letter would be sent to White County regarding their acceptance of the proposed assessment increase of the Andrew Brown Joint Drain. John Knochel made a motion to adopt Resolution No.2005-01-DB as presented. KD. Benson seconded the motion. The Board adopted Resolution No.2005-01-DB, a Resolution Increasing Assessments for the Periodic Maintenance of Regulated Drains.

Maintenance Bonds

Prophets Ridge Phase 1 / Prophets View Subdivision Phase 1 / Paramount Lakeshore Subdivision

The Surveyor presented the following three Maintenance Bonds for acceptance; Maintenance Bond No.4175907 in the amount of \$37,060.00 for Prophets RIDGE Subdivision Phase 1 from Fairfield Contractors, Maintenance Bond No. 69839855 in the amount of \$2000.00 for Prophets VIEW Subdivision Phase 1 (located on Pretty Prairie Road) from Norma G. & Rita A. Deboy, and Maintenance Bond No. 400TF4545 in the amount of \$23, 329.70 for Paramount Lakeshore Subdivision from Milestone Contractors. The Surveyor stated the subdivisions had been completed and approved. John Knochel made a motion to accept the three Maintenance Bonds as presented by the Surveyor. K.D. Benson seconded the motion. The Drainage Board accepted the aforementioned Maintenance Bonds.

Professional Engineering Services for Engineering Review Contract

The Surveyor presented the annual contract from Christopher B. Burke Engineering for professional engineering review service. The cost of their service was in turn billed to the developer of projects submitted for review. Dave Eichelberger from Christopher B. Burke Engineering stated the rate per hour was raised from \$70.00 per hour to \$75.00 per hour. John Knochel made a motion to approve the contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD. as presented. K.D. Benson seconded the motion. The contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD. was approved as presented to the Board.

Lewis Jakes Ditch

While researching the status and condition of Jakes Ditch, it was discovered the Drainage Board approved a rate increase from \$1.00 an acre to \$2.00 an acre in April of 1983. Research indicated the present assessment of \$1.00 per acre was never changed accordingly. After conferring with the Board’s attorney, it was agreed the rate of \$2.00 per acre set in the April 1983 meeting was valid. The Surveyor requested a formal vote in order for the increase to be activated by the Auditor’s office. John Knochel made a motion to approve the \$2.00 per acre assessment rate as set in the April 1983 Drainage Board meeting. In addition the said rate be in effect starting with the 2005 tax season. K.D. Benson seconded the motion. The Lewis Jakes Regulated Drain assessment of \$2.00 per acre was formally approved beginning with the 2005 tax season.

Public Comment

As there was no public comment, John Knochel made a motion to adjourn the meeting. KD seconded the motion. The meeting adjourned.

Ruth Shedd, Vice President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
April 6, 2005
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, County Highway Engineer Tim Wells, Drainage Board Secretary Brenda Garrison and GIS Technician Shelli Muller.

Approval of Minutes

John Knochel made a motion to approve the February 23, 2005 Brookfield Heights/Brookfield Farms #116 Regulated Drain Hearing, the March 3, 2005 Regular Meeting minutes, and the March 10, 2005 Obstruction Hearing minutes as written. KD Benson seconded the motion. The aforementioned minutes were approved as written.

The Commons at Valley Lakes Phase 4

Meredith Byer and Pat Jarboe with T-Bird Designs appeared before the Board to present The Commons at Valley Lakes Phase 4 for final approval. Within Lafayette city limits, the thirty-seven acre site was located east of County Road 150 East (South 18th Street) and south of County Road 350 South. The Surveyor stated the project site drained into the J.N. Kirkpatrick Regulated Drain. The requested relocation of Branch Seven of the J.N. Kirkpatrick Regulated Drain was the reason for the Board's review, as well as direct discharge into the Regulated Drain. He went on to state the Board should review and approve the relocation of Branch Seven and direct discharge.

Meredith stated branch seven consisted of a 10" clay tile and was located in the southern portion of the site. The outfall for Branch Seven was located in Phase 3 of the Commons at Valley Lakes. This Branch would be intercepted within the Landings Phase 3, and redirected through the proposed conveyance system in Phase 4 of the Commons at Valley Lakes. She stated they were working closely with Crystal Joshua in the City Engineer's Office, and expected approval of the project's construction plans. A final copy of the drainage report and plans once finalized would be forthcoming.

The Surveyor noted the project's covenants should state in detail "No permanent structures allowed within the J. N. Kirkpatrick Regulated Ditch Easement throughout the site." He recommended final approval subject to conditions on the Burke Review Memo dated March 31, 2005 with the additional requirement of verbiage in the covenants as stated. He recommended an approval of a drainage variance for the project and stated it should be the first order of business.

John Knochel made a motion to grant The Commons at Valley Lakes Phase 4 a drainage variance for the direct discharge. KD Benson seconded the motion. A direct discharge variance was granted. John Knochel then made a motion to grant final approval for the Commons at Valley Lakes Phase 4 with the conditions stated in the March 31, 2005 Burke memo with the additional requirement in the covenants as stated. KD Benson seconded the motion. Final approval with the conditions as stated in the March 31, 2005 Burke memo to include the aforementioned language in the covenants was granted for The Commons at Valley Lakes Phase 4.

Lauren Lakes Section 1

Brandon Fulk with the Schneider Corporation appeared before the Board to present Lauren Lakes Section 1 for final approval. The Lauren Lakes project would be constructed in phases, with this phase consisting of seventy (70) single family homes. The section was located on twenty-eight (28) acres of the two hundred thirty one (231) acre project site, west of C. R. 75 East on the south side of C.R.500 North. The existing conveyance conditions were taken into consideration while modeling the site, and the new Stormwater Ordinance was used as a guideline for this project. Drainage for Section 1 was provided by an existing unnamed tributary to Burnett Creek, located in the eastern portion of the site. Brandon stated the unnamed tributary crossed C.R. 500 North and eventually tied into Burnett Creek at Coyote Crossing. He pointed out that an existing drainage basin traveled to C. R. 500 North and at times had overtopped the road, and noted the issue was addressed within the Section 1 plans. In addition, Prophet's Ridge pond tributary was included in the design analysis for the site.

As a side note, the Surveyor stated while the downstream conveyance was well documented by photographs, a narrative accompanying the photographs would be useful for future projects. The Surveyor stated the channel was well defined and did not anticipate a problem. John Knochel asked Mr. Ratcliff (landowner in attendance) how often he observed the County Road 500 North flooded. Mr. Ratcliff stated a few times, only since Winding Creek Subdivision was developed. He went on to say he felt the tile under the road had been compromised during the development of Winding Creek Subdivision. Brandon stated photos taken which indicated no flooding after the last rainfall event were provided. He went on to inform the Board that the submitted design addressed that issue as well. The release rates for this section were below the Ordinance requirement, and he anticipated the rates would be lower for the overall project as well. The project had received verbal approval from the County Highway Dept. for the entrance construction work. He stated he would work closely with the Surveyor's office concerning the covenants and restrictions for this project. He then requested final approval for this phase of the project. In response to KD's inquiry, he stated the safety guidelines per the 2005-04-CM Comprehensive Stormwater Ordinance were implemented for this project. The Surveyor noted the project design included hard surface safety ramps. Ruth Shedd asked for public comment, and there were no comments made.

The Surveyor added a condition to supply an Easement for the east line outlet point of Phase 1 to the defined conveyance. In response to the Surveyor's inquiry regarding the side ditch of County Road 500 North, Brandon stated he was confident the runoff would not top the road. He also indicated the Homeowners Association would be responsible for maintenance after three years and noted he would get a verification of that on record. Future maintenance could be a high cost to the lot owners and documentation of such maintenance responsibility would be required. The Surveyor then noted the Ordinance strongly recommended reasonable tree and native vegetation retention. He recommended final approval with conditions stated on the March 31, 2005 Burke memo, along with drainage easement documentation for both outlets from the detention ponds to the defined conveyance east of the East line of Phase 1. John Knochel made a motion to grant final approval for Lauren Lakes Section 1 with conditions stated on the March 31, 2005 Burke memo as well as the condition of drainage easement documentation for both outlets from the detention ponds to the defined conveyance east of the East line of Phase 1. KD Benson seconded the motion. Lauren Lakes Section 1 was granted final approval with conditions as stated on the March 31, 2005 Burke memo to include the added condition of drainage easement documentation for both outlets from detention ponds to the defined conveyance east of the East line of Phase 1.

Cascada Business Park Phase 1

Pat Jarboe and Meredith Byer with T-Bird Designs appeared before the Board to present Cascada Business Park Phase 1 for final approval. They were also requesting conceptual approval for the overall site. Pat stated the developer, Ron Whistler, was also in attendance today.

Phase 1 of the project consisted of 26.5 acres and located at the southwest corner of the overall 125-acre site. The overall site was located in the City of Lafayette, east of Creasy Lane on the north side of McCarty Lane. The Treece Meadows Relief Drain (also known as Layden Regulated Drain) was located along the western property line. Phase 1 would include two detention facilities and runoff would be discharged via the Wilson Branch of the S.W. Elliott Regulated Drain to the Treece Meadows Relief Drain. Of the overall project site, approximately 92.5 acres drained west to the aforementioned drain, approximately 10 acres drained northeast to the Alexander Ross Regulated Drain, and the remaining 21 acres drained to the Berlowitz Regulated Drain through storm sewers along McCarty Lane. He stated the developer was working with the City's Redevelopment Office to eventually extend Park East Boulevard. This would connect State Road 26 with McCarty Lane.

The Surveyor stated the Alexander Ross drain traveled behind the Super Wal-Mart, under the interstate into the pond area northwest of Meijers then under SR 26 and east of Frontage Road. Utilizing GIS, he then reviewed the route of the Ross Drain to familiarize the Board. Christopher Burke Engineering did an overall watershed study of that area and it had been well studied. Phase 1 would contain two detention facilities on the eastern border, and would collect significant portions of the remaining phases' runoff. They were designed to accept the developed portions' runoff outside of the Phase 1 development, and would do so once online. A variance would be required as portions of the site, which drained through the pond to the Treece Meadows Relief Drain, exceeded the allowable discharge rates. Those rates were the ten-year existing to the 100-year proposed and the 2-year existing to the 10-year proposed. Pat stated they had matched the 100-year existing levels to the 100-year proposed numbers due to downstream conditions. Therefore a variance was requested for the discharge rates. Pat provided the Board with draft agreements with the Power Company, which specifically stated the design was acceptable for the storage under the power lines. The Surveyor stated it was the Drainage Board's duty to grant a drainage variance and the City of Lafayette's to grant a variance for encroachment on the City's right of entry. At that time, Pat requested a release rate variance to include final approval for Cascada Business Park Phase 1 and conditional approval on the overall portions of the site. In response to KD's inquiry, Pat reviewed the entire site's watersheds for the Board. While limiting the amount of runoff outlet to the storm sewers along McCarty Lane, the design allowed for a larger area's runoff

directed to the detention facilities- as well as the Treece Meadows Relief Drain. The Surveyor noted Treece Meadows was designed for direct release. The Surveyor's Office was made aware of some problems in the area of Amelia Drive in the last few years. He requested Christopher B. Burke revisit their previous study and they have remodeled the area, and identified the problem areas. Regarding the Berlowitz Drain and McCarty Lane, the City agreed to fund upsizing of the storm sewers along McCarty Lane, when the County constructed it between Creasy Lane and 500 East. It was designed to take the 100 year developed condition. He stated the developer would pay a fee for storage in the planned Berlowitz Detention facility. Ruth Shedd then asked for any comments from the public. No comments were made.

The Surveyor then recommended granting a release rate variance under condition two of the April 11, 2005 Burke memo. John Knochel made a motion to grant the variance under condition number two of the April 1, 2005 Burke memo. KD Benson seconded the motion. The Surveyor recommended final approval for Phase 1 and conceptual approval for the overall project with conditions as stated on the April 1, 2005 Burke memo, while striking the last paragraph in condition number two on said memo. John Knochel made a motion to grant final approval for Phase 1 and conceptual approval for the overall development with conditions as stated on the April 1, 2005 Burke memo while striking the last paragraph in condition number two on said memo. KD Benson seconded the motion. Cascada Business Park Phase 1 was granted a variance for the release rates. Cascada Business Park Phase 1 was granted final approval. Cascada Business Park was granted conceptual approval for the overall development.

Journal and Courier Publication Facility

Meredith Byer and Pat Jarboe appeared before the Board to present the Journal and Courier Publication Facility for final approval. The site consisted of 8 acres of a 10 acre parcel located between McCarty Lane and 200 South (Haggerty Lane) on the east side of County Road 500 East. A printing facility, loading docks and a parking area would be built on the site. A private road would provide access from County Road 500 East. The existing 66-inch storm sewer would be extended south from the project site to provide an outlet for future projects to the south. The project's runoff would be collected via catch basins and curb inlets and conveyed through new storm sewers to the 66-inch diameter storm sewer. A portion of the site would be discharged to the Berlowitz Drainage Facility located on at the northeast corner of County Road 500 East and McCarty Lane through the said 66-inch storm sewer along the east side of County Road 500 East. The developer would pay the storage fee associated with the said facility. At that time Meredith requested final approval for the Journal and Courier Publication Facility. Ruth Shedd asked for any public comment. There was no public comment.

The Surveyor recommended the second paragraph in the April 1, 2005 Burke memo be added as a condition. John Knochel made a motion to grant the Journal and Courier Publication Facility final approval with conditions as stated on the April 1, 2005 Burke memo as well as the added condition noted as the second paragraph of said memo. KD Benson seconded the motion. Final approval with conditions was granted for Journal and Courier Publication Facility.

Parker Ditch

The Surveyor requested the Board's attention to Dave Labonte, 720 Clifty Falls Lane, who was in attendance. Mr. Labonte wanted to inform the Board of an issue concerning Parker Ditch. GIS was utilized to review the area in question, specifically north of Haggerty Lane and east of SIA. The Parker Open Ditch project was a new concrete storm sewer constructed as an outlet for the Subaru Isuzu Automotive Plant in the 1980's. Economic Development grant monies paid for the construction of the concrete storm sewer. The Surveyor stated Parker Ditch was an existing agricultural tile at the time of construction and still had laterals tied into the new ditch. The agricultural tile ran under 200 South, east under interstate 65, and outlet at 650 East. From that point it was constructed as an open ditch all the way to the South Fork of Wildcat Creek. There were two concrete fords constructed to connect property that the open ditch severed. Mr. Labonte's entrance to his property was off 650 East (1 acre) and the building site (8 acres) was on the opposite side of the open channel. The Surveyor stated the concrete ford which was at least 24 inches of concrete had undermined and collapsed straight down. It appeared to be poor design or lack of maintenance that caused the collapse. After reading through numerous files on Parker Ditch and SIA the Surveyor found a Petition to Establish the open portion as part of the Regulated Drain, had never been filed. The second problem was a crossing over a regulated drain was typically the responsibility of the landowner. Mr. Labonte was now faced with the considerable cost of a new crossing over Parker Ditch. He noted Mr. Labonte had been very patient, however he was ready to start the building process at this time. A maintenance fund for Parker Ditch existed for the pre-existing agricultural tiles that tied into the new concrete storm sewer. At the time the concrete ford was constructed, a maintenance fund was intended to be set up for both the open portion as well as the preexisting tiles. The Surveyor stated he felt the Board should give Mr. Labonte a clear answer to his problem. Discussion at the time indicated SIA would be the sole contributor into the maintenance fund for the open portion of Parker Ditch and the majority of the assessment would then be assessed to other developments as they were created. The farmers would not bear the majority of the cost. The Board Attorney stated

since the drain was not functioning as intended due to the collapse of the concrete inside the ditch, the Board or the County could be the petitioner to establish the maintenance fund for the open portion. The Surveyor and Attorney would insure the necessary steps were taken to establish a maintenance fund for the open portion of the Parker Ditch. In response to Mr. Labonte's inquiry, the Surveyor stated he thought all the required documentation was on hand. Mr. Labonte thanked the Surveyor for his efforts and the Board for their time on this matter.

Lewis Jakes Ditch

Dale Butcher of 8171 North 300W appeared before the Board to discuss the Lewis Jakes Ditch. With heavy rains in the past year or so, he has worked closely with the Surveyor on the problems associated with the ditch. He stated the Surveyor had been very professional throughout this time. He expressed appreciation for time the Surveyor had spent with him on the drainage issue. He noted landowners were in favor of addressing the issue and was anxious to schedule a maintenance hearing. The Surveyor stated downstream of the old tile outlet had been surveyed, however more surveying and investigation was warranted. He informed Mr. Butcher he was prepared to ask the Board in an upcoming Special Drain Meeting to refer the Lewis Jakes Ditch to him for a final report. He anticipated he would be able to complete the report within thirty-sixty days of the Special meeting.

Petition to Establish a New Regulated Drain/ F. Wilson / Shelby Township

The Surveyor stated a Petition to Establish a New Regulated Drain was submitted to the Surveyor's Office by Mr. Norman Bennett 952 Kerber Road West Lafayette Indiana 47906. The Surveyor noted the Board, at the Whaley/ Mackey Obstruction Hearing held on March 10, 2005, discussed this private drain. Mr. Bennett was in attendance today. Based on the preliminary watershed information, a total of 94% of the benefited landowners had signed the Petition. The Attorney directed the assessment spreadsheet be attached to the Petition. He went on to say petitioners were required to reimburse the County if the petition did not pass, however that condition could be waived. John Knochel made a motion to refer the Petition back to the Surveyor for a report to the Board in the future. KD Bensons seconded the motion. The Petition was referred back to the Surveyor for a report. Due to the drain currently under standing water, investigation would be more difficult and the Surveyor wanted the Board to be informed of the situation.

**Maintenance Bonds
Creekside Subdivision/Shawnee Ridge Phase 3**

The Surveyor presented a Letter of Credit # 557 in the amount of \$15,976.00 dated March 7, 2005 from Mennan Builders for Creekside Subdivision and recommended acceptance by the Board. John Knochel made a motion to accept the Letter of Credit as presented. KD Benson seconded the motion. Creekside Subdivision Letter of Credit # 557, amount \$15,976.00, dated March 7, 2005 was accepted by the Board. He then presented Shawnee Ridge Phase 3 Maintenance Bond# 5013361 in the amount of \$4300.00 dated Oct. 4, 2004 from Atlas Excavating for acceptance. John Knochel made a motion to accept the Maintenance Bond for Shawnee Ridge Phase 3 as presented by the Surveyor. KD Benson seconded the motion. Maintenance Bond # 5013361 in the amount of \$4300.00 dated Oct. 4, 2004 for Shawnee Ridge Phase 3 was accepted.

Public Comment

Ruth Shedd asked for public comments. As there were none, John Knochel made a motion to adjourn the meeting. KD Benson seconded the motion. The meeting was adjourned.

Ruth Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
April 11, 2005
Special Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison, and GIS Technician Shelli Muller.

Ruth Shedd called the Special Drain meeting to order. She then referred to the Surveyor. The Surveyor noted the meeting today was to discuss the Classification of Drains Report previously presented to the Board on February 2005, as well as an overall Regulated Drain update. At that time, he gave the following presentation to the Board.

Steve Murray

Drain Maintenance, Drain Reconstruction, and General Drain Conditions

Drains In Need of Reconstruction

Julius Berlowitz

The Julius Berlowitz Drain was ready for the Phase 1 contract. Phase 1 included the construction of a regional detention facility east of I65, east and north to County Road 50 South. The project was held up due to the Arnett and St. Vincent issues. A new channel was in place north of 50 South and new culverts were in place on 50 South and 550 East. The County along with the area's property owners was discussing solutions for use of the excess dirt, which would allow the County to fund additional drainage projects if a solution was found. The Surveyor felt the discussions were worth the time and effort in order to save the County millions of dollars. The largest cost to the County would be disposal of the excess dirt. KD Benson inquired if it could be stored for future use. The Surveyor responded the amount of dirt would not allow that.

Lewis Jakes Ditch

The **Lewis Jakes** Ditch has had an informal hearing and field investigation completed. The project was close to a hearing for reconstruction several years ago. At that time, the watershed landowners denied the petition due to the cost. However, the property owners were now willing to raise the rate to approximately \$10-\$11 an acre to reconstruct the drain. A substantial amount of research and fieldwork was done on this drain. Steve stated it was a high priority for him and hopefully would be presented to the Board in the next 2-4 months.

S.W. Elliott Ditch/ Branch #11

The S.W. Elliott has had considerable amounts of work done over the last 20 years. The Wilson Branch Pond was in place at the Mall as a Regional Detention Facility. The **Treece Meadows Relief Drain** was reconstructed when the first Wal-Mart was built. **Branch #11 of the S.W. Elliott** was located across the Schroeder property and across SR 38 at the Tractor Supply Store, near the Brand property. A commercial subdivision was previously planned for the Brand property with twin 66" pipes under SR 38. The pipes would have to be pushed under the interstate, which proved to be too costly. Also, INDOT would not allow the construction under the interstate at that time. John Brand from Butler, Fairman, and Seifert Inc., related to the owners of the property, reviewed the drainage and infrastructure for the area and expressed interest in finding a solution. The planned thoroughfare included a connector between SR 26 and SR38, McCarty Lane and Haggerty Lane, to be constructed. As part of the current Cascada Business Park project, the Branch would be constructed from south of SR 26 (Wal-Mart area) to McCarty Lane. Since **S.W. Elliott** was an urban drain, the Surveyor recommended **Branch #11** to be reconstructed. The cost of the construction of the 66-inch pipes under SR 38 would be borne by INDOT. Reconstruction costs would be substantially lowered; therefore the landowners would benefit. Previously, Engineering consultants, during possible developments considered for that area, worked up reconstruction estimates for **Branch #11**. However, a preliminary review and new cost estimates were warranted due to the lapse of time.

F-Lake

As stated earlier, the approximate cost of the **F-Lake Regional Detention Facility** was \$2,000,000.00. The design was close to completion and would be located on County Property, east and northeast of the Ivy Tech. Campus. This was one of two priority projects to be funded out of the EDIT Drainage Projects Fund. (The **Berlowitz** project cost was estimated at \$3,000,000.00 plus, and the **F-Lake** project estimated cost at \$2,000,000.00.) There was approximately \$4,000,000.00 in the EDIT Drainage projects account at this time. If the County could work out a solution concerning the project's excess dirt, it would lower the cost of the **Berlowitz** project and allow the **F-Lake** project to proceed much faster.

J.N. Kirkpatrick/East of Concord Road

A preliminary design had previously been completed in anticipation of the LUR Industrial Park as well as additional residential development in that area. While there were advantages to a drain assessment reconstruction process, implementing a regional storage facility would result in the developers' responsibility for a set storage fee. This would ultimately result in decreasing the burden of maintenance costs solely by the area's farmers. EDIT Drainage Projects monies could supplement the cost of the maintenance of this portion of the drain.

D. Anson Drain

This drain had been discussed extensively in past meetings. This fall, the Surveyor's office was able to investigate areas of the tile located in wetlands, due to the dry weather. A revised estimate was being prepared and hopefully a drain hearing would be conducted within the next two to four months. (The Surveyor then reviewed the location of the tile utilizing G.I.S.) He stated he tentively planned to recommend the reconstruction be completed in phases. The first phase would involve beginning at the wooded location on the east side of Co. Rd. 100 West, removing major tree root blockage of the main tile, perhaps installing a new inlet on the west side of Co. Rd. 100 West (to assist in maintaining a low water level within the wetland), while continuing to work upstream. The assessment rate would need to be raised from the present assessment of \$1.25 an acre to approximately \$4.00-\$8.00 an acre. The amount would depend on the length of time over which the landowners were willing to spread the maintenance cost over. Realistically, the project would in all likelihood be completed during a 5-10 year period- due to the amount of costs associated with it.

J.B. Anderson/Clarks Hill

Christopher B. Burke Engineering, as part of the **Lauramie Creek** Design Study, had completed a preliminary design for the **J.B. Anderson Drain**. The cost of that design was well in excess of \$2,000,000.00, due to running an open ditch all the way to State Road 28. A lower cost solution would be warranted and revised preliminary plans were drawn up. The tile was fairly deep as it crossed Co. Rd. 975 East. Rather than daylighting the old tile into a new open ditch or waterway, a new shallower storm sewer would be constructed just east of Co. Rd. 975 East and ran roughly the same route as the tile. A portion of an existing storm sewer along a side street would also be reconstructed. This would relieve the surface water load and route it into a new channel that would run from Co. Rd. 975 East across the old railroad bed into twin corrugated steel pipes just south of the cemetery. The revised preliminary plan would drop the cost to approximately \$400,000.00, which was more feasible.

Frank Kirkpatrick Drain

This drain was located near South County Line and 300 East and was in need of reconstruction. A call from landowner Don Fugate, a year or so ago, warranted a site visit which determined the tile was indeed laid uphill. For a number of years the tile had enough pressure to function. However, that was not the case at this time. That portion of the tile would need to be laid at a positive grade. This would qualify the work as reconstruction, not maintenance. The Surveyor felt downstream landowners would not be interested in bearing the cost, as their tile portion was operating.

Urban Drains

An Urban Drain by definition is an agricultural drain considered to be in need of reconstruction. With the exception of the **Alexander Ross** Regulated Drain, Tippecanoe County Urban Drains had been discussed previously. The **S.W. Elliott**, **Berlowitz**, and the **J.N. Kirkpatrick** Regulated Drains consistently need maintenance performed, due to tile breakdowns etc.

Drains with Insufficient Maintenance Funds

The previously submitted report listed thirty drains with insufficient maintenance funds; some of which were in need of reconstruction. Every ten years, most open ditches need to be dredged. If in need of dredging and monies in the ditch fund were not sufficient, the regulated drain was included in this category of the list. Most of the drain funds were started in the 1960's, and the 1970's. The assessment per acre or lot for maintenance set at that time was insufficient at today's prices of construction. Most Counties schedule multiple hearings for drain assessment increase in one day. To adequately maintain regulated drains the increase was necessary. If landowners were not willing to increase the amount per acre, the drain could be vacated. Generally the drain should not be a public utility, however most often the drains were. Raising a drain assessment periodically would be more efficient and possibly prevent enormous costs of future reconstruction. The **Anson Drain** was a perfect example of that. The Surveyor informed the Board the office had seen an increase in private drain Petitions for the establishment of new Regulated Drains in the last year or so. They have been working on those petitions, as time would allow.

Parker Ditch Update

Dave Labonte had attended a previous Drainage Board meeting informing the Board of his concerns with the ditch. The Surveyor stated he had finished his research of the official minutes. The ditch drained the Subaru-Izusu production plant. At the time of the project construction, problems arose which among other things were due to an out of state contractor. In review of the minutes, he found due to the State “fast tracking” the project, a Petition was presented for Reconstruction, Relocation and Vacation of the Parker Ditch. A new concrete storm pipe was put in from the south side of Haggerty Lane (at SIA site) up to the north and east to 675 East. A new channel was built from 675 East to the Wildcat Creek. The minutes showed while the drainage was approved and the right of way was obtained, the Petition was never acted upon. A Finding and Order draft as well as an assessment rate were prepared, however they were never presented to the Board. The Board never heard the Petition. The plan was for SIA to pay 100% of the maintenance for the new storm sewer until such time as other developments in that area tied into it. The farmed acreage was not to carry that maintenance cost. An existing \$1.00 per acre assessment on the agricultural tile had been adequate for the maintenance of said tile at that time. Two at- grade fords were constructed at the new open channel. Mr. Labonte’s only access to his building site was across the fords, which now were collapsed and in need of replacement. It appeared that the petition was still valid. The Board would need to follow through and establish a maintenance fund for the open channel. The amount originally suggested for maintenance was approximately \$20,000.00 per year. However, an increase would be warranted based upon inflation and current construction costs. The Attorney then stated the original petition should be acted upon and a Drainage Board hearing scheduled in the future. He stated a new petition would not be required to schedule a hearing on establishing an open ditch maintenance fund for **Parker Ditch**. The only new development in that area had been the Armory.

Per Indiana Code 36-9-27-36 (3C), the Surveyor requested the Drainage Board refer the regulated drains that had been classified by Surveyor for a report in the order of priority set forth in the classification. The Board had the authority to change the priorities within the report if warranted. John Knochel made a motion to adopt the Drain Classifications Report in the order of priority set forth in the classification and referred them to the Surveyor for reports. KD seconded the motion. The motion passed.

The Surveyor stated several inquiries had been received concerning” no net loss within the floodplain” due to implementation of the new Tippecanoe County Stormwater Drainage Ordinance this year. A call was received concerning a residence within the 100-year floodplain on the Wildcat by Dayton. The creek had eroded very close to the foundation of the house. He felt this particular issue would constitute a variance of the rule, which the Drainage Board would grant. A review was warranted of the” no net loss within a floodplain” section within the ordinance. During development of the new ordinance, that section was included with industrial development in mind. KD noted the Tippecanoe County Stormwater Ordinance was stricter than the Department of Natural Resources fill guidelines.

Indiana Natural Heritage Data Center/Data Use Agreement

The Surveyor presented a Data Use Agreement for the Indiana Natural Heritage Data Center. (A unit of DNR) The information would be used for Phase II purposes, which included historical, and archeological site data. In order to access the database, the agreement must be signed. Subject to the Attorney’s review, the Surveyor requested the Drainage Board along with himself sign the agreement. The Attorney then reviewed the agreement. At the Attorney’s approval, John Knochel made a motion to authorize the President of the Board and Surveyor to sign the Department of Natural Resources Data Use Agreement as presented. KD Benson seconded the motion. The motion passed. The Department of Natural Resources Data Use Agreement was approved for signature as presented. At that time the Surveyor ended his report and presentation to the Board.

Ruth Shedd asked for Public Comment. As there was no public comment, John Knochel made a motion to adjourn. The Special Meeting was adjourned.

Ruth Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
October 5, 2005
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison and GIS Technician Shelli Muller. Member KD Benson arrived late due to a scheduling conflict. County Highway Supervisor Mike Spencer was in attendance also.

Approval of Minutes

John Knochel made a motion to approve the following; the September 7, 2005 Regular Meeting Minutes, the August 29, 2005 Lewis Jakes #40 Regulated Drain Hearing Minutes and the August 29, 2005 Delphine Anson #4 Regulated Drain Hearing minutes. Ruth Shedd seconded the motion. The aforementioned minutes were approved as written.

Faith Baptist Church Phase 1

Steve Marsh with Titan Construction appeared before the Board to request final approval for Faith Baptist Church. The existing site was located at the northeast corner of C.R. 500 East and S.R. 26. The proposed construction would include a parking lot expansion, a new detention basin, athletic fields, community center, and ministry housing along with additional roads. The existing dry bottom detention basin would be replaced with a wet bottom detention basin in the northeast corner of the site. The existing outlet for the basin would be utilized for the proposed wet bottom basin as well. With the exception of a small area on the northeast corner of property, the site's runoff would be directed to the wet bottom pond.

The Surveyor recommended final approval with the conditions as stated on the September 29, 2005 Burke review memo. John Knochel made a motion to grant final approval for Faith Baptist Church Phase 1 with the conditions as stated. Ruth Shedd seconded the motion. Faith Baptist Church Phase 1 was granted final approval with the conditions on the September 29, 2005 Burke memo.

Haggerty Pointe Phase 1

Amy Moore with Butler, Fairman and Seufert appeared before the Board to present Haggerty Pointe Phase 1 for final approval. The 50-acre site was located north of S.R. 38 and east of the intersection of C.R. 200 South and S.R. 38 and was located within the City Limits of Lafayette. The Board, for the effects of the regulated drain only, reviewed the project, as the site existed within the watershed boundaries of the S.W. Elliott Regulated Drain. Phase 1 would be constructed on 28 acres of the 50-acre site. A wet bottom detention basin would be constructed on Outlet A to allow the Phase 1 construction. The Phase would utilize the existing 36" culvert under S.R. 38 as the final outlet until reconstruction of Branch 11 of the S.W. Elliott Ditch Regulated Drain to F-Lake has been completed. Development of the remaining portion of the site for Phase 2 would proceed upon completion of the reconstruction of said tile Branch. An October 1998 Drainage Board approved vacation of a portion of Branch #11 would be recorded with a copy of the recorded document supplied to the Surveyor Office. Amy distributed a plat of the project site to the Board while noting the Park East Boulevard as well as the utility and drainage easements were indicated on the plat although no interior lot lines were platted at this time.

The Surveyor reminded the Board of his recommendation of Reconstruction of Branch #11 Elliott Regulated Drain earlier this year. A portion of the said branch on the present site had been vacated in 1998, the remainder of said Branch as it continued south to F-Lake needed to be converted from an existing agricultural drain - as well as installation of new pipes under S.R.38. He had spoke with the owners and the Shroeders (landowners to north and south) and they were in agreement of a Reconstruction of Branch #11. He noted the Department of Transportation would be responsible for the placement of the new pipes under S.R. 38. This would significantly reduce the cost to the property owners as well as developers within the area. The landowners would have to agree to waive objections to the future reconstruction - as an added condition of final approval. He informed the Board that a very small part of the northern portion of the site was located within the J. Berlowitz Regulated Drain watershed as well. When C.R. 200 South was reconstructed, the terminus of said Berlowitz tile was replaced under C.R. 200 South. The terminus would need to be located and tapped due to the majority of the runoff routed south to F-Lake. The side ditch along 200South would provide adequate drainage for the remainder of the runoff. The Surveyor stated he was not aware that the said Berlowitz tile served any other property however the developer would need to confirm it. He

informed Amy, the location of the tile would be shown on the as built of C.R. 200 South and could be obtained at the County Highway Department. He stated eventually the watersheds for the J. Berlowitz and the S.W. Elliott Regulated Drain would be revised to reflect any changes. He noted the expected fees for the detention storage in F-Lake as condition #3 in the September 29, 2005 Burke memo. The wet detention basin within Phase 1 would be onsite during the second Phase of the project. The Surveyor noted credit would not be given for this detention basin. Also noted was the site was within the City Limits, the Board's concern dealt only with the effect of the two regulated drains within the area. He stated he was prepared to recommend final approval with the conditions as stated on the September 29, 2005 Burke memo along with the added conditions of the waiver of any objections concerning the reconstruction of Branch #11 of the S.W. Elliott Regulated Drain and the confirmed location of the terminus of the J. Berlowitz Regulated Drain.

Amy stated she agreed with the conditions. To comply with condition #11 of the September 29, 2005 Burke memo, she attempted to record the previously approved said vacation. The Auditor's office indicated the documents were not in compliance with a recent memo from the County Attorney regarding recording of documents. At that time the Attorney reviewed document requirements for recording vacations and easements. Amy would record the documents as soon as possible. The documents she would record would be a certified copy of the Drainage Board 1998 minute, and a description of the meets and bounds of the vacated portion of Branch #11 of the S.W. Elliott Regulated Drain. The Surveyor stated in order to convey the outlet to their detention facility to the side ditch at S.R. 38; surface work within the legal drain easement on the Schroeder property would be necessary. Mr. Schroeder had given his permission and a document indicating his approval would be obtained for the records. Amy indicated she agreed with all conditions stated today.

John Knochel made a motion to grant final approval with conditions as stated on the September 29, 2005 Burke memo in addition to the added condition of a waiver of any objections in reference to the future reconstruction of Branch #11 of the S.W. Elliott Regulated Drain and terminus location confirmation of the J. Berlowitz Regulated Drain. Also written permission from Mr. Schroeder for the aforementioned surface work was required as an additional condition. KD Benson seconded the motion. Haggerty Point Phase 1 was granted final approval with the conditions as stated on the September 29, 2005 Burke memo in addition to the added conditions of an objection waiver in reference to the future reconstruction of Branch #11 of the S.W. Elliott Regulated Drain and terminus location confirmation of the J. Berlowitz Regulated Drain along with the written permission from Mr. Schroeder for the aforementioned surface work.

Cascada Business Park Phase 2

Pat Jarboe with TBIRD Design Services appeared before the Board to request final approval for Cascada Business Park Phase 2. The site was located on the north side of McCarty Lane east of Creasy Lane within the City of Lafayette and would involve 70 acres of the 120-acre site. Phase 1 was previously granted final approval on April 6, 2005. The Treece Meadows Relief Drain (formally the Layden Regulated Drain) was located along the site's the west property line. The runoff from the site discharged to three separate outlets. Those outlets were: the Treece Meadows Relief Drain to the west (tributary to Wilson Branch), the Alexander Ross Regulated Drain to the northeast, and the J. Berlowitz Regulated Drain to the southeast via storm sewer systems and drainage swales. A portion of the project would drain directly to the detention facility located to the west within the Phase 1 location. At the far eastern end of Phase 2 small portions of the A. Ross Regulated drain branches were scaled off the original plat of the A. Ross Regulated Drain however the location of those was not confirmed. A vacation of any portions of those tiles was also requested. Park East Boulevard would be extended from the Wal-Mart site to McCarty Lane and coordinated with the City of Lafayette. Pat then requested the vacations of the branch portions of the Alexander Ross Regulated Drain as well as final approval for Phase 2. He concurred with the conditions as stated on the September 29, 2005 Burke memo. The Surveyor clarified condition #1 on the Burke memo. Runoff storage fees within the Wilson Branch only would be coordinated with the City of Lafayette. The A. Ross and Berlowitz regional detention facility fees would be coordinated with the County. Regarding the vacations, the Surveyor recommended the A. Ross tile branches vacation- however he conferred to the County Attorney regarding the appropriate process. The Attorney stated as long as they are located entirely within the site, did not serve any other property owners, the Board may vote to approval the vacation. The Surveyor stated he was positive the aforementioned branches did not serve any other property owners. A legal description of the vacated portions and a certified copy of today's Drainage Board minutes indicating the Board's approval would be adequate for recording the vacations. At that time the Surveyor recommended the vacations of the aforementioned tiled branches and final approval with conditions as stated on the September 29, 2005 Burke memo. In response to John's question, the Attorney stated the vacations could be granted today, and the Surveyor noted his office would not give the full approval for the subdivision until all conditions were met. John Knochel made a motion to grant the three vacations of the A. Ross three tiled branches. KD Benson seconded the motion. The vacations were granted as requested. John Knochel then made a motion to grant final approval with conditions as stated on the September 29, 2005 Burke memo. KD Benson seconded the motion. Final approval for Cascada Business Park Phase 2 was granted with the conditions as stated on the

September 29, 2005 Burke memo and proof of the documentation of the vacated branches of the A. Ross Regulated Drain which were located solely within Phase 2 of Cascada Business Park.

The Commons At Valley Lakes Replat of Phases 4 & 5

Meredith Buyers with TBIRD Design Services appeared before the Board to request final approval for the Commons At Valley Lakes Replat of Phases 4 & 5. The site was located east of C.R. 150 East (South 18th Street) and south of C.R. 350 South within the City of Lafayette. The Board previously approved the project's Phase 4 & 5 in April 2005. Due to the soil conditions in the northeast corner of the property the layout had to be revised. The main drainage changes involved changing the wet bottom detention facility to a dry bottom detention facility. Modifications of the storm pipe locations were also warranted. Located at the northeast corner of the property; one outlet would accommodate the offsite runoff and the J.N. Kirkpatrick Regulated Drain. An outlet located at the center of the north property line would accommodate onsite drainage of discharge from the dry bottom detention facility. The relocation of a portion of Branch #7 of the JN Kirkpatrick Regulated Drain was modified to run along the east property line. The Surveyor noted this was an improved relocation of said Branch. At that time Meredith requested final approval stating they concurred with the conditions as stated on the September 30, 2005 Burke memo.

The Surveyor recommended relocation of Branch #7 of the JN Kirkpatrick Regulated Drain. He stated the design presented today was improved compared to the previously Board approved relocation. John Knochel made a motion to approve the relocation of Branch #7 of the JN Kirkpatrick Regulated Drain. KD Benson seconded the motion. The relocation of Branch #7 of the JN Kirkpatrick Regulated Drain was approved as shown on the replat of phases 4 & 5. The Surveyor then recommended granting approval for the Commons at Valley Lakes Replat of Phases 4 & 5 with conditions as stated on the September 30, 2005 Burke memo. John Knochel made a motion to grant final approval with conditions for the Commons at Valley Lakes Replat of Phases 4 & 5. KD Benson seconded the motion. The Commons at Valley Lakes Replat of Phases 4 & 5 was granted final approval with conditions stated on the September 30, 2005 Burke memo.

Riverwood Minor Subdivisions 1 & 2

Tim Byers with Vesters & Associates appeared before the Board to request the final approval for Riverwood Minor Subdivision 1 & 2. The site consisted of 107 acres and located on the south side of Division Road at the intersection of Division and Kerber Roads. Tim stated the project at hand was two Minor Subdivisions located within the overall Planned Development. The site consisted of seventeen tracts with ten-acre tracts as part of the overall development. He stated the ten-acre tracts would be eligible for division through the Rural Estate Subdivision process, but was not proposed at this time. Phase 1 Minor would consist of four lots and Phase 2 Minor would consist of 3 lots. A twenty feet wide roadway would connect both phases. Runoff from both phases would be collected in the new side ditches of said roadway. The northern portion of the site drained toward Division Road then east to Indian Creek and the southern portion to Wabash River. Tim requested a waiver of the Stormwater detention requirements for the project. He noted a need for detention exemption requirements stated in the County Stormwater Comprehensive Ordinance, since runoff after development due to the large lot sizes was decreasing. He felt they would be able to meet the Stormwater Quality measures as well as the remaining conditions on the Oct. 4, 2005 Burke memo. At that time he requested final approval for Riverwood Minor Phase 1 & 2. The Surveyor asked Tim if they would stand by the letter the Surveyor had previously signed involving erosion stabilization regarding walkout basements. Tim stated yes they were prepared to take the appropriate measures for said stabilization to technically (per Area Plan Commission (APC) Staff Report) the seven lots of the Riverwood Minor Subdivision. Steve stated as far as the Drainage Ordinance was concerned the ten acre tracts would be included as it was the total land disturbance activity which determined whether a project fell under Rule 5 provisions in post construction etc. Also the Surveyor noted there was quite a bit of sediment which reached the side ditch on the south side of Division Road due to the natural erosion along the ridge to the north. He would require a sediment basin such as a sediment trap at the very northeast corner of the property as a part of erosion control. The County Highway Department has cleaned out the ditch numerous times after large rainfalls before the sediment reached Indian Creek. Tim confirmed the trap would be located within the ravine/ditch. The Surveyor noted the area went back and forth from a ravine to a side ditch and felt an adequate sediment basin/trap could be located along the east side of Indian Hill or Division Road. The Surveyor clarified that on any residential building site which would be over the top of a ridge would be subject to a site plan prepared by a registered surveyor or engineer to ensure the erosion control provisions were in place.

The Surveyor recommended granting the variance for the Stormwater Detention in addition to final approval with the conditions as stated on the October 4, 2005 Burke memo, APC approval, and construction of a sediment basin on the east side of Indian Hill or Division Road. John Knochel made a motion to approve the variance for Stormwater Detention to Riverwood Minor Subdivision Phase 1 and 2. KD Benson seconded the motion. The variance was granted as requested.

John Knochel made a motion to grant final approval with the conditions stated in the October 4, 2005 Burke memo, in addition to APC approval, and construction of a sediment basin on the east side of Indian Hill or Division Road. Final Approval with the conditions as stated was granted to Riverwood Minor Subdivisions Phase 1 and 2.

Hunters Crest Section 1 and 2

Brandon Fulk appeared before the Board and requested final approval for Hunters Crest Subdivision Sections 1 and 2. The site was located on the south side of Co. Rd. 450 South east of Co. Rd. 250 East (Concord Road). The northern portion of the site drained to the side ditch of Co. Rd. 450 South, eventually to the JN Kirkpatrick Regulated Drain. The southern portion of the site drained to the side ditch of Co. Rd. 500 South and eventually to the Kenny Ditch/ Wea Creek watershed. Due to the project site's location within the JN Kirkpatrick Drainage Impact area; participation in the regional detention basin would apply. The site contained two depressional areas, one within the center and one along the east line. Brandon stated these areas were delineated as wetlands, and the intent was to preserve these areas throughout the development of the site. The southeast corner of the site would not be developed at this time. Two detention ponds would be located onsite. Brandon noted the initial detention pond located at the northwest corner outlet to a 24" culvert under Co. Rd. 450 South. There would be adjustments to the natural grade in the northeast corner so runoff would drain to the 24" culvert. (This area was not in the floodplain) He stated the excess dirt from construction of the ponds and streets would be used for that purpose. He then requested final approval for Hunters Crest Subdivision Sections 1 and 2.

The Surveyor recommended final approval for Hunters Crest Section 1 and 2 with the conditions as stated on the October 4, 2005 Burke memo to include a revision to number 5 on said memo. The revision was as follows: The Homeowners Association covenants must include a clause which stated lot owners waive any objections to an increase in the regulated drain assessment regarding reconstruction or maintenance. Brandon stated he would confer with the client on the added condition, but noted the client was aware the area was located within the drainage impact area and drainage fees would be involved in the development of the project. John Knochel made a motion to grant final approval to Hunters Crest Section 1 and 2 with the conditions stated on the Burke memo as well as the aforementioned added revision to item number 5 on said memo. KD Benson seconded the motion. Hunters Crest Subdivision Sections 1 and 2 was granted final approval with conditions stated on the Oct. 5, 2005 Burke memo in addition to the revision of item number 5 on said memo indicating the Homeowners covenants include a clause which stated the lot owners would waive their objections to any increase in the regulated drain assessment regarding reconstruction or maintenance.

Public Comment

As there were no public comments, John Knochel made a motion to adjourn. KD Benson seconded the motion. The meeting was adjourned.

Ruth Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board

Minutes

November 2, 2005

Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison. John Stoltz from Christopher B. Burke Engineering Limited and GIS Technician Shellie Muller were also in attendance.

Approval of Minutes

John Knochel made a motion to approve the October 5, 2005 Meeting Minutes. KD Benson seconded the motion. The October 5, 2005 Regular Drainage Board Minutes were approved as written.

Hadley Moors PD

Ruth Shedd stated a continuance request to the December meeting from Randy Peterson of Fishers and Associates was received. KD Benson made a motion to grant a continuance for the Hadley Moors PD to the December meeting. John Knochel seconded the motion. Hadley Moors PD was continued by request to the December Regular Drainage Board Meeting.

Ichiya Industrial Tracts

Paul Coutts of C&S Engineering appeared before the Board to request final approval for the Ichiya Industrial Tracts project. The site consisted of forty acres located north of County Road 400 South and west of County Road 500 East adjacent to the 52 South Industrial Subdivision Phase 2. Access drives would be constructed from both County Road 400 South and County Road 500 East. He presented a proof of publication required with the Notice of Intent. He stated there would be four ten-acre tracts. He distributed a map of the site to the Board members, which indicated the overall drainage plan. Runoff from Ichiya Industrial tracts would utilize existing pipes under Dale Drive and ultimately to "Pond 1" located in the northwestern corner of the 52 South Industrial Subdivision Phase 2. Regarding condition number three of the October 28, 2005 Burke memo, Paul requested a waiver for the impact fees for the JN Kirkpatrick Detention Basin. He stated Rick Johnson owner of the site was in attendance. Paul calculated the cost of the storage would be approximately \$121,500.00. In his opinion Mr. Johnson was being penalized due to site flow restrictions as well as onsite detention facility requirements, which eliminated acreage available for development. Therefore he respectfully requested a waiver of the impact fees. He stated Mr. Johnson would like to speak to the Board regarding the waiver. The Surveyor noted historically the Drainage Board had not granted a waiver for impact fees. He stated the possibility of reconstructing the existing tile to an open ditch. The site ultimately discharged to the upper JN Kirkpatrick Regulated Drain. The 52 South Industrial Subdivision Phase 2 site runoff drained through the pipes under US 52 then to the west side ditch of County Road 450 East. The County Highway had re-cut the ditch a couple years ago. The water now sheet flowed over the LUR and Dougherty Farm property from the side ditch on Co. Rd. 450 East. There was potential as the reconstruction was completed on the drain that the onsite ponds could be eliminated. Historically detention ponds were in place on a temporary basis in the interim of construction on a regional detention basin. He was not in favor of recommending a waiver to the Board. In response to Ruth's inquiry, the Surveyor stated the ponds for this development were platted as permanent. Dave Eichelberger stated the general release rate per ordinance should be used for calculating the cost and felt it would be lower than what Paul had calculated. Paul stated he felt the cost would still be high and a major setback for Mr. Johnson. In response to Dave Luhman's inquiry, Dave Eichelberger noted the volume that the regional pond was required to hold would not be reduced due to the onsite detention ponds.

At that time Rick Johnson approached the Board. He stated the Wallace Farm was purchased in "chunks" by request of the owner for tax purposes. A sixty-six acre tract was purchased and Hawkins did a drainage study of the entire sixty-six acre tract. He stated he had given up prime frontage along US 52 for drainage facilities for the US 52 Industrial Subdivision. He felt he was being penalized, as he had to give up land for drainage, plus pay a fee. He understood development was needed, however ground cost in Tippecanoe County in his opinion was driven up due to these issues. He noted he was hit on both ends giving up land for drainage as well as paying a fee. The Surveyor stated he understood the concern. However he noted Phase 1 and Phase 2 of the 52 South Industrial Subdivision was approved by the Board without fees. He also noted ponds have been required in the past as well within a regional detention facility area. (i.e.: Berlowitz and F-Lake) The Surveyor then recommended the project be granted final approval and he would meet with Mr. Johnson to work out a fee for the impact. He stated the \$15000.00 per acre-foot fee was determined due to the unknown cost of the project. He stated he was willing to sit

down and negotiate a fare fee. John Knochel stated that he agreed the Surveyor should meet with Mr. Johnson, as it did appear he was getting hit hard giving up ground in addition to paying a fee for drainage of the property. Steve then stated the proposed reconstruction cost of the upper JN Kirkpatrick Regulated Drain along with the detention basin was upwards of six million dollars. KD stated onsite storage was required so downstream owners were not affected by the drainage, (Steve interjected it was partially due to restriction- outlet wise- under US 52) as well as the need to outlet water so ponds did not detain water at all times. She stated she would vote against granting the waiver, she felt the other landowners within the watershed should not have to subsidize the development. She stated EDIT monies may be looked act to possibly lower the development costs if indeed companies were ready to locate there providing jobs to the community- as Mr. Johnson had indicated. Dave Luhman stated the waiver request could be tabled (discussion for the appropriate fee would be separate and the approval for the drainage plans could be granted today. John Knochel moved condition #3 (regarding the Ichiya Industrial Tract drainage impact fees) of the October 28, 2005 Burke memo be tabled until the December meeting. KD Benson seconded the motion. A waiver for condition #3 of the October 28, 2005 Burke memo on the Ichiya Industrial Tracts was tabled until the December Drainage Board meeting. John Knochel made a motion to grant final approval with conditions (excluding condition #3) stated on the October 28, 2005 Burke memo for Ichiya Industrial Tracts. KD Benson seconded the motion. Ichiya Industrial Tracts was granted final approval with the conditions as aforementioned. Condition #3 of the October 28, 2005 Burke memo was tabled until the December meeting.

Other Business

The Surveyor requested the Drainage Board refer the upper JN Kirkpatrick and the Julius Berlowitz (including the Felbaum Branch) Regulated Drains to the Surveyor for a Reconstruction Report. Both drains were on his prioritization list and listed as Urban Drains, which by definition meant they were in need of reconstruction. He explained in order to investigate the possibility of reconstruction to the drains; the referral from the Board was required. He stated the possibility of reconstruction costs paid from a combination of participation fees, EDIT money and reconstruction fees. He would review all of the options. The Surveyor then reviewed the routes of the drains for the Board at that time. John Knochel made a motion to refer the Upper JN Kirkpatrick and the J. Berlowitz Regulated Drains for a study on reconstruction. KD Benson seconded the motion. The Board referred the aforementioned drains to the Surveyor for a reconstruction study as requested.

Raintree Subdivision /Maintenance Bond

The Surveyor presented Maintenance Bond #174503, dated October 12, 2005 in the amount of \$17230.00 submitted by Atlas Excavating for Raintree Subdivision and requested acceptance by the Board. John Knochel made a motion to accept Maintenance Bond #174503, dated October 12, 2005 in the amount of \$17230.00 received from Atlas Excavating for Raintree Subdivision. KD Benson seconded the motion. The Board accepted maintenance Bond #174503, dated October 12, 2005 in the amount of \$17230.00 received from Atlas Excavating for Raintree Subdivision.

26 Crossings/ Lot 7

Encroachment Petition Alexander Ross Regulated Drain Crossing

Tim Beyer presented an Encroachment Petition to the Drainage Board requesting encroachment of the open ditch portion on the Alexander Ross Regulated Drain. The crossing would be located on lot 7 within the 26 Crossing Subdivision. Tim stated the crossing would provide access to the commercial lots between the pond west of Meijers and Interstate 65. It would also loop the access between Meijer Court to Meijer Drive. Two culverts were proposed for the crossing. Ruth Shedd asked for public comments. There were none. The Surveyor recommended approval of the encroachment with the conditions as follows: the maximum elevation of the crossing should not exceed the elevation of Interstate 65, elevation shots of the proposed invert pipes should be established, a more detailed relocation of an existing storm line to be coordinated with the owner (to insure the relocation would handle the flow as originally approved), and finally a recently revised Encroachment Petition form should be utilized and recorded once approved. Tim Beyer stated the owner would agree to the conditions as stated. John Knochel made a motion to approve the Encroachment Petition with the conditions as noted by the Surveyor and agreed to by the owner. KD Benson seconded the motion. The Encroachment Petition was approved with conditions as follows: the maximum elevation of the crossing should not exceed the elevation of Interstate 65, elevation shots of the proposed invert pipes should be established, a more detailed relocation of an existing storm line to be coordinated with the owner (to insure the relocation would handle the flow as originally approved), and the utilization of the recently revised Encroachment Petition form and once approved to be recorded by the developer.

Phase II

Schedule of Fees and Forms

The Surveyor informed the Board the Attorney had worked up a draft schedule of fees without the ordinance language. The Surveyor recommended striking the fines and penalties listed on the draft since they were already covered in the existing

County Stormwater Quality Ordinance. Examples of the fees on recent developments were as follows: Polo Fields (18 acres) base fee would be \$860.00. Park 350 Industrial Park on the LUR Property \$5750.00. Lafayette Wal Mart base fee \$2350.00. These fees covered inspections for Rule 5 and Rule 13, as well as inspections for a mandatory period of 3 years. Fees were also included for outlets to regulated drains (Johnson and Hancock Counties charged these fees for hookup or discharge to regulated drains). The Surveyor felt the fee for agricultural tiles hookup to regulated drains be reduced or eliminated. He felt the farmer should be required to get the Surveyor 's Office approval for hookup into a regulated drain, however he did not feel they should be charged a fee.

He requested approval for the final Phase II fees ordinance to be approved for first reading at the Commissioners meeting on November 21st. He noted the consultants Christopher B. Burke Engineering LTD recommended the proposed fees. Dave reviewed the areas the fees would cover. The final Permit Fee Ordinance should be heard for the first reading at the Commissioners meeting as well as the next Drainage Board meeting. The fees would cover various investigation or inspection costs incurred by the Surveyor's office. In response to Ruth's inquiry, the Surveyor stated by law if an approval of a hookup was not obtained before hand, the persons can be made to unhook it. A letter would be sent to all the contractors within the area regarding the rules of hookup and discharges into County Regulated Drains. He stated the Stormwater Coordinator was working on packets to be given to area builders by the Building Commission office upon request of a building permit. In addition, the Coordinator had drafted several standardized forms and notices to be used in the implementation of Phase II. He stated the Building Commission office and Area Plan office have been working closely with the Surveyor office during this process. John Knochel motioned to instruct the Attorney to prepare the Permit Fee Ordinance to be submitted at the Nov. 21st Commissioners meeting for first reading. KD Benson seconded the motion. The motion passed and the Permit Fee Ordinance would be submitted at the Nov. 21st Commissioners meeting for first reading.

**Delphine Anson Regulated Drain #4
Amended Schedule of Assessments for Reconstruction and Periodic Maintenance**

The Attorney submitted the Delphine Anson Regulated Drain #4 Amended Assessment Schedule list for Reconstruction and Periodic Maintenance to the Board for approval and filing with the Auditor's office. The amendments were due to inconsistencies between the GIS tract information and the actual onsite tract information. The inconsistencies have been amended. The Surveyor stated in the future the GIS tract information would be compared with the tax program for any inconsistencies before submission of scheduled assessments to the Board. The adopted tract information was taken from the tax program. GIS was made aware of this issue. The Delphine Anson Regulated Drain #4 Amended Assessment Schedule list for Reconstruction and Periodic Maintenance was presented for approval and filing with the Auditor's office. John Knochel made a motion to accept the Amended Assessment Schedule list for Reconstruction and Periodic maintenance of the Delphine Anson Regulated Drain #4 and file with the Auditor's office. KD Benson seconded the motion. The Delphine Anson Regulated Drain #4 Amended Assessment Schedule list for Reconstruction and Periodic Maintenance was approved as presented and would be filed with the Auditor office.

Public Comment

Ruth Shedd opened the floor for public comment. As there was none, John Knochel made a motion to adjourn. KD Benson seconded the motion. The meeting was adjourned.

Ruth Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
March 24, 2006
SPECIAL Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray and Drainage Board Secretary Brenda Garrison. Drainage Board Attorney Dave Luhman was absent.

Classification of Drains (Partial)

The Surveyor presented the Classification of Drains (Partial) report to the Board. A copy of which would be included (excluding Exhibit A- see file) in the official Drainage Board Minutes book. The Surveyor stated he has completed and presented a Classification of Drains (Partial) report to the Board previously in 2003 and 2005. He stated this year he had expanded it with more detailed information as "Exhibit A". He stated as it was not feasible for his office to know the condition of every regulated drain under County Maintenance, he relied on the farmer to report the condition of a drain. Often calling upon them for a review of the drain's condition and noted his office receives maintenance request calls in the fall and spring when farmers are in the field.

He reviewed his report with the Board as follows:

1.) Drains in need of Reconstruction

a. Berlovitz, Julius (#8) (Includes Felbaum Branch)

1. Declared Drainage Impact Area by Resolution 2006-02-DB

The Surveyor stated the Board was very familiar with this Drain.

b. Kirkpatrick, J.N.(#46) (Watershed above (east) of Concord Road

1. Declared Drainage Impact Area by Resolution 2006-01-DB

The Surveyor stated he had met with the landowners on the Upper JN Kirkpatrick Regulated Drain. It was decided they would provide their own regional detention and the County would construct a positive outlet. He noted the design would be completed within a couple of months and was hopeful to start the bidding process at that time. Right of Entries would be required from the landowners which they had verbally agreed to.

c. Elliott, S.W. (#100)

1. F-Lake Detention Facility

The Surveyor stated EDIT monies was planned for this facility, however the Berlovitz Regional facility would take precedence over F-Lake.

2. Branch #11 (at S.R.38 near Tractor Supply)

The Surveyor stated Branch#11 of the S.W. Elliott served the property north of State Road 38. Previously the Brands were told they would have to reconstruct Branch #11 themselves. The reconstruction cost proved too much- as two 60" inch pipes were required under State Road 38. INDOT would not agree to place the pipes at their expense. The Surveyor suggested a formal reconstruction to the owners as INDOT would then have to shoulder the expense for the pipe installation under State Road 38. A landowner meeting concerning the reconstruction would be organized as soon as time allows.

d. Anderson, J.B. (#2) (Clarks Hill portion)

The Surveyor stated a conceptual reconstruction plan was completed by Christopher B. Burke through the Lauramie Creek Watershed study. The original estimate was in excess of two million dollars, however the Surveyor had reviewed costs and was able to decrease that to approximately half a million dollars.

e. Kirkpatrick, Frank (#45) (Portion East of C.R. 450E)

The Surveyor stated the Frank Kirkpatrick Drain was located in the southeast portion of the County with a portion east of C.R. 450East. This portion was investigated and found to be purposely laid uphill. The Surveyor stated he felt the reconstruction cost would not be acceptable by the landowners. However he noted it would continue to deteriorate over time and would be in need of the reconstructed in spite of the cost.

2.) Hearing and rates established in 2005

a. Anson, Delphine (#4) Reconstruction rate, periodic maintenance rate and maintenance rate after reconstruction set by hearing on August 29, 2005

b. Jakes, Lewis (#40) Reconstruction rate, periodic maintenance rate and maintenance rate after reconstruction set by hearing on August 29, 2005

The Surveyor informed the Board there was a SEA 368 Review scheduled in the near future for the Lewis Jakes Drain. The drain outlet at Indian Creek. He explained if work was reconstruction and the length of a drain greater than ten miles on the USGS map, a review (SEA 368) by IDNR, IDEM and Army Corps of Engineers was required. They will walk the drain with the Surveyor and give their requirements for said reconstruction.

- 3.) Urban Drains (per I.C. 36-9-27-68 Urban Drains are classified as in need of Reconstruction)
 - a. S.W. Elliott (#100)
 - b. Berlowitz, J. (#8) (Include Filbaum Branch)
 - c. Kirkpatrick, J.N. (#46)
 - d. Ross, Alexander (#48)

The Surveyor noted extensive maintenance work on the Alexander Ross drain.

- 4.) Drains in need of Periodic Maintenance
Please see attached sheet Exhibit A

The Surveyor noted the Exhibit Sheet A indicated maintenance amounts from 1990 to date on each regulated drain and referred the Board members to the exhibit for review.

- 5.) Insufficient Funds
 - a. Blickenstaff, John (#11)
 - b. Crist Fassnacht (#29)
 - c. Grimes, Rebecca (#33)
 - d. Harrison Meadows (#37)
 - e. Kerschner, Floyd (#38)
 - f. Kirkpatrick, Frank (#40)
 - g. Lesley, Calvin (#48)
 - h. Morin, F.E. (#57)
 - i. O'Neal, Kelly (#59)
 - j. OShier, Audley (#60)
 - k. Saltzman, John (#70)
 - l. Dickens, Jesse (#91)

The Surveyor stated the most common reason for insufficient funds was the low originally established assessment rate. The rate was set many years ago and due to inflation did not meet present maintenance costs.

- 6.) Proposed Drains for hearing in 2006
(Request these drains be referred to Surveyor for preparation of maintenance report)
 - a. Brown, Andrew (#13)
 - b. Coe, Train (#18)
 - c. Haywood, E.F. (#35)
 - d. Harrison Meadows (#37)
 - e. Kirkpatrick, Frank (#45)
 - f. Morin, F.E. (#57)
 - g. Mottsinger, Hester (#58)
 - h. Parker, Lane (#61)
 - i. Resor, Franklin (#65)
 - j. Southworth, Mary (#73)
 - k. Vannatta, John (#81)
 - l. Yoe, Franklin (#90)
 - m. Dismal Creek (#93)
 - n. Beutler Gosma (#95)
 - o. Romney Stock Farm (#109)

The Surveyor stated these drains assessment rates were more critical in his view. There was a limited amount of monies within the General Fund available for general use. For example the Andrew Brown in the northeast portion of the County was tile and open ditch. A portion of the open ditch was cleaned this spring due to the submerged outlet at the headwall. (Generally open ditches should be cleaned or dipped and cleared an average of ten to twelve years.) The cost for a three thousand foot open ditch at \$6.00 per foot would be approximately \$18,000.00. It would take approximately 4-5 years to

repay the general fund. The Harrison Meadows Drain had maintenance work done in the mid nineteen-nineties and owed the General Fund over \$6000.00 to date. The four year total assessment for this drain was only \$1915.70.

- 7.) Drains recommended to be raised by 25%
 - a. E.F. Haywood (#35)
 - b. O'Neal Kelly (#59)
 - c. Oshier, Audley (#60)
 - d. Resor, Franklin (#65)
 - e. Yoe, Franklin (#90)
 - f. Kirkpatrick One (#96)

The Surveyor noted this recommendation was a temporary fix. Raising the maintenance assessment 25% in his opinion was a proactive action in the interim.

- 8.) Petitions for New Regulated Drain Referred to Surveyor
 - a. Fred Whaley/Norm Bennett
 - b. Todd Welch

The Surveyor noted additional investigation was required for the Fred Whaley/Norm Bennett Petition as the tile drain was submerged which made it difficult to evaluate properly. He felt the most cost effective way was to set up a maintenance fund before additional investigation was done. Investigation on the Todd Welch petition would be completed as time allowed.

- 9.) Existing Drains Referred to Surveyor for Report
 - c. Upper JN Kirkpatrick (#46)
 - d. J. Berlowitz (#8)

The Surveyor stated these drains had existing maintenance funds and was conferring with Christopher Burke on their reports.

- 10.) Drain that should be vacated
 - a. That portion of Branch #5 of the J.N. Kirkpatrick which runs along the East side of Promenade Drive in Stones Crossing Commercial Subdivision.

The Surveyor stated this portion of the tile was presently functioning as a storm sewer for Promenade Parkway on the west side of Wal-Mart and should be vacated as it no longer functions as a county regulated tile.

In summary the Surveyor stated a new drainage layer and map was close to completion and would eventually be available to the public. He reviewed the layer utilizing GIS for the Board. A red dash tile was a county tile or open ditch: a solid blue label indicated it had a maintenance fund, a green label indicated it did not have a maintenance fund. He added a database (individual drains historical information to date) was being maintained as well. He informed the Board he will give a presentation the first Wednesday of April to the District SWCD Board concerning County Drains.

As there was no additional information for the Board, John Knochel made a motion to adjourn. Ruth Shedd seconded the motion. The meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
July 5, 2006
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison.

Approval of Minutes

John Knochel made a motion to approve the June 7th, 2006 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The June 7th, 2006 Drainage Board meeting minutes were approved as written.

Park 350 Subdivision

Brandon Fulk appeared before the Board to request final approval for Revised Park 350 Subdivision project. The site is located south of County Road 350 South, west of the intersection C.R. 350 South and U.S. 52. The site consists of approximately 137 acres. The north half drains north to the C.R. 350 South side ditch- ultimately draining to the southern portion of the J.N. Kirkpatrick Regulated Drain and the south half drains directly to the tile system of the Upper J.N. Kirkpatrick Regulated Drain. Infrastructure to support industrial development was proposed. A channel reconstruction along the regulated drain would provide an outlet for the majority of the Stormwater runoff within the subdivision.

Brandon stated final approval with conditions was obtained last year, however an alternate design is presently proposed based on the Upper J.N. Kirkpatrick Regulated Drain Reconstruction. The northern portion of the site would now drain directly to an onsite pond. Brandon referred to the Variances and Encroachments listed on the June 30, 2006 Burke review memo. Item #1: The slope of the pond to the south would have a 6:1 side slope and maintenance ledge included. This would be updated on the plans. The 20 feet embankment would also be provided as required in Item #2 of the conditions. He referred to the Stormwater Quantity conditions. Item #2: The appropriate documentation of ownership would be provided for the record and clarification and they concurred with item #2 of the Stormwater Quality section. Electric and Gas Encroachment Agreements would be forthcoming. He stated they concurred with said review memo and requested final approval for the revised plans of the Park 350 Subdivision. In response to the Surveyor's inquiry, Brandon stated Pond 300 was designed to accommodate additional development in the area. The drainage runoff route of future development to the pond had not been determined to date and would be submitted for review as the Ordinance required. The Surveyor recommended final approval with the conditions as stated on the June 30, 2006 Burke memo. John Knochel made a motion to grant final approval with the conditions as stated on the June 30, 2006 Burke memo for Park 350 Subdivision. Ruth Shedd seconded the motion. Park 350 Subdivision was granted final approval with the conditions as stated on the June 30, 2006 Burke memo.

Alexander Ross Regulated Drain#68/Petition for Encroachment

The Surveyor reviewed a Petition to Encroach on the Alexander Ross Regulated Drain #68 for the Board. A water main line would be constructed approximately 5 feet below the bottom of ditch in order to provide service for Lot 7A in 26 Crossings Subdivision south of Lafayette Business College and PEFCU in 26 Crossing Subdivision. He recommended granting the encroachment to TK Constructors Petitioners. John Knochel made a motion to grant the Encroachment Petition on the Alexander Ross Regulated Drain #68 as presented. Ruth Shedd seconded the motion. The Petition to Encroach on the Alexander Ross Regulated Drain was granted to TK Constructors, Petitioners.

Upper J.N. Kirkpatrick Regulated Drain #46 Improvements

The Surveyor stated multiple meetings had been held with the Upper JN Kirkpatrick Regulated Drain property owners since early fall of last year regarding property issues. Due to present and future development in the area the original regional detention concept was no longer planned. A new open ditch would be constructed which would provide a positive outlet for the area. The individual property owners would provide their own detention as they develop their property. The Surveyor then noted the Board declared the area a Drainage Impact Area this year. The documents for reconstruction were complete, a wage scale had been obtained and the project would be offered for bid in the coming weeks. The County Highway would

construct the culvert on County Road 450 East over the proposed ditch. In addition the gas company agreed to relocate the high-pressured lines at their own expense. The contractor bidding on the new school site was interested in obtaining some of the dirt for that project site. The Surveyor stated the project was on schedule to receive BIDS at the August Drainage Board Meeting. John Knochel made a motion to approve the Upper JN Kirkpatrick Regulated Drain #46 Improvement Plans and the Drainage Board to sign the cover sheet of the plans as submitted by the Surveyor in addition to the acceptance of BIDS on August 2, 2006 at 10 a.m. Ruth Shedd seconded the motion. The Board would sign the Upper JN Kirkpatrick Regulated Drain #46 Improvement Plans and the acceptance of BIDS for the Upper J.N. Kirkpatrick Regulated Drain #46 was scheduled for August 2, 2006 at 10 a.m.

J. Berlowitz Regulated Drain #8 Regional Detention Agreement Phase 1/ Eastland Development

The Surveyor stated he had hoped to present a final Agreement concerning the J. Berlowitz Regulated Drain #8 Regional Detention Phase 1 with Eastland Development; however it was not ready at this time. He stated he had met with Mr. Derrin Sorenson, President of Eastland Development and Mr. Bill Davis last week and reached an agreement. He informed the Board the County would gain land south of the proposed pond at the southeast corner of 50 South and 550 East. Eastland Development's desire was that the excess property would be turned over to the County Parks Department for area residents. He had thought the agreement would be available to be approved by the Board this a.m., however, he requested a recess of the meeting until July 7, 2006 at 11:30 a.m. The Attorney stated he would review the agreement in the interim and felt his presence would not be necessary for the Board to sign.

Maintenance Bonds/Letter Of Credit

Raineybrook Pt 2 Sec 2 Ph 1/L.O.C.#600/Raineybrook LLC/Dated July 3, 2006

Retreat at Hickory Ridge Maint. Bond #1750832/\$14580.00/Atlas Exc. /Dated Sept. 7, 2005

The Surveyor presented the following maintenance Bonds for acceptance by the Board: Raineybrook Pt 2 Sec 2 Ph 1: Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of \$8686.00 and the Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of \$14580.00. John Knochel made a motion to accept the Raineybrook Pt 2 Sec 2 Ph 1 Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of \$8686.00 as well as Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of \$14580.00. Ruth Shedd seconded the motion. Raineybrook Pt 2 Sec 2 Ph 1 Letter of Credit #600 from Raineybrook LLC dated July 3, 2006 in the sum of \$8686.00 and Retreat at Hickory Ridge Maintenance Bond #1750832 from Atlas Excavating dated Sept. 7, 2005 in the sum of \$14580.00 was accepted by the Board.

Public Comment

As there was no public comment, KD Benson stated the meeting would be recessed until July 7, 2006 at 11:30 a.m.

July 7, 2006 11:30 A.M.

KD Benson called the recessed meeting back to order. Drainage Board Vice President John Knochel, County Surveyor Steve Murray, and Drainage Board Secretary Brenda Garrison were also in attendance. Commissioner Ruth Shedd, Drainage Board Attorney Dave Luhman and Dave Eichelberger Engineer Consultant were absent.

Eastland Development/Agreement

KD Benson stated the recessed meeting was due to finalizing the Eastland Development Agreement with the Drainage Board for the Berlowitz Regulated Drain #8 Regional Drainage Phase 1 project. The Surveyor then informed the Board the Berlowitz Regulated Drain #8 Regional Reconstruction Phase 1 ran from I65 to C.R. 50 South and included the C.R. 550 East basin and C.R. 50 South basin. The agreement contained several Exhibits (A through E) and detailed the work to be done and the land which would be granted to the Board by Fee Simple or Drainage Easement. It also detailed the amount of excavation to be placed on Eastland Development property south of the proposed Regional Detention Basin, (property known as Hawthorne Lakes, Hawthorne Meadows) in addition to credits the Development would receive for detention storage. He stated the agreement would provide a savings to the taxpayer of approximately 2 million dollars from the original cost of the project and allow the Contractors developing the Clarian Arnett Hospital site to remove excess dirt from the Eastland Development LLC site and transport to the Clarian site. He recommended the Board sign the agreement with Eastland Development LLC and Saddlebrook Development LLC. KD Benson noted the Attorney had approved the agreement to

form. John Knochel made a motion to approve the said agreement between the Board and Eastland Development and Saddlebrook Development LLC. KD Benson seconded the motion. The agreement was approved as presented by the Surveyor. John Knochel made a motion to recess the meeting to sign the agreement on July 11th, 2006 at 11 A.M. KD Benson recessed the meeting until July 11, 2006 at 11 A.M.

July 11, 2006 11:00 A.M.

KD Benson called the recessed meeting back to order. Drainage Board Vice President John Knochel, Commissioner Ruth Shedd member, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman and Secretary Brenda Garrison were in attendance as well.

The Surveyor stated he met with Milestone and Kettelhut as well as Roger Fine from Fisher & Associates concerning the logistics of removing the dirt and stockpiling. An additional meeting was scheduled today to finalize the details of the excavation process. He noted, as builts would be provided to the County once the excavation was completed. The County Highway would attend today's meeting as well. The Surveyor would request a letter of understanding from Kettelhut and Milestone Contractors for the project at that time. In response to KD Benson's inquiry, the Surveyor informed the Board a Waiver and Release had been obtained from Milestone Contractors releasing the Drainage Board from any liability during the excavation process. He noted the Clarian Arnett Hospital project had received approval for mass grading only from the Board and the project would be presented to the Board at a later date for final approval.

In response to Dave Luhman's inquiry, the Surveyor stated it was the intention to have the grading for the Berlowitz Regulated Drain #8 Regional Detention Phase 1 project completed by July or August and hoped to have the contract documents ready to let out for BIDS by early fall this year.

John Knochel made a motion to adjourn the meeting. Ruth Shedd seconded the motion. The meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
December 5, 2007
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President John Knochel, Vice President Ruth Shedd, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

Approval of Minutes

Ruth Shedd made a motion to approve the November Regular Drainage Board minutes as written. KD Benson seconded the motion. The November 7, 2007 Drainage Board meeting minutes were approved as written.

First Reformed Church of Lafayette

Patrick Williams of T-Bird Design Services appeared before the Board to request final approval for First Reformed Church of Lafayette. The overall site consisted of approximately 36 acres with the present project on approximately 6.5 acres near the southeast corner of the overall site. The overall site was located northwest of the intersection of County Roads 300 North and 400 East on the north side of County Road 300 North. Pat stated in the existing conditions, the majority of the west half of the site was farmed for row crop and the east half (with some wooded areas in the northeast) was a grass pasture and used for recreation purposes. There was an unregulated portion of the Crist Fassnaught Regulated Drain which ran south to north into Dry Run Creek and ultimately to the Wabash River. In addition to site engineering, some floodway and floodplain mapping for that portion of the Crist Fassnaught Drain which had been approved by the I. D.N.R. (Indiana Dept. of Natural Resources) was performed. Construction of a sanctuary and future building additions as well as pertinent drives and parking areas was planned. In the proposed condition onsite runoff would generally drain west to east via overland flow or the proposed perimeter drainage swales. Perimeter drainage swales were located along the west, north and south sides of the site and outlet into a proposed dry detention basin. The proposed detention facility would serve for storm water quantity management. The runoff rate was controlled into Crist Fassnaught Regulated Drain via an eight inch orifice plate. Pat noted they were utilizing the granular soils onsite resulting in the detention basin serving as an infiltration basin as well. In doing this it would provide stormwater quality above and beyond the ordinance requirements. He stated the design met the requirements of the ordinance and requested final approval subject to the conditions outlined in the November 28, 2007 Burke memo. In response to KD Benson's inquiry Pat stated the pond would be located on the east side of the property. He noted the bottom of the pond was actually a foot above the 100 year elevation at its connection to the flood plain.

The Surveyor recommended final approval with conditions as stated on the November 28, 2007 Burke memo. He noted since there was no published flood plain information for the ditch, T-Bird Design Services were required to send the information to I.D.N.R. T-Bird did receive approval from I.D.N.R. and the Surveyor's office has copies in the file. There was no public comment. Ruth Shedd made a motion to grant final approval with the conditions on the November 28, 2007 Burke memo. KD Benson seconded the motion. First Reformed Church of Lafayette received final approval with the conditions as stated on the November 28, 2007 Burke memo.

Candlewood Suites

Clem Kuns of T-Bird Design Services appeared before the Board to request final approval for the Candlewood Suites project. The site was located within the City of Lafayette limits south of the I-65/ State Road 26 interchange, commonly known as Lot 7 of the 26 Crossing Commercial Subdivision and approximately 2.5 acres. Approximately half of the site's runoff routed to an I-65 ditch which in turn outlet to the Alexander Ross Regulated Drain (open ditch) which then routes to the regional detention facility. The remaining easterly side drained directly into the A. Ross Regulated Drain. To develop the site, a proposed relocation of the A. Ross Regulated Drain from an onsite open ditch to dual 60 inch pipes underground was proposed. They were sized in excess of the 100 year flow rate. He requested final approval and stated he was in agreement with the conditions as stated on the November 30, 2007 Burke memo. He noted they were working with the Surveyor on the final location of the Alexander Ross Regulated Drain pipes proposed. They were also presently in the review process with the City of Lafayette at this time.

The Surveyor noted several people had looked at relocating the open ditch which connected the outfall from the west side to the pond in 26 Crossings. He stated he was satisfied the proposed pipes would handle the flow. Emergency routing was addressed as well. He stated the steps for the relocation of the drain should follow Indiana Code 36-9-27-52.5. (Relocation of a regulated drain by an owner on his own site at his own expense) He stated a recorded relocation and vacation petition of the regulated drain was required for final approval of the project. The exhibit with the said petition should show the existing easement and the proposed easement. The proposed drives which cross the regulated drain would require encroachment agreements as well. Since this was in the city limits stormwater quality would be reviewed by them. Responding to KD's inquiry, Clem stated part of the runoff of the site would route straight into the pond and part into the proposed pipes upstream. Dave Luhman, Attorney stated a Petition to Relocate and Vacate as well as a Petition to Encroach would be an additional condition.

The Surveyor recommended final approval with the conditions as stated on the November 30, 2007 Burke memo with the additional condition of a submission of a signed and recorded Petition to Vacate and Relocate and a Petition to Encroach regarding the Alexander Ross Regulated Drain. There was no public comment. Ruth Shedd made a motion to grant final approval with the conditions as stated on the November 30, 2007 Burke memo with the additional condition of the submission of a signed and recorded Petition to Vacate and Relocate and a Petition to Encroach concerning the Alexander Ross Regulated Drain. KD Benson seconded the motion. Candlewood Suites received final approval with the conditions as stated on the November 30, 2007 Burke memo with the added condition of the submission of a signed, recorded Petition to Vacate and Relocate and a Petition to Encroach concerning the Alexander Ross Regulated Drain.

Steve Murray F-Lake Regional Detention Pond Signature for Cover Sheet

The Surveyor presented the cover sheet for the F-Lake Regional Detention Pond Plans for signatures by the Board. The project plans and wage scale were complete. The projected time to receive bids was February which would be in time for the start of the construction season. He noted the project had been in the works since the 1980's. Responding to KD's inquiry, the Surveyor stated the project did not impinge on the Ivy Tech Community College parking lot expansion. The F-Lake property was approximately 17 acres and was part of land swap between Judy Hammond, Ivy Tech. and the County during the mall expansion project. Responding to KD inquiry concerning the naming of F-Lake, the Surveyor stated in the old files a hand drawn diagram was located and it indicated various parcels of ground labeled from A-F. The piece that was designated for regional detention was parcel F, thus the name F-Lake.

Elliott Ditch Hydraulic Analysis/Feasibility of Revision

The Surveyor stated several months ago Christopher Burke was contracted to review a portion of the Elliott Regulated Drain which involved the portion upstream of Concord Road and Brady Lane, to see if there was any possibilities to model that portion of the ditch and lower the 100 year flood elevation and floodway. The analysis was now complete. Mr. Eichelberger, the Surveyor and Dave Knight from I.D.N.R. met and discussed possibilities- most of which I.D.N.R. did not feel they could support. The Surveyor felt the Board should be brought up to date with the final analysis. He referred to Dave Eichelberger for the report.

Dave stated they had performed an analysis for another party on the ditch between Concord Road and US 52. The results of the analysis showed numbers were unrealistic based on what had been seen over a period of 20-30 years. They reviewed the data. They requested I.D.N.R. to review to see if there was anything which could be done to get the modeling to show something more realistic in the area. They also took a look at the hydrology to see if the discharge could be lowered. The reasonable floodplain reported to them was an elevation of approximately 640-641 in that area and they were getting elevations of approximately 642.5 to 644.5. The reduction would have to be 2.5 to 3.5 feet to get a more reasonable result. The discharge (received from I.D.N.R.) used in the original analysis was approximately 1900 cfs. Discharge it would take to get it down to that level would be approx. 1100 cfs. The 2000 Watershed Study indicated 1400 cfs. which was closer to a reasonable discharge, however it was not down to a level to get a reasonable floodplain. There was nothing they could have done which was acceptable by I.D.N.R. They took a look at the hydraulic modeling, downstream bridges which had been put in, and the routing at the railroads using a study state modeling and even spoke with I.D.N.R. about it. The conclusion was to install stream gages to calibrate the models to an actual event and rerun those models with a 100 year storm. This would result with amounts more realistic which I.D.N.R. could approve. There was nothing that could be done as exists presently. The Surveyor noted there were large depressional areas upstream, individual retention, detention ponds required by Ordinance. I. D.N.R. would not allow the areas to be counted as storage for the study. Dave stated the 2000 study was a

working study. As changes occur; regional plans, watershed plans it could be and had been used as a base model. I.D.N.R. is very conservative and that is why they have 1900 cfs. One can not go lower than that and follow the requirements set by I.D.N.R. As the 1400 cfs resulting from the study included every detention pond within the watershed that Burke was aware of to include the existing depressional storage. Responding to KD's inquiry, Dave stated a significant rain event data accumulated by the gages could be used to perform the modeling. The Surveyor stated the gages would cost approximately \$15,000.00 per unit and 2 units would be needed. Dave stated one could get by with only one gage however two would be more efficient. Cost sharing could also be used. KD stated since the County Highway, Extension Office and the rest of the potential developments were located in the area she felt the Board should go ahead with the stream gages. It potentially could save the County money. The present situation had negative impacts on Ivy Tech parking lot and other areas of potential growth or development. The Board felt it was worthwhile to install the gages within the ditch. Dave then stated this was not an isolated incident as the Town of Peru was in the process of using stream gages as well.

The Surveyor stated based on the results of the Burke analysis and 3 known properties adversely affected by the unreasonable floodplain elevation, he suggested considering the upper or entire Elliott Regulated Drain Watershed as an Impact Area. He did not believe maintenance funds could be used for the cost of stream gages. The Attorney agreed the cost of the stream gages could not be paid for with drain maintenance funds. The Surveyor noted the original watershed study was completed in 1988 by Christopher Burke himself. One portion of the watershed which was previously discussed and known that an impact area should be declared was a branch of the Elliott by Best Way Disposal at C.R. 350 South east of C.R. 500 East. He noted that area definitely had an inadequate outlet. He noted declaring it an impact area could also limit the development's discharge and allow additional conditions not listed in the ordinance. The Attorney reiterated declaring an impact area allowed the Board to give additional restrictions to the developer/landowner due to additional discharge which could add to the existing problem. He stated the problem could be an economic development issue. Responding to Ruth Shedd's inquiry, the Surveyor noted he thought EDIT and Drainage funds might be available for use as well as cost sharing by others. He noted the delineation of flood plains was the function of F.E.M.A. and I.D.N.R. and the Surveyor's office was not in the business of doing such. Ruth Shedd stated it would benefit everybody to install the gages within the ditch and continue on the path. Pat Jarboe of T-Bird Design Services approached the Board and stated he felt the benefit outweighed the cost and it could be possible to discuss cost sharing with some of his clients. He stated some cities depend on calibrations to get correct data. He suggested continuing to set the path in this community to have correct data for more accurate designs for hydrology and hydraulics.

2008 Drainage Board Meeting Dates

Ruth Shedd made a motion to accept the 2008 Drainage Board Meetings as submitted. KD Benson seconded the motion. The 2008 Drainage Board Meetings was accepted as submitted.

Public Comments

There was no public comment. Ruth Shedd made a motion to adjourn. The meeting was adjourned.

John Knochel, President

Ruth Shedd, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
January 2, 2008
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited. Project Manager Zachariah Beasley was in attendance as well. Member Ruth Shedd and Drainage Board Secretary Brenda Garrison were absent.

Election of Officers/Secretary

Drainage Board Attorney Dave Luhman accepted nominations for 2008 officers of the Tippecanoe County Drainage Board. John Knochel nominated KD Benson as President for 2008. There were no other nominations. KD Benson was President of the Tippecanoe Drainage Board for 2008 with no objections. The Attorney then accepted nominations for Vice President. KD Benson nominated John Knochel as Vice President of the Tippecanoe County Drainage Board for 2008. John Knochel was elected Vice President. KD Benson made a motion to appoint Brenda Garrison as the 2008 Drainage Board Secretary. Brenda Garrison was appointed Drainage Board Secretary for the Tippecanoe County Drainage Board in 2008.

Approval of Minutes

John Knochel made a motion to approve the December 5, 2007 Regular Drainage Board minutes as written. KD Benson seconded the motion. The December 5, 2007 Drainage Board meeting minutes were approved as written.

2008 Legal Services Contract /Hoffman Luhman & Masson

John Knochel made a motion to reappoint the Hoffman Luhman and Masson Firm as Legal Consultants. Dave Luhman was appointed as Legal Counsel of the Tippecanoe County Drainage Board for 2008 with no objections.

2008 Engineering Review Contract/Christopher B. Burke Engr. LTD.

Dave Luhman stated he reviewed the Engineering Consultants Review Contract. There was a change in the schedule of rates and charges for 2008 with standard terms. The Surveyor stated he felt the rates were more than reasonable with outstanding service and noted the project review charges were reimbursed to the County by the project developers. John Knochel made a motion to approve the 2008 Engineer Review Contract with Christopher B. Burke Engineering LTD firm. KD Benson seconded the motion.

New Federal Express Facility

Brandon Fulk of Schneider Engineering Corporation appeared before the Board to request final approval for the New Federal Express Facility. The site consisted of approximately 11.5 acres and was located on the south side of County Road 200South west of County Road 475East and within the City of Lafayette. This site was previously a site for the Canam Steel project. (Approved 2001 but never constructed). The site had an indirect outlet to Elliott Ditch via the constructed swale along the west side of Rowe Trucking. Brandon stated this site would ultimately discharge to the F-Lake Regional Detention Facility and as a result direct release was permitted. There was an exception of a small area in the northwest corner of the site which drained to an existing swale along County Road 200South (Haggerty Lane). Proposed parking would be located on the north side of the site. There was a detention facility proposed to the south to be used for water quality. The site was in jurisdiction to the City of Lafayette and Brandon was in receipt of a review letter for the City Engineer with two comments. He stated they concurred with the December 21, 2007 Burke review memo and respectfully requested final approval at that time.

The Surveyor stated the site was reviewed in the past and there was an existing swale which took the runoff to Elliott Ditch and was located in the City. The discharge rate was the purpose of the Board's review today. He clarified this would not flow directly into the F-Lake Facility based on its new design. There were several watershed sub-basins that F-Lake would compensate for. He noted storage Fees for the F-Lake Regional Facility would be required for this project. There was no public comment. John Knochel made a motion to grant final approval with the conditions as stated on the December 21, 2008 Burke Memo. KD Benson seconded the motion. The New Federal Express Facility was granted final approval with the conditions as stated on the December 21, 2008 Burke Memo.

Progress Drive Extension

Justin Frazier with T-Bird Design Services appeared before the Board to request final approval of the Progress Drive Extension a part of the Lafayette Hotel Partnership Subdivision. The site consisted of approximately 4 acres and was located south of State Road 26 and west of Interstate 65 and within the City of Lafayette. The site also included two previously platted lots. At present the site was woody and weeded and drained southeasterly through an adjoining farm property eventually to the Alexander Ross Regional Detention Facility. (Designed in 1993) The project included storm sewers to convey runoff directly to the said facility. The new storm sewers would run parallel to existing sewers north of Commercial Drive. They would discharge separately to an existing concrete-lined channel upstream of the said facility. The watershed would include Lots 3 & 4, the right of way for Progress Drive and approximately 1 acre of offsite area. Justin stated the facility had more than enough storage for the proposed project and requested final approval at that time.

The Surveyor noted this was located within the City of Lafayette and they would be responsible for the Stormwater quality. He noted the Alexander Regulated Drain was involved in addition to the facility. The watershed was fairly good size and ran to Cascada and down to McCarty Lane. At some point the pond would be much larger. He noted proof of master agreement with those individuals that own the site where the pond was located would be required. Based on Burke’s evaluations there appeared to be more than enough capacity there currently. However a satisfactory written agreement would be required. Dave Eichelberger noted Easements through the property immediately to the south and along the east side of Wal-Mart would be required as well. Justin stated negotiations were in progress for the easements but had not been finalized at this time. Justin stated notification to the adjoining landowners was sent as required. There were no public comments.

The Surveyor stated he recommended final approval with the conditions as stated on the December 21, 2008 Burke Memo. John Knochel made a motion to grant final approval for Lafayette Hotel Partnership Subdivision Progress Drive Extension with the conditions as stated on the December 21, 2008 Burke Memo. KD Bensons seconded the motion. Lafayette Hotel Partnership Subdivision Progress Drive Extension was granted final approval with conditions as stated on the December 21, 2008 Burke memo.

Other Business/Steve Murray

Regarding the construction of the F-Lake Regional Detention Facility the Surveyor noted a meeting date would be chosen for bids to be let - most likely in mid February.

Public Comment

There was no public comment. John Knochel made a motion to adjourn. The meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
February 6, 2008
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

Approval of Minutes

John Knochel made a motion to approve the February 6, 2008 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The February 6, 2008 Drainage Board meeting minutes were approved as written.

Subaru Warehouse #9

Woody Roeschlein from RQAW Corporation appeared before the board to request final approval for Subaru Warehouse #9 (aka Butler Building). The site was located within the City of Lafayette specifically along State Road 38 between County Road 475 East and Interstate 65 (west of the existing manufacturing plant) and consisted of approximately 2.5 acres of the 830 acre site. The site drained to an on-site detention facility before being discharged into the Parker Ditch. Additional storm drains would be installed west of the proposed addition and connected to the existing storm sewers onsite. As a condition of drainage approval, Woody stated the Consultants for the Board required a new site analysis of the overall picture. A hydraulic analysis was performed in 1995 by his company and Burke felt the analysis needed to be revised. The new warehouse would drain to pond #5 - north of the engine plant. In 2002-2003 the water was diverted from pond #3 to pond #5. Pond #5 was enlarged during the construction of the said engine plant. This will be reflected in the total site analysis report. The new warehouse would have minimal discharge effect on the Parker Ditch. The existing site would be changed to roof and asphalt. Along with the new warehouse a turn around and parking area was planned. Responding to KD's inquiry, Woody stated pond #3 was originally designed for a four foot freeboard. The maximum elevation for a hundred year storm left it with a two foot freeboard. He stated that pond would not overflow. Dave Eichelberger noted the analysis showed storage and discharge curve that went up to 658 contours. The model indicated pond overtopped during routing that calculated peak outfall/elevation was invalid. He stated the map of the area was small and he could not determine if the 658 contour ends around the lake or if the lake was totally ringed by 660 contour. Woody had stated in an email the 660 contour ringed the pond. Dave felt it still needed to be remodeled. If it was getting above 658 there was actually more storage in the pond than the model indicated and the elevation would get higher than 658. This would cause more head on the pipe which in turn caused more discharge to pond #4 which meant pond #4 was not receiving the correct amt. of water getting to it. One of the first steps to pond #3 would be discharge in storage curves which go to the top of the pond and not some point below. The Surveyor then interjected details would be worked out with the Engineers involved. The main concern was the ultimate discharge to the Parker Ditch which routed under County Road 200North and on to the northeast to the Wildcat Creek. The Surveyor recommended final approval with conditions as the modeling question would be resolved. There was no public comment. John Knochel made the motion to grant final approval with the conditions stated on the January 24, 2008 Burke memo. Ruth Shedd seconded the motion. The Subaru Warehouse #9 was granted final approval with the conditions stated on the January 24, 2008 Burke memo.

Stones Crossing Self Storage

Eric Gleissner from Civil Site Group who represented G&L Development appeared before the board and requested final approval for the Stones Crossing Self Storage. The project consisted of six self storage buildings and an office on the overall 5.6 acre site. It was located approximately 800 feet south of the intersection of Promenade Parkway and County Road 350 South. Eric noted approximately 2 acres of the site consisted of existing easements, most notably the JN Kirkpatrick Regulated Drain which ran along the entire southern boundary of the site. Direct discharge was proposed to the JN Kirkpatrick Drain. Hydrodynamic separator structures would be used to address the post construction stormwater quality requirements. He then requested final approval with the conditions as listed on the February 1, 2008 Burke memo. In response to KD's inquiry Eric stated he was in agreement with the memo regarding the encroachment request. A formal request would be forthcoming. The 15 feet encroachment on the JN Kirkpatrick Regulated Drain Easement was for proposed pavement, fencing and landscaping. A buffer yard was required due to the residential area on the opposite side of the said

drain. This would leave a 25-30 feet area on the top of the bank for maintenance. The Surveyor noted a formal petition would be required. He had also talked with Mr. Keene of G&L Development concerning their maintenance of the vegetation in the channel. Also the easement was still legally in the City of Lafayette's name and acquired by the City as part of the interlocal agreement for the Twickingham ditch project. Typically easements were transferred to the Drainage Board. At the time there was a disagreement involving the Twickingham Bridge; this has since been resolved. However the transfer was never completed although that was the intent. The current preliminary indication was the City of Lafayette was willing to transfer the easements to the Drainage Board. He further stated this may be something the Board Attorney should discuss with the City Attorney. Dave Luhman then stated to the extent it encroached on the Right of Entry Easement - the Board can consent to the encroachment. This would be separate from encroaching on the platted easement. Responding to KD's inquiry, Dave stated the city could consent to the encroachment and transfer to the Board which would be subject to the consent or they could transfer the easement to the Board and then the Board could consent to the encroachment requested. However today the Board could not consent to the encroachment into the City's Easement. It could be approved subject to the filing of an Encroachment Petition. Eric noted he was in receipt of an approval letter from Bob Foley of the City Engineer's office. The Surveyor noted he was prepared to recommend final approval with the conditions as stated on the February 1, 2008 Burke memo. There was no public comment. John Knochel made a motion to grant final approval of Stone's Crossing Self Storage with the conditions as stated on the February 1, 2008 Burke memo. Ruth Shedd seconded the motion. The Stone's Crossing Self Storage was granted final approval with conditions as stated on the February 1, 2008 Burke memo.

Other Business

2008 Regulated Drain Status List

The Surveyor presented the 2008 Regulated Drain Status list to the Board for approval. He stated a correction or two may be made before it was submitted to the Auditor office as required. John Knochel made a motion to approve the 2008 Regulated Drain Status list presented along with corrections if any by the Surveyor. Ruth Shedd seconded the motion. The 2008 Regulated Drain Status list was approved by the Board (*Note: a copy of the list as submitted to the Auditor office will be included in the official Drainage Board minutes immediately after the minutes at hand.*)

Candlewood Suites- Petition to Reconstruct Alexander Ross Regulated Drain

Clem Kuns from TBIRD Designs appeared before the Board and presented the Petition for Reconstruction of the Alexander Ross Regulated Drain for approval. He noted in the future they will present to the Board an additional Petition to Encroach on a Regulated Drain regarding future drive crossings. He then requested approval for the Reconstruction of the Alexander Ross Regulated Drain as submitted to the Board. The Attorney noted the Petition was in proper form and it had been addressed last month with approval of the drainage plans which reflected the relocation. As long as it is within their site, completed at their expense the Board could approve and they could relocate the drain. The Surveyor noted in addition to the revised encroachment agreement, they will need to formally vacate a portion of the platted easement which Mr. Luhman supplied with the form and instructions to do so. He stated the new Regulated Drain Easement should be completed at the same time. The Attorney clarified as follows: "There is now a platted easement and they want to relocate the drain. Merely relocating the drain does not replat the easement. The Surveyor suggests they vacate the existing platted easement and there should be a corresponding dedication of a platted easement for the relocated drain at the same time." The Surveyor then recommended the Board approve the Petition to Reconstruct the Alexander Ross Regulated Drain as presented. John Knochel made a motion to approve the Petition to Reconstruct the Alexander Ross Regulated Drain. Ruth Shedd seconded the motion. The Petition to Reconstruct the Alexander Ross Regulated Drain was approved as presented.

Sanitary Landfill/Gary Brown

Mr. Gary Brown appeared before the Board to request an inquiry into a Stormwater problem south of the landfill located at 2801 North Ninth Street Lafayette Indiana. The Surveyor and Mr. Brown walked the area in 2003-2004 and discovered blockage below the clover leaves under St. Rd. 52 and through the Oscar Winski Company tract. An investigative report requested by the TERF Board and completed by the Kermida Environmental Incorporated indicated problems with the area's drainage. Gary requested the Drainage Board send out informational letters to those affected property owners. He stated when the Wabash River floods the water can not drain back south as it use to through the Wabash & Erie Canal and under Ninth Street and back to the River. Due to the blockage the water now continues to flow toward the north. This affects all the property owners north of the landfill. The landfill was designed to drain from the north to the southwest therefore the blockages seem to be the problem. (The Surveyor presented the 1930's aerial photos which indicated the path of the old Wabash & Erie Canal to the Board.) He had also reviewed the bridge plans which indicated expansion to four lanes and showed the Canal at that time. They also indicated the cross section of it and a flow arrow indicating runoff to the southwest.

There was a bridge under the railroad tracks, a bridge under North Ninth Street, however he stated he was not sure at what point the berm was put in. The berm was located underneath the U.S. 52 Bridge between the Railroad tracks and the access road to the Monon shops and what was the active gravel pit. He stated after the tour of the site he felt sure that was the problem. However he had not been any further downstream. A review of the aerial photo indicated a channel which did provide relief. He stated Gary had farmed the area since he was very young. He had made a couple of site visits to the gentleman's property who lived at the very end of Conservation Club Road and he had noticed the same change as Gary. As the area floods there was nowhere for the water to get out. He felt starting with a letter from the Drainage Board advising the landowners affected of the Kermida Study and its observations made by their Engineers was warranted. The only option at that time would be to consider going through an Obstruction Petition process which was difficult and often did not lead to a firm answer. John Knochel asked Gary how long he had been farming that location. Gary stated he started in 1985 farming the Hacky property, but he was farming the Horner and Frier property (south of the landfill) since the early 1970's. John Knochel noted this was prior to the Railroad Relocation at which time the clover leafs were put in. Responding to John, Gary agreed this was around the time he started noticing drainage problems. In July 2003 his crops were completely damaged and he lost 1000 acres. In 2004 he had the same problem but was able to replant then. That was when he realized there was a problem as he noted then the water continued to go north. He stated it was obviously blocked at the clover leaf. He stated as you go on down there were several blockages. The Attorney explained the process for filing an Obstruction Petition for the removal of obstruction(s). If the obstruction(s) was intentional it would have to be removed at that particular landowner's individual cost. If the obstruction(s) was unintentional then the removal would be cost shared among all affected landowners. John Knochel made a motion for the Surveyor to draft a letter and send to those parties involved. KD noted the letters would go to those landowners located in between Gary Brown's property and the Wabash River. John included in his motion to send a copy of the Kermida study with each letter and that the Drainage Board would sign the letters. Ruth Shed seconded the motion. An informational letter and a copy of the Kermida Report would be sent to the affected landowners.

Steve Murray
S.W. Elliott Ditch/ Gaging

The Surveyor stated the Board was aware in order to solve what appeared to be an artificially high 100 year flood based on conventional modeling, a gaging station on the Elliott Ditch was proposed. After speaking with the USGS office, they were willing to participate in the cost of the station. Dave Eichelberger stated the cost for installation would be \$12,000.00 and would be billed in October this year. Due to matching funds from the USGS there would be no operating expense for the County this year. Next year the O&M would be approximately \$6,900.00. This would be billed to the County in October of 2009 and every year after that. They would be supplying a 40% match to the County's 60% for operating costs. This would be the minimum from USGS and that may increase in future years. The installation would take three to four days. The joint funding agreement presented to the Board today would start the process. The Surveyor recommended the Board authorize the President to sign the document. John Knochel made a motion for the President to sign the agreement with the USGS. Ruth Shedd seconded the motion. The Drainage Board President would sign the U.S. Department of the Interior U.S. Geological Survey Joint Funding Agreement regarding gaging on the Elliott Ditch.

Public Comment

Clem Kuns from TBIRD Designs asked how many gaging stations would be installed on the Elliott Ditch. Dave Eichelberger responded one gaging station. He then asked how long the station would be installed for. The Surveyor stated it depended on rainfall events as it could be immediately or 3-5 years potentially.

Steve Murray
Maintenance Bonds

Responding to KD's inquiry regarding The Greens PD, the Surveyor noted to date all the information received indicated everything had been installed and he had forwarded her email to the Project Manager for follow up. The Project Manager then approached the Board and stated he was able to speak with the Stormwater Coordinator and the drain pipe referenced in KD's email was located on Lot 11 and appeared to be a 4-6 inch in diameter PVC pipe. The Coordinator thought by observation it appeared to be a perimeter drain for their basement on Lot 11. He stated they would look into this further. The Surveyor stated that particular development must have individual site plans submitted to his office for approval and the drain should have been shown on the drawings submitted for that lot. Additional investigation would be done and KD would be informed of the outcome. The Surveyor stated he had received another email regarding the pond to the south from Mr. Gurly questioning whether or not the pond had been installed properly. It has a 4 inch orifice plate on it and everything appeared to be installed properly.

The Surveyor presented the following to the Board for acceptance. A Letter of Credit (note: no number) submitted by Superior Structures written by Lafayette Community Bank regarding Meadowgate Estates Section 2 Lot 14 dated December 6, 2007 in the amount of \$1,000.00. A Letter of Credit #412 submitted by the Greens LLC written by Salin Bank regarding The Greens PD Swale Lot 9 dated January 29, 2008 in the amount of \$11,486.00. Maintenance Bond #3634059 submitted by Fairfield Contractors written by Great American Insurance for the Greens PD Amended final Plat and Lots 9&10 dated Dec. 19, 2007 in the amount of \$7,500.00. Maintenance Bond Secured by Deposit submitted by Steve Schrader regarding The Greens Amended Final Plat 08-09-07 and Lots 9&10 and Amended Final Plat 12-12-07 written by Salin Bank dated January 18, 2008 in the amount of \$517.50. A Performance Bond submitted by Atlas Excavating regarding Stones Crossing Sections 1 and 3 Outlet Structures (JN Kirkpatrick Drain) and written by Union Planters Bank dated January 11, 2008 in the amount of \$5,000.00. Maintenance Bond #1831883 submitted by Atlas Excavating written by Hanover Insurance Company regarding Stones Crossing Section 1 dated February 6, 2008 in the amount of \$35,910.00. Maintenance Bond #1831884 submitted by Atlas Excavating regarding Stones Crossing Section 2 written by Hanover Insurance dated February 6, 2008 in the amount \$34,900.00. Maintenance Bond #1831885 submitted by Atlas Excavating written by Hanover Insurance Company regarding Stones Crossing Section 3 dated February 6, 2008 in the amount of \$4,500.00. Maintenance Bond #5030698 submitted by Benjamin Crossing LLC written by Bond Safeguard Ins. Company regarding Hunters Crest Section 3A dated January 14, 2008 in the amount of \$20,200.00. John Knochel made a motion to accept the Maintenance and Performance Bonds and Letter of Credits as submitted by the Surveyor. Ruth Shedd seconded the motion. The aforementioned Letters of Credit, Maintenance Bonds and Performance Bond was accepted as presented by the Surveyor.

With no additional public comment, John Knochel made a motion to adjourn. The meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board

Minutes

March 5, 2008

Regular Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

Approval of Minutes

John Knochel made a motion to approve the February 6th Regular and February 19th Special Drainage Board minutes as written. Ruth Shedd seconded the motion. The February 6th Regular and February 19th Special Drainage Board meeting minutes were approved as written.

Riverwood Subdivision

Paul Dietz with Vester and Associates appeared before the Board and requested final approval for Riverwood Subdivision. The site was located on the south side of Division Road at the intersection of Division and Kerber Roads. The site's northern portion drained toward Division Road and eventually to Indian Creek while the southern portion drained to the Wabash River. A depressional storage area was located within the central portion of the site. Paul stated the project previously was presented to the Drainage Board as two Minor Subdivisions totaling 7 lots at the same site. At that time the project was granted a detention storage waiver due to the flows to the ravine did not increase volumes or peak flows. Two previous conditions on the prior approval remain outstanding. One was a sediment basin design to be placed in the northeast corner of the site. The second was the requirement of site plans for the individual lots due to the concern of the steep slopes. The current project included 4 of the original lots. The remaining original lots were converted to a Rural Estate. Paul stated the layout had been remodeled and all agreed the original detention storage variance would stand. The main concerns were the erodible soils and the steep slopes toward the ravine. There was a strip of land which was originally cut for a road into the project from Division Road. The stability of that strip of land would be documented as soon as the weather permits. The requirement for the new project was now two sediment basins and those have been designed. Pads were required to be generally located and septic drain fields to be located on each property. This would be done when weather permits. A covenant would address the required tree preservation in the area of the ravine and included in the overall covenants and indicated on the final plat. The Surveyor noted there would be required tree preservation on any of the lots with the steeper topography. He noted since individual site plans were required; this would insure the preservation of the trees as well as document the location of the buildings on the lots. There would be a building minimum setback delineated on the plans. For sites where septic was required those locations would be shown as well. This would insure the septic locations would not be compacted or altered as would be the case if construction equipment was driven over them. The Surveyor recommended final approval with the conditions stated on the Burke review memo dated February 29, 2008. Responding to KD's inquiry, Paul stated the clear cut area would not be utilized for access. There was no public comment.

John Knochel made a motion to grant final approval with the conditions as stated on the February 29, 2008 Burke review memo for Riverwood Subdivision. Ruth Shedd seconded the motion. Riverwood Subdivision was granted final approval with conditions as stated on the February 29, 2008 Burke memo.

Lafayette Medical Park PD

Dan Teder from Teder Reiling and Schrier appeared before the Board to address the maintenance agreement concerning the Lafayette Medical Park project. He stated he had worked with the Board's attorney concerning the maintenance agreement for the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain located on the western portion of the site. Mr. Teder requested the maintenance agreement indicate maintenance on their side of the said ditch and the bottom area only and indicated as such on the appropriate exhibit to accompany the said agreement. The Surveyor stated he reviewed the agreement and the exhibit drawing should show their side of the ditch only. Unity was required to mow both sides until such time as the opposite side was developed. In the future the Medical Park would be responsible for the maintenance of their side of the ditch only. Dave Luhman clarified the description should indicate the southeasterly side of the ditch. Mr. Teder stated an exhibit would be specific to the area of maintenance required by his clients. Justin Frazier from TBIRD Designs appeared before the Board and requested final approval for the said development. The site was located south of the intersection of Creasy and McCarty Lanes and on the east side of Creasy Lane. It consisted of approximately 14 acres and would have been phase 2 of the Cross Creek Lakes Planned Development which was planned in 2000. Cross Creek Planned Development Phase 1 and Cross Creek apartments were located to the north. The project was located within the Lafayette

City limits. The existing conditions were two detention ponds in the northeast and southwestern corners which were connected by a drainage swale. The said ponds drain westerly to the western most pond which discharged into the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain. The existing swale would be filled in and construction of a new storm sewer system would connect the ponds. A landscape berm would be constructed to physically separate the medical park from the residential community. There will be no access from the existing residential area to the medical park. Cross Creek Lakes Home Owners Association have been involved with the planning of the filling in the swale and the said landscaped berm. Justin stated they conferred with the conditions of the February 21, 2008 Burke review memo and agreed with the aforementioned maintenance agreement language. Responding to KD's inquiry, the Surveyor stated the ditch was originally designed without any quality measures in place. The City of Lafayette would be addressing the Stormwater quality issues. The Drainage Board's concern at hand was the discharge rate to the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain as well as a satisfactory maintenance agreement for said drain. The Surveyor stated the release rates were within the limits of the original study. He recommended final approval with the conditions as stated on the February 21, 2008 Burke review memo. There was no public comment.

John Knochel made a motion to grant final approval with the conditions as stated on the February 21, 2008 Burke review memo. Ruth Shedd seconded the motion. Lafayette Medical Park PD was granted final approval with conditions as stated on the February 21, 2008 Burke review memo.

Alexander Ross Regulated Drain /Petition to Encroach

Pat Jarboe with TBIRD Design appeared before the Board to present the Petition to encroach on the Alexander Ross Regulated Drain for Lot 7A and Lot 28 of the Candlewood Suites (a project previously approved by the Board). The encroachment agreements were to put 2 drives across the relocated Regulated Drain. The Surveyor recommended approving the Petition to encroach on the Alexander Regulated Drain easements for Lots 7A and 28 in the Candlewood Suites Subdivision. There was no public comment.

John Knochel made a motion to grant approval for the Petition to encroach on the Alexander Regulated Drain easements for Lots 7A and 28 in the Candlewood Suites Subdivision. Ruth Shedd seconded the motion. The Petition to encroach on the Alexander Regulated Drain easement for lots 7A and Lot 28 in the Candlewood Suites Subdivision was approved. A portion of the easement was done by plat for the Alexander Ross Drainage easement including a sliver in the northeast portion of the relocation. This would be required to be dedicated to the Board of Commissioners. Mr. Luhman stated it would be sufficient to be dedicated through a Commissioner's meeting.

Champion Centre PD

Brandon Fulk appeared before the Board to present the Champion Centre PD. The site was located at Northwestern Avenue (presently US 231 to be turned over to the City of W. Lafayette by INDOT) specifically in the City limits of West Lafayette. Brandon stated he was seeking conceptual approval for the drainage of the site. This was due to the proximity to the Celery Bog and the outlet to the Cuppy McClure Drain and the jurisdiction relative to that. The preliminary drainage design phase was underground. The adjoining Golf Course Superintendent, Purdue officials, the City of West Lafayette's Engineers office and Schneider representatives re-evaluated the drainage situation working together. The adjoining neighbors along the boundary and east side of property had Stormwater runoff problems. Four acres, Northwestern Avenue and four pipes which discharge from the north side of Windsor Avenue all discharged into a box culvert under Northwestern Avenue. The discharge from the box culvert was either overland or drawn down by a 15 inch pipe which serviced the Golf Course. The Golf Course drainage system was self contained. There was a 15 inch pipe which drained to a wetland and then to a series of wetlands adjacent to the Bog. The drainage was used for irrigation of the Golf Course. Brandon stated he had discussed the Bog with the Golf Course Superintendent and there was an emergency routing spillway located in the Northwest corner. There was no direct discharge into the Bog. In speaking with them Brandon noted the Superintendent stated they would take as much water as the project could give. Working with the West Lafayette's Parks Department, the Engineer's Department, Purdue's Office of Architect and PRF (owners of property) a constructed wetland system was planned. The system would take the discharged water from the site and the aforementioned box culvert into a Stormwater management plan located on the Golf Course itself. It would not be stored underground or in vaults. The neighbors would see a marked difference in the efficiency of the drainage in that area. The lowest elevation point on the boundary was 713, 706 was the box culvert. The planned wetland elevation was 702. Brandon stated this was a win, win situation for the site and adjoining property owners. The Surveyor stated the City of West Lafayette's Engineer office (specifically David Buck) had sent him an email respectfully requesting the Board grant the request for conceptual approval. He stated ultimately the Board would approve the discharge rate only to the celery bog which eventually was drained at Cumberland Avenue by the Cuppy McClure Drain. He reiterated Brandon was asking for conceptual approval at this time. The Surveyor would then through the consultant insure the discharge rate would not have a negative impact on the said Cuppy McClure Drain. He did not see the possibility that it would have a negative impact. He recommended the Board grant conceptual approval subject to his final approval of the

rates. Responding to KD's inquiry Brandon stated the permeable surface would be less than exists today. The management of the runoff in the constructed wetland on the Golf Course was releasing approximately half of the present amount. The Surveyor stated Schneider was solving problems to the east side of the site, adding water which Purdue wants, and providing an additional wetland for the Purdue students to study. There was no public comment.

John Knochel made a motion to grant conceptual approval with the final approval of the discharge rate by the Surveyor's Office. Ruth Shedd seconded the motion. The Champion Centre PD was granted conceptual approval with the final approval of the discharge rate by the Surveyor's Office.

Legal Service Contract

Responding to KD, Mr. Luhman stated the Drainage Board's contract mirrored what was presented for the Commissioners Contract. The Surveyor noted his office was pleased with the representation to date. John Knochel made a motion to approve the Legal Services Contract between Tippecanoe County Drainage Board and the firm Hoffman Luhman and Masson PC. Ruth Shedd seconded the motion. The 2008 Legal Services Contract between Tippecanoe County Drainage Board and the firm Hoffman Luhman and Masson PC was approved.

Berlowitz Regional Detention Facility/ Design Contract Addendum

The Surveyor stated he had a request for an increase of the original Berlowitz Regional Facility design contract amount from \$50,275.00 to \$64,757.00. He explained there were four different surveying firms involved with the topography elevations on the project. Burke had to do extra work to resolve the discrepancies between the various services. The Surveyor noted the increase was for their costs only and recommended the Board accept the contract addendum as presented. John Knochel made a motion to approve the addendum to the design contract of the Berlowitz Regional Facility as presented. Ruth Shedd seconded the motion. The addendum to the design contract for the Berlowitz Regional Detention Facility was approved as presented.

Branch #1 of Branch #13 SW Elliott Regulated Drain/ Partial Vacation Petition

The Surveyor presented to the Board a Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth. The Surveyor reviewed the area utilizing G.I.S. He stated the branch in question was an old agricultural tile which served the area of the northwest corner of State Road 38 and Creasy Lane. The tile stopped on the east side of Creasy Lane. When the Hospital site was approved one of the conditions was to vacate a portion of the said branch. They are in the process of obtaining the signatures and will present that to the Board at a later date. The petition at hand was for a stretch on property owned by Shook and Lambirth. He stated it was not needed and one would not be allowed to tie into it for any future development. The petition met the conditions for a partial vacation and the Surveyor recommended the Board grant the Partial Vacation of Branch #1 Branch #13 of the SW Elliott Regulated Drain. Mr. Luhman agreed a partial vacation was in order. John Knochel made a motion to grant the Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth. Ruth Shedd seconded the motion. The Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth was approved by the Board.

JB Anderson Regulated Drain/ Town of Clarks Hill

Alan Jacobsen appeared before the Board to request approval of a Petition to Encroach on the JB Anderson Regulated Drain Easement by the Town of Clarks Hill Sanitary Sewer Service. The project involved installation of a pumping station on the southwest corner of the Industrial Pallet property. The extension of a three inch force main northward along US 52 to the south side of the abandoned rail corridor which ran northeast out of Clarks Hill to C.R. 975 East. It will then run under said County Road to a manhole which was part of the gravity Sanitary Sewer collection system. He stated they would have five or six crossings over the said tile drain (which fell into alignment of the force main). They would cross under the tile while maintaining an appropriate space from the bottom of the existing tiles. They will replace the tile with new pipe at the crossing locations. Alan stated the Surveyor requested digital color photos including annotations for each crossing location prior to backfilling the excavation at the locations. He also requested coordinates of the pipe inverts at said locations so the data can be incorporated into the field tile database. The easements were finalized with the landowners and they will be provided to the Surveyor's office when available. A three year five thousand dollar maintenance bond was also requested by the Surveyor applicable to the work at the said crossings. This would be in addition to a Performance Bond to the Town of Clarks Hill from the Contractor which covered all aspects of the construction. Alan added the sanitary sewer pumping station would initially only take flow from the Industrial Pallet Facility however it was sized for adding in future expansion of that area. The Surveyor noted the office had worked with Mr. Jacobsen to identify the tiles which may be cut or intercepted with the force main. He stated he had a letter dated March 3, 2008 which addressed some of the conditions and requested the letter be incorporated into the minutes and part of the Petition. (along with aforementioned photos, coordinates, and maintenance

bond) The Surveyor requested a couple days notification before the drain was crossed to have an inspector at site. At that time he recommended the approval of the Petition to Encroach on the JB Anderson Regulated Drain. Responding to John Knochel's inquiry, the Surveyor noted the Performance Bond would cover the work during construction and possibly up to 6 months after. The Maintenance Bond would cover three years after the work was completed. Responding to KD's inquiry the Surveyor stated the contractor would also be responsible for repair of private and regulated laterals which may possibly be disturbed or destructed during the construction of the project.

John Knochel made a motion to approve the Petition to Encroach on the JB Anderson Regulated Drain subject to the March 3, 2008 letter and obligations to repair any damaged private laterals submitted by the Town of Clarks Hill. Ruth Shedd seconded the motion. The Petition to Encroach on the JB Anderson Regulated Drain subject to the March 3, 2008 letter and obligations to repair any damaged private laterals submitted by Town of Clarks Hill was approved by the Board.

F-Lake Detention Facility

KD Benson stated a letter was received a couple days ago from Chancellor Bathe of Ivy Tech Community College requesting the postponement of construction on the F-Lake Regional Detention Pond. Bids were opened on February 19, 2008 for the project. Pat Corey approached the Board as project leader of campus growth for Ivy Tech Community College. The aforementioned letter outlined several arguments for postponing immediate construction on the F-Lake Detention Facility. Pat Corey stated she realized the project had been in the works for years if not decades; however the college certainly did not anticipate the speed of growth they have experienced in the last decade or so. The land on which the college is located was constrained by drainage issues. F-lake, SW Elliott Regulated Drain and the floodplain all are part of the Campus site issues. The buildings located there now including the large Ivy Hall were built and located with respect to the said drainage issues at the time. As growth had been reviewed, several steps had been taken. The first step was to engage several community partners with them. The YMCA, Junior Achievement Headquarters, Tippecanoe School Corp. has all expressed interest to locate alternative programs on the Campus site. Eventually with the YMCA in particular a facility would have to be built on Campus. Last fall a group of stake holders were convened together for land use planning. The issue had become a service learning project for one of Purdue Professor Kim Wilson's classes. The stakeholders consisted of their partners, personnel from the campus, City of Lafayette, City of West Lafayette, Purdue, Lafayette and West Lafayette's Development Commission and the County Surveyor who were invited to meet and discuss the issues. She noted the process had been going on since the end of October and should conclude by the end of April. The process from this point on would be to look at alternatives on how best to create buildable as well as functional land from what is there. This may include looking for alternatives for non buildable land. (Land close to creek or in the proposed F-Lake location) Fisher and Associates were contracted to help understand the drainage issues. Soil sampling has been done to see if the extension of Creasy Lane changed the configuration of the soil and made it more buildable. She respectfully requested rather than proceed with F-Lake project that the planning process be allowed to consider how F-Lake could fit into the Campus Plan. They felt it could be a tremendous asset to the Campus. It could be part of the curriculum for science labs, environmental issues, best practices of soil management, a place of recreation with trails etc. She requested the Board hold off on awarding the Bid for F-Lake Regional Facility. Responding to John Knochel's inquiry, Pat Corey stated the land use plan would be completed in April and at that time she would have options to show the Board. She noted the lack of campus parking was an enormous issue to them. John Knochel stated the request to put the project on hold came at the eleventh hour or even later for the Board as Bids had been received. The Surveyor's office or the Commissioner's should have been notified before the letter was received this week. Pat Corey stated from October 31 of 2007 they had tried to include the County in the process. The Surveyor stated he had talked with Professor Kim Wilson, and other members of the Ivy Tech administration. The question can you move or stop F-Lake was asked and his answer was no. He stated they were too far along in the process; the agreements had been in place since 1987. A relinquishment clause in the contract stated if IVY Tech or the County did not use the various pieces of property which was exchanged within a five year period they would get the property back. In 1991 that language was removed from the agreement and the County does physically own the piece and it was deeded as a barrow pit so the Campus could construct the Campus Parking lot. In order to use that piece of land as a parking facility it would have to be filled in as a portion was located in the floodplain. Another concern would be the overall watershed management plan that had been in place since the mid 1980's, F-Lake would help reduce downstream flooding along the SW Elliott Regulated Drain. He stated they were in the process now of installing a stream gage near the County Highway property to try and prove to IDNR (Indiana Department of Natural Resources) that the flood plain was lower than it appeared to be by conventional model. He noted there was some risk of increased damage and flooding and inability to develop property in those areas besides Ivy Tech's property. At one time 3 or 4 years ago (this is one reason why F-Lake had been delayed to this point) Ivy Tech's requested to review the redesigning the design of F-lake (which was ready to go to contract at that time). At that time the review was to accommodate a road across the north side due to their possible acquirement of property to the east. He was not sure legally the bids could be rejected at this time. The attorney stated he thought the request for bids gave one the right to reject the bids. He would have to review the law in that area. Generally you have the right to accept the lowest bidder or reject one or all bids. Steve stated his other concern was the cost to the public. In response to KD's inquiry, the attorney

noted the bids were good for 60 days. The Surveyor also noted if the low bidder was pushed back too far into the construction season they would have the right to request additional money since they were not allowed to start in a timely fashion. If a redesign was done the cost could be in excess of \$100,000.00 and delay the project at least another year. The permitting through IDNR and IDEM (Indiana Department of Environmental Management) was very difficult and he would not want to have to go through the process again. However, his biggest concern was the fact it has been almost twenty years and the facility was intended to provide protection for the landowners downstream and mitigate some of the flooding problems. Pat Corey stated they were cooperating with some of the property owners such as John Gambs. They offered to help pay for the gages in the SW Elliott Reg. Drain. She stated they would like to have the information from the gages as part of their land use planning. She went on to say the level of capital investment in the Campus they expect over the next 3-4 years was on the order of approximately 40 million dollars. Ruth Shedd asked if Ivy Tech was considering purchasing more property around their present site. Pat Corey stated it was an option that Professor Wilson was looking at, however they are trying to do the planning with the smallest amount of money and noted they were trying to be extremely frugal with their planning. The idea was to inform all of the stake holders so that they knew what to expect and could go forward without delay. She thought the Tippecanoe School Corporation would be the first builders on the campus site and they were prepared to go forward quickly. John Knochel stated he was unaware there was a land use study going on for the site. He continued as valuable as Ivy Tech was to the area he would be willing to hold out the awarding of the bid until April so that they could see what impact the design of F-Lake would have on their plan. He asked if they did not accept the F-lake bids at this time and it had to be rebid would Ivy Tech be willing to pay the difference. Pat Corey stated at the level of their campus they were not able to make that commitment. Chancellor Bathe stated they have had a long relationship for twenty years and would hope to continue that relationship. KD Benson stated while it had been twenty years she would hope another month would not upset that relationship. Pat Corey responding to KD's inquiry stated she did not think the plan would be in place by April 19th. She also stated not only were they interested in obtaining additional parking, they were also interested in the design of F-Lake and how they can incorporate it into their plan. The Surveyor stated that information was sent to their drainage consultants and also Ken Larson of the Ivy Tech Community College previously. John Knochel moved for the continuance of the awarding of the F-Lake Regional Detention Facility to the April meeting subject to the possible requirement of a special meeting. Ruth Shedd seconded the motion. The award of Bids for F-Lake Regional Detention Facility was continued until the April meeting unless a special meeting was required.

Maintenance Bonds

The Surveyor presented Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of \$7035.00 dated February 13, 2008 for approval by the Board. John Knochel made a motion to approve Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of \$7035.00 dated February 13, 2008. Ruth Shedd seconded the motion. Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of \$7035.00 dated February 13, 2008 was approved by the Board.

Capilano Estates/Michael Preyss

Michael Preyss a resident of Capilano Estates in West Lafayette approached the Board to discuss his concern of the poor drainage in his subdivision. He noted the neighborhood was holding a meeting on the 6th of March at 7 p. m. at the public library on Klondike Road in West Lafayette. The meeting was for the affected residents of the recent flooding at the entrance of the subdivision. He stated they would discuss the current flooding as well as the 2004 flooding and steps they would be able to take as a neighborhood and a neighborhood association. He invited the Board and the Surveyor to attend. They hope to come to a permanent solution to prevent future flooding on the Subdivision as well as downstream. He noted this was just a heads up that the Board would see more of them and hopefully resolve their drainage issues in the future. The Surveyor stated this issue had been discussed with a multitude of the subdivision's property owners and he did not see a solution the Surveyor's Office could provide. It was not a regulated drain and he did not think it could be converted into a regulated drain since this was a natural stream. There had been instances in the northeast part of the state which IDNR brought suit against the Drainage Board as they want to keep streams in their natural states. There was an IDNR floodplain study which showed the entrance of the Subdivision within the Floodplain, which means it would periodically flood. Mr. Preyss stated his house was the fortunate one which only got water on the land and not in his house. While the Surveyor was willing to talk with them, at some point one has to state there is no good option. Mr. Preyss stated he understood however he hoped the Board could offer options in freeing up downstream flow if that is the case.

Drainage Issue/Susan Spaulding

Susan Spaulding of 3250 North 750 East Lafayette Indiana approached the Board to discuss the drainage issue at her property. She has experienced flooding ever since moving in to her home four years ago. She has flooding at a minimum of six times a year. She presented photos to the Board of the flooding at her home which was taken on Sunday (there was no rain on Sunday) as she thought it was significant since they showed the standing water on her tract. Susan stated the water

flowed from a field through the culvert and right through her drive across all of her back yard to a drain 12 inches in diameter (breather on a subsurface tile). The Surveyor stated the breather was over a subsurface tile and there was a lateral which ran to the north which provided some relief for the septic systems in the back yards for the houses to the north. Susan stated she had come to request the County repair, maintain or update the drainage on her tract. The Surveyor stated the Leslie Calvin ran through the area to a headwall. It stopped being a regulated drain at the headwall and was an open ditch from there on. He stated the previous Surveyor had met with them before. Her land was somewhat in a depressional area. He stated if the building site was requested today it would not be approved. The problem pre-existed her purchase of the home. Susan stated she was not aware of the drainage issue when they bought the home and had not been informed of the problem. The Surveyor stated they took shots a couple years ago across the farm field to the west to see if shaving it down a hair in that location it would provide some relief. It could possibly benefit them to construct a swale to the west to try to drain some of the water into the farm field. He stated if he had some reasonable easy fix it would have been done by now. Responding to KD, Mike Spencer stated if the highway department went out and dipped out the roadside ditches it would certainly bring water to her faster. The Surveyor reiterated this was a depressional area and basically the pipe acts as an equalizer. Some water was let through but the pipe keeps it from building up on one side or the other. She stated in a dry spell the drain in her back yard stood full and was constantly flowing. The Surveyor stated many county tiles run year round. He stated they could go out and inspect at the headwall to make sure it was not plugged as was done a couple years ago. Responding to John's inquiry, the Surveyor stated a lateral to the north on several occasions had been jetted. Part of the problem of the lateral to the north (not a regulated drain) was trees overtop of the tile. Anytime there is tree growth over a tile there was susceptibility of blockage from roots. When the main branch of the Calvin Leslie Regulated Drain was checked a couple years ago it was flowing fine. This was confirmed by the Project Manager. Susan stated when it rains and floods beside her driveway it bubbles when water stands and asked if this was an indication of a problem. The Surveyor stated this could be a private lateral. He stated tiles were put in around the County which the office was not aware of for various purposes. Responding to KD, the Surveyor stated the headwall and the inlet in the back yard could be inspected for blockage. The attorney stated it was not a legal question as it was an engineering question of what could be done. He stated she could get permission from an adjoining land owner to cut a swale and have the water go to an adjoining landowner (farmer). The Surveyor stated when the shots were taken they stopped at the inlet. As the weather and work load permitted his office would try to get a few more shots up into the lots. Shots previously taken indicated a little more surface relief could be obtained by regrading the farm field west of their properties. The Surveyor noted this was an old strip subdivision completed well before there was any kind of zoning ordinance and maybe even a subdivision ordinance. The attorney stated if the subdivision was done today, there would have to be some sort of detention storage required for the subdivision to provide a positive outlet. There would be restrictions on drainage and development there. Responding to KD, Susan stated she was the only one in neighborhood which had the standing water. KD stated it may be that her next step would be to talk with a tile company and the adjoining farmer to see if there were any options she could take to relieve her problem with the drainage because unfortunately the Board could not fix the problem.

Public Comments

There were no public comments. John Knochel made the motion to adjourn. The meeting was adjourned.



KD Benson, President



John Knochel, Vice President



Brenda Garrison, Secretary



Ruth Shedd, Member

Tippecanoe County Drainage Board

Minutes

October 1, 2008

Regular Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

Approval of Minutes

John Knochel made a motion to approve the September 3, 2008 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The September 3, 2008 Regular Drainage Board minutes were approved as written.

Lafayette Meadows PD

Brandon Fulk from Schneider Corporation appeared before the Board to request final approval for the Lafayette Meadows PD. The site consisted of approximately 20 acres located within the City of Lafayette specifically on the north side of County Road 100 South (McCarty Lane) east of Park East Boulevard. A nursing facility, assisted living as well as an independent living facility was planned for the site at this time. The main branch of the Alexander Ross Regulated Drain was located in the northwestern portion of the site. Branches 8, 9, 10 of said drain were located on the eastern portion of the site. Brandon stated the required encroachments, relocations and /or vacations of the main branch and/or its branches would be presented to the Board at a later date. The site drained through two wet ponds and ultimately outlet to the Alexander Ross Detention Pond located on the Wal Mart property to the north. Brandon noted due to the approximately 40 acre feet of storage available in the proposed ponds there would be an excess of storage area. An agreement with the upstream landowner was also in the works regarding a planned drain vacation and would be provided to the Board in the near future along with Petitions to Vacate, Relocate and Encroach regarding said drain and its branches. (Relocations and Encroachments were required due to the design of the ponds) Brandon noted they agreed with the September 26, 2008 Burke Memo and requested final approval with conditions.

The Surveyor stated the area was involved enough that he requested the Board Attorney review all the submitted petitions pertaining to the request. He noted he had met with Schneider Corporation prior to the submittal regarding the site as well as spoke with the affected property owners. New Horizons were willing to state within the vacation documents that they would take care of any unforeseen private tiles which may be tied into the branch or main tile which were to be vacated. The developer had indicated they would replace any existing tiles with new reinforced concrete pipes which may be crossed with the planned drainage infrastructure. They will verify ample coverage from the bottom of the pond to the top of the new tile. The Surveyor would recommend the vacations and encroachments when presented. Brandon noted they had met with the adjoining landowner on site and discussed the historic locations of the tiles. There was no public comment. The Surveyor then recommended final approval with the conditions as set forth in the September 26th 2008 Burke memo. He noted the acquired agreement with the property owner regarding providing ground and the pond storage must be submitted for the record. He stated the Board's responsibility was protection of the said regulated drain and the release rate to the Alexander Ross Detention Pond. He noted the project was within the City limits therefore they would review the plans for Stormwater Quality. John Knochel made a motion to grant final approval with the conditions as stated on the September 26th Burke memo while noting condition #1 under Variances/Encroachments would be reviewed by the Board at a later date. Ruth Shedd seconded the motion. The Lafayette Meadows P.D. was granted final approval with the conditions as stated on the September 26, 2008 Burke memo.

Chapelgate Park Apartments

Eric Gleissner from CivilSite Group appeared before the Board to request final approval for Chapelgate Park Apartments. The site consisted of approximately 12 acres (approximately 8 disturbed for the project at hand) located on the south side of U.S. 52 west of the Klondike Road intersection. The project was a multi family development with 6 buildings (8 units) and a small clubhouse. Access would be through the existing Blackthorne Subdivision and a potential access off Klondike Road via an existing Easement. The site drained northwest to Indian Creek. The current patterns would be maintained in the developed condition. A forebay, constructed wetland and a vegetated swale was planned to direct the water into Indian Creek. Eric noted the measures would address the post construction Stormwater Quality requirements. A large amount of offsite water would enter the site from the south, the majority of which hit the southwest corner of the site. Two 48 inch RCP storm pipe culverts were proposed to be installed under Chapelgate Drive to convey the offsite runoff. A swale along the southern property line would convey a small amount of runoff entering the site to Indian Creek. The northern half of the site was floodplain or floodway based on the most current modeling data as well as the new FEMA maps to be published in 2009. The project was designed using the more conservative data. A compensatory floodplain analysis indicated in the developed condition there was slightly more storage in the floodplain. He then requested final approval for Chapelgate Park Apartments.

The Surveyor noted this project was part of a larger ongoing development and recommended final approval with conditions as stated in the September 26, 2008 Burke memo. There was no public comment. John Knochel made a motion to grant final approval with conditions set forth in the September 26th, 2008 Burke memo for Chapelgate Park Apartments. Ruth Shedd seconded the motion. Chapelgate Park Apartments was granted final approval with the conditions listed on the September 26, 2008 Burke memo.

John Hoffman Regulated Drain

Malcolm Miller requested a time frame for the cleanout/dredging of the John Hoffman Regulated Drain. The Surveyor stated F&K Construction would be scheduled to do the work once the crops were out. He requested Mr. Miller inform the office once the crops were out. Mr. Miller thanked the Surveyor.

Reschedule Meeting Dates November/December 2008

The Board agreed to reschedule the November 5th meeting to November 12th 2008 at 9 a.m. and the December 3rd meeting to December 2nd 2008 at 10 a.m. John Knochel made a motion to move the meeting dates and time as previously scheduled to November 12th at 9 A.M. and the December meeting to December 2nd, 2008 at 10 A.M. Ruth Shedd seconded the motion. The November meeting date and time was changed to November 12th at 9 A.M. The December meeting date was changed to December 2nd at 10 A.M.

Steve Murray

The Surveyor stated he discussed Indiana Code 36-9-27-79.1 "Contracts estimated not to be more than \$75,000.00" with the Board Attorney. This was a streamline version of requirements for Public Works projects. Through that procedure the Board may authorize the County Surveyor to contract for the work in the name of the Board. There were two ditch dredging jobs he would like to complete this fall and requested the Board's authorization to do so. The ditches were known as the Train Coe Regulated drain and the J.K. O'Neal Regulated drain. Only a portion of these drains would be dredged at this point. John Knochel made a motion to authorize the Surveyor to contract in the name of the Board the projects (estimated to be under \$75,000.00) known as the Train Coe Regulated drain and the J.K. O'Neal Regulated drain. Ruth Shedd seconded the motion. The Board authorized the Surveyor to contract the two projects as requested.

Drainage Board Award/INAFSM

Berlowitz Drain Regional Detention Basin

KD Benson announced the Indiana Association for Flood Plain and Stormwater Management awarded the Tippecanoe County Drainage Board and the Surveyor with an Outstanding Stormwater Project Award regarding the Berlowitz Drain Regional Detention Basin project.

F-Lake Regional Detention Basin Update

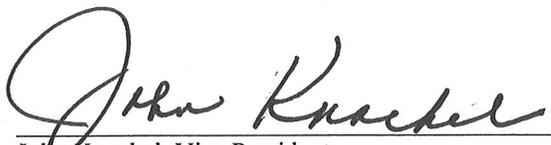
The Surveyor presented a slide show regarding the F-Lake regional Detention Basin project. He informed the Board the project had been completed. Discussion was held concerning the pictures he presented. He noted the project site had been seeded and in the southeast corner there was southeast grasses which eventually would flower.

Public Comment

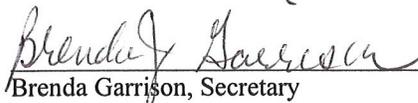
As there was no public comment John Knochel made a motion to adjourn. The meeting was adjourned.



KD Benson, President



John Knochel, Vice President



Brenda Garrison, Secretary



Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
January 7, 2009
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

Approval of Minutes

John Knochel called the meeting to order. David Byers made a motion to approve the December 2, 2008 Regular Drainage Board minutes as written. Thomas Murtaugh seconded the motion. The December 2, 2008 Regular Drainage Board meeting minutes were approved as written.

Election of Officers

Drainage Board Attorney David Luhman opened the floor for the election of officers. David Byers nominated Thomas Murtaugh as President. John Knochel seconded the nomination. There were no other nominations. Thomas Murtaugh was elected President for the 2009 Drainage Board. John Knochel nominated David Byers as Vice President. Thomas Murtaugh seconded the nomination. There were no other nominations. David Byers was elected Vice President for the 2009 Drainage Board.

Appointment of Drainage Board Attorney

John Knochel made a motion to appoint Hoffman Luhman and Masson as Drainage Board legal counsel. David Byers seconded the motion. The Surveyor recommended signing the 2009 Legal Services contract presented by Hoffman Luhman and Masson. David Byers made a motion to accept the contract as presented. John Knochel seconded the motion. The firm of Hoffman Luhman and Masson was appointed the 2009 Drainage Board Legal Counsel.

Appointment of Executive Secretary

John Knochel made a motion to appoint Brenda Garrison as Drainage Board Secretary. David Byers seconded the motion. Brenda Garrison was appointed the 2009 Drainage Board Secretary.

McCutcheon H.S. Advanced Studies Addition

Patrick Williams and Pat Jarboe representing TBird Designs appeared before the Board to request final approval for the McCutcheon H.S. Advanced Studies project. The High School was located north of the intersection of C.R. East 500S and Old US 231 on the east side of Old US 231. A 30,000 square foot advanced studies center with parking and sidewalk was planned. The Advanced Studies Center would be constructed on the east side of the existing High School replacing an exiting parking area. A parking lot expansion on the southwest corner of the High School was planned as well. Pat Williams noted a Master Drainage Plan was completed in Dec. 2004. Improvements for McCutcheon Campus and the Mayflower Elementary School were anticipated at that time. The Stormwater infrastructure would outlet to Wea Creek located immediately east of the site. Stormwater detention was not necessary, primarily due to the size of the watershed and the allowance of direct release. Improvements would drain into an existing stormceptor unit and receive Stormwater quality treatment. The parking lot on the east side of the existing south parking lot would drain overland across the existing practice fields from west to east entering an existing vegetated swale heading north and ultimately drain to the Wea Creek. Pat stated they concurred with the January 2, 2009 Burke memo and requested final approval with the conditions as stated on the Jan. 2, 2009 Burke memo. Responding to David Byers, the Surveyor reiterated the school corporation had prepared a master plan for both McCutcheon and Harrison Campuses previously and they had anticipated Stormwater quality and quantity for the future. Responding to John Knochel's inquiry, the Surveyor noted a number of existing schools were constructed prior to the new Stormwater Ordinance. (Pat Jarboe noted there was a small portion of the southwest corner of the McCutcheon campus which flowed to the west.) There was no public comment. The Surveyor recommended final approval with the conditions as stated on the January 2, 2009 Burke memo. David Byers made a motion to grant final approval with conditions as stated on the January 2, 2009 Burke memo for the McCutcheon H.S. Advanced Studies project. John Knochel seconded the motion. The McCutcheon H.S. Advanced Studies project was granted final approval with conditions as stated on the January 2, 2009 Burke memo.

Other Business

2009 Drainage Board Meeting Dates

David Byers made a motion to approve the 2009 Drainage Board meetings dates as presented with the exception of moving the July meeting date to July 15, 2009. John Knochel seconded the motion. There was no public comment. The 2009 Drainage Board meeting dates were approved as follows: February 4th, March 4th, April 1st, May 6th, June 3rd, July 15th, August 5th, September 2nd, Oct. 7th, Nov. 4th, Dec. 2nd, 2009 at 10:00 am.

Steve Murray

Petitions:

Lafayette Meadows PD

The Surveyor stated he had several petitions to present to the Board. The first was a Petition to Encroach on the Alexander Ross Regulated Drain submitted by Residential Care XII LLC. The project (Lafayette Meadows) had previously received approval with conditions. He explained the new facility would have a detention pond to the north which would encroach on the Alexander Ross Regulated Drain. They would be replacing the existing tile with new and there would be a berm between the two ponds so there would be protection for the Regulated Drain. They would relocate a small portion of the said drain to the west of their site as well. The Surveyor then recommended the acceptance of the **Petition to Encroach on the Alexander Ross Regulated Drain**. Brandon Fulk with Schneider Corporation approached the Board and reviewed the project site and the Ross Regulated Drain location on the site utilizing GIS. He stated he had met with the existing landowners involved and they had waived their rights to the portion of the drain involved. (Letters waiving their rights were included with the petition's supporting documents) A **Petition to Vacate Alexander Ross Regulated Drain Branches 8, 9, and a portion of Branch 10** was submitted for acceptance by the Board. The Surveyor noted this was predicated on the fact the individuals upstream were releasing their right to the drain tile. The Surveyor stated he was satisfied granting the encroachment would not cause any hardship for drainage as far as Alexander Ross Regulated Drain was concerned. He stated this project was located within the City of Lafayette and the Board was reviewing the drainage portion only to include any regulated drains. The Surveyor recommended the Board approve the Petition to Encroach on the Alexander Ross Regulated Drain. David Byers made a motion to accept the Petition to Encroach on the Alexander Ross Regulated Drain for Lafayette Meadows PD. John Knochel seconded the motion. **The Petition to Encroach on the Alexander Ross Regulated Drain** was approved as submitted. The Surveyor then presented a **Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated Drain** to the Board for approval. David Byers made a motion to approve the Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated drain with the stipulation a signed revised petition would be submitted for recording. John Knochel seconded the motion. There were no objections. A signed revised Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated drain was approved by the Board.

Indiana American Water

The Surveyor informed the Board Indiana American Water was in the process of extending their water mains from their new plant on North Ninth Street. Phase I involved a main transmission line starting at C.R. 50W running east along the north side of 500N to SR 43 to Burnett Road to Ninth Street on the west side to the new Davis Ferry Water Treatment Facility. Phase II involved a transmission line starting at CR.50W at 500N ran west to 140W down to Kalberer Road. In the course of installing the extensions they would cross multiple County Regulated Drains, therefore petitions to encroach on the regulated drains were in order. The first was a **Petition to Encroach on the Hadley Lake Regulated Drain located on 140W**. He recommended the Board approve the Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 140W. There were no public comments. David Byers made a motion to approve the Petition to Encroach on the Hadley Lake Regulated Drain located at 140W. John Knochel seconded the motion. The Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 140W was approved as submitted. The Surveyor presented the 2nd Petition submitted by Indiana American Water. He recommended approval for the Petition to Encroach on the Hadley Lake Regulated Drain located at CR.500N. David Byers made a motion to approve the Petition to Encroach on the Hadley Lake Drain located at CR. 500N. John Knochel seconded the motion. There was no public comment. **The Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 500N** was approved as submitted. The 3rd Petition submitted by Indiana American Water was the Petition to Encroach on the County Farm Regulated Drain located at 500N. The Surveyor noted the main transmission line would be required to be set 2 feet below the existing tile location for future maintenance. He recommended the Board grant the Petition to Encroach on the County Farm Regulated Drain. David Byers made a motion to grant approval of the **Petition to Encroach on the County Farm Regulated Drain located at CR. 500N**. John Knochel seconded the motion. There were no public comments. The Petition to Encroach on the County Farm Regulated Drain located at CR.500N was approved as submitted.

Performance Bonds

The Surveyor presented Performance Bond #0923274 from McKenzie Properties for Lot 4 Concord Plaza/Kentucky Fried Chicken in the amount of \$18,500.00. Performance Bond #002570631 from Infrastructure Systems Inc. for Indiana American Water's SR 43 Water Main Transmission Phase I (This bond would insure proper erosion control measures) in the amount of

\$50,000.00. Performance Bond #B0321455 from F&K Construction for the Indiana American Water's Water Main Transmission Phase II Co. Rd. 500N & 140W. The Surveyor then recommended the Board accept the Performance Bonds as submitted. David Byers made a motion to accept the Performance bonds as submitted by the Surveyor. John Knochel seconded the motion. There was no public comment. Performance Bond #0923274 from McKenzie Properties for Lot 4 Concord Plaza/Kentucky Fried Chicken in the amount of \$18,500.00, Performance Bond #002570631 from Infrastructure Systems Inc. for Indiana American Water's SR 43 Water Main Transmission Phase I amount of \$50,000.00 and Performance Bond #B0321455 from F&K Construction for the Phase II Water Main Transmission was accepted by the Board.

Public Comment

There was no public comment. Thomas Murtaugh read an email from Indiana Department of Environmental Mgmt. recognizing the Tippecanoe County MS4 group for work regarding the NPDES Phase II Stormwater. The partnership between Tippecanoe County, Purdue University, Ivy Tech Community College, Battleground, Dayton, West Lafayette, and Lafayette was recognized by IDEM for their accomplishments. They were recognized as having one of if not THE best program in the state. Mr. Murtaugh congratulated the Surveyor regarding his coordination of the program.

There was no other business before the Board. The meeting was adjourned.

Thomas Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board

March 5, 2014

Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. *Vice President John Knochel was absent.

Approval of Minutes

Tom Murtaugh made a motion to approve the February 14, 2014 regular meeting minutes as written. David Byers seconded the motion. The February 14, 2014 regular meeting minutes was approved as written.

Copper Moon Coffee

Clem Kuns of TBird Design appeared before the Board to present Copper Moon Coffee. The project site was located on the east side of Veterans Memorial Parkway south of the McCarty Lane (Co. Rd. 100 South) intersection and consisted of approximately 10 acres. He stated the site was known as the former Brennaco site. The former Halsema Runway was also located southwest to northeast on site. A new approximately 30,000 square feet building would be built to the east of the existing building. The project's site was located within the City of Lafayette; therefore the request for direct release to the Berlowitz Regulated Drain was the Board's review today. The site discharged at the northeast corner and ultimately drained to the detention facility of same name and located north of McCarty Lane near I65.

*Vice President John Knochel entered the meeting.

Christopher B. Burke Engineering completed a Master Plan of the area. One of the basins within the Master Plan split down the runway and passed to the west through storm infrastructure to the Berlowitz Regulated Drain. The eastern basin use to pass over the top of the Berlowitz drain tile and ultimately drained into the same location. Currently it still routed to the same location. Due to the proximity of the Berlowitz Regulated Drain and the project's location inside the Berlowitz Master Plan Study, an approval for the direct release was requested. Mr. Kuns stated it was determined that 0.42 acre foot of detention storage within the Berlowitz Detention Basin would be required. He requested approval for direct release discharge to the Berlowitz Regulated Drain. The Surveyor reiterated approval for direct release into the Berlowitz Regulated Drain and the storage fees for 0.42 acre feet in the Berlowitz Detention Facility were required. He then recommended approval with the conditions as stated on the February 11, 2014 Burke memo as requested.

The President asked for public comment. There was none. Tom Murtaugh made a motion to approve the tile connection to the Berlowitz Regulated Drain tile as requested. John Knochel seconded the motion. Tom Murtaugh made a motion to grant approval with the conditions as stated on the February 11, 2014 Burke memo. John Knochel seconded the motion. Copper Moon Coffee project was granted approval with the conditions as stated on the February 11, 2014 Burke memo.

Buffalo Wild Wings Parking Lot Expansion

Mike Deboy of Deboy Land Services appeared before the Board to present Buffalo Wild Wings Parking Lot Expansion project. The site consisted of approximately 1.8 acres and was located on the southeast corner of Creasy Lane at the intersection with State Road 38. (Aka Lot 2 of Creasy at the Crossing Section 1) He noted the client's Attorney Joe Bumbleberg was in attendance. He requested approval (regarding Branch #13 of the S.W. Elliott Regulated Drain#100) of a Maintenance Agreement between the owner and Tippecanoe County Drainage Board. He noted he has had many discussions with the Board's Engineer Consultant and Surveyor's office regarding the 2 -66" corrugated pipes known as Branch #13 of the S.W. Elliott Regulated Drain. Following the Board's request, a televised pipe investigation to determine the integrity of the pipes was completed and results submitted to Surveyor's office. The Agreement stated the owner and successors would be financially responsibility for the replacement of said pipes if necessary. The project at hand involved the addition of asphalt pavement for an additional 30 parking spaces which is sorely needed at this time. The pavement would be placed over the pipes. He informed the Board, due to the current corporate conference of Board Buffalo Wild Wings, he was unable to obtain the required signatures prior to today's meeting. He stated he spoke with senior management and they were in

agreement of the content and would sign upon return. He asked the Board to approve the Maintenance Agreement and Petition to Encroach on the condition signatures would be obtained, documents recorded and provided to the Surveyor Office asap. He requested approval.

The Surveyor stated this site has had parking issues since built. From a safety point of view he requested investigation of the pipe along with a structural engineer report. The televised investigation and report had been provided to his office. He stated he felt confident approving the request. He recommended approval of the Maintenance Agreement as well as the Encroachment Petition when signed by the owner. He then recommended approval with the conditions as stated on the February 11, 2014 Burke memo as well as an added condition for payment of the yet to be determined amount of detention storage within the F-Lake Detention Storage Facility. This amount should be determined by the client's project engineer and submitted to the Surveyor's office for approval. The Board President asked for public comment, there was none.

Tom Murtaugh made a motion to grant approval with the conditions as stated on the February 11, 2014 Burke memo along with the added condition of the yet to be determined per acre foot detention storage fees to be paid as required. John Knochel seconded the motion. Tom Murtaugh made a motion to approve the SIGNED Petition to Encroach on Branch #13 of SW Elliott Regulated Drain. John Knochel seconded the motion. Tom Murtaugh made a motion to approve the SIGNED Maintenance Agreement between the Board and the owner of Buffalo Wild Wings and/or successors. John Knochel seconded the motion. Buffalo Wild Wings and Tippecanoe County Drainage Board Maintenance Agreement and the Petition to Encroach were approved by the Board as aforementioned. Buffalo Wild Wings Parking Lot Expansion project was approved with the conditions as stated on the February 11, 2014 Burke memo along with the added condition of the yet to be determined F-Lake Detention Basin Storage payment. All conditions must be met prior to final approval from the Surveyor's office. Mr. Deboy thanked the Board and the Surveyor Office for working with Buffalo Wild Wings to provide additional parking at the establishment's site.

Zach Beasley/Other Business: Alexander Ross Master Plan Contract

The Surveyor presented an Alexander Ross Regulated Drain Watershed Master Plan Study contract written by Christopher B. Burke Engineering LLC. in the amount of \$67,180.00 (county share) for approval by the Board. He noted this was a joint contract between the County and the City of Lafayette and Christopher B. Burke Engineering LLC. The Regulated Drain was located within the City's limits specifically west of Interstate 65, south of State Road 26 and north of McCarty Lane. There was a large tract of developable ground in the watershed. The Master Plan Study on the aforementioned Regulated Drain would assist in the future development of the tract. He recommended the Board approve the Alexander Ross Master Plan Study contract. There was no public comment.

Tom Murtaugh made a motion to approve the Alexander Ross Regulated Drain Watershed Master Plan Study contract written by Christopher B. Burke Engineering LLC. in the amount of \$67,180.00. John Knochel seconded the motion. The Alexander Ross Regulated Drain Watershed Master Plan Study contract with Christopher B. Burke Engineering LLC in the amount of \$67,180.00 was approved as presented.

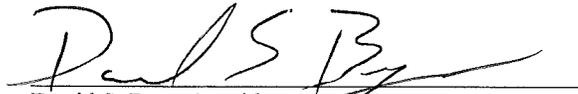
Resolutions

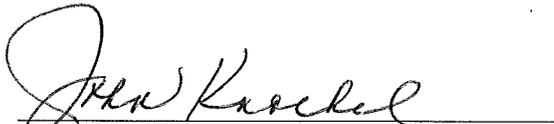
David Luhman Board Attorney stated the following resolutions were presented to document the previously established fees for regional detention basin participation in the 3 detention storage basins owned by the county at the rate of \$15,000.00 per acre foot of storage. The Resolutions would be numbered 1, 2, 3 and are identical except with the name of the regional detention basin involved. The first one will be Resolution #2014-01-DB Establishing F-Lake Detention Basin Storage Fees: The Fee for detention storage in the F-Lake Regional Detention Basin is hereby set at the rate of fifteen thousand dollars (\$15,000.00) per acre foot of detention storage used by land in the watershed. The Tippecanoe County Surveyor shall be responsible for determining the usage of detention storage required by the parcels located within the watershed. The detention storage fees shall be deposited in the F-Lake detention Fund. Tom Murtaugh made a motion to approve Resolution #2014-01-DB Establishing F-Lake Detention Basin Storage Fees. John Knochel seconded the motion. The Attorney presented Resolution #2014-02-DB Establishing Berlowitz Detention Basin Storage fees at \$15,000.00 per acre foot. Tom Murtaugh made a motion to approve Resolution #2014-02-DB Establishing Berlowitz Detention Basin Storage Fees and fees deposited in the Berlowitz Detention Fund. John Knochel seconded the motion. The Attorney presented Resolution #2014-03-DB Establishing Alexander Ross Detention Basin Storage Fees in the amount of \$15,000.00 per acre foot and those monies to be deposited in an Alexander Ross Detention Fund to be created by the Auditor. Tom Murtaugh made a motion to approve Resolution #2014-03-DB Establishing Alexander Ross Detention Basin Storage Fees and said fees to be deposited in the Alexander Ross Detention Fund. John Knochel seconded the motion. Resolutions #2014-01-DB, 2014-02-DB, and 2014-03-

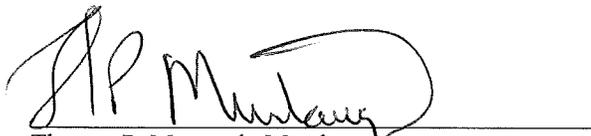
DB were approved by the Board as presented by the Attorney for approval. There was no public comment concerning the Resolutions.

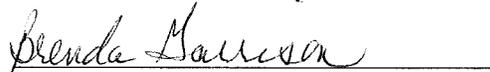
Public Comment

Tom Murtaugh made a motion to adjourn as there was no public comment.


David S. Byers President


John Knochel, Vice President


Thomas P. Murtaugh, Member


Brenda Garrison, Secretary

Tippecanoe County Drainage Board
May 7, 2014
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, Vice President John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Project Manager James Butcher and G.I.S. Specialist Evan Warner were also in attendance. Member Thomas P. Murtaugh was absent.

Mary McKinney #52 Regulated Drain Reconstruction Contract Bids

The President opened the meeting and referred to the attorney for the opening of the Mary McKinney #52 Regulated Drain Reconstruction Bids received by the Board. He stated the following- there were three bids submitted for the Mary McKinney #52 Regulated Drain Reconstruction as follows: Rinehart Excavating –\$259,793.58, Maxwell Farm Drainage –\$176,137.00, Dwenger Excavating Contractors –\$215,963.50. The attorney recommended the bids be taken under advisement for review of compliance with the Contract Specifications. John Knochel made a motion to take the said bids under advisement and review for compliance. David Byers seconded the motion. The Mary McKinney #52 Regulated Drain Reconstruction Bids submitted would be reviewed for compliance and awarded at the end of today's meeting.

Approval of Minutes

John Knochel made a motion to approve the April 1, 2014 regular minutes as written. David Byers seconded the motion. The April 1, 2014 regular meeting minutes was approved as written.

Harley Davidson / Lot 1 Meeks Minor Subdivision

Pat Jarboe from TBIRD Design appeared before the Board to present Harley Davidson aka Lot 1 Meeks Minor Subdivision for approval. The site was located southwest of the interchange of State Road 26 and Interstate 65 and the total tract consisted of approximately 5 acres. He stated the site was located within the City of Lafayette however it existed within the Alexander Ross Regional Detention Area. This was the reason for the presentation to the Drainage Board. As the pond is privately owned easements were obtained by the developer and filed with the Surveyor's office. He confirmed an agreement from the owner of the detention pond and the developer was required for final approval. Mr. Jarboe stated his client was in agreement with the conditions as listed on the April 8, 2014 Burke memo and requested approval at that time. The Surveyor stated the Boards approval today regarded the discharge into the Alexander Ross County Regulated Drain system only. His office had reviewed the site and he recommended approval with the conditions as stated on the April 8, 2014 Burke memo. There was no public comment. John Knochel made a motion to grant approval with the conditions as stated on the April 8, 2014 Burke memo. David Byers seconded the motion. Harley Davidson aka Lot 1 of Meeks Minor Subdivision was granted approval with the conditions as stated on the April 8, 2014 Burke memo.

Elm Steel Lot 3 US 52 South Industrial Subdivision

Randall Peterson from Starr Associates appeared before the Board to present Elm Steel aka Lot 3 US 52 South Industrial Subdivision for approval. The site was located east of US 52, south of Co. Rd. 350 South and consisted of approximately 3.24 acres within the existing US 52 South Industrial Subdivision tract. He noted the project involved an addition to the existing Elm Steel building which was partially destroyed due to a tornado. A portion of the project site was located outside of the established subdivision and the previously approved master drainage report. The building site currently drained to the south into an existing dry detention basin. To accommodate the additional volume the basin would be expanded, however the existing release rates would not be increased. The expansion of the pond would not change the performance of the basin. He noted the design of a grassed swale channel would function as a BMP routing the runoff to the basin. A variance was in order as they planned one BMP opposed to two as the Ordinance required. He requested the variance and approval at that time. The Surveyor stated this site was previously approved with a master plan by the Board. His office reviewed the project's stormwater quantity and recommended approval as the previously determined discharge rate would remain the same. Due to the existing infrastructure in place, the stormwater quality was reviewed by his office and approved for a variance as requested. When infrastructure is existing, the Drainage Board has historically approved variances. He recommended the variance as requested and conditional approval per the May 1, 2014 Burke memo to the Board. There was no public comment. John Knochel made a motion to grant a variance to the Ordinance as requested. David Byers seconded

the motion. John Knochel made a motion to grant approval with the conditions as stated on the May 1, 2014 Burke memo. David Byers seconded the motion. Elm Steel aka Lot 3 US 52 South Industrial Subdivision was granted a variance as requested and approval with the conditions as stated on the May 1, 2014 Burke memo.

Other Business:

Drainage Board Meeting Dates Revision

David Byers stated the previously scheduled July 2, 2014 Drainage Board meeting must be revised to July 9, 2014 due to conflicts in scheduling. John Knochel made a motion to move the July 2, 2014 meeting to July 9, 2014. David Byers seconded the motion. The July 2, 2014 Drainage Board meeting was moved to July 9, 2014 at 10:00 am.

Contracts:

Jordon Creek Watershed Study Contract

The Surveyor presented a proposed Jordon Creek Watershed Study Contract with Christopher B. Burke Engineering LLC in the amount of \$21,710 for approval. This was the amount which the County would be responsible for as the study's overall fee (\$43,470.00) would be shared with the City of West Lafayette and Purdue University based on the percentage of acres in the area. Purdue University's cost would be \$3,005.00 and the City of West Lafayette cost would be \$18,755.00. The Surveyor noted there were several known problem areas of drainage along Jordon Creek. A review of the watershed area utilizing GIS was presented at that time. With known drainage issues in the area and the potential development around the Cumberland Avenue Extension and the new US 231 corridor the Surveyor stated he felt strongly this study was warranted. He discussed the issues with David Buck with the City of West Lafayette, Jim Knapp with Purdue University and David Hutty with Purdue Research Foundation. They were all in agreement.

The study would determine if the currently required release rates were stringent enough for future developments not to create or add to known drainage issues within that area. He stated he preferred the study start as soon as possible and recommended the Board approve as submitted. There was no public comment. John Knochel made a motion to approve the Jordon Creek Watershed Study Contract with Christopher B. Burke Engineering LLC in the amount of \$21,710. David Byers seconded the motion. The Jordon Creek Watershed Study Contract with Christopher B. Burke Engineering LLC in the amount of \$21,710 was approved as presented.

Mary McKinney #52 Regulated Drain Reconstruction Contract Bids

John Knochel made a motion to award the Mary McKinney #52 Regulated Drain Reconstruction Contract to Maxwell Farm Drainage in the amount of \$176,137.00 as low bidder of contract - contract documents were in order. David Byers seconded the motion. The Mary McKinney #52 Regulated Drain Reconstruction Contract was awarded to Maxwell Farm Drainage.

BONDS:

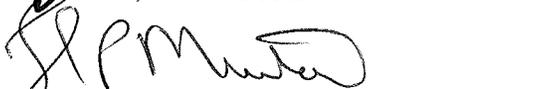
The Surveyor presented and recommended approval of a Performance Bond in the amount of \$112,000 written by West Bend Insurance Co. for JBD Builders regarding the Legado Phase 1 project. John Knochel made a motion to accept the Performance Bond in the amount of \$112,000 written by West Bend Insurance Co. for JBD Builders regarding the Legado Phase 1 project. David Byers seconded the motion. The Performance Bond in the amount of \$112,000 written by West Bend Insurance Co. for JBD Builders regarding the Legado Phase 1 project was accepted by the Board.

Public Comment

As there was no public comment, John Knochel made a motion to adjourn. The meeting was adjourned.


David S. Byers, President


John Knochel, Vice President


Thomas P. Murtaugh, Member


Brenda Garrison, Secretary

Tippecanoe County Drainage Board
November 4, 2015
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, Vice President Tracy Brown, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Evan Warner-G.I.S. Technician and James Butcher-Project Manager, both with the Surveyor Office, were also in attendance.

Approval of Minutes

Tracy Brown made a motion to approve the October 7, 2015 Drainage Board Minutes as written. David Byers seconded the motion. Motion carried.

Tracy Brown made a motion to approve the October 7, 2015 Gustav Swanson Regulated Drain Landowner Hearing minutes as written. David Byers seconded the motion. Motion carried.

I65 South Segment Added Traffic Lanes

Chris Schultz from CHA appeared before the Board to present INDOT's I65 South Segment project for approval. The North Segment of the INDOT project for I65 was approved by the Board in April 2015. This segment project site was located approximately .50 miles south of SR38 continuing approximately .70 miles north of SR26, approximately 5 miles total. Three County Regulated Drains were involved; the Charles Parker, Julius Berlowitz and the Alexander Ross drain. A new culvert would be installed by INDOT within the Alexander Ross Drain Easement; therefore a Petition to encroach would be submitted for approval as well. Detention storage for an overall total of 2.21 acre feet within the A. Ross and J. Berlowitz Detention Basins would be necessary. The Berlowitz Detention Basin storage required- totaled 1.439 feet for an amount of \$21,585.00 per ordinance. The Alexander Ross Detention Basin storage amount required a total of 0.774 acre feet for an amount of \$11,610.00 per ordinance. He noted, per the Ordinance a combined 2.21 acre feet would be required which totaled \$33,195.00 (\$15,000.00 per acre feet). Six new main line cross-culverts would be installed under I65, slip lining three existing culverts and replacing all the existing meeting inlets and pipes within this project. One travel land would be added in each direction. The project widens the pavement from 38 feet to 56 feet in each direction. (Approx. 19.5 acre for the South segment alone) Nine detention ponds were constructed with a combined capacity of 2.4 acre feet of storage for the added amount of pavement. Regarding Stormwater Quality; Grassed swales would be added on each side of the interstate for the runoff prior to entering the detention ponds. He stated they agreed with the October 29th 2015 Burke Memo conditions as stated and requested approval by the Board.

The Surveyor reiterated detention storage fees regarding the A. Ross and the J. Berlowitz Detention Basins were required and would be collected for the project. Regarding the Petition to encroach on the Alexander Ross Regulated Drain, he pointed out there were two existing county regulated tiles in that location; one which route to the Walmart pond and another tile which is the oldest. He noted if any damage to the existing tiles during construction would be required to be fixed. He then recommended approval with the conditions as stated on the Oct. 29, 2015 Burke memo. There was no public comment.

Tracy Brown made a motion to grant approval for the I65 South Segment added travel lanes project with the conditions as stated on the Oct. 29, 2015 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Mr. Schultz presented a Petition to encroach on the Alexander Ross Regulated Drain for approval by the Board. Installation of new box culverts within the aforementioned legal drain required encroachment approval. He noted two exhibits were attached, the first exhibit was a section view (referencing the Surveyor's concern, the first exhibit showed the existing location of the two tiles in relation to the new box culvert to be installed. This exhibit referenced the care of the existing tiles. The second exhibit showed an overall plan view). He requested approval by the Board for the Petition to encroach on the Alexander Ross Regulated Drain. There was no public comment.

Thomas Murtaugh made the motion to grant approval for the Petition to encroach on the Alexander Ross Regulated Drain as requested. Tracy Brown seconded the motion. Motion carried.

Public Comment

As there was no public comment, Thomas Murtaugh made the motion to adjourn. The meeting was adjourned.



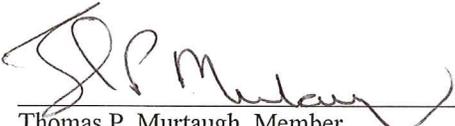
David S. Byers, President



Tracy Brown, Vice President



Brenda Garrison, Secretary



Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board

December 7, 2016

Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Tracy Brown, Vice President Thomas P. Murtaugh, member David S. Byers, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Evan Warner-G.I.S. Technician and James Butcher-Project Manager, both with the Surveyor Office, were also in attendance.

Approval of Minutes

Thomas Murtaugh made a motion to approve the November 2, 2016 Regular Meeting Minutes with the following changes: within the Winter Crest Subdivision section the item #01 should read item #1, at the end of paragraph asap should read as soon as possible. David Byers seconded the motion. Motion carried. Thomas Murtaugh made a motion to approve the November 2, 2016 Martin Erwin #28 landowner hearing minutes as written. Motion carried.

Whittaker Planned Development

Justin Frazier of TBird Design Services appeared before the board to present the Whittaker Planned Development for conditional approval. The site was located west of C.R. 50 West on the north side of C.R. 500 North and consisted of approximately 16.8 acres. This development would function as a Bed and Breakfast. The Inn and drive would be constructed first, with a barn planned for future construction. He stated the G. Cole Regulated Drain was located along the north side of the property. The site would have prairie type grass and the runoff would discharge to a swale on the west side of the driveway then through vegetative swales with infiltration. He noted there was no onsite detention required. He stated they agreed with the December 1, 2016 Burke memo and requested conditional approval. The Surveyor noted his office agreed the site required no detention or variances and recommended approval as stated on the December 1, 2016 Burke memo. Responding to David Byers inquiry, the Surveyor noted the onsite sewage line was located in the northeast portion and routed southerly to the western side of the project site location. There was no public comment. David Byers made a motion to grant conditional approval as stated in the December 1, 2016 Burke memo. Thomas Murtaugh seconded the motion. Motion granted.

2827 Commercial Subdivision

Justin Frazier of TBird Design Services appeared before the board to present the 2827 Commercial Subdivision for conditional approval. He stated the site was adjacent to the Lockhart Property (Commercial building) which was approved by the Drainage Board in October 2015; this project included expansion of the Lockhart project as well. The current project site consisted of approximately 3.87 acres (3 lots which included Lockhart property) and located on the south side of U.S. 52 east of C.R.300 West (Klondike Road). He noted the underground detention storage infrastructure would collect most of the site's runoff from storm inlets. (An addition to the previously approved underground detention for Lockhart property) The existing swale located in the southeast corner of the site would be the final outlet for detention. He requested a variance to the Ordinance regarding the allowable release rate and channel protection. He stated the underground detention infrastructure did not allow for the requirements. Mr. Frazier explained to the Board the supplemental measures which would offset the required allowable release amounts and channel protection requirements per the ordinance. The underground detention storage has an initial chamber designed to remove sediment from the stormwater, in lieu of placing another preapproved bmp device such as swirl chamber etc.; up stream of the underground detention facility snout and sump structures were planned. These structures were not currently on the bmp preapproved list. The Surveyor stated the Lockhart property had been approved by the Board previously and this was all part of the complex. He noted this would be consistent with the adjoining Lockhart property previously approved underground detention facility. This area was located within the Indian Creek Drainage Impact Area and would be required to follow Indian Creek Drainage Impact Resolution #2013-01-DB requirements. (See December 1, 2016 Christopher B. Burke Memo for details) The Surveyor recommended approval of the Variances as requested as well as the conditional approval of the project. There was no public comment. Thomas Murtaugh made a motion to grant conditional approval as outlined in the Dec. 1, 2016 Burke memo for the 2827 Commercial Subdivision. David Byers seconded the motion. Motion carried.

Alexander Ross Regulated Drain Master Plan /Resolution #2016-02-DB

The Surveyor requested Mr. Robert Foley from the City of Lafayette Engineer's Office to approach the Board and inform the status of the Alexander Ross Regulated Drain Master Plan Resolution. Mr. Foley stated the Resolution was recently adopted by the City of Lafayette Redevelopment Commission and the City of Lafayette Board of Works. He informed the Board the resolution would be presented to the Lafayette City Council for approval during their February 2017 meeting. Responding to David Byers inquiry, Mr. Foley stated streets, sewers etc. would be the individual developer's responsibility not the City of Lafayette.

David Eichelberger Drainage Board Engineer Consultant from Christopher B. Burke Engineering approached the Board to present the Alexander Ross Regulated Drain Master Plan. He noted the Alexander Ross Regulated Drain watershed was located on the east side of the City of Lafayette. Generally speaking the watershed flowed from the southwest to the northeast through a large natural depression area on the west side of Interstate 65. The runoff then crosses through twin covers under the interstate into a pond located on the east side of I65, crosses SR26 into a deep ravine system into the South fork of Wildcat Creek. He noted the watershed was first studied in 1993 due to its development potential and poor area drainage. The goal in 1993 was to provide a positive outlet for the said watershed as well as regional detention for the development occurring at that time. The result was the proposal of two regional detention facilities (ponds) with one located on the east side and one on the west side of I65. The east side pond was constructed as part of the Meijer Store development project. While the need for and amount of the storage capacity was known, location of the second pond (west side of I65) was not determined at that time. However the Wal-Mart project included construction of a pond on the west side of I65 at that time. These two ponds allowed for the immediate area's development. The City of Lafayette and the County have cooperatively hired Christopher B. Burke Engineering to complete the master plan for the west side of the watershed. The goal was to be consistent regarding regional detention with what was started in 1993. Two additional regional detention facilities would be constructed in logical locations instead of forcing it to a certain location (causing access excavation just to make it happen in that area). Provisions for development's regional stormwater quality measures within the watershed, as well as master planning the roads, water, sewer and collection systems was the cooperative goal between the City of Lafayette and the County completing the Master Plan. Responding to David Byers inquiry, Mr. Eichelberger stated the total watershed acreage was approximately 600 acres. The *developable* acreage would be 230 acres on the west side of I65. The aforementioned collection systems were primarily designed to handle the undetained runoff from the developable area and route it to the stormwater detention ponds planned and this was consistent with the 1993 plan. He noted the Berlowitz Regulated Drain Watershed Master Plan was located immediate south of this watershed. I65 would be crossed at two locations for each watershed. He noted the *total developable acreage for both watersheds was 680 acres* that would not require individual stormwater detention facilities for separate projects within those watersheds. Responding to Dave Byers inquiry, new projects developed within these watersheds would be required to pay a onetime regional stormwater detention facility storage fee. Any new developments would be required to obtain the Drainage Board's approval at time of development. Responding to David Byers inquiry, the Surveyor noted as the ground was developed the original clay drain tiles would be vacated. He noted meetings had been held with landowners within the watersheds (Alexander Ross and J. Berlowitz) and they were in favor of the master plans. Mr. Rosenthal, landowner representing the majority of the property north of McCarty Lane was in favor of the plan and excited for the opportunities forthcoming. Utilizing GIS he reviewed the distinct line of new development which was located at the watershed boundaries of the Alexander Ross, S.W. Elliott and the Julius Berlowitz Regulated Drains. A. Ross watershed was located north of McCarty Lane, J. Berlowitz in between McCarty Lane and Haggerty Lane and the Branch #11 of the S.W. Elliott south of Haggerty Lane and north of SR38. The reconstruction of Branch #11 of the Elliott Drain and the two master plans tie everything together from SR38 to SR26 and west of Veterans Memorial Parkway. He noted the total amount of developable ground was over 700 acres. This would also create the possibility of extending Park East Boulevard to SR38, adding another thoroughfare. All three projects, Berlowitz Master Plan, Alexander Ross Master Plan and the reconstruction of Branch #11 of the S.W. Elliott Regulated Drain were tied together. He stated a portion of the Build Tippecanoe monies have been delegated for these plans. At the beginning of 2017 he stated he would start coordinating with INDOT for the installation of the pipe under the interstate. Design plans for intermediate and final outcome and the estimates for planned infrastructure were forthcoming. There was no public comment. Thomas Murtaugh made a motion to approve the Alexander Ross Regulated Drain Master Plan /Resolution #2016-02-DB. David Byers seconded the motion. Motion carried.

Waples McDill #85 Reconstruction Assessment Financial Assistance/Jennifer Weston Treasurer

Jennifer Weston, Treasurer of Tippecanoe County, approached the board to discuss the Waples McDill #85 Reconstruction Assessment Financial Assistance fund availability and submit a contract received by her office for approval by the Board. She referred to the Board Attorney for explanation of the process regarding the reconstruction financial assistance for landowners within the watershed. Attorney Masson stated the financial assistance program was approved by the Drainage

Board and ratified by the Commissioners as well with Resolution #2016-01-DB. This resolution established the Reconstruction Financial Assistance Program in March 2016 by the Board. (See March 3, 2016 Drainage Board Minutes for a detailed explanation of the program and process). Landowners benefited by the Waples McDill Regulated Drain Reconstruction were eligible for the program. The reconstruction was completed and the assessments set. The County Treasurer sent out the reconstruction billing with cover letters explaining the three options available to the benefited landowners for paying their reconstruction (only) assessments. This particular option was a five (5) year payment plan with a 5% interest rather than the statutory 10% interest by Drainage Code. Part of the requirement for the five (5) % option was the landowner must sign a contract with the County Drainage Board. To date, the Treasurer had received one contract from benefited landowner-Kathryn Wilcox. He stated the Board's action today was to formally approve the contract as submitted. He explained the landowner must pay for recording the contract in full (required by Resolution). A claim should then be submitted to the Auditor to pay the assessment from the newly established fund into the fund from which reconstruction costs were paid in full. (Generally the General Drain Improvement Fund) Thus paying the landowner's reconstruction assessment in full and in return the landowner pays the County an annual 5 % interest on repayment over a five (5) year period. Today's board action called for approval of the contract received back from benefited landowner Kathryn Wilcox.

Treasurer Jennifer Weston stated the reconstruction's billing was sent out approximately a month ago. Landowners were given 60 days to enter into the agreement contract if so desired. She noted the total assessment on two parcels owned by Kathryn Wilcox was over \$52,000 and would be billed out over the five year period at the rate of 5% interest as reflected by Resolution 2016-01-DB. She noted it was a savings to the landowner of approximately \$2,600 over the life of the contract. To date the Treasurer has received a total of \$38,000 reconstruction assessments for the Waples McDill Drain Reconstruction since billing was sent out by her office.

The Surveyor reminded the Board the Resolution was a result of landowners asking for reconstruction payment alternatives due to the current day high cost of reconstructions. This was the first drain reconstruction and contract received this fund would be utilized for. He stated the said fund had not been set up to date. He anticipated this fund would be established after the first of the year. The Secretary was coordinating with the Auditor Office and they were fully aware of the need. The Auditor Office planned to establish the fund after the first of the year (2017). The Surveyor stated he thought the setup of the said Assistance Fund and the monies to be included within the fund was handled during the 2017 Council budget proceedings for his office. The Attorney stated since the assistance fund had not been set up to date, the contract should be tabled until the January or February 2017 meetings of the Board. The amounts billed out to the landowners were not due until May and November of 2017. This would allow the Secretary to confirm the steps which may be required to setup the fund. The Surveyor stated he agreed with the Attorney. Thomas Murtaugh made a motion to table the submitted Waples McDill #85 Regulated Drain Reconstruction Assistance Fund Assessment Contract with Kathryn Wilcox until the January meeting. David Byers seconded the motion. Motion carried. Attorney Masson directed the Treasurer to speak with the Auditor to determine whether to hold the check (due to minimal amount) or deposit prior to the upcoming meeting. If the check was deposited the County would pay the recording fee for said contract.

Zach Beasley/Other Business

S.W. Elliott Branch #11 Reconstruction Settlement Agreement/Brand Properties

The Surveyor stated this was an agreement settled between the Drainage Board and properties owned by Jerry Brand. He referred to the Attorney for explanation. The attorney noted the Brand properties own several developed and undeveloped parcels within the S.W. Elliott Regulated Drain Branch #11 watershed. The settlement agreement involved these said parcels. A title transfer to the Drainage Board for the existing Haggerty Point Detention pond was finalized. The title for the Haggerty Detention facility (pond) was transferred to Tippecanoe County Drainage Board. The Board now owns the detention pond. F-Lake detention storage fees and Branch #11 reconstruction fees totaled approximately \$65,000. There was ambiguity on whether the reconstruction fees would have to be paid for these parcels. The reconstruction assessments were paid as negotiated. ***The current un-developed properties would be required to pay detention storage fees in the future upon development of the said properties.*** The agreement- if approved today- would bring the S.W. Elliott Regulated Drain Branch #11 Reconstruction to completion. There was no public comment. David Byers made a motion to approve the agreement as presented by the Attorney. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Encroach S.W. Elliott #100-Treece Meadows Branch

The Surveyor presented the Petition to encroach S.W. Elliott #100-Treece Meadows Branch submitted by Vectren Energy. The Surveyor noted a gas line would be constructed under the two open ditches on the north side of McCarty Lane, immediately east of Creasy Lane. He recommended approval. David Byers made a motion to approve the Petition to

Board and ratified by the Commissioners as well with Resolution #2016-01-DB. This resolution established the Reconstruction Financial Assistance Program in March 2016 by the Board. (See March 3, 2016 Drainage Board Minutes for a detailed explanation of the program and process). Landowners benefited by the Waples McDill Regulated Drain Reconstruction were eligible for the program. The reconstruction was completed and the assessments set. The County Treasurer sent out the reconstruction billing with cover letters explaining the three options available to the benefited landowners for paying their reconstruction (only) assessments. This particular option was a five (5) year payment plan with a 5% interest rather than the statutory 10% interest by Drainage Code. Part of the requirement for the five (5) % option was the landowner must sign a contract with the County Drainage Board. To date, the Treasurer had received one contract from benefited landowner-Kathryn Wilcox. He stated the Board's action today was to formally approve the contract as submitted. He explained the landowner must pay for recording the contract in full (required by Resolution). A claim should then be submitted to the Auditor to pay the assessment from the newly established fund into the fund from which reconstruction costs were paid in full. (Generally the General Drain Improvement Fund) Thus paying the landowner's reconstruction assessment in full and in return the landowner pays the County an annual 5 % interest on repayment over a five (5) year period. Today's board action called for approval of the contract received back from benefited landowner Kathryn Wilcox.

Treasurer Jennifer Weston stated the reconstruction's billing was sent out approximately a month ago. Landowners were given 60 days to enter into the agreement contract if so desired. She noted the total assessment on two parcels owned by Kathryn Wilcox was over \$52,000 and would be billed out over the five year period at the rate of 5% interest as reflected by Resolution 2016-01-DB. She noted it was a savings to the landowner of approximately \$2,600 over the life of the contract. To date the Treasurer has received a total of \$38,000 reconstruction assessments for the Waples McDill Drain Reconstruction since billing was sent out by her office.

The Surveyor reminded the Board the Resolution was a result of landowners asking for reconstruction payment alternatives due to the current day high cost of reconstructions. This was the first drain reconstruction and contract received this fund would be utilized for. He stated the said fund had not been set up to date. He anticipated this fund would be established after the first of the year. The Secretary was coordinating with the Auditor Office and they were fully aware of the need. The Auditor Office planned to establish the fund after the first of the year (2017). The Surveyor stated he thought the setup of the said Assistance Fund and the monies to be included within the fund was handled during the 2017 Council budget proceedings for his office. The Attorney stated since the assistance fund had not been set up to date, the contract should be tabled until the January or February 2017 meetings of the Board. The amounts billed out to the landowners were not due until May and November of 2017. This would allow the Secretary to confirm the steps which may be required to setup the fund. The Surveyor stated he agreed with the Attorney. Thomas Murtaugh made a motion to table the submitted Waples McDill #85 Regulated Drain Reconstruction Assistance Fund Assessment Contract with Kathryn Wilcox until the January meeting. David Byers seconded the motion. Motion carried. Attorney Masson directed the Treasurer to speak with the Auditor to determine whether to hold the check (due to minimal amount) or deposit prior to the upcoming meeting. If the check was deposited the County would pay the recording fee for said contract.

Zach Beasley/Other Business

S.W. Elliott Branch #11 Reconstruction Settlement Agreement/Brand Properties

The Surveyor stated this was an agreement settled between the Drainage Board and properties owned by Jerry Brand. He referred to the Attorney for explanation. The attorney noted the Brand properties own several developed and undeveloped parcels within the S.W. Elliott Regulated Drain Branch #11 watershed. The settlement agreement involved these said parcels. A title transfer to the Drainage Board for the existing Haggerty Point Detention pond was finalized. The title for the Haggerty Detention facility (pond) was transferred to Tippecanoe County Drainage Board. The Board now owns the detention pond. F-Lake detention storage fees and Branch #11 reconstruction fees totaled approximately \$65,000. There was ambiguity on whether the reconstruction fees would have to be paid for these parcels. The reconstruction assessments were paid as negotiated. *The current un-developed properties would be required to pay detention storage fees in the future upon development of the said properties.* The agreement- if approved today- would bring the S.W. Elliott Regulated Drain Branch #11 Reconstruction to completion. There was no public comment. David Byers made a motion to approve the agreement as presented by the Attorney. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Encroach S.W. Elliott #100-Treece Meadows Branch

The Surveyor presented the Petition to encroach S.W. Elliott #100-Treece Meadows Branch submitted by Vectren Energy. The Surveyor noted a gas line would be constructed under the two open ditches on the north side of McCarty Lane, immediately east of Creasy Lane. He recommended approval. David Byers made a motion to approve the Petition to

encroach on the S.W. Elliott #100-Treece Meadows Branch as submitted by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Partially Vacate the Fred Haffner #34 Regulated Drain

The Surveyor presented a Petition to partially vacate the Fred Haffner#34 Regulated Drain submitted by TBIRD Design Services. He noted the petition regarded the Tippecanoe Development II LLC project immediately north of CR 600NBorth and immediately west of the Battleground Middle School. He recommended approval to the Board. Thomas Murtaugh made a motion to grant approval of said petition as presented by the Surveyor. David Byers seconded the motion. Motion carried.

Petition for Reconstruction Marion Dunkin #25 Regulated Drain

The Surveyor presented a Petition for reconstruction Marion Dunkin #25 Regulated Drain submitted to him by Mr. Clark Howey for acceptance by the Board. He noted this drain watershed included approximately 1700 acres. It was located in the southwest portion of the county southwest of the intersection of CR's 700 West and 800 South. He noted this reconstruction would be costly and would qualify for the assessment financial assistance program. David Byers made a motion to accept the Petition for Reconstruction on the Marion Dunkin #25 Regulated Drain as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

Bonds:

Hawthorne Lakes Sec. 4- Maintenance Bond #106597473

The Surveyor presented Maintenance Bond #106597473 written by Travelers Insurance in the amount of \$14,886 and submitted by Fairfield Contractors regarding the Hawthorne Lakes Section Four project for approval by the Board. David Byers made a motion to approve Maintenance Bond #106597473 for Hawthorne Lake Section Four as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion granted.

West Lafayette Apostolic Christian Church- Performance Bond#41355475

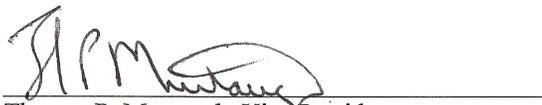
The Surveyor presented Performance Bond #41355475 written by Aspen Inc./Platte River Ins. Company in the amount of \$30,600 regarding the West Lafayette Apostolic Christian Church project for approval by the Board. David Byers made a motion to approve Performance Bond #41355475 for West Lafayette Apostolic Christian Church as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion granted.

Public Comment

There was no public comment. David Byers made a motion to adjourn. The meeting was adjourned.



Tracy Brown, President



Thomas P. Murtaugh, Vice President



David S. Byers, Member



Brenda Garrison, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD

RESOLUTION NO. 2016 - 02 -DB

*RESOLUTION APPROVING ALEXANDER ROSS
REGULATED DRAIN 2016 MASTER PLAN REPORT*

WHEREAS, in 1993, a master plan for the Alexander Ross watershed drainage area was developed which master plan included two regional stormwater ponds;

WHEREAS, one of the two regional stormwater ponds contemplated by the 1993 master plan has been constructed;

WHEREAS, the exact location and shape of the second regional stormwater pond to serve the Alexander Ross drainage area was not determined in the 1993 master plan;

WHEREAS, Christopher B. Burke Engineering, LLC has developed the Alexander Ross Regulated Drain 2016 Master Plan Report guided by the following four goals:

- 1) Plan a regional detention facility that is consistent with the 1993 master plan for the entire Alexander Ross Watershed drainage area;
- 2) Incorporate post-construction stormwater quality measures at the regional scale so that future development does not have to address it on each individual lot;
- 3) Plan storm water collection systems, roads, sanitary sewers and water; and
- 4) Utilize low impact development principles and green infrastructure practices to manage storm water;

WHEREAS, the Alexander Ross Regulated Drain 20 16 Master Plan Report has been presented to the Tippecanoe County Drainage Board;

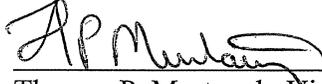
NOW THEREFORE BE IT RESOLVED that the Alexander Ross Regulated Drain 2016 Master Plan Report is hereby approved.

PASSED AND ADOPTED THIS 7th day of Dec, 2016.

TIPPECANOE COUNTY DRAINAGE BOARD



Tracy A. Brown, President



Thomas P. Murtaugh, Vice President



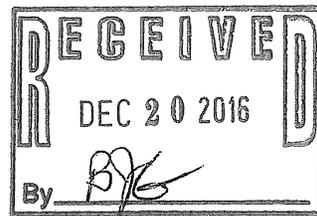
David S. Byers, Member

ATTEST:



Brenda Garrison, Secretary

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AGREEMENT

This Agreement is by and between the Tippecanoe County Drainage Board ("Drainage Board") and Haggerty Point I, Haggerty Point II, Haggerty Point III, and L.B. Associates by and through their authorized representative, Jerry A. Brand ("Brand").

WHEREAS, the Brand entities own land in watersheds of the F-Lake Regional Detention Basin ("F-Lake") and Branch 11 of the S.W. Elliott Regulated Drain ("Branch 11") in Tippecanoe County, Indiana;

WHEREAS, the Surveyor of Tippecanoe County and the Drainage Board have assessed fees and indicated that fees would be assessed in the future against the land owned by the Brand entities for the Branch 11 reconstruction and for detention of water in the F-Lake Regional Detention Basin;

WHEREAS, prior to being able to access F-Lake and prior to the Branch 11 reconstruction, the Brand entities constructed a wet detention basin ("Haggerty Pond") on their own land;

WHEREAS, the Branch 11 reconstruction makes use of Haggerty Pond to the benefit of the watershed generally resulting in a savings to the overall reconstruction cost;

WHEREAS, Brand questions whether the full value of the use of and impact to the land in and around Haggerty Pond was reflected in the reconstruction proceedings;

WHEREAS, under the terms of the Branch 11 Reconstruction Order, the timing of Brand's obligations to pay some of the reconstruction assessments would be uncertain in the absence of this agreement; and

WHEREAS, the Surveyor and the Drainage Board have requested that Brand execute documents transferring title of Haggerty Pond to Tippecanoe County;

THE PARTIES NOW THEREFORE AGREE AS FOLLOWS:

1. Brand or the Brand entities shall pay Tippecanoe County \$64,568.76 within 60 days of the date of this agreement.
2. Brand or the Brand entities shall execute a quitclaim deed transferring title for Haggerty Pond to Tippecanoe County within 60 days of this agreement.
3. Payment of \$64,568.76 and transfer of the title to Haggerty Pond shall constitute satisfaction in full of the F-Lake detention fees and Branch 11 reconstruction fees that may otherwise be owed for the following parcels ("Brand Properties"):

Owner	Parcel	Acres
Haggerty Point I & II	79 11-01-101 005.000-037	4.4
Haggerty Point I & II	79 11-01-101 006.000-037	4.5
Haggerty Point III	79 11-01-101 007.000-037	4.4
LB Associates	79 11-01-101 001.000-037	4.5
LB Associates	79 11-01-101 003.000-037	5.0

(921 A)

LB Associates	79 11-01-101 004.000-037	5.3
LB Associates	79 11-02-226 001.000-037	17.4

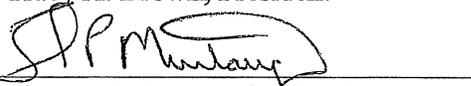
4. The Brand Properties are permitted to continue discharging water into Haggerty Pond: a) for the currently developed parcels (the Haggerty Point I&II and Haggerty Point III parcels as listed in ¶3), at the volumes and rates as are being discharged on as of the date of this agreement and, b) for the currently vacant lots (the LB Associates parcels as listed in ¶3), at the volumes and rates as are currently being discharged and in such additional amounts as approved in the September 29, 2005, Memorandum from David Eichelberger to Steve Murray concerning Haggerty Pointe and approved at the October 5, 2005, meeting of the Drainage Board. Additionally, the Brand Properties are permitted to discharge such additional volumes and rates into Haggerty Pond as are permitted under the Tippecanoe County Drainage Ordinance and other applicable legal authority.

AGREED:

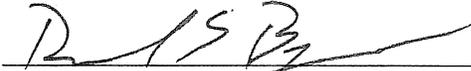
TIPPECANOE COUNTY DRAINAGE BOARD:


 Tracy A. Brown, President

Dec. 7th 2016
 Date

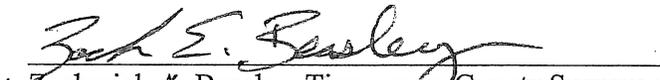

 Thomas P. Murtaugh, Vice-President

Dec. 7th 2016
 Date


 David S. Byers, Member

Dec 7th 2016
 Date

ATTEST:

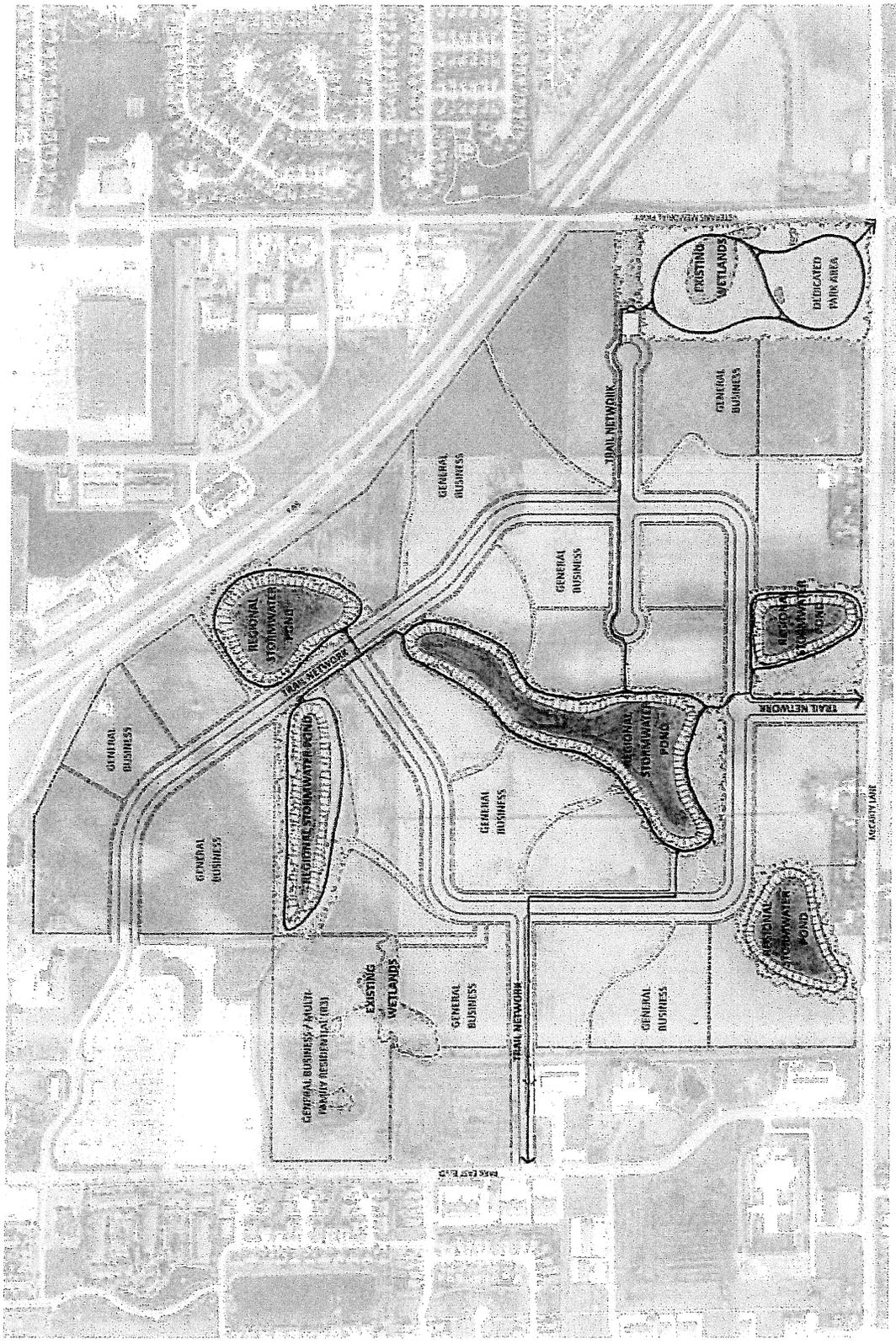

 Zachariah A. Beasley, Tippecanoe County Surveyor
 E.

Dec. 7th 2016
 Date

HAGGERTY POINT I
 HAGGERTY POINT II
 HAGGERTY POINT III
 L.B. ASSOCIATES


 By Jerry A. Brand

Date: 12/12/16



ALEXANDER ROSS
COUNTY REGULATED DRAIN
MASTER PLAN



Tippecanoe County Drainage Board
February 1, 2017
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board Vice President David S. Byers, member Tracy Brown, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Evan Warner-G.I.S. Technician and James Butcher-Project Manager, both with the Surveyor Office, were also in attendance. President Thomas P. Murtaugh was absent.

Approval of Minutes

Tracy Brown made a motion to approve the January 4, 2017 regular Drainage Board Minutes as written. David Byers seconded the motion. Motion carried.

Franklin Yoe #90 Regulated Drain/ G. Swanson #76 Regulated Drain Maintenance Bid(s) Opening

David Byers referred to the Attorney for the reading of the submitted bids regarding the Franklin Yoe #90 Regulated Drain and the G. Swanson #76 Regulated Drain Maintenance Projects. Attorney Masson read the following:
Regarding the Gustav Swanson Regulated Drain #76 Maintenance Project the bids were as follows:
Tony Garriott submitted a bid in the amount of \$49,595.80; ADI submitted a bid in the amount of \$14,594.00; Huey Excavating submitted a bid in the amount of \$24,672.00

Attorney Masson recommended the bids be taken under advisement. Tracy Brown made a motion to take the submitted bids under advisement. Once bids were reviewed for compliance by the Surveyor's office Project Manager, the Gustav Swanson #76 Maintenance Project bid could be awarded at the end of the meeting. David Byers seconded the motion. Motion carried.

Attorney Masson read the Franklin Yoe Regulated Drain #90 Maintenance Project bids as follows:
ADI submitted a bid in the amount of \$18,563.00; Tony Garriott submitted a bid in the amount of \$33,234.56 Attorney Masson recommended the bids be taken under advisement. Tracy Brown made a motion to take the submitted bids under advisement. Once the bids were reviewed for compliance by the Surveyor's office Project Manager, the Franklin Yoe #90 Maintenance Project bid could be awarded at the end of the meeting. David Byers seconded the motion. Motion carried.

Drainage Board 2017 Professional Engineering Assistance Contract

David Byers referred to the Surveyor regarding presentation of the 2017 Drainage Board Professional Engineering Assistance Contract. Surveyor Beasley noted he as well as Attorney Masson had reviewed the contract. He stated contract's rates had not changed from the past 3-4 years and he saw no additional changes. He recommended approval by the Board. Responding to Tracy Brown's inquiry, the Surveyor stated this was indeed at a cost savings to the county. He had previously in years past reviewed this issue. The cost for the services was approximately \$75,000 annually versus a minimum of \$130,000 cost for the exact work by an office staff member. Tracy Brown made a motion to approve the Drainage Board Engineering Assistance Contract as presented by the Surveyor. David Byers seconded the motion. Motion carried.

Lafayette YMCA

David Buck from BFS appeared before the Board to present the Lafayette YMCA for drainage approval. The site was located within the City of Lafayette at the existing Point East Mobile Home Park. The Board would review this project today for drainage purposes only. Mr. Buck stated a Petition to reduce the drainage easement on the S.W. Elliott Branch #13 was submitted for approval as well. The reduction in the drain maintenance easement would leave a 30 foot easement for maintenance of said branch. He noted they had received the January 12, 2017 Burke memo and was in agreement with the conditions as noted. He requested approval at that time for both the Petition and the project's drainage.

The Surveyor stated the Board's actions today were to approve the aforementioned Petition and the project's drainage only. He noted the project site drained to Branch #13 of the S.W. Elliott drain and continued southwest along Creasy Lane and eventually to the F-Lake Detention Basin. He recommended approval to the Board for the Petition to Reduce the Easement on the S.W. Elliott Branch #13 Drain as well as approval per the January 12, 2017 Burke memo recommendation. Tracy

presented. David Byers seconded the motion. Motion carried. Tracy Brown then made a motion to approve the Lafayette YMCA per the January 12, 2017 Burke memo recommendations. David Byers seconded the motion. Motion carried.

Belle Tire (Lot 4A 26 Crossing Subdivision)

Kyle Betz of Fisher and Associates appeared before the Board to request approval for the Belle Tire project. The site was located within the City of Lafayette and more specifically on Lot 4A in 26 Crossings Subdivision approximately ¼ mile from the interchange of I-65 and SR26. The site consisted of approximately 0.94 acres. This site was adjacent to the Alexander Ross Detention Basin. The site would drain entirely to the F-Lake detention facility. He stated they agreed with the January 25, 2017 Burke memo and requested approval for the project. The Surveyor stated the project had been reviewed and noted calculations were missing from their submittal. David Eichelberger stated calculations for the detention storage were not provided to date and that would need to be provided as soon as possible. The Surveyor agreed with the Consultant and reiterated those calculations should be provided and his recommendations were contingent on this. Mr. Betz agreed to review the report and provide those calculations to the Consultants as soon as possible. Tracy Brown made a motion to grant conditional approval as stated in the January 25, 2017 Burke memo. David Byers seconded the motion. Motion carried.

USGS Geological Stream Gages WREC Contract Support

Stan Lambert from Wabash River Enhancement Corp. (WREC) appeared before the Board to request financial and administrative support of the stream gages contract with the USGS Geological Services. He stated he was requesting to share the cost of the USGS Stream Gage Contract with the Tippecanoe County Partnership for Water Quality (TCPWQ). The streams were: Little Wea at Co. Rd. 800S, S.W. Elliott Ditch at old Romney Road and Little Pine Creek at Co. Rd. 850E with the contract covering the period of Jan. 23, 2017 through Sept. 30, 2017. He noted the data collected would be available on the USGS stream monitoring site on an hourly basis. This information was used as part of Water Quality monitoring by WREC and Purdue University. He noted Sara Peel from his office presented this to the TCPWQ and was given approval by their Board to go forward with support. The Surveyor stated he would review the TCPWQ Board minutes as the MS4 Coordinator to confirm the TCPWQ's intention was to contribute up to \$10,000.00 toward the overall cost of the contract. Tracy Brown made a motion to approve the contract amended \$10,000.00 amount as submitted with the condition the Surveyor as MS4 Coordinator confirms the TCPWQ support. David Byers seconded the motion. Motion carried.

Franklin Yoe#90 Regulated Drain/ G. Swanson #76 Regulated Drain Maintenance Bid(s) Award

Tracy Brown referred to Attorney Masson for the results of the submitted bids on the F. Yoe #90 and G. Swanson #76 Drain Maintenance Projects. Attorney Masson stated the bids were in order and the recommendation was to accept the low bid on each project. Tracy Brown made a motion to grant approval of the bid from ADI regarding the Gustav Swanson #76 and the F. Yoe Regulated Drain #90 Maintenance Projects as the low bidder on each project. David Byers seconded the motion. Motion carried.

2017 Classification Report/2017 Drain Assessment Activity Report

The Surveyor presented an active and inactive drain assessment list regarding county regulated drains with maintenance funds for approval by the Board. He reviewed the annual process for the Board. Tracy Brown made a motion to approve the Active Inactive Drain list as submitted by the Surveyor. David Byers seconded the motion. Tracy Brown made a motion to approve the 2017 Classification Report provided by the Surveyor. David Byers seconded the motion. Motion carried.

Zach Beasley/Other Business

Appointment of Drainage Board member to Tri-County Board

The Surveyor stated he was contacted by Benton County Surveyor David Fisher regarding the Sophia Brumm Joint Drain. The landowners have requested a joint meeting to discuss reconstruction of several lineal feet of the tile within the S. Brumm Drain watershed. The proposed time was February 21, 2017 at 10:00 a.m. at the Benton County Courthouse. An appointment from this Board was requested. David Byers noted there was a Commissioner Meeting at the same date and time. Tracy Brown made a motion to appoint Commissioner David Byers to the Sophia Brumm Tri-County Drainage Board as requested pending a new date and time is set due to conflict. David Byers seconded the motion. Motion carried.

Outstanding Reconstruction Assessments

The Surveyor informed the Board the five year reconstruction payment cycle was coming to a close on a few of the drain reconstruction projects. With that said there were a few landowners who had not paid any payments during this five year period. His understanding was these properties which had outstanding debt for the reconstruction of a drain should be included in the tax sale. He read Indiana Code 36-9-27-86 i.e. regarding the sale of the property due to outstanding drain

reconstruction assessments and referred to Attorney Masson for his direction. He stated he was seeking a recommendation from the Board to proceed as the code dictates in these situations. He noted financially, the deficit could adversely affect the General Drain Improvement Fund and future drain maintenance and reconstruction projects.

Attorney Masson clarified that only the land affected by the delinquency could be sold, that this was not a personal judgement but a liability which stayed with the land only. He would speak with the Auditor and Treasurer to clarify the issue and start utilizing the process in this county from which the code dictates. A lien on the property not the land would be sold. Attorney Masson would follow up on this issue and those landowners who may be affected by this code. He requested authorization to contact landowners who were affected by this regulation. He stated he would work with both the Treasurer and Auditor to set the process which this County can utilize to automatically go forward with the property lien sale when warranted. There was no public comment.

Tracy Brown made a motion to give authorization to the Attorney to begin the process by sending out delinquent reconstruction assessment letters to those landowners who were delinquent as well as listing them on the tax sale when appropriate. David Byers seconded the motion. Motion carried.

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

Below is the Surveyor's 2017 Classification Report less Exhibit A:

Classification of Drains

Per IC 36-9-27-34

February 2017

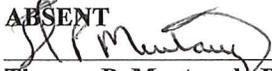
- 1.) Drains in need of Reconstruction
 - a. Elliott, S.W. (#100)
 - b. J.B. Anderson (#02) (Clarks Hill Portion)
 - c. Edwards (Not Maintained)
 - d. McBeth (Not Maintained)
 - e. F.E. Morin (#57)
 - f. Marion Dunkin (#25)
 - g. Huffman-Weimert (Not Maintained)
- 2.) Hearing and Rates Established in 2011, '12, '13, '14, '15 and 2016
 - a. Michael Binder (#10)
 - b. John Blickenstaff (#11)
 - c. Train Coe (#18)
 - d. Fred Haffner (#34)
 - e. E.F. Haywood (#35)
 - f. Mary Southworth (#73)
 - g. Franklin Yoe (#90)
 - h. Jess Dickens (#91)
 - i. Romney Stock Farm (#109)
 - j. John Hengst (#117)
 - k. Calvin Lesley (#48)
 - l. Audrey Oshier (#60)
 - m. Combs Ditch (#118)
 - n. Leader Newton (#115)
 - o. Thomas Ellis (#27)
 - p. John McFarland (#51)
 - q. Hester Mottsinger (#58)
 - r. J. Kelly O'Neal (#59)
 - s. Franklin Resor (#65)
 - t. Harrison Wallace (#82)
 - u. Eldora K. Lois (#119)
 - v. Frank Kirkpatrick (#45)
 - w. Elijah Fugate (#30)
 - x. Mary McKinney (#52)
 - y. Harrison Meadows (#37)
 - z. Shepherds Point (#121)

- aa. James Kellerman (#42)
 - bb. Alonzo Taylor (#77)
 - cc. Clymer Norris (#122)
 - dd. Crist Fassnacht (#29)
 - ee. Peter Rettereth (#66)
 - ff. Ann Montgomery (#56)
 - gg. Gustav Swanson (#76)
 - hh. Nathaniel W. Box (#12)
 - ii. Lydia Hopper (#124)
 - jj. Amanda Kirkpatrick (#44)
 - kk. John McLaughlin (#97)
 - ll. Martin Erwin (#28)
 - mm. Waples McDill (#85)
- 3.) Urban Drains
(I.C. 36-9-27-68 Urban Drains are classified as in need of Reconstruction)
- a. S.W. Elliott (#100)
 - b. Julius Berlowitz (#8) (Include Filbaum)
 - c. Alexander Ross (#48)
 - d. Cuppy McClure
- 4.) Drains in need of Periodic Maintenance
Please see attached sheet-Exhibit A
- 5.) Insufficient Maintenance Funds
- a. E.W. Andrews (#03)
 - b. Floyd Kerschner (#43)
 - c. F.E. Morin (#57)
 - d. John Saltzman (#70)
 - e. Ray Skinner (#71)
 - f. Abe Smith (#72)
 - g. Joseph Sterrett (#74)
 - h. William Stewart (#75)
 - i. John Toohey (#79)
 - j. John Vannatta (#81)
 - k. Suzanna Walters (#83)
 - l. J.B. Anderson (#02)
 - m. Dismal Creek (#93)
 - n. Moses Baker (#114)
 - o. Grant Cole (#19)
 - p. Shawnee Creek (#94)
 - q. Kirkpatrick One (#96)
- 6.) Proposed Drains for hearing in the near future / Request these drains be referred to Surveyor for preparation of Maintenance Report)
- a. Andrew Brown (#13)
 - b. F.E. Morin (#57)
 - c. Parker Lane (#61)
 - d. John Vannatta (#81)
 - e. Dismal Creek (#93)
 - f. Beutler Gosma (#95)
 - g. Jacob Taylor (#78)
 - h. E.W. Andrews (#03)
 - i. Suzanna Walters (#83)
 - j. Jesse B. Anderson (#02)
 - k. Floyd Kerschner (#43)
 - l. Joe Sterrett (#74)
 - m. Moses Baker (#114)
 - n. Grant Cole (#19)
 - o. Shawnee Creek (#94)
 - p. Kirkpatrick One (#96)
 - q. John Saltzman (#70)

- r. Ray Skinner (#71)
 - s. Abe Smith (#72)
 - t. William Stewart (#75)
 - u. John Toohey (#79)
- 7.) Drain Assessments recommended to be raised 25% starting May 2015
No Maintained Regulated Drains Applicable in 2017
 - 8.) Petition for New Regulated Drain referred to Surveyor
 - a. Huffman Weimert Drain (Town of Buck Creek)
 - 9.) Existing Drains referred to Surveyor for Report
 - a. Julius Berlovitz(#08) (Remaining Phases)
 - b. F.E. Morin (#57)
 - c. Huffman Weimert (Not Maintained)
 - d. Marion Dunkin (#25)
 - 10.) Drain that should be vacated
 - a. That portion of the Felbaum Branch (Part of Julius Berlovitz #08 Regulated Drain) East of County Road 550East

Please see Classification of Drains- Exhibit Aon file in the Tippecanoe County Surveyor office and Office of the Tippecanoe County Auditor

ABSENT



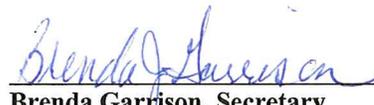
Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary

Tippecanoe County Drainage Board
March 1, 2017
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas P. Murtaugh, Vice President David S. Byers, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Evan Warner-G.I.S. Technician and James Butcher-Project Manager, both with the Surveyor Office, were also in attendance. Member Tracy Brown was absent.

Approval of Minutes

David Byers made a motion to approve the February 1, 2017 Drainage Board regular meeting minutes as written. Thomas Murtaugh seconded the motion. Motion carried.

Klondike and Lindberg Road Widening and Reconstruction

Jeremy Brodhacker of Strand Associates Inc. appeared before the Board to request approval of the Klondike and Lindberg Roads project. The Klondike Road reconstruction portion began at Lindberg Road and then north 1.5 miles to US 52. The Lindbergh road reconstruction portion began at Klondike road then east approximately 0.75 mile and east of Wakerobin Drive. The existing culverts were undersized; therefore they would be upsized to accommodate the current and additional stormwater conveyance reconstruction. Mr. Brodhacker stated INDOT's methodology was used to provide the hydraulically adequate structures for both the Klondike and Lindberg Road projects. He stated stormwater quality was provided per the Tippecanoe County Stormwater Ordinance. In total there were six (6) culverts which would be upsized and improved. Analysis of the downstream conveyance was provided within a report to the Surveyors office. He requested approval by the Board at that time. The Surveyor noted there was an existing concrete pipe which drained the trailer park area on Klondike Road just north of the Fire Station, in the Venetian Blinds area. He asked Mr. Brodhacker how this was dealt with during the design. Mr. Brodhacker confirmed a concrete pipe was located on the east side of Klondike Road immediately north of the Wabash Fire Station and routed along the west side of said road north to US 52 and discharged in the roadside ditch. Responding to David Byers inquiry, Mr. Brodhacker stated this pipe would be replaced and reconnected as part of this project. Mr. Brodhacker confirmed with the Surveyor that the storm sewer pipe within the road right of way at the Dollar General site was included to be upsized and would accommodate the additional storage capacity.

The Surveyor recommended conditional approval as stated on the February 22, 2017 Burke memo. There was no public comment. David Byers made a motion to grant approval with the conditions as stated on the February 22, 2017 Burke memo for the Klondike and Lindberg Road Widening and Reconstruction project. Thomas Murtaugh seconded the motion. Motion carried.

Lindberg Point Apartments

Andy Mix of Vester and Associates appeared before the Board to request approval of the Lindberg Point Apartments project. The site consisted of approximately 2.375 acres and was located on the northwest corner at the intersection of Klondike and Lindberg Roads. Mr. Mix noted, this was the last section of the overall Lindberg Village Development which was started in the late 1990s early 2000's. Due to the change in zoning for this tract, the curve number was lower than the assumed curve number in the overall original master plan. He noted the tract would direct release to an existing 30" storm sewer located along the north side of Lindberg Road. He stated there was a Duke Energy utility 75 feet easement located on the tract that restricted the design. Responding to Thomas Murtaugh's inquiry, Mr. Mix stated the site's access would be off Lindberg Road. Responding to David Byers inquiry, Mr. Mix stated the plans would not in any way impede the future roundabout planned at the aforementioned intersection. Mr. Mix stated during the design process, he worked with the County's consultant specifically regarding this issue. He asked for approval at that time. The Surveyor stated he would be meeting with Mr. Mix later today and would iron out most of the conditions on the Feb. 24, 2017 Burke memo. There were no variances requested and this project was part of the overall Lindberg Village Master Plan. The Surveyor recommended approval with the conditions as stated on the Feb. 24, 2017 Burke memo.

There was no public comment. David Byers made a motion to grant approval with conditions as stated on the February 24, 2017 Burke memo for the Lindberg Point Apartments. Thomas Murtaugh seconded the motion. Motion carried.

Staybridge Suites Hotel

Pete Gensic from Gensic Engineering Inc. appeared before the Board to request approval for the Staybridge Suites Hotel project. The site was located on lots 26 and 27 within the 26 Crossing Subdivision east of the interchange of SR26 and I 65 and totaled 2.44 acres overall. Mr. Gensic stated the project was located within the City of Lafayette as such the presentation to the Drainage Board was to obtain permission to outlet into the Alexander Ross Regulated Drain system. Stormwater quality (Sediment trap inlets) measures were taken throughout the site prior to outletting into the Alexander Ross Regional Detention Facility. Mr. Gensic stated the owner was aware of the stormwater storage fees associated with stormwater detention storage use of the Alexander Ross Regional Detention Facility and agreed to pay the fees associated with it. The Surveyor requested the emergency routing be reviewed as designed so a portion could possibly be routed to the street and a portion possibly to I65 for public safety reasons. Mr. Gensic agreed to review this.

The Surveyor then recommended approval for the Staybridge Suites Hotel site's discharge to the Alexander Ross Regional Detention Facility with the conditions as listed on the February 21, 2017 Burke memo. David Byers made a motion to grant approval with the conditions as stated on the February 21, 2017 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Zach Beasley / Other Business

Drain Maintenance/General Drain Improvement Funds Interest

The Surveyor stated historically the drain maintenance funds have earned interest. The individual drain fund totals are pooled together into one fund titled Drain Maintenance Fund and that fund earns interest monthly. As one lump sum, the General Drain Improvement fund earns monthly interest as well. However interest earned by the Drain Maintenance Fund should be broken down into each individual fund within that account so that the individual fund is credited with its own earned interest. The last few years this has not taken place. He stated the following: Quote: " IC 36-9-27-113 Investment of funds; consolidation; credit of interest earned- Sec. 113 (a) For the purpose of investment, the county treasurer may consolidate part or all of the money in any fund established under this chapter with the money in any other fund established under this chapter or other money held by the county treasurer. (b) Unless the invested money is from a maintenance fund established under section 44 of this chapter, the county treasurer shall credit interest from an investment of a fund created under this chapter to that fund. (c) The county treasurer may credit interest earned from an investment of a maintenance fund established under section 44 of this chapter into the general drainage improvement fund established under section 73 of this chapter. (d) Within an account, the county treasurer may credit interest to particular drainage accounts in any fair and rational manner. "Unquote The Surveyor stated while the interest is being earned, it had not been divided between the individual drain maintenance funds in the last few years and he feels this should be done. He stated he did not care what office did the work; he felt the individual funds should get the interest the individual fund total permits. Discussion was held between the Board members and the Surveyor regarding the issue. Interest would be split up proportionately by the balances in the individual drain maintenance funds.

The Surveyor requested official action be directed by the Board. David Byers made a motion that the Surveyor's office takes care of proportioning out the interest as collected monthly between the individual drain maintenance funds. Thomas Murtaugh seconded the motion. Motion carried.

F.E. Morin #57 Regulated Drain

The Surveyor requested a Hearing date of May 3, 2017 for the Reconstruction Hearing of the F.E. Morin #57 Regulated Drain. David Byers made a motion to set a date of May 3, 2017 and immediately after the Regular Drainage Board Meeting to hold a Landowner Reconstruction Hearing for the F.E. Morin #57 Regulated Drain. Responding to David Byers, the Surveyor confirmed there was a Tri-County Drainage Board meeting that day already scheduled for the John McLaughlin Regulated Tri-County Drain. He requested the F.E. Morin Reconstruction Hearing be held after the Drainage Board Regular meeting and before the Tri-County landowner meeting.

David Byers made a motion to hold a F.E. Morin Reconstruction Hearing on May 3, 2017 after the Drainage Board Regular meeting and before the Tri-County landowner meeting previously scheduled. Thomas Murtaugh seconded the motion. Motion carried.

Grant Cole #19 and Moses Baker#114 Regulated Drains

The Surveyor requested a Maintenance Hearing for June 7, 2017 regarding the Grant Cole #19 and Moses Baker #114 Regulated Drains to be held immediately after the regular scheduled meeting that day. David Byers made a motion to hold Maintenance Hearings on June 7, 2017 immediately after the regular scheduled meeting for the Grant Cole #19 and Moses Baker #114 Regulated Drains. Motion carried.

F. Yoe #90 and G. Swanson #76 Regulated Drains Maintenance Work Update

The Surveyor stated the contractor A.D.I. was finishing up the maintenance work on the F. Yoe Regulated Drain and would be moving on to the G. Swanson Regulated Drain thereafter.

As there was no public comment David Byers made the motion to adjourn. The meeting was adjourned.



Thomas P. Murtaugh, President



David S. Byers, Vice President



Brenda Garrison, Secretary



Tracy Brown, Member

TIPPECANOE COUNTY DRAINAGE BOARD

October 4, 2017

Drainage Board Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas P. Murtaugh, member Tracy Brown, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson and Board Secretary Brenda Garrison. Evan Warner-G.I.S. Technician and James Butcher-Project Manager, both with the Surveyor Office, were also in attendance. Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC and Vice President David Byers were absent.

Drain Projects

Cox Vanderkleed Drain #127

Attorney Masson opened the following bid as submitted: Maxwell Farm Drainage submitted a bid in the amount of \$126,347.00. The documents would be reviewed for compliance with the specifications and awarded at the end of today's meeting. Surveyor Beasley stated Cox Vanderkleed #127 Reconstruction Bid packets were provided to nine (9) Contractors and only one (1) bid was submitted.

Approval of Minutes

Tracy Brown made a motion to approve the September 11, 2017 Regular Drainage Board Minutes. Thomas Murtaugh seconded the motion. Motion carried. Tracy Brown made a motion to approve the September 11, 2017 Cox Vanderkleed Regulated Drain Reconstruction Hearing minutes. Thomas Murtaugh seconded the motion. Motion carried.

Zach Beasley/Other Business

Bonds:

Surveyor Beasley presented Maintenance Bond #B1230071 written by the Cincinnati Insurance Company on Sept. 28th, 2017 in the amount of \$16,380 regarding Soleado Vista Phase 2 Section 1 Subdivision for approval. Tracy Brown made a motion to accept the Soleado Vista Phase 2 Section 1 Subdivision Maintenance Bond as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

Petitions

Surveyor Beasley presented a Petition to Encroach on the John Toohey #79 Regulated Drain submitted by landowner Jay Weigand. He noted this was due to driveway construction within the easement of the said drain. He stated the petition was reviewed by his office and recommended approval. Tracy Brown made a motion to grant approval for the Petition to Encroach on the John Toohey #79 Regulated Drain submitted by landowner Jay Weigand. Thomas Murtaugh seconded the motion. Motion carried.

Hearing(s) Request

Surveyor Beasley requested a Maintenance Hearing on January 3, 2018 immediately after the regular scheduled meeting regarding the Alexander Ross #68 Regulated Drain. There was no public comment. Tracy Brown made a motion to hold a Maintenance Hearing on the Alexander Ross #68 Regulated Drain January 3, 2018 after the regular meeting scheduled at 10:00 a.m. Thomas Murtaugh seconded the motion. Motion carried.

Drain Project(s) Update

Surveyor Beasley gave the Board a status report on current agricultural drainage projects. The Morin Drain project was 95% complete. The Upper Berlowitz Interim Stormwater Conveyance was an urban drain reconstruction project and located between Haggerty and McCarty Lanes and Indiana University and St. Elizabeth Hospitals. Atlas Excavating was awarded the contract. They have begun to move dirt and currently working on the St. Frances property. Atlas contractors were currently digging the interim pond along the west property line- south of McCarty Lane. He noted the Attorney and himself were working diligently to complete a Memorandum of Understanding (M.O.U.) between St. Elizabeth (St. Francis) Hospital and the Drainage Board. Due to the expected payment for increased costs regarding the change in the design of the construction plans as requested by the Hospital, increase in the amount of dirt and its relocation etc.; revisions to the proposed M.O.U. were warranted. The property would be transferred to the County Drainage Board after the full buildout of the detention pond.

Cuppy McClure Branch of the Hadley Lake Drain #104

Surveyor Beasley stated he had a meeting Monday Oct. 2, 2017 with the West Lafayette's City Engineer's Office, West Lafayette Economic Redevelopment Director and Brad McKinney of Cook Med Institute. The meeting was held to discuss an urban drain reconstruction on the Cuppy McClure drain. There were issues to work out and future meetings were planned.

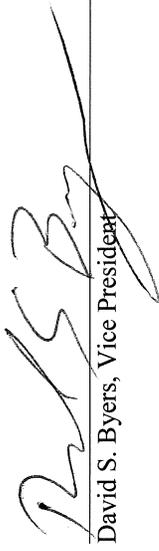
Cox Vanderkleed #127 Regulated Drain Reconstruction Contract Bid

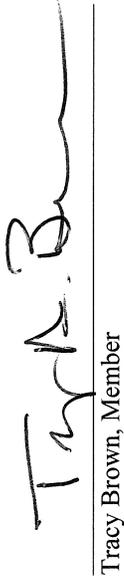
Tracy Brown made a motion to award the Cox Vanderkleed #127 Regulated Drain Reconstruction Contract to Maxwell Farm Drainage in the amount of \$126,347.00. Thomas Murtaugh seconded the motion. There was no public comment. Motion carried.

Public Comment

As there was no public comment, Tracy Brown made a motion to adjourn. The meeting was adjourned.


Thomas P. Murtaugh, President


David S. Byers, Vice President


Tracy Brown, Member


Brenda Garrison, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD

January 3, 2018

**Alexander Ross #68 Regulated Drain
Drainage Board Hearing Minutes**

Those present were:

Tippecanoe County Drainage Board President David Byers, Vice President Tracy Brown, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC and Drainage Board Secretary Brenda Garrison. Evan Warner-G.I.S. Technician and James Butcher-Project Manager, both with the Surveyor Office, were also in attendance. President David Byers opened the Alexander Ross #68 Regulated Drain Maintenance Hearing and referred to the Surveyor for his report.

The Surveyor read his Maintenance Report to the Board as follows: Alexander Ross #68 Regulated Drain Maintenance Report Tippecanoe County Drainage Board November 14, 2017. The Alexander Ross Regulated Drain #68 was established and built through Tippecanoe County Superior Court Case 7837, File Box 342 in 1902 and reconstructed in 1958. The Drain and its watershed are located in Sections 24, 25 and 36 of Township 23North and Range 4 West in the political township of Fairfield, and Section 30 of Township 23North and Range 3 West in the political township of Perry all being within Tippecanoe County, Indiana. The A. Ross drain maintenance fund was established and set at \$1.00 per acre by the Tippecanoe County Drainage Board on the 7th day of March 1973. On February 7, 2013, the rate was raised by 25% pursuant to IC 36-9-27-42 to the current rate of \$1.25 per acre. Since 1973 the drain and watershed has changed status from an agricultural drain to an urban drain due to the development pressure within the watershed. Urban land as defined by IC 36-9-27-2 is land used, or will be in the reasonably foreseeable future be used generally for commercial, industrial, large estate, higher density residential or similar purposes. Much of the main tile as listed in the 1973 Maintenance Report has been removed and replaced with larger capacity pipe. Regional detention has also been added for development stormwater runoff detention and conveyance at controlled release rates to protect against onsite and downstream flooding. Additional regional detention storage is planned for construction in the near future. From this day forward there are zero (0) lineal feet of open ditch, and 2420 lineal feet of main tile, 9984 lineal feet of branch tile, and 6,788 lineal feet of regional detention pond perimeters to be maintained by the maintenance fund. The watershed contains 538.87 acres. Based on the infrastructure inventory above and current material and labor costs the Tippecanoe County Surveyor recommends that a sum of \$41,278.60 is needed to maintain this county regulated drainage system. Pursuant to I.C. 36-9-27-69.3, an assessment of \$9.50 per acre and a \$8.00 minimum over an eight (8) year period is recommended. This will generate \$41,969.36 over an eight (8) year period. It is the professional judgement of the Tippecanoe County Surveyor this rate increase will ensure monies are available for ongoing tile repair, clearing, dredging and spraying of the drainage system. Respectfully submitted Zachariah E. Beasley.

The Surveyor added there was a concern raised from Randy Truitt and complaint received by Mike Wolf Building Commissioner /submitted by John Wilson 4426 East 50 North Lafayette Indiana regarding trash around the Meijer Region Detention Basin (pond). Surveyor Beasley stated he had been onsite over the last 3-4 years inspecting the trash complaints. This was an ongoing problem, he has sent letters to the surrounding landowners of the detention basin as it was his findings that the biggest majority of the trash was self-inflicted. During his onsite inspection he found most all of the trash container lids for the surrounding landowners were open. The winds blow the trash out of the containers and surround and enter the pond. He stated he understood why the complaint was made and he had just issued a six-year contract on that pond and others to be mowed twice and sprayed once yearly. Now that the brush is kept down the trash is more visually apparent. By reading the Indiana Code it is apparent trash collection is not a function of the Drainage Board or the Surveyor. The Surveyor noted President Byers had suggested utilizing the Community Corrections people to pick up the trash. He noted historically their services have been tried and it has not worked out due to their timing and rules which must be followed. He stated he was willing to try this again however it has not proven to be a solution in the past.

There was no public comment. Attorney Masson read the Findings and Order of the Board as follows: Before the Tippecanoe County Drainage Board, in the matter of the Alexander Ross #68 Regulated Drain. Findings and Order (Annual Maintenance) This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on November 14, 2017. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana were filed. Objections were not filed. Evidence was presented by the Tippecanoe County Surveyor. After consideration of all the evidence, the Board does now find that:

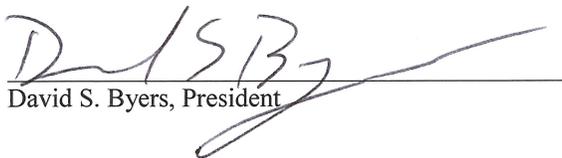
- (1) The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on November 14, 2017.
- (2) Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
- (3) Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
- (4) The legal drain consists of 0 feet of open ditch, 2420 lineal feet of main tile, 9984 lineal feet of branch tile and 6,788 lineal feet of detention pond perimeters to be maintained by the maintenance fund.
- (5) The present condition of the ditch is in need of repair.
- (6) The ditch needs the following maintenance at present: Periodic Mowing, Spraying, Tile Repair
- (7) There is now \$0.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 538.87 acres total.
- (9) Estimated annual cost of maintenance is \$5,159.83.
- (10) Estimated annual benefits the land drained exceeds repair and maintenance costs.
- (11) A fund for annual maintenance should be re-established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: \$9.50 per acre with a \$8.00 minimum over an eight (8) year collection period.
- (13) The assessment list filed herewith should not be amended.
- (14) The assessment list filed herewith is fair and equitable and should be adopted.
- (15) The assessment should be collected with the May 10, 2018 taxes.

Now therefore it is ordered that:

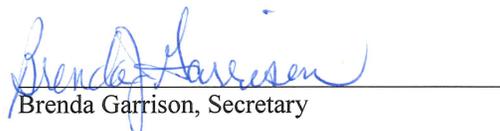
- (1) A maintenance fund be re-established for the Alexander Ross #68 Regulated Drain at the annual rate of \$9.50 per acre and \$8.00 minimum benefited over an eight (8) year collection period.
- (2) The Schedule of Assessments filed herewith are adopted and made a part thereof.
- (3) The first annual assessment shall be collected with the May 10, 2018 taxes.

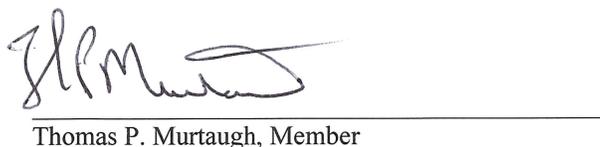
Tracy Brown made a motion to adopt the Findings and Order on the Alexander Ross #68 Regulated Drain Maintenance as provided by the Attorney. Thomas Murtaugh seconded the motion. Motion carried.

As there was no public comment, Thomas Murtaugh made a motion to adjourn. The meeting was adjourned.


 David S. Byers, President


 Tracy A. Brown, Vice President


 Brenda Garrison, Secretary


 Thomas P. Murtaugh, Member

TIPPECANOE COUNTY DRAINAGE BOARD
December 5, 2018
Drainage Board Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David Byers, Vice President Tracy Brown, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC and Drainage Board Executive Administrator Brenda Garrison. James Butcher, Surveyor's Office Project Manager, and Timothy Walters GIS Technician Surveyor's Office were also in attendance.

President Byers opened the meeting with a moment of silence for the passing of President George H.W. Bush, the 41st President of the United States.

Approval of Minutes

Tracy Brown made a motion to approve the November 7, 2018 Drainage Board Regular meeting minutes. Thomas Murtaugh seconded the motion. Motion carried.

Alexander Ross #68 Regulated Drain Reconstruction Contract Bid Opening

President Byers referred to Attorney Masson for the opening of the submitted bids for the 2018 Alexander Ross #68 Reconstruction contract. Attorney Masson stated the following; The reconstruction contract bid received from Atlas Excavating Lafayette Indiana was in the total amount of \$929,950.00. The reconstruction contract bid received from R. and W. Contracting West Lafayette Indiana was in the total amount of \$1,041,698.00.

Thomas Murtaugh made a motion to take the bids under advisement. Tracy Brown seconded the motion. Motion carried. President Byers stated due to the size of the project, time was needed to review the documents submitted for compliance. Therefore, the Alexander Ross #68 Regulated Drain Reconstruction Contract would be awarded at the January 9th, 2019 Drainage Board Meeting.

Avalon Bluffs Section Three

Robert Langager from Schneider Corporation appeared before the Board to present Avalon Bluffs Section Three to the Board. He noted while this project was presented to the Board on October 3, 2018, at that time he had failed to get the notification to downstream landowners mailed prior to the meeting. *(Note: Therefore, he was required to present the project to the Board again for clarification and transparency. See Oct. 3, 2018 meeting minutes)* Mr. Langager asked if any audience members were in attendance for this project. Two attendees noted they were here for this project: Gary Bohlander of Halderman Investments and Andrew Gutwein adjoining landowners. Mr. Langager stated the previously approved drainage for the two existing sections of the overall development's runoff traversed to the north and outlet in the J.N. Kirkpatrick Regulated Drain. Section Three was a "standalone project" designed using the existing drainage ordinance guidelines. As a result, the northern portion drainage of Section Three would outlet indirectly to the J.N. Kirkpatrick Regulated Drain through two existing ponds within the existing Hunters Crest Subdivision. The southern portion of the site would outlet to the west through a new pond (designed per the existing ordinance) and indirectly to Dismal Creek. Due to the restrictions of the existing 15inch culvert, storm drainage pipes and swales along with existing and proposed ponds would control the quality and quantity of the site's runoff. He noted the storm drainage design held the release rates to less than half of the allowable rates for this site. He stated there were no variances and asked for approval at that time.

President Byers asked for public comment. Gary Bohlander of Halderman Farm Mgmt. (adjoining landowner to the east) approached the Board. He stated a waterway was previously designed and constructed between the two properties and asked if future maintenance of the waterway would be cost shared between the two parties. Discussion was held between Mr. Bohlander and Robert Langager concerning the waterway and whose responsibility it would be to maintain. The Surveyor interjected and stated to his knowledge he does not know of a situation where that is the case. He stated it was more a legal matter to decide and noted the Tippecanoe County Drainage Ordinance does not address that issue. He is currently unaware of any situation in the county where that is the case. The Attorney stated this was a private drain situation and his understanding was there would be less water traversing it than what currently is once the construction was completed. Mr. Langager stated "the seasonal flows through the swale to the east would be redirected to the west. The water quality outlet to the pond would send the smaller events to the west. Once it gets up to a certain point where the water quantity outlet engages, that would traverse to the east. So initially, the tributary to the swale was approx. 25 acres and was now being routed to the pond. Most of the smaller rainfall events that were routed to the swale would be routed to the west with the new design. The water quantity which discharged to the east would be reduced by half than in the existing condition." Mr. Gutwein stated he felt a meeting between the three individuals was warranted due to the situation at hand. Discussion was held between Mr.

Bohlander, Robert Langager and Mr. Gutwein regarding swale along the east property line. Mr. Gutwein stated prior to today he had not seen any plans for the project. He stated he felt it was premature to approach the drainage board at this time since he had no knowledge of the plans and was a downstream owner. Much discussion was held regarding the swale at the east property line between Mr. Bohlander, Mr. Langager and Mr. Gutwein and whose responsibility for maintenance it would be once the project was completed. A discussion between the design engineer and the two landowners would continue at a later time.

The Surveyor stated he recommended construction approval to the Board at the October 2018 meeting under the false assumption that downstream landowners were notified as required by Ordinance prior to Drainage Board presentations. After the October board meeting, he found out the notification letters had not been sent out prior to the meeting. He had met with landowners to the southwest and felt their concerns had been addressed. However, he had not met with the gentlemen in attendance today. Therefore, he recommended the Board table this project until the January 9th, 2019 Board meeting to give adequate time for discussion between any concerned downstream landowners with the engineer. Russ Ribnek then approached the Board - landowner on the south side of the project - the discharge from the southwest portion of site would enter his pond. He stated he had met with the design engineer and was satisfied with the design.

Thomas Murtaugh made a motion to table Avalon Bluffs Section Three to the January 9th, 2019 Drainage Board meeting. Tracy Brown seconded the motion. Motion carried.

Schoolhouse Storage

Todd Starr of Starr and Assoc. appeared before the Board to present Schoolhouse Storage project for approval. The site was located on approximately 2.54 acres and at Co. Rd. 650W between Oxford Street and Co. Rd. 350N in Montmorenci south of the existing school. There would be 164 self-storage facilities on site. Mr. Starr stated the project would be constructed in two phases. He noted the existing garage and residence onsite today would be raised however the pole barn would stay. A gated Kiosk would be added for security reasons. The storage facility and parking would also be included in phase 1. Phase two would include additional interior buildings. He stated an overall design was prepared including both phases. He noted the design included underground storage and would discharge into a newly designed side ditch along Co. Rd. 650W. He stated he agreed with the November 29, 2018 Burke memo and asked for approval at that time. There was no public comment. The Surveyor asked if the County Highway department had been consulted. Mr. Starr confirmed he had spoken and was working with them. The Surveyor recommended Construction Approval as stated with conditions on the November 29, 2018 Burke memo to the Board.

Tracy Brown made a motion to grant construction approval as outlined with conditions stated on the November 29, 2018 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

INDOT Cooperative Agreement Contract/Marion Dunkin Regulated Drain Reconstruction Project

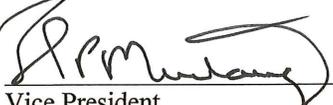
The Surveyor presented the INDOT Cooperative Agreement Contract for the reimbursement costs associated within their right of way on the Marion Dunkin Regulated Drain Reconstruction project. He recommended the Board approve and sign the contract. Responding to Mr. Byers inquiry, the attorney noted he had reviewed the contract. Thomas Murtaugh made a motion to approve and sign the contract as presented by the Surveyor. Tracy Brown seconded the motion. Motion carried.

Public Comment

As there was no public comment, Thomas Murtaugh made a motion to adjourn. The meeting was adjourned.



President



Vice President



Member



Brenda Garrison, Executive Administrator

TIPPECANOE COUNTY DRAINAGE BOARD

January 9, 2019

Drainage Board Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Tracy A. Brown, Vice President Thomas P. Murtaugh, member David S. Byers, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC and Drainage Board Executive Administrator Brenda Garrison. James Butcher, Surveyor Office Project Manager and Tim Walters, Surveyor's office GIS Technician were also in attendance.

Election of 2019 Drainage Board Officers

Attorney Masson opened the floor to accept nominations for the 2019 President of the Drainage Board. Thomas Murtaugh made a motion for Tracy Brown to be the 2019 President of the Drainage Board. David Byers seconded the motion. Motion carried. Attorney Masson then opened the floor for nominations of 2019 Vice President of the Board. David Byers made a motion for Thomas Murtaugh to be the 2019 Vice President of the Drainage Board. Tracy Brown seconded. Motion carried.

Appointment of 2019 Drainage Board Executive Administrator

Tracy Brown opened the floor for nominations of the 2019 Drainage Board Executive Administrator. Thomas Murtaugh made a motion to appoint Brenda Garrison as the 2019 Executive Administrator for the Drainage Board. David Byers "wholeheartedly" seconded the motion. Motion carried.

Approval of December 5, 2018 Drainage Board Minutes

Thomas Murtaugh made a motion to approve the December 5, 2019 Drainage Board minutes as written. David Byers seconded the motion. Motion carried.

Alexander Ross Regulated Drain #68 Outlet Improvement Reconstruction Contract Award

Surveyor Beasley stated he had conferred with the attorney regarding the Bids received for the A. Ross Reconstruction project as they were more than 20% of the construction estimate. Attorney Masson stated he had reviewed the bids and, in his opinion, stated they could be accepted as presented. The Surveyor noted reconstruction costs would be paid from the Tax Increment Finance Fund (TIFF) monies and would not be paid from the General Drain Improvement fund (GDI) as is the normal reconstruction process per Indiana Drainage Code. Therefore, the bids were determined to be acceptable and the project would move forward. The Surveyor stated he reviewed similar projects across the state and found several reasons for higher bid prices. The current climate raise in prices of materials and time of year, all factored into the bids. He stated Atlas was the low bidder (\$929,950), and noted they had selected Lowe Construction as their jack and bore subcontractor. He stated the Surveyor's office had worked with Lowe on two other Urban Drain reconstruction projects (Br#11 SW Elliott and the #02 J. B. Anderson Drains) He then recommended awarding the Alexander Ross #68 Outlet Improvement Reconstruction Project Contract to Atlas Excavating. David Byers made a motion to award the Alexander Ross #68 Outlet Improvement Reconstruction Contract to Atlas Excavating in the amount of \$929,950. Thomas Murtaugh seconded the motion. Motion carried.

Alexander Ross #68 Regulated Drain Outlet Improvement Construction Observation Contract

The Surveyor recommended to the Board to award the Construction Observation Contract for the Alexander Ross #68 Outlet Improvement Reconstruction Project to TBird Design Services as submitted. Thomas Murtaugh made a motion to award the observation contract by TBird Design Services in the amount of \$75,000. David Byers seconded the motion. Motion carried.

Projects:

CR450/430 South Reconstruction

Mike Peterson of VS Engineering approached the Board to present the CR 450/430 South Reconstruction project for approval. The site was located at the intersection of US 52 and extended approximately one mile east to New Castle Road. Two existing 90-degree turns would be aligned on said road. There would be resurfacing and widening of the road to 22 feet with new 5-foot shoulders (3-foot aggregate and 2-foot grass). In order to keep access open to local businesses on the road, the project would be conducted in 4 phases. The new alignment would drain into a detention basin designed for the project as the S.W. Elliott Drain tile in the area was not designed for the additional runoff caused by the increase of 3 acres of impervious area. There was no public comment. Mike Spencer Highway Supervisor (attendee) confirmed the project had been reviewed by his office as well. The Surveyor recommended construction approval for CR450/430 South Reconstruction project per the December 27, 2018 Burke memo. David Byers made a motion to grant construction approval per the December 27, 2018 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

McCutcheon High School Renovations and Additions

Tracy Brown stated the McCutcheon High School Renovation and Addition project was pulled off the Agenda by the designer's request and would be placed on the February 13, 2019 Drainage Board Agenda. There was no public comment.

Avalon Bluffs Section Three (Tabled from January meeting)

Robert Langager approached the Board to review the Avalon Bluffs Section Three for construction approval by the Board. (This project was heard during the October 3rd and December 5th, 2018 Drainage Board meetings). The project was continued from the December 5th, 2018 Drainage Board meeting. Mr. Langager stated this was approximately a 44-acre site with a 200+ lot subdivision and treated as a standalone project due to the timing of design. It was noted that this portion was the final phase of the Hunters Crest Development started in 2005. Portions of the site would drain to existing ponds 1 and 2 in the Hunters Crest Subdivision and an additional Pond 3 would be added to meet the current ordinance standards. Pond 3 would outlet to the southwest and to the east. Storm drainage pipes and swales would direct the runoff to existing and proposed ponds. The northern portion runoff would outlet indirectly to the J.N. Kirkpatrick Regulated Drain and the southern portion would outlet indirectly to the Dismal Creek Regulated Drain. There was an issue with landowner notifications last month therefore it was tabled until this month for consideration of approval. He stated, after the December Board meeting, a meeting was held with those landowners and any issues they had were addressed. Design changes were made to the eastern outlet control structure due to their concerns and he noted they approved the new design. He then requested construction approval for this project. The Surveyor stated he held a second meeting with the downstream landowners to the southwest and southeast of the project and felt the concerns were met as well. There was no public comment. He recommended construction approval according to the January 7, 2019 Burke memo to the Board. Thomas Murtaugh made a motion to grant construction approval as outlined in the January 7, 2019 Burke memo. David Byers seconded the motion. Motion carried

2019 Contracts:

The Surveyor presented the 2019 Legal Services Contract from Hoffman, Luhman and Masson PC with a slight increase (*from 2014 fees*), the 2019 Drainage Board Engineer Review Services for Tippecanoe County from Christopher B. Burke Engineering LLC (CBBEL) with no increase, the 2019 Drainage Board Engineer Review Services for Tippecanoe County from Beutler Fairman and Sieufert (BFS) with a 3% increase for approval by the Board. There was no public comment. David Byers made a motion to approve the 2019 Legal Services Contract from Hoffman, Luhman and Masson PC. Thomas Murtaugh seconded the motion. Motion carried. David Byers made a motion to approve the 2019 Drainage Board Engineer Review Services for Tippecanoe County from Christopher B. Burke Engineering LLC. Thomas Murtaugh seconded the motion. Motion carried. There was no public comment. David Byers made a motion to approve the 2019 Drainage Board Engineer Review Services for Tippecanoe County from Beutler Fairman and Sieufert. Thomas Murtaugh seconded the motion. Motion carried. There was no public comment.

Amanda Kirkpatrick Regulated Drain Reconstruction Financial Assistance Satisfaction of Mortgage

The Surveyor presented a Release of Mortgage document regarding the Amanda Kirkpatrick Drain Reconstruction Financial Asst. Contract with Forest and Marcia Goings. The Attorney noted they had met their financial obligations therefore their mortgage was to be released. Thomas Murtaugh made a motion to approve the Release of Mortgage for Forest and Marcia Goings as presented. David Byers seconded the motion. Motion carried.

Surveyor Zachariah Beasley:

The Surveyor presented the Surveyor's 2019 Regulated Drain Classification Status report to the Board. He recommended the Report be approved as submitted. He noted once approved, the drain status list is submitted to the Auditor for 2019 drain assessment collections. David Byers made a motion to approve the Drain Classification and Drain Status List as submitted by the Surveyor. Thomas Murtaugh seconded the motion, Motion carried.

Petition to Reconstruct /Delphine Anson Regulated Drain #4

The Surveyor presented to the Board a Petition to Reconstruct on the Delphine Anson Regulated Drain #4 submitted to his office by Doug Morehouse landowner within the Anson Drain Watershed. He recommended acceptance and referral by the Board. Thomas Murtaugh made a motion to refer the Delphine Anson Petition to Reconstruct back to the Surveyor for his Report. David Byers seconded the motion. Motion carried. There was no public comment.

Bonds:

The Surveyor presented the following project Maintenance Bonds for approval from the Board. Blackthorne Subdivision Ph. 2 Part 2, Lots 72-75/Maint. Bond#106976463 /by Travelers Casualty Ins./ submitted by Fairfield Contractors/ Amt: \$31,715.00: Hickory Ridge Ph.3 Sec.1/Maint. Bond#1074658/by Hanover Ins. Co./submitted by Atlas Exc./Amt.: \$18,624.20: Barrington Woods Sec.1/Maint. Bond#1073063/by Hanover Ins. Co./submitted by Atlas

Exc./Amt.: \$40,862.00: Country Squire Sec.1/Maint. Bond#9304959/by Fidelity and Deposit Co./submitted by Country Squire Assoc LLC/Amt.: \$25,104.00. Thomas Murtaugh made a motion to approve the four Bonds as presented by the Surveyor for approval. David Byers seconded the motion. Motion carried. There was no public comment.

February 6, 2019 Drainage Board Meeting

Surveyor Beasley stated the February 6, 2019 Drainage Board meeting date had a conflict with AIC Legislative Conference. He recommended changing the February meeting date to February 13, 2019 at 10:00 a.m. David Byers made a motion to approve the February meeting date as the 13th for the monthly Drainage Board meeting. Thomas Murtaugh seconded the motion. Motion carried.

Public Comment

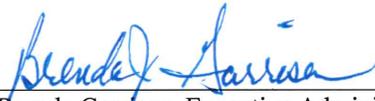
As there was no public comment. David Byers made a motion to adjourn. The meeting was adjourned.



Tracy A. Brown, President



Thomas P. Murtaugh, Vice President



Brenda Garrison, Executive Administrator



David S. Byers, Member

TIPPECANOE COUNTY DRAINAGE BOARD
February 13, 2019
Drainage Board Meeting Minutes

Those present were:

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

Approval January 9, 2019 Drainage Board Minutes

Approval January 9, 2019 #25 Marion Dunkin Amended Reconstruction Hearing Minutes

David Byers made a motion to approve the January 9th, 2019 Regular Drainage Board Meeting minutes and the #25 Marion Dunkin Regulated Drain Amended Reconstruction Hearing minutes as written. Tracy Brown seconded the motion. Motion carried.

New Journey Farms Wedding Venue

Justin Frazier of TBIRD Design Services appeared before the Board to present the New Journey Farms Wedding Venue project. The site was located at 2225 South County Road 800 East and consisted of approximately 13.46 acres. Mr. Frazier stated the site currently was row crops. Ten acres of the site's runoff traversed to the north and the remaining acreage runoff traversed to the southeast portion of the site. There will be a long driveway off County Road 800 East to the 7700 square foot building, parking lots and storage building proposed. He noted 11.77 acres would be converted from row crop to vegetation, prairie grass (lawn area). Existing runoff would drain into the surrounding prairie grass. Due to the additional vegetation the storm discharge runoff would be reduced, and the vegetation used for water quality treatment (as bmp) as well. As a result, he requested detention exemption per Chapter 3 of the County's Stormwater Drainage Ordinance. He stated they agreed with the February 6, 2019 Burke memo and requested construction approval at that time. Surveyor Beasley reiterated the detention on the land met the Ordinance standards. He recommended construction approval as stated on the February 6, 2019 Burke memo. There was no public comment. David Byers made a motion to grant construction approval for the New Journey Farms Wedding Venue as stated on the February 6, 2019 Burke memo. Tracy Brown seconded the motion. Motion carried.

Bond Event Center

Andy Mix of Vester and Associates appeared before the Board to present the Bond Event Center project. The site was located at 7025 South County Road 100 East and consisted of approximately 25.77 acres. The site was currently pasture and woods. An access driveway off County Road 100 East, a gravel parking lot and a 10,500 square foot building was planned to be constructed on approximately 5.49 acres of the overall 25.77-acre tract. Mr. Steve Bond owner/developer was in attendance. Mr. Mix noted the existing stormwater runoff outlet to a tributary of Little Wea Creek. A large area in the tract's southwestern portion currently drained into an existing pond onsite. He stated the existing pond did not drain to the Little Wea Creek. Upstream of the site over 500 acres drained into the Creek via a tributary which traversed north and south through the center of the site. Stormwater runoff from the proposed building and parking lot would outlet through swales to a new dry detention pond. He noted the proposed pond was oversized and outlet to the Creek, therefore there was no additional runoff from the increased impervious surface. A culvert would be placed under said driveway and was designed to flow a greater amount than the 100-year upstream flow without overtopping the drive. If the stormwater would overtop the drive it would remain within the banks of the southern property line. (A concern of the Surveyor's Office) Mr. Mix stated a meeting with the consultant to discuss Item #2 under 2.0 Stormwater Quantity within the February 6, 2019 Burke memo was planned directly following today's Board meeting. He stated that was the major issue on the aforementioned memo. He stated they would be able to show the culvert would work in this situation. He then asked for approval of the project by the Board. The Surveyor noted the submittal of this project did not follow the deadline date posted for the meeting today. However, to accommodate the applicant a review was conducted. Due to the late submittal, the Technical Advisory Committee's (TAC) would meet directly after this meeting and review the project with Mr. Mix and developer. Therefore, the February 6, 2019 Burke review memo recommended *conditional* approval only. Surveyor Beasley stated the emphasis at the meeting would be to make sure the proposed driveway and culvert would not have ill effects on adjoining property owners. There was no public comment. He recommended *conditional* approval as stated on the Feb. 6, 2019 Burke memo.

David Byers made a motion to grant *conditional* approval as recommended on the Burke memo dated Feb. 6, 2019. Tracy Brown seconded the motion. Motion carried.

Other Business

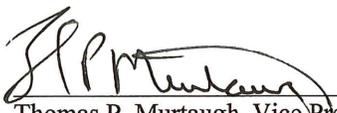
Attorney Masson presented a Memorandum of Understanding between the Tippecanoe County Drainage Board and the Carroll County/Tippecanoe County Joint Drainage Board regarding Buck Creek Joint Regulated Drain. A maintenance rate was set up for the project at hand. The planned maintenance project was estimated to cost between \$69,500 and \$100,000. Carroll County would administer and complete the project and Tippecanoe County was willing to advance \$100,000 to pay for the project. If the entire amount is not utilized for this project any remaining funds would be returned by Carroll County. As the project assessments was collected by Carroll County, they would reimburse Tippecanoe County in 2019. He recommended the Board approve and sign the M.O.U. as presented regarding the Buck Creek Bi-County Regulated Drain.

Zach Beasley

The Surveyor stated the Alexander Ross Regulated Drain #68 Reconstruction project had begun. Atlas Excavating was awarded the project. He reminded the Board this included a jack and bore under interstate 65 and that would start soon.



Tracy A. Brown, President



Thomas P. Murtaugh, Vice President



David S. Byers, Member



Brenda Garrison, Executive Administrator

TIPPECANOE COUNTY DRAINAGE BOARD

May 1, 2019

Drainage Board Meeting Minutes

Those present were:

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

Approval April 10, 2019 Regular Meeting Minutes

Thomas Murtaugh made a motion to approve the April 10, 2019 Regular Meeting Minutes as written. David Byers seconded the motion. Motion carried.

Zach Beasley / Other Business

Marion Dunkin #25 Reconstruction

The Surveyor presented two Marion Dunkin Regulated Drain #25 Reconstruction Financial Assistance Contracts for approval by the Board. The first Reconstruction Financial Assistance Contract was submitted to his office by Kenneth Byers for two tracts located within the Marion Dunkin Regulated Drain #25 watershed. Those parcel numbers were #79-09-36-300-001-000-028 and parcel #79-09-35-400-002-000-028 totaling \$21,845.65. The second Marion Dunkin Regulated Drain #25 Reconstruction Financial Assistance Contract was submitted to his office by RDG Properties for the following parcels numbered #79-09-35-400-001-000-000-028, 79-09-36-300-002-000-028, #79-09-36-300-003-000-028, #79-13-02-200-001-000-006, #79-13-02-200-002-000-006 for a total of \$51,637.65. The contract template was previously drafted by the Attorney and approved by the Board. Thomas Murtaugh made a motion to approve the contracts for Reconstruction Financing Assistance from Kenneth Byers and RDG Properties as submitted. David Byers noted he was not related to Kenneth Byers. David Byers seconded the motion. Motion carried.

All State Fastener Maintenance Bond

The Surveyor presented Maintenance Bond #30026704 in the amount of \$111,689 submitted by ASF Holding Company to his office for the All State Fastener project for approval by the Board. David Byers made a motion to grant approval for Maintenance Bond #30026704 in the amount of \$111,689 submitted by ASF Holding Company as presented. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Encroach / Lewis Jakes #40 Regulated Drain

The Surveyor presented a Petition to Reconstruct on the Lewis Jakes Regulated Drain #40 submitted to his office by Doug Morehouse. While he expected more benefitted landowners to sign the Petition, it currently reflected over 10% of the benefitted landowners' signatures. Mr. Morehouse indicated he wanted to submit so it would be added to the future Drain Reconstruction (s) list. The Surveyor noted currently there were 13 regulated drains on the list for reconstruction. He stated in 2006-07, a lower portion of the Lewis Jakes drain was reconstructed (1/3 to 1/2) as phase 1. This would be phase 2 of the reconstruction. (Due to the funds balance in 2006-07, it was determined to complete the reconstruction in phases.) Responding to David Byers inquiry, the Surveyor noted the open ditch was part of the annual spray program conducted by his office. The Surveyor recommend acceptance from the Board. David Byers made a motion to accept the Petition as submitted and refer it to the Surveyor for his report. Thomas Murtaugh seconded the motion. Motion carried.

Upper J. Berlowitz Regional Detention Project/Memorandum of Understanding

The Surveyor stated a "Memorandum of Understanding" (MOU) between the Drainage Board and Franciscan Alliance Inc. was received in his office regarding the Berlowitz Regulated Drain Regional Detention project. He referred to the Attorney.

The Attorney reminded the Board the M.O.U. was necessary to complete the Berlowitz Regulated Drain Reconstruction (re: M.O.U. document proceeds May 2019 Drainage Board's official minutes). He recommended the Board's President sign the document upon receipt. He stated he did not have the original document on hand, as it was in transit. The Secretary would record the M.O.U once signed. Franciscan Alliance will pay \$391,500 to the Drainage Board for the additional costs in phase 1 due to costs related to the revisions made. Franciscan Alliance Inc. would donate approximately 15.6 acres to be used in phase 2 of this project. The Attorney noted Franciscan Alliance stated they did not want the excavated dirt from phase 2 of the project; therefore, it would be relocated offsite. He referred back to the Surveyor. The Surveyor recommended approval of the M.O.U. between the Tippecanoe County Drainage Board and Franciscan Alliance Inc. as written. Thomas Murtaugh

made a motion Commissioner Tracy Brown; Drainage Board President sign the M.O.U. as written- upon receipt. David Byers seconded the motion. Motion carried.

Alexander Ross Outlet Improvement Project Status update

The Surveyor updated the Board on the Alexander Ross Outlet Improvement Project. He noted the portion of the project which involved the Meijer pond (north end of pond routing north under Meijer Court up to SR.26) was complete. The Easement Agreement regarding the portion of land on the East side of SR 26 and owned by Mike Patel had been recently signed. He stated, due to the weather and the pending agreement, the jack and bore under SR26 had been delayed. Now that the Agreement was signed, hopefully the weather would cooperate, and work could be completed soon. He stated the project was basically 1/3 complete. Responding to Thomas Murtaugh’s inquiry, the Surveyor noted the trash around the area’s pond was- in his opinion- due to business trash can lids left open. The Attorney stated if the drain itself was impaired by the trash then the Drainage Board would have the authority to clean it up. The Surveyor stated this has occurred once in the past and was addressed by his office. The Surveyor noted the pond itself had been placed on the annual regulated drain spray/mow maintenance program list. The Attorney noted the Board was not obligated to pick up the trash. There was an issue one time with obstruction from the trash in the pond that which the Drainage Board addressed. The Surveyor noted he had not received any calls relating to this matter to date this year.

Public Comment

Mike Spencer Assistant Executive Director Tippecanoe County Highway Department approached the Board. He stated there have been issues brought to his attention which require determination on how to proceed. He stated several drainage complaints had come to light concerning his department with non-regulated drains. Typically, these issues involve culverts located alongside private tiles under County Roads as well as side ditch depths and locations. Several landowners have brought to attention safety issues with the depths and locations of some of the side ditches along the County Roads. One particular issue was a culvert located alongside a private tile, both were located under South Ninth Street. The culvert was replaced in 2008 under the road. (Landowners state they called after this time to report issues with the drainage in this area and could not get a response-He stated he could not substantiate the calls.) In this particular case the Highway Department has approximately an acre and half within the 1000+ acre watershed and does not have the funds to replace the tile under the road. He stated since the culvert was located under the road, landowners think the Highway dept. should fix the drainage issue. He noted he felt the problem was the tile - most likely undersized and obstructed- not the culvert. Often, there were no means to pay for these types of drainage issues. Due to proximity to County highways, landowners felt the issues should be taken care of by the County Highway Department. He reiterated his office would like to work with the Board and Surveyor office to find a way of resolving the issues. He reviewed several problem locations in the county where a culvert is located under the road near a problem tile or problem side ditch. The Attorney reviewed the steps to convert a private drain into a regulated drain and obstruction in a private drain which would allocate the cost of repair across the entire watershed. The Surveyor stated Mr. Greg Gilbert called his office several days ago and spoke to him about the drainage issue on South Ninth Street Mike Spencer stated he thought the drain tile and culvert were located parallel of each other but very nearly on top of each other. The Surveyor stated if a Petition of Obstruction was filed; and during the investigation the tile was found to be obstructed- the cost of repair would be shared among all the benefited landowners. He noted he considered this a short-term solution, as the size of the watershed (1000+ acres) warranted the tile be converted from private to county maintained. Responding to the Surveyor’s inquiry, Mr. Spencer stated the size of the tile under South Ninth St. was thought to be 8” or 10”. The Surveyor offered to sit down with Mr. Spencer and review any drainage issues and options that could be taken. Mr. Spencer thanked the Board and Surveyor for their time. He noted the wet spring has exasperated the issues. The Surveyor noted particularly wet springs were forecasted out of the Earth and Atmospheric Science School at Purdue University in the coming years and noted these issues would not go away. He stated he strongly felt they needed to be proactive regarding finding a solution for the taxpayers.

David Byers made a motion to adjourn. The meeting was adjourned.

Tracy A. Brown, President

Thomas P. Murtaugh, Vice President

Brenda Garrison, Executive Administrator

David S. Byers, Member

TIPPECANOE COUNTY DRAINAGE BOARD

June 5, 2019

Drainage Board Meeting Minutes

Those present were:

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

Minutes Approval

Thomas Murtaugh made a motion to approve the May 1, 2019 Drainage Board Regular meeting minutes as written. Tracy Brown seconded the motion. Motion carried.

Dollar General West Point Indiana

Mike Thompson with Hamilton Designs appeared before the Board to present the Dollar General in West Point Indiana project for approval. He stated the site was located near the intersection of Washington Street and Indiana State Road 25, along the west side of State Road 25 and consisted of approximately 3.18 acres. He noted the owner wanted to raise the building. Therefore, dirt from the planned dry detention facility was used for the buildup as desired. Drainage infrastructure would outlet to an open ditch located on the north side of the tract and ultimately to the Wabash River. He stated they will meet with INDOT in the upcoming week to confirm the requirements for a drive. He requested construction approval at that time. The Surveyor stated he had spoken to adjoining landowners as well as Drainage Board Engineer Consultant Michelle Watts of BFS Engr. of concerns raised. He noted existing subsurface drainage tiles were located along this site coming from one of the adjoining landowners' agricultural tracts. Concern was raised that these existing drainage tiles (under a grassed waterway) could be damaged during construction. The Surveyor discussed this with the engineer consultant and stated any offsite work to ensure the tile's integrity was required to be completed during construction. He recommended construction approval with conditions as stated on the May 15, 2019 BFS memo. There was no public comment. Thomas Murtaugh made the motion to grant construction approval with conditions as stated on the May 15, 2019 BFS memo. Tracy Brown seconded the motion. Motion carried.

West Lafayette Wellness and Aquatic Center

Robert Langanger with Schneider Corp appeared before the Board to present the West Lafayette Wellness and Aquatics Center project for approval. The site was located at the intersection of Kalberer and Salisbury Streets on an approximately 13.3-acre site within the City of West Lafayette Indiana. A Petition to Encroach on the John Boes unmaintained regulated drain was submitted with the project. He noted the existing building would be replaced and the existing parking area would be expanded. The project site was located within the City of West Lafayette and as such the Board would be approving the release rates to the John Boes drain and the Petition as submitted. He noted the rates were lower than the allowable release rates. He requested approval by the Board. The Surveyor reiterated the Board was to approve discharge into the Boes drain and the Petition to Encroach only, as overall project approval would be issued from the City of West Lafayette. He stated he recommended approval of the discharge into the Boes drain. He noted currently the City of West Lafayette's Engineer Office and the County Surveyor's office were jointly working on the John Boes Drain reconstruction plans. Once this happens, he will request the Board relinquish the drain to the City of West Lafayette. A note stating the intended relinquishment was included on the Petition to Encroach which was included in the submittal for approval. He stated during the construction - the John Boes tile -when uncovered- must be replaced and perpetuated until the reconstruction process is completed. He then recommended the conditional approval as stated on the May 21, 2019 Burke memo as well as the Petition to Encroach on the John Boes unmaintained regulated drain. There was no public comment. Thomas Murtaugh made a motion to grant conditional approval as stated on the May 21, 2019 Burke memo and to approve the Petition to Encroach on the said drain as presented. Tracy Brown seconded the motion. Motion carried.

Other Business/Zach Beasley

INDOT Agreement

The Cooperative Agreement between INDOT and Tiptecanoe County Drainage Board concerning the Alexander Ross Regulated Drain was received by the Surveyor's office this am. The Surveyor stated he had spoken with Bill Smith and Terry Griffin at INDOT regarding the pending agreement with INDOT. This agreement was for reimbursement of the jack and bore work under Interstate 65 near the SR26 exit ramp. A 42-inch pipe (approx. 300 ft. in length) would be used for drainage conveyance. While this is standard operating procedure with INDOT regarding reimbursements of right of way drain constructions, due to the size of the reimbursement (over \$900,000) and the State's budgeting process, half of the sum

would be paid in 2020 and the remaining amount in 2021. Responding to Tom Murtaugh's inquiry, the Surveyor noted INDOT would reimburse approximately 60% of the total project cost (monies spent within their right of way only). The remaining amount would be paid from the McCarty TIF funds. Thomas Murtaugh made a motion to approve the Cooperative Agreement between INDOT and Tippecanoe County Drainage Board concerning the Alexander Ross Regulated Drain. Tracy Brown seconded the motion. Motion carried.

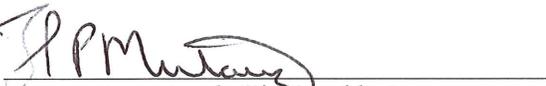
Sulhamstead Subdivision Detention Pond

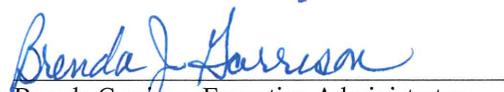
The Surveyor informed the Board Mr. Richard Leill 4616 East CR 50 North Lafayette Indiana 47905 contacted his office to discuss concerns he had regarding the Sulhamstead Subdivision drainage located southwest of his tract. Mr. Leill was in attendance today. Tom Lorchman, Stormwater Technician, inspected the concern as directed by the Surveyor. The Surveyor stated the subdivision's previously approved stormwater infrastructure was not functioning properly. In addition, he felt there was a safety concern due to stormwater overbanking the subdivision's detention basin then overtopping CR 50 North. He stated there was roughly 25 lots within the subdivision. Using GIS, he reviewed the internal storm sewer network for the Board. He stated due to the lack of maintenance, the detention basin was completely silted up. The outlet pipe was completely submerged, and the pond was not detaining any stormwater from the development at all. He noted the weir has trees grown over it and erosion around it. He reviewed pictures taken of the curb and gutter system upon inspection. The photos showed erosion in and around the pond and the weir as well as downed trees etc. The roadside ditch along CR 50 North has eroded as a result as well. He noted there were two issues and they are as follows: the drainage system was not functioning as designed and it was a public safety issue due to the overtopping of the county road. He recommended the Board approve a meeting between the Surveyor and the landowners within the subdivision (on the Drainage Board's behalf) to discuss the issue and come to a solution. Responding to Tracy Brown's inquiry, Mike Spencer Highway Department stated until the pond starts detaining the stormwater, the road side ditch issue would continue. The Highway department could go out clean out the ditch at CR 50 North in that area, however until the basin detains the stormwater as designed the stormwater would continue to cause issues with CR 50 North as well. Landowner Richard Leill 4616 East CR 50 North Lafayette Indiana 47905 approached the Board. He stated due to the immense amount of runoff coming from the subdivision – the County Highway Department would be unable to remedy the situation just by cleaning out the side ditch. He stated, in his opinion the detention pond was the problem and should be returned to functioning order. He noted his father was the developer and kept the pond in working order while living there. However, he had not lived there for fourteen years and he felt it was lack of maintenance and negligence which has caused the problem. He asked the Board for assistance to find a solution. He thanked the Board for their time. The Surveyor stated he agreed the volume of water was such that the cleaning out of the ditch would not remedy the situation. The stormwater runoff needed to be detained in the pond as designed. Phillip Taylor 4634 East CR50N approached the Board and stated the side ditch had been cleaned a couple times in the last twenty years but that would last only two years. He stated in July and August the number of mosquitos in that area is incredible as the standing water makes a perfect breeding ground. He also thanked the Board for their time. The Surveyor advised Mr. Taylor to contact the County Health Department to report the mosquito issue. As directed by the Board, the Surveyor would set a meeting with the landowners affected to discuss this issue try to come to a solution. The Surveyor thanked the landowners in attendance for their time. He had no further business.

Public Comment

There was no public comment. Thomas Murtaugh made a motion to adjourn. The meeting was adjourned.


Tracy A. Brown, President


Thomas P. Murtaugh, Vice President


Brenda Garrison, Executive Administrator

ABSENT
David S. Byers, Member