

Minutes of the Special Meeting of the Tippecanoe County Drainage Board January 6, 1971.

Synopsis of

Minutes of the Special Meeting of the Tippecanoe County Drainage Board held in the Commissioner's Room, Tippecanoe County Court House at 9:30 a.m., on January 6, 1971.

Present at Meeting Those present at the meeting were Bruce Osborn, Dale Remaly, Edward Shaw G. Richard Donahue and Gladys Ridder.

Election of Officers Bruce Osborn was elected Chairman of the Board, Dale Remaly was elected Vice-Chairman of the Board and G. Richard Donahue as attorney for the Board. Also Gladys Ridder was appointed Secretary to the Board.

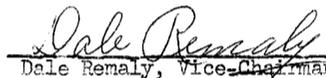
Time and place of future meetings Upon motion made by Bruce Osborn, Seconded by Dale Remaly and made unanimous by Edward Shaw, the Board found the Surveyor's office inadequate and voted to use the County Council Room for future meetings. In the same motion the first Tuesday in the month at 9:00 a.m., was chosen for regular meetings.

Ditches for consideration The Board took under advisement several ditches submitted by the Surveyor for their consideration. The ditches included the following: J. B. Anderson, Hattie Arbegust, Dempsey Baker, James Kirkpatrick, Nellie Ball, Anson-Delphine, Andrew P. Brown, Absalom Miller, E. W. Andrews and Floyd S. Kerschner ditches. All of the above were requests for maintenance.

Visit to Tipton It was called to the Board's attention that Tipton, Indiana had an efficient Drainage Board that had been in operation since 1966 and that a trip to that office on their regular meeting day would be of great assistance to one just getting organized.

Meeting Adjourned On motion made by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw the meeting was adjourned.


Bruce Osborn, Chairman


Dale Remaly, Vice-Chairman


Edward Shaw, Member

ATTEST:


Gladys Ridder, Sec'y.

Synopsis of

Minutes of the Regular Meeting of the Tippecanoe County Drainage Board held in the County Commissioner's Room in the Tippecanoe County Court House at 9:00 a.m., on Tuesday, April 6, 1971.

Present at Meeting Bruce Osborn, Chairman and Edward Shaw, Board member, Dan Ruth, Engineer, G. Richard Donahue, Atty., Gladys Ridder, Sec'y., John Garrott, Surveyor, and Larry Clerget, Deputy Surveyor, Ken Raines, Reporter, Bill Martin, Conservationist along with many interested taxpayers.

Minutes Approved It was moved by Bruce Osborn, seconded by Edward Shaw to approve the minutes of the Regular meeting of March 2, 1971.

Absalom Miller Ditch Mr. Spencer Congram, farm manager from Purdue National Bank spoke for a group of people involved with the reconstruction of a headwall on the Absalom Miller ditch. The original headwall built in July of 1967 proved an inadequate construction for the flood water washed around it and left it useless. The group took action by requesting the services of the Tippecanoe County Soil and Water Conservation District to rebuild the headwall on a cost sharing plan. Herbert Crum was the contractor (No bid was let) and the bill was paid by Mr. William Nesbitt, who at the time of this meeting, has not received any part of his money. A call was placed to the State Board of Accounts during the meeting as to the chances of the County paying this bill and were informed that the county could not pay the bill for it was not handled in the only legal way that county collection could be made. (See letter in file from the State).

John L. Hoffman Ditch Mr. David Knopp and Mr. C. J. Baker appeared before the Board to alert them of all the problems with broken tile, etc. on the Hoffman Ditch. The Engineer volunteered to walk the ditch with them and try to decide the best course to take. Mr. Bill Martin suggested a joint meeting with the two other counties involved, namely Carroll and Clinton, for he felt this would be a reconstruction job. It was asked for consideration in establishing a maintenance fund also.

ElmerThomas Ditch Mr. Robert Buker brought slides of the pond that stands as the result of improper drainage on the Elmer Thomas Drain. Mr. Bill Martin submitted plans drawn by the Soil and Water Conservation Dep't. on reconstruction of this drain. Mr. Ruth offered to contact the State Highway Department on problems concerning the right-of-way drainage.

Public Meeting at Fair Grounds Mr. Bruce Osborn suggested a public meeting at the Fair Grounds strictly to inform the public and perhaps answer some questions people might have as to the duties and responsibilities of this Board. The date set was Monday, April 19th, 1971 at 8:00 p.m. Mr. Martin was asked to help the Board conduct the meeting and to show how the two offices work together.

Ditches referred to Engineer The motion made by Bruce Osborn and seconded by Edward Shaw to refer the following ditches for the Surveyor and Engineer's consideration: Anson-Delphine, Parlon, McFarland, Berlovitz, Andrew P. Brown and Absalom Miller. All of these to be set up for Maintenance.

Purchase of Camera Mr. Ruth asked permission to buy a polaroid camera for it would prove so helpful in his work. Permission granted.

Minutes of the April 6, 1971 meeting (Continued)

Meeting Adjourned Upon motion made by Mr. Bruce Osborn and seconded by Mr. Edward Shaw the meeting adjourned.

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Bruce Osborn, Chairman

C. Dale Remaly, Vice Chairman

Edward Shaw, Member

ATTEST:

The regular meeting of the Tippecanoe County Drainage Board was held October 6, 1976 at 9:00 a.m., in the County Council Room with the following members present: Robert F. Fields, Bruce Osborn, William Vanderveen, Robert L. Martin, Fred Hoffman and Gladys Ridder.

Minutes

Upon reading of the minutes of the September 1st and September 10, 1976 meetings, a motion was made by Bruce Osborn seconded by William Vanderveen and made unanimous by Robert Fields to accept those minutes as read.

Mr. Richard Donahue, Attorney for Robert Gurnick, came before the Board to report that his client had as yet no relief from a water problem that he felt the Drainage Board should take care of. He said the Drainage Board had assessed Mr. Gurnick for maintenance on the S. W. Elliott ditch but that Mr. Gurnick's water could not get to the ditch. Mr. Osborn questioned Mr. Donahue as to whether Mr. Gurnick's problem was

R. Donahue for R. Gurnick

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MEETING OF OCTOBER 6, 1976 CONTINUED

the result of the Elliott ditch not functioning properly or was it surface water that could not get to the Elliott ditch because of an obstruction created by a neighbor of Mr. Gurnick's. It was pretty well established that I. M. House had created a dam which constricted the flow of the water towards its natural waterway creating the problem. Mr. Hoffman said the drainage board had no jurisdiction if this were the case. To insure all present that those are the facts, the Board suggested that our surveyor go to the scene and make a determination as to whether the S. W. Elliott ditch was plugged anywhere and if there were broken tile in the Elliott ditch to make necessary repairs but if the problem was not the Elliott ditch's failure to perform then theirs was a legal problem and would have to be handled in the courts. Mr. Gurnick said all of those people south of State Road 38 were in trouble. Namely Kenny Biery, Neal Dexter Stu Fisher, Mary May, Robert Gurnick, and Ed Anderson. Mr. Donahue presented a letter from the State stating their position on the problem.

Donahue for Gurnick

There were acreage changes suggested by the county surveyor on the Ray Skinner ditch and the Anson Delphine ditch. Both changes were explained and the fact that all of the property owners in the watershed area of these two ditches was noted. No one appeared on either ditch. The Board so moved to accept the change in the watershed as proposed by the surveyor.

Mr. Fred Montague of the Scholer Firm appeared before the Board to explain the drainage system proposed for the Indiana Employment Security Division. He said there was no legal drain affected other than the water eventually gets to the Elliott ditch and his sole purpose for attending this meeting was to show the Drainage Board that the design was not to increase the load on Elliott ditch. Mr. Fields said the Board surely appreciated that fact but that he felt Mr. Montague should take this drawing to the City Engineer. Mr. Montague said when the Imperial Equipment Company built in this locale, John Fisher had come before the Board and he had a letter of approval from Dan Ruth to that effect so he felt he should do the same.

A call from Mr. Fink to the county surveyor complaining about new tile that Lewis Beeler had just laid in his field was brought to the attention of the Drainage Board. Because this was a complaint on a private drain the attorney told the Board that they had no jurisdiction over this problem. The Board then asked the surveyor if he would go out and check all of the facts and bring them back to this Board.

With all of the business at hand attended to, Mr. Bruce Osborn moved to adjourn. That motion was seconded by William Vanderveen and made unanimous by Robert Fields.

Robert F. Fields
Robert F. Fields, Chairman

William Vanderveen
William Vanderveen, Vice Chairman

Bruce V. Osborn
Bruce V. Osborn, Board Member

ATTEST:
Gladys Ridder
Gladys Ridder, Executive Sec'y.

Dick Donahue for Robert Gurnick
Ray Skinner and Anson acreage corrections
Indiana employment Security Div.
Mr. Fink Vs Lewis Beeler

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

information has not been received. Michael will notify Mr. Strother when he receives the information and when the project comes before the board.

Sue W. Scholer asked Don Sooby, of the Lafayette City Engineer office where are we on McCarty Lane, is it progressing. Mr. Sooby stated a public hearing will be held January 26, 1989, no other meeting has been set up.

There being no further business the meeting adjourned at 9:25 A.M. Next meeting will be February 1, 1989.

Eugene R. Moore

Eugene R. Moore, Chairman

Bruce V. Osborn

Bruce V. Osborn, Board Member

Sue W. Scholer

ATTEST: *Maralyn D. Turner*
Maralyn D. Turner, Executive Secretary

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 Dickes, Martin V. Erwin, Crist/Fassnacht, Elijah Fugate, Rebecca Grimes, Harrison Meadows George Ilgenfritz, George Inskeep, Lewis Jakes, Jenkins, E. Eugene Johnson, F. S. Kerschmer, 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 Richard, 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

Engineering, LTD review, plus letter from downstream from Burton's, seconded by Sue W. Scholer.

✓
DIMMENSION

DIMENSION CABLE

CABLE

George Schulte engineer from Ticen and Associates presented site plans. Property is located in the Treece Drainage Watershed area. The water shed area was analyzed to determine the high water elevation that would be in the channel. Their detention storage volume that they calculated was above the high water elevation of the ditch along north property line. They did decrease the allowable release rate from 2.11 cfs down to .4 cfs, there is about 3.3 acres in the site. They are increasing the volume required for storage on site.

Sue W. Scholer asked about the plans for maintenance on that ditch? Basically they are assuming that the owner would maintain the entire site, this is reason for putting 3-1 slopes on the ditch.

Mr. Hoffman asked if it was a new ditch, George again stated it is an existing ditch. The ditch at this time is full of brush, weeds, etc, it is not a legal drain.

George stated they are asking for final drainage approval.

Mr. Hoffman asked if George's client would be willing to participate in the cost of a more substantial drainage improvement in the area. Mr. Shulte stated he could not answer that question, but he feels he would be willing.

Bruce asked if conditions had been met? Michael Spencer answered, no, there is one other conditions and that is that the City of Lafayette review this project, as of January 2, 1990 this area is in side the City Limits as is Wal-Mart.

Mr. Sooby has not seen the plans presented. Discussion continued.

Mr. Hoffman stated this is not a subdivision, but should have the same kind of restriction as subdivisions. Mr. Hoffman asked that a letter be received from the developer stating they will participate in their fair share of the improvement when the major improvement is made. Michael asked if he was talking about facility on site. Answer-yes. Maintenance on site and that they would assist in making that area a part of the legal drain, and that they will participate in the cost of improving the Wilson Branch. Michael asked if they should provide a letter stating that they will maintain their on site system. Mr. Hoffman stated he would like for it to be in form that can be recorded, so it will run with the land should the land be sold.

George asked what things are needed for approval? 1. Participate in the improvements of the Wilson Branch. 2. Cost of improvements. 3. Maintain the one on the premises, and if they don't the County would have the right to maintain it and assess the cost. Incorporate the existing drain on the north side of the site into the Treece drain or Wilson Branch.

A letter is needed from the owner for the above mentioned items to Michael. Michael asked that the city review and give their approval be added as they are involved.

Sue asked if the board understands correctly that the City still wants that maintenance to run to the County on the regulated drain. Mr. Sooby answered, he thinks that is correct.

Bruce V. Osborn moved to give approval with the four recommendations being met, seconded by Sue W. Scholer.

WAL-MART

WAL- MART

Clifford Norton representing Wal-Mart and George Davidson of Horne Properties presented drainage plans. Michael stated the plans meet the county restriction on the limited release rate. Michael pointed out at the last meeting Mr. Long was present and brought up the fact of emergency routing for drainage which is a problem in this area, and at that time Michael stated he had Christopher Burke Engineering LTD looking at the Wilson Branch from Ross Road where the Simon improvement would end with the 100 year design flow in the channel. He had him look all the way up through Treece Meadows on what design would be required or Channel section would be required to get from Ross Road up to Treece Meadows. Michael has received the report this morning. Basically what he says in his report is to properly move the 100 year storm event from the north end of Treece Meadows or where open channel turns and goes back west through the Subdivision, looking at approximately 40 foot bottom width on the channel and 2-1 side slopes from there down to the Wilson Branch in some fashion. They have had some preliminary locations for the channel so he would have some idea for lengths to work with as far as grades to get the water down there, basically at this time to pass the 100 year storm event is to provide a 40 foot bottom width channel with 2-1 side slopes down to the Wilson Branch, then continue down the Wilson Branch taking out the trees and re-grading the bottom and side slopes down to Ross Road in order to get the water to the regional detention facility that will be constructed. Michael stated this is a starting point as there are allot of alternatives that can be put in there. This is basically what Channel section they are looking at. The crossings of Creasey Lane and McCarty Lane will need bridge openings of approximately 600 square foot openings to pass the 100 year storm event. Bruce asked if this was visible? Mr. Norton stated anything is visible. Bruce asked if this was to go in during the other construction? Michael answered it would take a petition for re-construction of the Wilson Branch of the Elliott ditch. Michael feels that we are at the point now where a petition is needed from the watershed area. More study is needed. While the land is open is the time to get something started. Cost estimates and plans will have to be put together. Michael can not put a time element on it, the area is hot enough for development and something needs to be done. Discussion of petition.

WAL-MART CONTINUED
JANUARY 3, 1990 DRAINAGE BOARD MEETING

Mr. Davidson stated that Wal-Mart has no problem at all to work with the rest of the watershed and are willing to pay their fair share of the assessment.

Tom McCully representing Long Tree Limited went over what Long Tree Limited went through when they were developing Burberry Subdivision. The problem is at the South end at Treece drain and Wilson Branch, pipe put in 1978 creates constriction of everything upstream from there. Discussion of Cost in 1978, and the over all problem of the area. At that time the owners agreed to put an assessment based upon the cost, which amounted to approximately \$1,000.00 per acre. Today's presentation does try to address the problem all the way from the north end of Treece down to the Wilson Branch on down to the Elliott ditch. Tom stressed that if we don't look at an over all picture we are not going to get anything accomplished. What has to be done is as property is developed everybody agrees to participate to get the problem corrected. At this time we have an open ditch going into a 24" pipe. Discussion continued.

Tom McCully stated that probably this should be an Urban drain not a rural drain. Convert to Urban drain and reconstruct. Long Tree Limited is willing to cooperate. Again he stressed that everybody is going to have to be in agreement that the problem needs corrected and go from there. The longer this goes the more expense it is going to be. Discussion continued.

Michael stated that in the interim there is a plan that could be done temporarily to get the emergency routing out of the Subdivision. This is going to take cooperation from the people involved.

Bruce asked Mr. Norton if they are going to be asking for road cuts on Creasey, answer yes, they have two entrance, and one on Highway 26.

Mr. Hoffman stated Wal-Mart will have to have some type of document stating they will participate in and pay their fair share of the cost of the improvement, and maintain what else they will be putting in there, if they don't the county will have the right to go in and maintain, then assess them for the cost.

Sue Scholer suggested that Michael call a meeting with all property owners involved in the development.

Michael stated that Burke Engineering brought to his attention that this could be a lengthy project, but in the mean time the board should look at a temporary diversion swale, not a major structure. Mr. Hoffman asked if there was a place for it and Michael replied it can be done, however it will not be easy. Michael stated this would be everybody north of Treece Meadows who wants to develop. Michael wanted more time to think. Mr. Sooby was concerned about property owner saying let the other guy do it.

Mr. Davidson asked Michael if he was satisfied with their drainage analysis, answer - yes.

Mr. Norton stated there are two ways that Wal-Mart can go. He asked if the board could give approval subject to meeting the qualifications to avoid another meeting or bring up all the criteria that they need to submit and have another meeting.

Sue W. Scholer stated that the board would be requiring all the essential things stated and final approval passed would be subject to all things presented to Michael and approved by the attorney and the City of Lafayette. Sue stated possibly the board should make a requirement as Wal-Mart goes through the process of their development some of the other things needed will be based on getting a meeting and something temporary with all people involved who are developing in that area.

Mr. Davidson again stated they would agree in participating in what ever effort is made out in that area. They would like to leave the meeting this morning with some idea of construction cost so they can build their budget. He stated they could have a letter back to Michael tomorrow committing to the things the board is trying to accomplish.

Michael Spencer and Don Sooby will work together to come up with satisfactory proposals. Don stated that lionslyng share of the burden may fall on Wal-Mart to do something temporary, as no body wants to do anything until their development is ready to move. Wal-Mart wants to move ahead with their development and if the interim facilities are necessary for this to get board approval, but not the total cost is going to fall on Wal-Mart. Discussion continued.

Michael asked if a credit could be given back to Wal-Mart at a later date of what they would put in on the interim? Mr. Sooby stated that the interim facility is not going to contribute much toward the long term, it really isn't a down payment on the ultimate facilities.

Mr. Davidson asked how will the development fully affect the Treece Meadows. Michael answered hopefully up to a 100 year storm event by calculations it should reduce the downstream affect, its above the 100 year storm event that is of concern. Currently there is 80 cfs coming off for a 10 year storm. Discussion continued.

Sue W. Scholer asked what needs to be done to get the total process going?

Mr. Hoffman stated if Michael feels there is a need for reconstruction as an Urban drain Michael should report that to the Board and then the process can start for making it an Urban drain for reconstruction. That's on the long term. A Petition is not needed all that is necessary is a letter from Michael Spencer surveyor stating that it needs to be an Urban drain and it can be done as an Urban drain. Statement should state that if it is reconstructed as an Urban drain it will drain the area properly. Michael should present a letter to the Board.

Mr. Hoffman agreed with Mr. Sooby's statement that Wal-Mart is going to have to pay most of the cost of the temporary facility as the other property owners can say they are not ready to develop and we don't see the need for this until we develop. Discussion continued.

Items needed from Wal-Mart are: Letter of Commitment for Maintenance of the drain facilities that they build. In the letter a commitment for participation in the original program and that Wal-Mart pay their fair share of reconstruction and if they do not maintain the drainage on their property the county would have a right to come in and do the maintenance and make assessment for the cost. Mr. Hoffman wanted this to be in a recordable fashion so it will run with the land.

The Wal-Mart was asked to come back Tuesday January 9, 1990 at 9:30 A.M. for re-convened session. Due to not having a quorum of Board Members the January 9 meeting was postponed until Wednesday January 17, 1990 at 9:00 A.M..

STATE ROAD

STATE ROAD 38 PROJECT AGREEMENT

38 PROJECT AGREEMENT

Agreement with the State on Hwy 38 the detention pond and drainage. The County will receive \$50,000.00 if it is installed prior to the time the State goes to work on the 38 Project, if the County does not have it installed the County does not get the \$50,000.00 and the State puts it in. This is based on when the work starts. Discussion.

Fred stated that he and Michael had reviewed the agreement and it meets the standards. This goes along with the meeting held October 1988 on the Highway 38 Project. Agreement is on file.

Bruce V. Osborn moved to accept the agreement of State Highway 38 and the water problems, seconded by Sue W. Schuler, unanimous approval.

ORCHARD PARK

ORCHARD PARK

Michael Spencer Surveyor, presented Fee Proposal prices to provide field survey for the Orchard Park Legal Ditch Project. Earlier two different companies had presented prices for doing surveying work for the project. There was quite a bit of difference in the prices submitted so a more defined scope of work was presented to different companies and Michael has received the following submittals.

Todd Frauhiger read the Companies and their figures this is for the entire watershed area. This would include aerial mapping, contour map for the watershed, all existing pipes within the water shed, their reaches and sizes, inverts, the ravine system all the way down to the Wildcat creek.

Ticen Shulte and Associates	\$31,900.00
John E. Fisher	\$22,372.00
MTA	\$21,680.00
Vester's and Associates	\$24,990.00

The services that were included are:

Aerial Control Survey. Vertical and Horizontal survey to provide control for aerial mapping will be provided.

Establish Baselines. Baselines will be established, referenced, and tied to the horizontal mapping control. These base lines will follow, as closely as possible, the flow lines of the defined ravines.

Investigation of Existing Storm Sewer Facilities. Existing storm sewers and culverts within the watershed will be located, identified and surveyed for length and elevation. This information will be provided in the form of survey field notes. Aerial Mapping of the ravine will be provided, scribed on mylar. Contours will be at one foot intervals, scale will be 1"=100' or as other wise specified. Baselines will be superimposed on the mapping.

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

Descriptions of Easements. Descriptions of proposed easements from each land owner involved will be provided. Easements will most likely be described as a horizontal distance beyond a specified elevation on the bank of the ravine.

Todd stated the quicker the surveyors could get started the better they could get a proper survey, each would like to get to it as soon as possible and no later than February as leaves will be starting and they can not get a true picture. One of the figures presented is only good through February. After that date it may increase the aerial photography figure. If it is delayed longer it could be late 1990 before work could be completed.

Time is needed to go through the presentations, Michael will come back at the next meeting with findings.

Meeting recessed until Tuesday January 9, 1990, January 9, 1990 meeting was re-scheduled for Wednesday January 17, 1990.

**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 Kottlowski, 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 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
 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

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 Lane	Absalm Miller	Ann Montgomery	Parker

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

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

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
Minutes
October 1, 2003
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, and member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, Tim Wells County Highway Engineer, and Drainage Board Executive Secretary Brenda Garrison.

Approval of September 10, 2003 Minutes

John Knochel made the motion to approve the September 10, 2003 minutes. KD Benson seconded the motion and the September 10, 2003 minutes were approved as written.

The Commons At Valley Lakes Phase 3

Mr. Alan Jacobson of Fisher and Associates appeared before the Board to present The Commons at Valley Lakes Phase 3 for final approval. As a continued phase of the overall development The Commons at Valley Lakes, Phase 3 included 35 single-family lots on 11 acres just east of Phase 2. The location was immediately east of County Road 150 East (South 18th Street) approximately ¼ mile south of County Road 350 South in the City of Lafayette, Wea Township.

Existing Storm sewers within the Commons at Valley Lakes Phase 1 will be extended south to accept Stormwater from Phase 3 as well as a portion of Branch No. 7 of the **J.N. Kirkpatrick Regulated Drain**. The storm sewers eventually discharged into the J.N. Kirkpatrick drain located just north of Phase 1. The J.N. Kirkpatrick drain is presently under reconstruction from **Elliott Ditch** upstream to County Road 250 East (Concord Road). Branches 7 and 8 of the drain crossed the proposed Phase 3 site. Branch 7 consisted of a 12-inch tile and crossed the site from northwest to southeast diagonally. The developer proposed to route Branch 7 through the proposed storm sewer system and vacate the legal drain easements of both branch 7 and 8 drain tiles.

Alan stated the city of Lafayette had approved and signed the plans and approval from Area Plan was anticipated within the week. Alan requested approval of reconstruction of that portion of Branch 7 which falls within the limits of Phase 3 and approval of direct discharge of the stormwater runoff from Phase 3 into the J.N. Kirkpatrick Regulated Drain.

The Surveyor stated the minimum width of the Easement of Branch 7 must be 30 feet by statute and noted on the plans. He also requested a drawing of the previous and the reconstructed route of Branches 7 and 8 of the J.N. Kirkpatrick Regulated Drain for future reference. Alan stated he would provide the Surveyor's office with a preferred digital master exhibit of the area's development noting the routes of the drain within the area.

The Surveyor recommended approval for direct release to the J. N. Kirkpatrick Drain, the reconstruction and relocation of a portion of Branch 7 and removal of a small portion of Branch 8. John Knochel moved for approval of the direct release to the J.N. Kirkpatrick drain as requested. KD Benson seconded the motion. Direct Release was granted for The Commons At Valley Lakes Phase 3. John Knochel motioned for the approval of the reconstruction of Branch 7 and removal of a portion of Branch 8 within the Commons at Valley Lakes Phase 3. KD Benson then seconded the motion and the motion carried.

The Surveyor then recommended final approval with the conditions as stated on the September 23, 2003 Burke memo and the Easement requirement as noted. John Knochel made the motion for final approval with conditions as stated on the September 23, 2003 Burke memo and those noted by the Surveyor. KD Benson seconded that motion and final approval with conditions for The Commons at Valley Lakes Phase 3 was granted.

Haggerty Hollow Subdivision

Mr. Paul Coates of C & S Engineering approached the Board and represented Frank Spain the developer to request the final approval as well as a waiver for Haggerty Hollow Subdivision. He provided the Board with 8x11 site drawings for their convenience.

The site was a proposed Rural Estates Subdivision and located at County Road 200 South (Haggerty Lane) and County Road 800 East. There would be 12 residential lots on approximately 27 acres. A private access drive would be constructed from County Road 800 East to all the lots.

The drainage of the site was primarily westward into the floodplain of the South Fork of Wildcat Creek. The runoff route crossed over a small tract of land owned by Frank Shultz and ETAL who were notified by certified mail as required. The proposed routing of the stormwater runoff was into two detention basins. The pond outlet was to discharge into the floodplain of the South Fork of Wildcat Creek. The proposed detention basins would be located on portions of Parcels 2 & 4 and Lot 8. A small portion of the site would discharge into the right-of-way of County Road 800 East. As stated previously the owner of Parcel 2 & 4 was notified by certified mail of the meeting. Spain Court would be constructed off of 800 East to be utilized as a private access drive to the proposed lots.

A waiver regarding condition 2 of the September 23, 2003 Burke memo was requested. Condition 2 read as follows: “ The proposed detention basins will be constructed on portions of Parcels 2 – 4 and Lot 8. The applicant has indicated that the same person owns all of the land within the project site (Lots 1-12) and Parcels 2-4. Since the Drainage Ordinance does not allow stormwater detention on subdivision lots, the applicant should clarify the status of Parcels 2 –4. A waiver from Section 14.f.13. of the Drainage Ordinance may be necessary to allow construction of the detention basins on Lot 8 and Parcels 2 – 4. Mr. Coates stated the intention was to obtain a drainage easement from Mr. Spain, the owner of Parcels 2 – 4, then record it with the final plat. Paul stated he would provide clarification on the plans as required by the remaining conditions in the September 23, 2003 Burke memo.

The Surveyor discussed the previous stated Section 14.f.13. of the Drainage Ordinance regarding stormwater detention on subdivision lots. Typically detention ponds are on outlots. While he understood the desire to have the ponds on lots for maintenance purposes, the original intent of this section was liability. He felt the waiver should not be consistently granted.

The Surveyor noted additional conditions as follows: Drainage Easements around both ponds and swales must be obtained. Swale grading and elevations must be noted for future reference as well as the outfall paths for the detention ponds. Paul stated in the future he would confer with the Surveyor at the very early stage of the rural estate subdivision plan process regarding the drainage plans.

KD Benson asked about Ordinance requirements for developers when adjoining landowners are involved in some way. The Surveyor stated a certified notice was the requirement. The intent of the Ordinance was to allow adjoining landowners to voice their concerns at the scheduled hearing. The Surveyor stated a review of that particular portion of the Ordinance might be warranted. In response to John Knochel’s inquiry, Tim Wells County Highway Engineer stated the proposed drainage plans would not have a significant impact on the drainage at 200 South and 800 East. He stated Mr. Coates had conferred with the Highway Dept. and Tim felt there would be a positive improvement for that area.

The Surveyor then recommended the approval of the waiver from Section 14.f.13 of the Drainage Ordinance that stated detention ponds couldn’t be located on individual lots. John Knochel made the motion to approve the waiver from Section 14. f. 13. of the Drainage Ordinance for Haggerty Hollow Subdivision. KD Benson seconded that motion and the waiver for Haggerty Hollow Subdivision was granted.

The Surveyor recommended final approval with conditions stated on the September 23, 2003 Burke memo as well as the conditions he had previously stated. John Knochel motioned for the final approval with conditions as stated on the September 23, 2003 Burke Memo as well as those noted by the Surveyor. KD Benson seconded the motion and final approval for Haggerty Hollow Subdivision was granted.

Steve Murray

The Surveyor presented a Declaration and Grant of Off-site Storm Drainage Easement for signature approval. He stated the Drainage Board Attorney had reviewed the Easement. This covered an Easement between the outfall for the Storm sewer system to the existing pond on Coyote Crossing as well as an Easement around the pond at Coyote Crossing. The Surveyor recommended accepting the Easement and recording it. John Knochel moved to approve the Easement as recommended. KD Benson seconded the motion and the Easement was approved.

Maintenance Bond #5459211 / Lindberg Village Phase 3- Cushing Drive/ Fairfield Contractors Letter of Credit #51004886 / Hickory Hills 3rd Subdivision Phase 1 Section 2 /Eagles Nest Incorporated

The Surveyor presented Maintenance Bond # 5459211 from Fairfield Contractors for Lindberg Village Phase 3 - Cushing Drive in the amount of \$6200.00. He then presented Letter of Credit #51004886 from Eagles Nest Incorporated for Hickory Hills 3rd Subdivision Phase 1 Section 2 in the amount of \$2307.00. Steve recommended both items for acceptance by the Board.

John Knochel made the motion to accept Maintenance Bond# 5459211 from Fairfield Contractors for Lindberg Village Phase 3 - Cushing Drive in the amount of \$6200.00 as presented. KD Benson seconded his motion. Maintenance Bond #5459211 amount \$6200.00 for Lindberg Village Phase 3- Cushing Drive was accepted by the Board.

John Knochel then recommended acceptance for Letter of Credit #51004886 from Eagles Nest Incorporated for Hickory Hills 3rd Subdivision Phase 1 Section 2 in the amount of \$2307.00. KD Benson seconded his motion. Letter of Credit #51004886 from Eagles Nest Incorporated for Hickory Hills 3rd Subdivision Phase 1 Section 2 in the amount of \$2307.00 was accepted by the Board.

Private Tile Update Klondike Road and Lindberg Road

The Surveyor and Mr. Zach Beasley Project Manager for the Surveyor Office met with Mr. Swanson landowner of a tract South of Lindberg Road. They walked the route of a tile from Lindberg to Mr. Swanson's south line. There was a minimum of 6 – 8 tile holes along the route. The outlet was partially submerged and appeared to be caused by natural breakdown and erosion. The Surveyor stated there was a fair amount of fall. The Surveyor stated the area was about a quarter of a mile at most. The private tile was in bad condition and in need of general repair. There was a section just north of Mr. Swanson's south line where the tile appeared to outlet. He stated Mr. Swanson gave the history of the tile. Mr. Swanson stated he felt the outfall for the storm sewer of **Lindberg Village** that comes out on the south side of culvert underneath Lindberg Road was dumping more water on him and aggravating the situation.

Homer Schaffer/ Anson Drain

At that time Steve informed the Board he had received a letter from Joe Bumbleburg inquiring the status of Mr. Homer Schaffer's drainage problem. The area in question was located on the Southwest corner of 850 North and 100 West. A large wetland exists just across Mr. Schaffer's property line. A branch of the Anson Drain runs through the wetland. The Anson Drain was listed on the Annual Surveyor's Report presented to the Board in February under "Drains in need of Reconstruction".

The Surveyor and Shelli Muller GIS Technician presented an overview of the area. Mr. Schaffer's concern was the growth of the wetland and the proximity to his home. The tile was found to be plugged through the woods to the east of CR 100W and most likely through the wetland also. The Surveyor noted the law stated when a regulated tile drain ran through a wetland, the County had the right to maintain it. For the branch to function properly, the Surveyor estimated two-three thousand feet of tile repair was needed at the cost of \$14.00 - \$16.00 per foot which totaled approximately \$32,000.00 - \$50,000.00. The Anson drain is a fairly large tile system and watershed. The Surveyor felt the watershed landowners would most likely not agree on reconstruction, as the per acre cost would be raised from the present \$1.25 to approximately \$5.00 - \$8.00 for the needed repair. In conclusion, there were two options: vacation of the tile, or a maintenance and/ or reconstruction hearing for the landowners involved. He also stated further investigation; a report and notification were required before a hearing could be held. The status of the tile and receipt of the letter from Mr. Bumbleburg regarding the tile was noted.

John Knochel moved for adjournment. KD Benson seconded the motion and the meeting was adjourned.

Ruth E. Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
July 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 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 June 2, 2004 Minutes

KD Benson made the motion to approve the June 2, 2004 Regular Drainage Board minutes as written and Ruth Shedd seconded the motion. The June 2, 2004 Regular Drainage Board minutes were approved as written.

Lauramie Creek Watershed Plan Contract/ Christopher B. Burke Engineering LTD.

The Surveyor presented contract documents for the Lauramie Creek Watershed Plan with Christopher B. Burke Engineering LTD. Dave Luhman stated he had reviewed the contract and had no negative comments. The contract in the amount of \$94835.00 covered professional services for completing the Section 205(j) funded Watershed Management Plan for Lauramie Creek. There would be four main tasks: Public Outreach and Education, Developing a Quality Assurance Project Plan, Water Quality Monitoring and produce a Watershed Management Plan. The Surveyor then recommended the Drainage Board sign the contract with Christopher B. Burke Engineering LTD as presented. KD motioned to approve the Lauramie Creek Watershed Contract with Christopher B. Burke Engineering LTD in the amount of \$94835.00. Ruth Shedd seconded the motion and the Lauramie Creek Watershed Plan contract with Christopher B. Burke Engineering LTD was signed.

Drainage Issues (related to the recent rainfall amounts)
Anson Ditch

John Knochel opened the floor for public comment concerning any drainage issues as a result of the recent rainfall amounts. Joe Bumbleburg appeared before the Board and introduced Ernest Agee. Mr. Agee a professor of Meteorology, resided at 8533 N 100 West Cairo Indiana. He stated his concern for lack of drainage in that area. A farmer northwest of his property had installed a tile system which outlet on his property. The farmer had told him the work was approved. The actions of the farmer had caused an increase in drainage onto his farm. He shared his discontent with the farmer's actions and felt the farmer had not followed drainage laws. He felt due to the drainage assessment of the Anson drain; a solution to the area's problem should be forthcoming. He stated the ditches in that area were not cleaned out regularly. The Surveyor made several site visits to the area in the last few years. He stated along with the tiling (which he was unaware of) an extensive waterway network (through NRCS) was installed upstream of Mr. Agee as well. He had reviewed aerial photographs (from 1939 on), which indicated a significant increase of the wetland area, in particular, arials through the 1960s, 70's and 1980s. He reviewed the area on the overhead for the Board and attendees using GIS. Mr. Agee thanked the Board for their time. Mr. Bumbleburg again approached the Board and noted the attendees had been invited here today by Mr. Homer Shaffer to discuss the Anson Ditch and poor drainage of the area. Mr. Homer Shaffer 8448 North 100 West displayed several photographs for the Board. He stated he had lived on the "mosquito" farm for 35 years. He reviewed and discussed each photograph with the Board. Mr. Shaffer noted a photograph of Mr. Agee's property, north of 850 North, showed standing water 25 days after the May 16th one-inch rain. In his opinion a headwall located at the Brown and Dunbar property line with an open ditch through Agee's property would help alleviate the problem. He expressed his concern of what he thought was lack of maintenance on the Anson tile. Mr. John O'Connor of 8451 North 850 West approached the Board. He recently purchased the farm from his parents and felt the area's increased development had aggravated the drainage problem. His father had purchased the property in the 1940's and had extensive files of drainage work done in the 1950's. He offered his father's file for reference, however he would need time to produce it for the Surveyor if requested. John Gambs represented Will & Kate Crook and stated they would support whatever was needed to get the drain in working order. Herb Pietsch 7741 North 100 West approached the Board. He had lived in the area since 1988. He had approximately 7 acres with 2-3 under water. He stated the area's drainage had deteriorated the last 4 or 5 years and stressed the need for maintenance. Mr. Brice McCarty 14363 W 850 North appeared before the Board and also expressed his discontent with drainage on his farm. He

lived in that area for 38 years. He stated he had 10 acres under water and had been waiting for 30 years for something to be done about his drainage.

At that time the Drainage Board Attorney gave a summary of past and current drainage laws as well as the process of county drain maintenance. The Surveyor then stated drainage code also called for a periodic short and long-range plan to be submitted to the Drainage Board by the County Surveyor. Such a plan was presented to the Board in 2003 which reported the two top drains in need of major work (maintenance and/or reconstruction) as the Jakes ditch and Anson drain. The Anson drain had 44,238 feet of tile with a watershed of approximately 1250 acres. The Surveyor's office had started an investigation of the drain to determine the problems. The Anson drain was organized as a court drain and built in 1903. In the early 1970's an assessment was set up at \$1.00 per acre. The annual amount collected was \$1562.00. The Surveyor stated the amount was just enough to take care of blowholes and in the last ten years had been used for that purpose. He reviewed some of the known problems with the drain and costs associated with the repairs. He stated IDEM would not allow an open ditch through the wetland area. However repair of the tile at the existing route using the same size and same infiltration rate would be allowed by IDEM. Once the problems were thoroughly investigated by the Surveyor's office, a hearing would be called and the rate of assessment be raised to cover cost of improvements. Landowners would be notified by mail with all pertinent information relating to the proposed assessment in the letter. He then opened the floor for questions. Steve Wright from Bank One Farm Mgmt. represented the Anson farm. He asked the Surveyor if trees would be removed on the drain when the maintenance and/or reconstruction were underway. The Surveyor stated yes as tree roots cause a great deal of problems and the surface flow would be looked at also. Mr. Bumbleburg asked the Surveyor if he had an estimate of when the hearing would be scheduled. The Surveyor noted weather conditions and amount of work involved would determine when the meeting would be held. He felt the fall of this year was likely.

Celery Bog

Chuck Corn approached the Board and asked the Surveyor if he had a chance to arrange a meeting with the Great Lakes Chemical Corporation and West Lafayette concerning the Celery Bog. The Surveyor stated since the meeting last week with West Lafayette's Engineer, he had not spoke with anyone. The Surveyor stated water was no longer across Cumberland Avenue and was receding slowly. Mr. Corn stated he would stay on top of the situation.

At this time the public comments were ended. John Knochel thanked the landowners who had attended. Ruth Shedd suggested the Anson Ditch landowners come to an agreement on a fair figure for assessment.

Due to the recent rainfall, the following drains were noted by the Surveyor as in need of maintenance; J.R. Hoffman, J.N. Kirkpatrick, Anson, McKinney, Elliott, Waples McDill, Ann Montgomery, Kirkpatrick One, J. K. O'Neal and the Cuppy McClure which drained the celery bog. He stated his office had been out every day checking drains. There were also problems on Indiana Creek however DNR had the jurisdiction. There had been several subdivision drainage calls and his office was following up on those as well.

At that time as there was no other business before the Board, KD Benson motioned for an adjournment and Ruth Shedd seconded the motion. The meeting was adjourned.

John Knochel, President

KD Benson, Vice President

Brenda Garrison, Secretary

Ruth Shedd, 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
June 1, 2005
Regular Meeting

Those present were:

Tippecanoe County Drainage Board Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Doug Masson for Dave Luhman Drainage Board Attorney, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison and GIS Technician Shelli Muller. County Highway Supervisor Mike Spencer was also in attendance. Drainage Board President Ruth Shedd was absent.

Approval of Minutes

KD Benson made a motion to approve the April 6th, 2005 Regular Meeting as well as the April 11th, 2005 Special Drain Meeting minutes as written. John Knochel seconded the motion. The aforementioned minutes were approved as written.

Creasy at the Crossing/Easement Reduction

Mr. Matt McQuen appeared before the Board to request a drainage easement reduction of the S.W. Elliott Branch #13 Regulated Drain, located within the Creasy at the Crossing Subdivision. The existing drainage easement was established along the western portion of the subdivision in 1999. Mr. McQuen proposed a reduction of the existing easement to 75 feet. The easterly line of the proposed easement would be located approximately 30 feet east from the outside diameter of the existing two twin 66" pipes. Due to the existing State Road 38- 110 feet permanent easement, Mr. McQuen informed the Board a request was also made to INDOT and their acceptance of the reduction of the permanent easement was pending today's Board action.

The Surveyor recommended approval of the proposed easement pending review of the plat by the Board Attorney. KD Benson made the motion to approve the proposed drainage easement to 75 feet. John Knochel seconded the motion and the reduction of the drainage easement within Creasy at the Crossing was approved. At the suggestion of the Attorney, Mr. McQuen stated he would present the request at the June 6th, 2005 Commissioners meeting.

J.N. KIRKPATRICK Regulated Drain /Branch #5

Mr. Mike Wylie of Schneider Corporation appeared before the Board to request a portion of the JN Kirkpatrick Regulated Drain be vacated. A portion of Branch #5 existing 150 feet drainage easement crossed through the Wal-Mart Center in the northern portion of the site. The drain continued west, then southwest and intersected with the new improvements of the Promenade Parkways storm infrastructure. The developer and contractor for Stones Crossing Subdivision previously confirmed the tile was tied into storm system. Mr. Wylie stated that vacated portion of the tile was investigated to insure no existing flow at that location. The tile was excavated at five locations and showed no evidence of flow. It was then traced back to a manhole located at the southwest corner of the Concord Road and Co. Rd. 350. The manhole and entry point of the tile showed no evidence of flow. Mr. Wylie then requested approval for the vacation of the existing portion of Branch #5 of the SW Elliott Regulated Drain located at the Wal-Mart Center, as well as the existing 150 feet drainage easement. As a result of the reduction and vacation, a 30 feet drainage easement would be platted for Concord Plaza. Mr. Murray recommended the aforementioned portion of Branch #5 of the SW Elliott Drain vacation.

KD Benson made a motion to grant conceptual approval of the partial vacation request of Branch #5 of the JN Kirkpatrick Regulated drain as presented. The approval was pending the submittal of plans showing the vacation location with the Surveyor office. John Knochel seconded the motion and the JN Kirkpatrick Regulated Drain Branch # 5 was granted the vacation as requested, pending submittal of the location plans.

Huntington Farms Subdivision Phase 3 Section 2 and South ½ of Phase 4

As there was no representative to present the project to the board, KD Benson made the motion to continue the presentation to the July meeting. John Knochel seconded the motion and a continuance was granted.

Darby Wetherill Widmer Extension

The Surveyor presented a waiver request from the Benton County Drainage Board regarding the Widmer Extension of the Darby Wetherill Regulated Joint Drain. As a major portion of the benefited acres lied within Benton County, the Benton County Board requested a waiver for a joint board. 2400 feet of tile along the East side of CR 900 West in Shelby Township, extending approximately 80 feet East of the West section line of Section 11 Township 24N and Range 5W and 2400 feet South of the existing Darby Wetherill ditch. Mr. Murray recommended the waiver as requested. KD Benson made a motion to grant a waiver of a Joint Drainage Board for the Widmer Extension of the Darby Wetherill Drain to Benton County. John Knochel seconded the motion and a Joint Drainage Board waiver for the Widmer Extension of the Darby Wetherill Drain to Benton County was granted.

Delphine Anson Regulated Drain

The Surveyor updated the Board on the status of the Delphine Anson Regulated Drain future reconstruction and maintenance. He stated he was presently working on the Reconstruction and Maintenance Report for the Regulated Drain. He planned on requesting a landowner meeting date at the July Drainage Board meeting.

August Drainage Board Meeting Date Change

As a result of a conflicting schedule, the Surveyor requested a change of the August 3 2005 meeting date. A tentative date was August 2, 2005, however it was decided to set the date at the July Drainage Board meeting.

SWCD

Mrs. Remley thanked the Board for their time. She began by stating she did not recall ever formally meeting the Board to discuss ways of improving the relationship between the two offices in order to create efficient landowner service. Partners to the Indiana State Department of Agriculture Division of Soil Conservation and the USDA Natural Resources Conservation Service, she stated they are the local clearinghouse for natural resource information. Their plans encompassed the agricultural and urban communities, as well as soil and water resources. She stated the vision of the Department was to ensure healthy forests, productive water resources, sustainable communities as well as clean water and stable soils. As a result the office focused on water quality issues not quantity. They receive many drainage issue calls and try to assist whenever possible. She concluded by assuring the Board with open communication between their office and the Drainage Board while stating she looked forward to working together in the future. At that time she introduced Sue Gerlach resource specialist, formerly of the SWCD division and now with the newly formed Indiana State Department of Agriculture.

Sue appeared before the Board and thanked them for their time. Her agency was in the process of developing a mission statement and an organizational structure. She would be able to assist the SWCD/ Drainage Board and community through the Federal Farm Bill related programs and State projects, such as the Lake and River Enhancement Watershed Land Treatment Program. She stated historically her position had assisted the SWCD office with Rule-5 reviews and other urban conservation related concerns. Due to her new position, the SWCD district would be left short of being able to assist all the other non-related questions and concerns from the public. She expressed concern for the issues which she felt would "slip through the cracks" due to the department change. At that time she thanked the Board for their time and stated she had worked well with the Surveyor in the past and hoped this would continue. She then introduced Mr. Marc Eastman.

Mr. Marc Eastman of the Soil, Water, Conservation District appeared before the Board to give a brief description of the duties of his office as well as promote unity between the two entities. Mr. Eastman defined the drainage role of the SWCD and reviewed their wetland policy. He stated the landowner held responsibility of obtaining proper permits through IDEM and DNR as well as the notification of surrounding landowners. At the surveyor's inquiry, Mr. Eastman stated the SWCD office drainage and aerial records would be available for the Surveyor office to scan and copy.

At that time the Surveyor thanked the SWCD members for their presentations to the Board and stated historically they had a good working relationship. He thanked the SWCD office for their agreement of sharing their drainage records with the Board for the purpose of scanning and copying. This would insure a more efficient Drainage Records Library for all involved. He also felt the landowners of the County would benefit from open communication between the entities involved.

Water Safety Presentation/Mike Wylie

Mr. Mike Wylie appeared before the Board to present a Water Safety Power Point presentation. He stated recommendations contained in the report were in hopes of improving an ever-increasing concern. One out of every four unintentional injuries for children ages one to four years involved drowning. Education for public awareness was a priority and the safety of children in particular. Adopting standards for smart development was a focus of the committee. Retention pond design changes should be monitored and vandalism was also a concern. The new Tippecanoe County Stormwater Ordinance incorporated some of the committee’s concerns. A copy of the presentation was provided to the Surveyor Office in hard and digital format. He thanked the Board for their time and this Board and several individuals, developers within the community took stated water safety seriously. The Surveyor and the Board thanked Mr. Wylie for his presentation and the time he spent with the issue.

Valley Ridge PD/Maintenance Bond # 104478499

The Surveyor presented and recommended the acceptance of Maintenance Bond # 104478499 submitted to his office by Milestone Contractors dated March 21, 2005 in the amount of \$650.00 for Earthwork, Erosion Control and Storm sewer outside the Public Right of Way. KD Benson made a motion to accept Maintenance Bond # 104478499 as presented by the Surveyor. John Knochel seconded the motion. The Board accepted maintenance Bond # 104478499 dated March 21, 2005 in the amount of \$650.00 for Valley Ridge Planned Development.

The Orchard Phase 2 Section 1/ Maintenance Bond ## 1104456650

The Surveyor presented and recommended the acceptance of Maintenance Bond # 1104456650 submitted by Milestone Contractors dated March 21, 2005 in the amount of \$1547.00 for Earthwork, Erosion Control and Storm sewer outside the Public Right of Way. KD Benson made a motion to accept Maintenance Bond # 104456650 as presented by the Surveyor. John Knochel seconded the motion. The Board accepted Maintenance Bond # 104456650 dated March 21, 2005 in the amount of \$1547.00 for The Orchard Phase 2 Section 1.

Ruth Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
August 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 and GIS Technician Shelli Muller. County Highway Supervisor Mike Spencer was in attendance also.

Approval of Minutes

John Knochel made a motion to approve the July 6, 2005 minutes as written. KD Benson seconded the motion. The July 6, 2005 Drainage Board Regular Meeting minutes were approved as written.

Arnett Ambulatory Surgery Center

Jon Perry of Gresham Smith and Partners representing Arnett Hospital appeared before the Board to request final approval for Arnett Ambulatory Surgery Center. The site was located at the southeast corner of County Road 500 East and County Road 100 South (McCarty Lane). The entrance drive would be constructed off of County Road 500 East. This project would outlet to the Julius Berlowitz Regulated Drain and was tributary to the planned Berlowitz Regional Facility. Mr. Perry stated the project consisted of a single story 45,000 square foot building ambulatory surgery center located on the southwest corner of the site. He stated he was in agreement with the July 27, 2005 Burke memo and planned to meet all the conditions listed. At that time he requested final approval for the project.

The Surveyor stated the project had been reviewed and discussed on numerous occasions by the Board. The site was included in the overall design for Arnett Hospital. However the Hospital withdrew their plans and was now requesting final approval for the proposed Ambulatory Surgery Center only. The Surveyor reviewed the site utilizing GIS for the Board. He then recommended final approval with conditions as stated on the July 27, 2005 Burke memo. He pointed out condition one addressed the forthcoming Berlowitz Regional Detention Fees, and noted Arnett was aware of the forthcoming fees. Construction of the County detention facility would require the removal of approximately half million cubic yards of soil. Arnett had expressed interest in obtaining soil for their site once a partner was obtained for the remainder of the site. The Surveyor hoped an agreement could be worked out for the County and Arnett that would benefit both. He then recommended a condition be added stating the Phase II Stormwater fees (once determined by the Phase II Project Team) would be paid by the Center. As a designated entity under Phase II of the Clean Water Act, they are currently looking at approximately \$30-\$40 an acre plus a \$250 fee. An official notice from IDEM (Indiana Department of Environmental Management) had been received stating Tippecanoe County was granted the authority to oversee the implementation of the Rule 5 approvals, reviews, and inspections. The Soil and Water Conservation and IDEM would no longer be enforcing the Rule. IDEM would be overseeing Tippecanoe County implementation of the Rule. The inspections would focus on an approved project's water quality treatment devices each year for a three-year period. John Knochel asked if the added condition was agreeable. Mr. Perry and Brian Elmor (representative for Arnett) agreed to pay the yet to be determined fees. In response to Mr. Perry's inquiry, the Surveyor stated two copies of the post construction Stormwater Manual would be required. The Surveyor noted all practices should be included in the manual to assist in the field inspections.

John Knochel made a motion to grant Arnett Ambulatory Surgery Center final approval with the conditions as listed on the July 27, 2005 Burke memo as well as the added condition of the Regional Detention fee payment. KD Benson seconded the motion. Arnett Ambulatory Surgery Center was granted final approval with the conditions as listed on the July 27, 2005 Burke memo as well as payment of the forthcoming Regional Detention fees.

Polo Fields

Paul Coutts of C&S Engineering representing David Zimmerman appeared before the Board to request final approval for the Polo Fields Subdivision project. The site located on the north side of County Road 200 North east of County Road 400 East consisted of approximately 18 acres. A fourteen lot single-family residential development was planned. Storm sewers and rear yard swales would be constructed and drained to a proposed dry detention basin north of lot eleven. The final outlet would be the existing pond of the Watkins Glen Subdivision north of the proposed site. Mr. Coutts stated an open pipe was

located in the northwestern corner of lot seven and was routed to the detention basin. A low area near the northwestern corner of lot twelve would be routed to the basin as well. From the detention basin through a vegetative swale located at the site's northwestern corner, the runoff would outlet into the existing pond located on lot thirty-five within Watkins Glenn Subdivision. Mr. Coutts stated they concurred with the conditions listed on the July 21, 2005 Burke memo and requested final approval. Ruth Shedd then opened the floor for public comment. Mark Zimpher located at 2300 Shana Jane Drive approached the Board. Mr. Zimpher who resided on lot 36 in Watkins Glenn Subdivision stated he had met with the Surveyor previously concerning this development. He was concerned with the amount of drainage, which would be directed to Lot 35 of Watkins Glen, as his lot was located immediately to the north, and felt he would also be affected by the proposed drainage. The Surveyor referred his comments to Mr. Coutts for a response. Mr. Coutts stated as part of the study, calculations were completed on the quality and quantity of runoff as well as runoff modeling to Pond A in the Polo Fields Subdivision as well as the pond in Watkins Glenn known as Pond B. He stated they did not exceed the 100-year limits, nor do they overtop or go out the existing 100-year easement. He stated the system design was more than adequate to accommodate Polo Fields Subdivision. He stated the requirements of the Drainage Board had been met. The Surveyor utilized GIS for review of the site. When reviewing this project he asked the consultant and developer to find a more direct outlet. Due to the defined path, the existing Watkins Glenn pond system seemed to be the natural way to route the water. There was also a study and calculations of the pond system previously completed at hand for review. Dave Eichelberger the Board's Drainage Consultant, confirmed runoff would stay within the existing easement and pond system in Watkins Glenn as Mr. Coutts had indicated. He noted an increase in depth and amount of water would be minimal. He then discussed the options, reviewed and studied previously by the consultants and developer. He stated given the site and the surrounding area, he felt the proposal was the best solution for the project. Mr. Zimpher noted the septic systems were in the rear of the lots' thirty five on down' close to the drop off by the existing pond and was concerned runoff would have a negative effect. The Surveyor stated he felt it would not negatively affect shallow septic systems. He noted however if a flood such as one comparable to the 2004 flood happened then a negative effect was possible. Dina Flores of 3911 Shana Jane Drive Lafayette approached the Board at that time. She stated she was concern with overflowing of the pond and standing water. The Consultant reviewed the Ordinance requirements and specifically the peak time during storm events. The Surveyor also stated it was his opinion that the drainage design presented was the best solution for the area in question. In response to Dina Flores request concerning the Watkins Glenn Pond outlet view, Mr. Coutts stated the developer would be willing to plant shrubs and/or tall grass around the outlet. The Consultant noted the flow of water must not be obstructed. The Surveyor noted the Drainage Ordinance was in place to protect people up and downstream of developments. He then reviewed the inspection process for all attendees. Richard Snodgraph of 3932 East 200 North Lafayette approached the Board at that time. He stated Bob Gross designed the drainage for Watkins Glenn South Part 6 Phase 2. He noted the amount of money he had spent to date for a drainage system of the development and stated he felt the proposed design was appropriate for the area and type of soil. He stated the Watkins Glenn pond was constructed in 1988 and has been dry to date. The Surveyor stated the proposed lots were large and a lot of grassed areas would be on the lots. The pond in Watkins Glen was a dry bottom detention pond and the proposed study was reviewed, the surrounding area was taken into consideration.

The Surveyor then recommended final approval with conditions as stated on the July 21, 2005 Burke memo. He noted item number 8 on the July 21, 2005 Burke memo which stated "...the Indiana Department of Environmental Management and the Tippecanoe County Soil and Water Conservation District... should state the" Indiana Department of Environmental Management and the Tippecanoe County Surveyor Office".... He also recommended an added condition for payment of Phase II Stormwater fees (pending determination by the Phase II Project Team) to be paid by the developer of the project. John Knochel then added a condition stating the developer must work with the owner of lot thirty-five in the Watkins Glenn Subdivision concerning landscaping around the outlet pipe. John Knochel made a motion to grant final approval for Polo Fields Subdivision with conditions as noted on the July 21, 2005 Burke memo in addition to landscaping around the outlet pipe at the Watkins Glen pond location and the revised verbiage of item number eight on said memo along with the said Stormwater fees. KD Benson seconded the motion. Polo Fields Subdivision was granted final approval with the conditions stated on the July 21, 2005 Burke memo in addition to landscaping around the outlet pipe at the Watkins Glen pond location and the aforementioned revised verbiage of item number eight on said Burke memo.

Buffalo Wild Wings

Mike Wylie of Schneider Corp. appeared before the Board to request final approval for Buffalo Wild Wings. The project site was within the City of Lafayette and was being reviewed by the Board for the drainage only. Mike stated the City of Lafayette had approved their plans. The site consisted of a 1.8 commercial lot (Lot 2 in the Creasy at the Crossing Section 1- approved in 1999) south of the intersection of Creasy Land and State Road 38. Branch 13 of the SW Elliott Regulated Drain was located along the western limits of the site and parallel to Creasy Lane. At the time of approval for Creasy at the Crossing Subdivision, the open ditch, which was Branch #13, was enclosed with dual 66" pipes. The Board had previously granted approval for a reduction of the Drainage Easement to thirty feet from the outside face of the southeasterly pipe. Mike

then stated they concurred with the July 15, 2005 Burke memo. He then noted parking asphalt was located within the easement and was requesting an encroachment on the Regulated Drain. The Surveyor stated he thought the intention of the previously granted easement reduction was to allow the workers with their equipment enough room for drain repair in the future therefore a formal Petition to Encroach on the Regulated Drain was warranted in this case. The Petition should state the County was not responsible for any damage incurred to the area of encroachment while repairing the drain. He stated he would still like to see the thirty-foot easement in place. Mike explained a result of keeping the thirty-foot easement would put the site plan in noncompliance with City Parking Ordinance. He stated the developer was aware the County had the right to enter and repair the drain with no fault for damages to the pavement or curb and noted there was no lighting, plantings located within the easement. Ruth Shedd asked if the developer submitted a letter of acceptance of damage costs, if that would be sufficient. The Surveyor noted whatever the Board agreed to would be sufficient. He was prone to protect the work zone on urban and regulated drains. While the chance of tracking over the lot with an excavator for repair of the pipes were slim, having to protect the area from damage would cost landowners more money. Protective mats would be warranted and result in a higher cost of repair passed on to the owners of the properties within the watershed. He noted however, there were locations where the easement was much closer, for example to the top of bank of a ditch such as the SW Elliott- Treece Meadows Relief Drain. In fairness, while he did not like it, the Board had accepted it in the past. In response to KD'S inquiry, Mike stated the encroachment was twenty-five feet and within five feet of the pipe. The Attorney confirmed a formal Petition of Encroachment on a Regulated Drain along with a proposal of the developer's rights and the County's rights was in order. The Surveyor then stated the Board should understand if repair was warranted, the parking lot could be tore up and the owner/developer would be responsible for the cost of repair. The Attorney stated specific verbiage indicating the Developer's responsibility in a separate document accompanying the formal Petition to Encroach on a Regulated Drain. Mike stated the developer would be in agreement. The Surveyor then recommended final approval for Buffalo Wild Wings' release rate into Branch #13 of the SW Elliott Regulated Drain with the conditions stated on the July 15, 2005 Burke memo, as well as the condition of the Developer/Owner's requirement to file for an Encroachment Permit. (Which specifically should state they were aware if replacement or maintenance were warranted, the County would not be responsible for the restoration cost of their parking lot) John Knochel made a motion to grant final approval to Buffalo Wild Wings with the conditions stated on the July 15, 2005 Burke memo, as well as the added condition of filing an Encroachment Petition on a Regulated Drain. Final drainage approval would be subject to the aforementioned Petition's approval by the Board. KD Benson seconded the motion. Buffalo Wild Wings was grant final approval with the conditions as stated.

Stones Crossing Section 4 Subdivision

Brian Keene appeared before the Board to request final approval for Stones Crossing Section 4 Subdivision. As the final phase of the overall development, Section 4 would consist of 144 single-family residences on approximately fifty acres. The site was located west of County Road 250 East (Concord Road) and north of County Road 430 South. The JN Kirkpatrick Regulated Drain reconstruction project design had accounted for the developed runoff condition. The said regulated drain ran along the northern portion of the project site. Brian stated most of the infrastructure for section four had been constructed during previous phases of the development and the main trunk line was completed during construction of sections one and two of the development. Since approvals were granted for the previous phases/sections prior to the Phase II requirements, additional outlets, extra riprap and vegetated swales were added to assist with runoff control. The Surveyor noted the development's different phase/sections (one of several developments), were approved before and after the Phase II requirements. A good portion of the site's infrastructure was approved and constructed before the implementation of Phase II requirements. The development received prior approval for direct discharge to the JN Kirkpatrick drain (as designed and modeled), with no onsite detention. The Surveyor felt a fair compromise had been reached concerning the additional riprap vegetation of swales etc. The Surveyor reminded Brian of the required Phase II fees and Brian confirmed he was aware of a required payment and agreed to payment of such fees.

The Surveyor then recommended final approval for Stones Crossing Section Four with the conditions as stated on the July 28, 2005 Burke memo, as well as the payment of Phase II fees. John Knochel made a motion to grant final approval for Section Four of Stones Crossing Subdivision with the conditions as stated on the July 28, 2005 Burke memo as well as the payment of forthcoming Phase II fees. KD Benson seconded the motion. Stones Crossing Section four was granted final approval with conditions.

JB Anderson Regulated Drain / Petition to Encroach

Tim Beyer of Vester and Associates appeared before the Board to request the approval of an Encroachment on a Regulated Drain Easement Petition submitted by David and Martha Stevenson. He stated the southwest corner of the tract was to be divided by the petitioners and access was needed from County Road 1000 South. Based on conversations with the Surveyor an Easement (within the outer twenty-feet of the existing seventy-five feet legal drain easement) had been written for the

location of the driveway and utilities. There was an existing crossing over the drain the planned drive would utilize as well. The Surveyor asked if the culvert's size had been checked prior to the request. Tim stated it had not. The Surveyor then stated the petitioners were responsible for the crossing, and if undersized, based upon the Surveyor's judgment, they would be obligated to upgrade the culvert. As there was no other access, the Surveyor recommended granting the Encroachment Petition as it was put at the back of the seventy-five feet regulated drain right of way from top of bank. As the parcelization process continued, he asked a filter or buffer strip be put in place. John Knochel made a motion to grant the Petition to Encroach on the JB Anderson Regulated Drain as submitted by David and Martha Stevenson. KD Benson seconded the motion. The Attorney noted although a draft resolution was submitted along with the petition, it was not necessary. The Petition to Encroach on the JB Anderson Regulated Drain as submitted by David and Martha Stevenson was approved with no resolution by the Board.

JN Kirkpatrick Regulated Drain/ Drainage Impact Area Resolution

Ruth Shedd opened the floor to the Surveyor concerning the JN Kirkpatrick Regulated Drain Drainage Impact Area Resolution. The Surveyor reminded the Board the upper end of the JN Kirkpatrick east of Concord Road was previously voted to be a Drainage Impact Area and designated as an Urban Drain, by definition was in need of reconstruction. He then recommended adopting the Drainage Impact Area Resolution drafted by the Board Attorney. The Attorney explained the effect of the resolution would impose additional requirements for developments within the watershed or designated impact area. Those requirements were, first all Stormwater Drainage Control Systems within the JN Kirkpatrick Drainage Impact Area should participate in the JN Kirkpatrick Regional Detention Basin, second each stormwater drainage system within the JN Kirkpatrick Impact Area should provide a positive outlet to the JN Kirkpatrick Legal Drain, third the developer of each stormwater control system within the JN Kirkpatrick Impact Area should petition to establish all internal drainage facilities as regulated drains as a condition of approval and may be required to waive its right to remonstrate against higher rates for reconstruction of those internal improvements, which were regulated drains. The Surveyor noted the boundary ran approximately from Concord Road just south of County Road 450 South, through Avalon Bluffs Development and the Halderman property up to 350 South and over just east of US 52. In response to KD inquiry, the Surveyor noted a watershed map was prepared and would be attached to the resolution as Exhibit A. At that time the watershed was reviewed utilizing GIS. The Surveyor noted the entire watershed east of Concord Road was the Drainage Impact Area. Ruth Shedd asked for comment and there was none. John Knochel made a motion to adopt Resolution Number 2005-05-DB establishing the area within the boundary of Concord Road just south of County Road 450 South, through Avalon Bluffs Development and the Halderman property up to 350 South and over just east of US 52 as the JN Kirkpatrick Drainage Impact Area. Exhibit A would be attached to the resolution as required. KD Benson seconded the motion. Resolution Number 2005-05-DB with Exhibit A which established the JN Kirkpatrick Drainage Impact Area was adopted as presented.

Steve Murray

Bridlewood Subdivision/Letter of Credit #284

US 52 South Industrial Subdivision Phase 2/ Letter of Credit #277

The Surveyor submitted the following Letters of Credit for acceptance by the Board. Letter of Credit #284 with Lafayette Savings Bank submitted by A&K Construction for Bridlewood Subdivision in the amount of \$17280.00 dated April 26, 2005 and Letter of Credit #277 submitted by Superior Structures for US 52 South Industrial Subdivision Phase 2 in the amount of \$3860.00 and dated January 7, 2005. John Knochel made a motion to accept Letter of Credit #284 with Lafayette Savings Bank submitted by A&K Construction for Bridlewood Subdivision in the amount of \$17280.00 dated April 26, 2005 and Letter of Credit #277 submitted by Superior Structures for US 52 South Industrial Subdivision Phase 2 in the amount of \$3860.00 and dated January 7, 2005. KD Benson seconded the motion. The Letters of Credit were accepted as presented by the Surveyor.

Delphine Anson Regulated Drain #4/Reconstruction Report

Lewis Jakes Regulated Drain #40/Reconstruction Report

The Surveyor submitted Reconstruction Reports on the Delphine Anson Regulated Drain #4 as well as the Lewis Jakes Regulated Drain #40 for acceptance. The Board was familiar with both drains as they have been top on the Surveyor's list for maintenance and/or reconstruction. A copy of each report was provided to and reviewed for the Board. The Surveyor utilized GIS during his review indicating areas of planned reconstruction work for both the Anson and the Jakes Regulated Drains. Packets were provided to the Board indicating the planned maintenance as well as reconstruction costs and assessments to the individual landowners of each regulated drain.

Regarding the Anson Regulated Drain Reconstruction Report, the Surveyor stated it was his opinion no damages would be sustained by any landowners as a result of the reconstruction and he had considered all benefits to each parcel of land. It was his opinion, the expense of the proposed reconstruction would be less than the benefits occurred by each landowner and the benefits were not excessive. It was his opinion each acre of land was benefited by the recommended rates per acre and that all tracts or lots were benefited by the per lot rates as recommended and all the tracts or lots were benefited by the minimum rates as recommended. He stated he believed he had addressed all requirements by Indiana Drainage Code for the reconstruction reports. He noted the official record provided all of the rates recommended; reconstruction, periodic maintenance during reconstruction and periodic maintenance after reconstruction. He noted the watershed acreage was checked with the GIS two-foot contours. He also recommended extending the terminus of the drain from the existing outlet including the open ditch section, which was in need of cleaning and clearing. John Knochel made a motion to accept the Delphine Anson Regulated Drain #4 Reconstruction Report as submitted and reviewed for the Board by the Surveyor. KD Benson seconded the motion. The Delphine Anson Regulated Drain #4 Reconstruction Report was accepted as presented. John Knochel then made a motion to schedule August 29th, 2004 at 11:00 a.m. for the Delphine Anson Regulated Drain #4 Reconstruction Landowner Hearing. KD Benson seconded the motion. August 29th, 2004 at 11:00 a.m. was set for the Delphine Anson Regulated Drain #4 Reconstruction Landowner Hearing. A copy of the said Reconstruction Report would be included in the Official Minutes Book with the August 29th official landowner hearing minutes.

Regarding the Lewis Jakes Regulated Drain #40 Reconstruction Report the Surveyor noted most likely the County Highway Department would need to reconstruct the culvert at County Road 750N (while at this time it was not an absolute). He reviewed the proposed rates per acre/lot for the Board. He stated it was his opinion no damages would be sustained by any landowners as a result of the reconstruction and he had considered all benefits to each parcel of land. It was his opinion, the expenses of the proposed reconstruction would be less than the benefits occurred by each landowner and the benefits were not excessive. It was his opinion each acre of land was benefited by the recommended rates per acre and that all tracts or lots were benefited by the per lot rates as recommended and all the tracts or lots were benefited by the minimum rates as recommended. He stated he believed he had addressed all requirements by Indiana Drainage Code for the reconstruction report. He then stated the official record provided all of the rates recommended; reconstruction, periodic maintenance during reconstruction and periodic maintenance after reconstruction. John Knochel made a motion to accept the Lewis Jakes Regulated Drain #40 Reconstruction Report as submitted and reviewed by the Surveyor as well as schedule the landowner hearing of the report and plans on August 29, 2005 at 10:00 a.m. KD Benson seconded the motion. The Lewis Jakes Regulated Drain #40 Reconstruction Report was accepted and the Lewis Jakes Regulated Drain #40 Reconstruction Landowner Hearing was set for August 29, 2005 at 10:00 a.m. A copy of the said Reconstruction Report would be included in the Official Minutes Book with the August 29th official landowner hearing minutes.

Ruth Shedd opened the floor for public comment. Deanna Durrett from the Clinton County League of Women's voters approached the Board and stated she was impressed with its actions today. She was visiting several County Drainage Board Meetings surrounding her County to gain knowledge of a Drainage Board's duties and process. The Surveyor agreed to speak with her immediately following the meeting today and answer any specific questions.

As there was no other business before the Board, John Knochel made a motion to adjourn. KD Benson seconded the motion. The meeting was adjourn.

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

March 24, 2006

Tippecanoe County Drainage Board

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Tippecanoe County Drainage Board
Minutes
August 20, 2007
Special Meeting

Those present were:

Tippecanoe County Drainage Board Vice President Ruth Shedd, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance. Drainage Board President John Knochel was absent.

Lewis Jakes Regulated Drain and D. Anson Regulated Drain/ Bid Letting

Lewis Jakes Regulated Drain Reconstruction Bids

Vice President Ruth Shedd opened the meeting and referred to the Board Attorney for reading of the Bids submitted on the Reconstruction of the Lewis Jakes Regulated Drain and the D. Anson Regulated Drain. The L. Jakes Regulated Drain bids would be opened first. Attorney Dave Luhman read the L. Jakes Regulated Drain Reconstruction Contract bids as follows: Milestone Contracting- total bid was in the amount of \$286,400.00, Fairfield Contractors Inc. - total bid was in the amount of \$146,668.00, Tony Garriott - total bid was in the amount of \$157,384.00, Rhino Excavating LLC. - total bid was in the amount of \$200,847.20, Rinehart Excavating - total bid was in the amount of \$165,307.02, Dwenger Excavating - total bid was in the amount of \$95,193.32 and R & W Contracting - total bid was in the amount of \$142,875.00. Dave recommended the bids would be taken under advisement. The packets would be reviewed to insure the contract documents submitted were in accordance with the contract requirements. KD Benson made a motion to take the bids under advisement. Ruth Shedd seconded the motion. All contract bid packets submitted were taken under advisement and would be reviewed for the proper documentation. The Surveyor stated his estimate for the L. Jakes Regulated Drain Reconstruction was \$148,980.00.

D. Anson Regulated Drain Maintenance Bids

Ruth Shedd referred to the Board Attorney for the opening of the D. Anson Regulated Drain Maintenance bids. One bid was submitted by Dwenger Excavating in the amount of \$49,801.00. Dave recommended the bid would be taken under advisement. The Surveyor's estimate was in the amount of \$41,663.00. KD Benson made a motion to take the bids under advisement. Ruth Shedd seconded the motion. The Surveyor recommended a special meeting to award the bids. Discussion was held as to date and time for said meeting; however one was not set at that time. The board would review their calendars and a date would be provided.

As there was no other business before the Board KD Benson 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
August 23, 2007
Special Meeting

Those present were:

Tippecanoe County Drainage Board President John Knochel, Vice President Ruth Shedd, member KD Benson, County Surveyor Steve Murray and Drainage Board Secretary Brenda Garrison. Drainage Board Attorney Dave Luhman was absent. Mr. Jim Dwenger was in attendance.

Lewis Jakes Regulated Drain and D. Anson Regulated Drain/ Bid Award

Lewis Jakes Regulated Drain Reconstruction Bids

John Knochel opened the meeting and referred to the Surveyor. The Surveyor stated he had reviewed the documents and calculated all bids. He confirmed Dwenger Excavating Contractors Inc. had submitted the low bid. He recommended the Board award the Lewis Jakes Regulated Drain Reconstruction Contract to Dwenger Excavating Inc. Ruth Shedd made a motion to award the Reconstruction Contract to Lewis Jakes Regulated Drain Reconstruction to Dwenger Excavating Inc. KD Benson seconded the motion. The Lewis Jakes Reconstruction Contract was awarded to Dwenger Excavating Inc. The notice to proceed would be presented to Dwenger Excavating Inc. on this date.

D. Anson Regulated Drain Maintenance Bids

The Surveyor stated there was only one bid submitted for the D. Anson Regulated Drain Maintenance project. While the bid was a little high (both stretches of tile lie in wet areas). Due to the time of year he felt it was in the Board's best interest to award the contract to Dwenger Excavating Inc. so he could get started on the work as soon as possible. Ruth Shedd made a motion to award the D. Anson Regulated Drain Contract to Dwenger Excavating Inc. KD Benson seconded the motion. The D. Anson Regulated Drain Maintenance Contract was awarded to Dwenger Excavating Inc. The notice to proceed would be presented to Dwenger Excavating Inc. on this date.

As there was no other business before the Board 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
April 2, 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 Kerry Daily 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 March 5, 2008 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The March 5, 2008 Drainage Board meeting minutes were approved as written.

Speedway Fuel Station

Ross Nixon from Schneider Corporation appeared before the Board to present the Speedway Fuel Station project. The site consisted of approximately 1.6 acres and was located within the City of Lafayette at the corner of S.R. 38 and Creasy Lane. The site drained to two branches of the S.W. Elliott Regulated Drain known as the Wilson Branch and Branch #13. Currently the southwest portion of the site was tributary through the Torchwood condominiums to the Wilson Branch. The north and east portions of the site were tributary through the Creasy Lane and SR 38 infrastructure to Branch #13 of the S.W. Elliott regulated drain. (2- 66" culverts east side of Creasy Lane) Future plans were to reroute this to the F-Lake Regional Basin. IN general the proposed condition would maintain the existing drainage pattern. The majority of the site would be collected in curb inlets within the parking lot refueling areas and routed to existing infrastructure in the State Road 38 Right of Way. Underground detention would be used to meet the release rates at the State Road 38 Right of Way. Ross stated the calculations were completed for the future F-Lake Basin storage fees. Stormwater Quality requirements would be implemented on site with an aqua filter system prior to discharge. He then requested final approval from the Board. The Surveyor recommended approval with the conditions as stated on the March 27, 2008 Burke review memo. There was no public comment. John Knochel made a motion to grant final approval for the Speedway Fuel Station #3310 with conditions as listed on the March 27, 2008 Burke memo. Ruth Shedd seconded the approval. Speedway Fuel Station #3310 was granted final approval with conditions as listed on the March 27, 2008 Burke memo.

Tipmont REMC Substation

Brandon Fulk from Schneider Corporation appeared before the Board to request final approval for Tipmont REMC Lafayette Substation. The site consisted of approximately 1.94 acres and located north of the intersection of C.R. 500E and 450N on the east side of C.R. 500E. Brandon stated R.W. Beck was Tipmont's Engineering Consultant while Schneider Corp. helped with the site's drainage. The site drained to the northwest corner into a roadside ditch. A system of swales surrounding the gravel pad from the east side to the north side was planned and would tie into the roadside ditch which drained north. Brandon stated the master covenant would indicate the surface would remain gravel. He then requested an exemption to the Stormwater Quantity as the peak discharge and runoff volume would not be increased. He stated they agreed with conditions as stated in the March 28, 2008 Burke memo and requested final approval. Responding to John's inquiry, the Surveyor noted the exemption would be based on the fact runoff would not be increased. There was no public comment. The Surveyor recommended final approval with the conditions as stated on the March 28, 2008 Burke memo. He referred to the condition listed under Stormwater Quantity and stated in the future if the equipment yard was paved, a request for approval must be submitted to the Board and the exemption would not be in effect. John Knochel made a motion to grant final approval with conditions as stated on the March 28, 2008 Burke memo. Ruth Shedd seconded the motion. Tipmont REMC Lafayette Substation was granted final approval with conditions as stated on the March 28, 2008 Burke memo.

Lafayette Warehouse #9

Brandon Fulk from Schneider Corp. appeared before the Board to request final approval for Lafayette Warehouse #9. The site consisted of approximately 23.01 acres and located on Lot #2 of the Park 350 Subdivision. Stormwater detention and quality treatment for the site were provided by the existing pond in the southern portion of the subdivision and the site would utilize the existing constructed ditch. The project would have an indirect outlet to the JN Kirkpatrick Regulated Drain. Access to the docks would be on the north and south end. He stated they agreed with the conditions as stated on the March 27, 2008B Burke memo and requested final approval at that time. The Surveyor noted the overall drainage plan for Park 350 was previously approved by the Board. The infrastructure for the site was constructed and ready. This project met the requirements of the overall drainage plan. He recommended final approval with the conditions as stated on the March 27,

2008 Burke memo. John Knochel made a motion to grant Lafayette Warehouse #9 final approval with the conditions as stated on the March 27, 2008 Burke review memo. Ruth Shedd seconded the motion. Lafayette Warehouse #9 was granted final approval with conditions as stated on the March 27, 2008 Burke review memo.

Davis Ferry Treatment Facility (aka Indiana American Water)

Jim Hurst (Overall Design Project Manager) from Indiana American Water appeared before the Board to request final approval for Davis Ferry Treatment Facility. He introduced John Duncan (Water Resources Engineer), Dave Elmer (Project Manager) and Chris Johnson (West Lafayette Operations Superintendent) to the Board as well. The site consisted of approximately 54 acres located on the west side of the intersection of Davis Ferry Road and Ninth Street north of the Wabash River. A concrete drive from Ninth Street would access the site. The site drained to Burnett Creek and ultimately to Wabash River. As a ground water treatment plant with 4 wells it would treat 9 million gallons of water per day at the start. One well will be located at the upper end of the farm land while the remaining three would be along the Burnett Creek. An infiltration system would filter the runoff prior to outletting into a constructed swale then entry into Burnett Creek. He referred to John Duncan. John stated the runoff would be captured upstream at the culvert under the proposed drive. Runoff beyond that would be captured by the new swale and taken from the Ninth Street ditch to the internal system and discharged into the Burnett Creek. Referring to the Stormwater quantity and quality, he stated they worked to have a very small environmental footprint associated with the project and both would be improved by the infiltration basin. Responding to KD, Jim stated they would cork closely with the Parks Board regarding an easement for the Wabash River Heritage Trail. A pipe would be placed under the trail so that the trail would not be disturbed. Kerry Daily noted the plans did not show the easement for the trail and the pipe within the easement. The exact route of the trail was not shown. The Attorney stated Wabash Heritage Trail Easement was specific and coordination with the Parks Board was required of the Developer. This would be an added condition of approval. Responding to the Surveyor's inquiry, Jim Hurst stated this project was exempt from IDEM Rule 6. There was no public comment. The Surveyor noted the conditions must be met and the required fees paid before construction may begin. He recommended final approval with the conditions as stated on the March 28, 2008 Burke review memo along with the added condition of Park Board approval regarding the Wabash River Heritage Trail. John Knochel made a motion to grant final approval with the conditions as stated on the March 28, 2008 Burke review memo with the added condition of Tippecanoe County Park Board approval for crossing the Wabash River Heritage Trail. Ruth Shedd seconded the motion. The Davis Ferry Treatment Facility was granted final approval with the conditions as stated on the March 28, 2008 Burke review memo to include the added condition of the Tippecanoe County Park Board approval for crossing the Wabash River Heritage Trail.

F-Lake Detention Pond

KD Benson stated the Commissioners received an email with a letter from Ivy Tech Community College and read it into the minutes as follows;

Dated March 28, 2008- Dear President Benson: We would like to express our appreciation to the Drainage Board for its support of our request to delay awarding the contract for F Lake. Thanks to your forbearance, we have had enough time to determine that it will be possible to create a campus plan with F Lake in its present configuration. The impact on the college will challenge parking and traffic flow, and, in a later phase of campus development, we will almost certainly have to find a way to have a parking structure. But for the moment, we can work around the pond without that expense. We are also pleased that Ivy Tech will be able to receive the soil from the excavation, resulting in a considerable reduction in cost for the project. Finally, we would like to thank you for bringing the design of F Lake up-to-date to reflect best practices in water quality and appearance. It is unavoidably a part of our campus and affects not only the college's functionality but its quality of life. We look forward to working with you as the project unfolds and as we review other drainage issues on the campus. Sincerely David A. Bathe Chancellor.

She then referred to the Surveyor. The Surveyor stated he recommended the low bid from P&H Grading and Excavating from Stockbridge Michigan be rejected for the following reasons: They did not submit the mandatory financial statement, they did not submit a list of equipment and plan to perform the work, they did not submit any of the items under Section 2 of Form 96, they did not demonstrate their capability to perform jobs of similar magnitude and scope as their experience as they only listed 2 jobs ranging from \$50,000 to \$92,000.00, they did not demonstrate adequate knowledge of earthmoving project given the extremely low unit prices on bid for excavation, they listed owner of project on form 96 as the State of Indiana. He informed them the bid would be rejected, they had no problem with that. John Knochel made a motion to reject the low bid from P&H Grading and Excavating. Ruth Shedd seconded the motion. The Surveyor then stated after review of the five lowest bids, he recommended the Board accept the bid from Poindexter Excavating Indianapolis in the amount of \$1,089,210.43. The Poindexter Excavating bid and documents were in order. John Knochel made a motion to accept the bid from Poindexter Excavating Indianapolis in the amount of \$1,089,210.43. Ruth Shedd seconded the motion. Poindexter Excavating was awarded the bid for the F-Lake Detention Facility project in the amount of \$1,089,210.43. Responding to

KD, the Surveyor noted they had done work in Tippecanoe County and they had a long list of projects which were completed of this nature regarding dirt work and moving. They have been in business for over 30 years.

Other Business

Capilano Estates

Michael Preyss appeared before the Board to discuss the Capilano Estates drainage. Mr. Preyss stated he was following up on last months meeting. He stated prior to 2004 the neighborhood had not flooded according to residents who lived in the neighborhood for 30 years. He felt the flooding in the neighborhood was a life safety issue for the neighborhood as well as the remainder of the county residents. The 6-8 week ago flooding shut down the street for 2 days and in particular his street for 3. During the time phone lines were out (flooded) Sheriff's deputies were not able to access the damage as they were not able to enter through the waters. A meeting was held with the neighborhood residents and they felt the following were possibly responsible: 1. The construction of Menards detention pond 2. The outlet drain (12" steel pipe) from the pond - (ownership in question / neighborhood would like clarification) undersized and higher than inlet pipes into the Capilano pond. He stated since the pipe is undersized and at a higher elevation it contributed to the flooding. They believe the pipe should be lowered and inspected to determine ownership and responsibility. 3. The portion of Indian Creek South of US 52 on County Road 400 West was overgrown and full of debris and needed cleaned out. He proposed Indian Creek be petitioned to a regulated drain and then cleaned out by the County. 4. The culvert under C.R. 400 West and one under the KBS Railroad were undersized. He spoke with Bob Garner President of KBS Railroad and stated Bob was very cooperative and offered to assist any way he could. He stated more than 100 homes in the Capilano neighborhood alone were affected by the flooding. He felt the new Meijer also contributed to the problem. Responding to John Knochels inquiry, Mike stated purchasing land for an additional entrance or an easement had not been pursued by the Homeowners association and felt there would not be funds to do so. John stated County funds could not be used and the financial responsibility would fall back on the Homeowners Association. The Surveyor explained the Menards pond was not a detention pond it was compensatory flood plain storage. The reason the pond was to compensate the portion of the flood plain which was filled in on the project site. As Indian Creek rose it would back into the pond and be stored to protect the downstream owners. Menards also has onsite retention pond which gathered the water and released it at the allowable rate per Stormwater Ordinance. Indian Creek extended approx. 6-7 miles to the north and had several tributaries to it with a massive watershed above the subdivision. IDNR did a floodway boundary study in 2004 which indicated profiles of the bridge under 400 West did not cause a significant rise in the floodplain for the 10, 50 or 100 year flood. However when you get to the culvert at the crossing at KBS Railroad (was Norfolk R.R.) it dropped dramatically which indicated one of the problems was at the railroad crossing culvert. The Surveyor also noted when Capilano Subdivision was developed there was not a drainage ordinance in effect. There was very little if any drainage plans on Capilano Subdivision. After the fact they improved the channel south of US52 from the culvert under US52. The Attorney then explained the power a drainage board has in general. He also discussed the petition process. He noted Indian Creek was considered a natural waterway and was subject to the jurisdiction of the Dept. of Natural Resources (D.N.R.). The Surveyor noted this was similar to Burnett Creek where each individual property owner was responsible for removal of debris in their area. Since this was not a regulated drain the Board has no jurisdiction. The Surveyor noted the recent 2 inch rainfall was not minor. Due to the ground condition (frozen) he felt it was equivalent to a 4-5 inch rainfall event in the summer. KD also suggested the Capilano homeowners look at adding another entrance to the Subdivision as an emergency route. John referred to the Attorney to explain the Obstruction Petition process to Mike. Mike stated he would discuss this with the homeowners and they may elect to follow that process. The Surveyor stated Menards was opened after the new Stormwater Ordinance was in effect and due to the area's history they were reviewed extensively by the Consultant and his office. KD Benson confirmed this as well. Meg Goldenfleet 3732 Capilano Drive approached the Board. Responding to Meg's inquiry, KD stated the Board's responsibility was to insure project release rates did not exceed existing rates prior to development. The Surveyor also stated as-built drawings were required on developments and they have to be signed by him once inspected. KD noted based on the models the Menards pond was functioning as designed. The Surveyor did not feel Menards was a problem. KD reiterated there was no scientific reason known to the Board that Menards was the cause of their flooding problem. Aaron Cook 3929 Deer Path Capilano Estates appeared before the Board. He discussed safety issues, liability and general costs associated with the flooding of Capilano.

F-Lake Detention Pond/ Construction Observation

The Surveyor presented a contract for Professional Services for F-Lake Regional Detention Facility for Part Time Construction Observation by Christopher B. Burke Engineering LTD in the amount of \$113,592.00. He recommended the Board approve the contract as presented. The Attorney had reviewed the contract. John Knochel made a motion to grant approval of the Part Time Construction Observation Contract for F-Lake Regional Detention Facility to Christopher B. Burke Engr. LTD. in the amount of \$113,592.00. Ruth Shedd seconded the motion. The Part Time Construction Observation for F-Lake Regional Detention Facility in the amount of \$113,592.00 was approved as presented.

Branch #1 of Branch #13 SW Elliott Regulated Drain / Petition to Partially Vacate

The Surveyor presented a Petition to Partially Vacate Branch #1 of Branch #13 of the S.W. Elliott Regulated Drain submitted by St. Elisabeth Regional Health New Acute Care Hospital. He reminded the Board a Petition to Partially Vacate across the Lambirth property (west of Creasy Lane) for this particular branch was granted last month. He recommended the approval of the Petition as requested. John Knochel made a motion to grant acceptance of the Petition to Vacate Branch #1 of Branch #13 of the S.W. Elliott Regulated Drain as presented. Ruth Shedd seconded the motion. The Petition to Partially Vacate Branch #1 of Branch #13 of the S.W. Elliott Regulated Drain submitted by St. Elisabeth New Regional Care Hospital was accepted as submitted.

JN Kirkpatrick Regulated Drain/ Petition to Encroach

The Surveyor presented a Petition to Encroach on the JN Kirkpatrick Regulated Drain Easement submitted by the Civil Site Group for the Stones Crossing Self Storage project. The Surveyor noted the encroachment was in the same area which the easements were in the City of Lafayette’s name. The Attorney confirmed the Board had the right to grant the encroachment within the right of entry of the Regulated Drain Easement. The city would have to address the encroachment into their easement. He stated he had spoken with the City Attorney and they were in the process of identifying all of the easements and convey those to the County now that construction was completed on the drain. John Knochel made a motion to grant approval of the Petition to Encroach into the JN Kirkpatrick Regulated Drain Easement. Ruth Shedd seconded the motion. The Petition to Encroach on the JN Kirkpatrick Regulated Drain Easement was approved as presented.

Detrash the Wabash

KD stated Detrash the Wabash was scheduled for Saturday May 17th and will be meeting at the Skating Rink for gloves and trash bags.

D. Anson Regulated Drain

Ruth Shedd stated she had a call from Ernie Agee 8533 North C.R. 100 West, West Lafayette regarding the Delphine Anson Regulated Drain. He stated work had been done on a portion of the ditch and he felt what had been done was not working. The Surveyor stated Homer Schaffer called him and informed him the drain was working much better since work had started on the drain. When the reconstruction was done, it was noted in the minutes the portion of the main needed to be replaced and the right of way needed to be cleared. The Surveyor noted at that time they were going to try at two spots to reconstruct and open up the tile to start flowing. This would help lower water level in the wetlands at the southwest corner of C.R.850 North and C.R. 100 West. This would assist in lowering the wetlands on Mr. Agee’s property and enable the staff to inspect tile condition. The new surface inlets or stand pipes would be installed at the terminus. He stated the intent was to reconstruct the tile to C.R. 100 West for the lowering of the water level so an inspection could be done. The Surveyor stated if the summer was fairly dry they would try to do more work on the tile. John Knochel asked the Surveyor to give Mr. Agee a call and update him on the status of the situation.

John Knochel made a motion to adjourn. As there was no other business before the Board, the meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

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

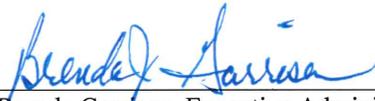
As there was no public comment. David Byers made a motion to adjourn. The meeting was adjourned.



Tracy A. Brown, President



Thomas P. Murtaugh, Vice President



Brenda Garrison, Executive Administrator



David S. Byers, Member