

The regular meeting of the Tippecanoe County Drainage Board met in the County Commissioners Room at 9:00 a.m., on Wednesday, May 2, 1973 with the following members present: Bruce Osborn, Robert Fields, Edward Shaw, A. D. Ruth, Jr., Fred Hoffman and Gladys Ridder.

Minutes Approved Upon motion by Bruce Osborn, seconded by Edward Shaw and made unanimous by Robert Fields, the minutes of the April 4, 1973 meeting were approved as read.

General Business The Board moved to share the cost of the highway on the extension of the Dunkin ditch. Mr. Ruth reported the Friendly Village had promised plans for the proposed water line but as yet had not submitted them. John Fisher, inspector for the county, has reported very poor supervision on the part of the contractor on this project and that a corrugated pipe should have been covered when leaving the project, but because it was not covered had partially filled with mud.

Mr. Hoffman suggested a permit should be required before any one could hook into a legal drain. The Board was much in favor also.

Ditches Referred The Board referred the following ditches to the Engineer for a maintenance fund, The Richard B. Wetherill ditch, Shelby Twp. in Tippecanoe County and Boliver Twp., in Benton County, Peter Saltzman ditch, in Perry and Washington Twps. in Tippecanoe County and Clay Township in Carroll County.

9:30 Maintenance Hearing on the E. Eugene Johnson Ditch The Surveyor read his report and made his recommendations on the Eugene Johnson ditch. He then read a remonstrance from: Ora S. & Mary E. Gish, Allen C. Boots, Bertha M. Criss, Harold E & Mary J. Sipple, Raymond L & Mildred L. Bradley, Otto Steiner and Malcolm Stingley. The basis of their objection was due to N & W railroad's need to construct a tile under their right-of-way to allow use of the outlet. Mr. Hoffman, the County Attorney, said he would contact the Attorney of the Railroad and suggested a postponement of this hearing until these problems could be resolved. Upon motion by Bruce Osborn, seconded by Robert Fields and made unanimous by Edward Shaw the Board moved to continue this hearing in the September 5, 1973 regular meeting. The only two who attended the hearing were: E. Eugene Johnson and Ora Gish.

10:15 Maintenance Hearing on the Martin V. Erwin Ditch The Surveyor opened the hearing on the Martin V. Erwin ditch by reading his report and making his recommendations to the Board. He read to the Board a letter of remonstrance by the Norfolk and Western Railroad stating they could not possible be benefited by this drain. Mr. Ruth said he felt the acreage we had assessed them was possibly a little high, but that he felt part of their right-of-way did drain to this ditch. Those in attendance were: M. Gleason Morehouse and Walter Shackelford. Mr. Ruth reported that the telephone Company had damaged some of the tile and that he would notify them of same. Mr. Morehouse reported that the outlet was in need of repair and that he and Mrs. Kelly had fixed several tile on their own. Both men in attendance were of the opinion that this ditch was mostly 12" tile although the record shows only 6" tile. Mr. Ruth planned to meet Mr. Morehouse and again walk the ditch and determine exactly what the legal drain included. The Board so moved to continue this hearing next month at the regular meeting.

11:00 Maintenance Hearing on the Lane Parker Ditch The Engineer opened the maintenance hearing on the Lane Parker Ditch by reading his report and making his recommendations to the Board. No one appeared in behalf of this ditch. The farm manager for Edith Kelly Carr, Hugh Pence, was in the surveyor's office on Friday of last week stating that the acreage we had assessed Mrs. Carr was not adequate. He stated that when the soil conservation service rebuilt a portion of the ditch, more of this land was included in the watershed area. The acreage was changed to 152.32A out of a 154.32A tract and 64.809 acres out of a 66.809A tract.

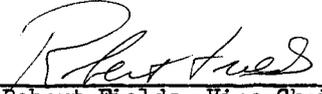
Upon motion by Bruce Osborn, seconded by Edward Shaw and made unanimous by Robert Fields, the Board moved to establish a \$1.00 per acre assessment on the Lane Parker.

Order and Findings Certificate of Assess. After establishing a maintenance fund on the Lane Parker Ditch, the Board signed the Order and findings and the Certificate of assessments.

The Board had as guests six students from the West Lafayette High School government class. They were to observe the operation of the Surveyor's office as their project. Mr. Ruth relayed to them the work and responsibilities of the office.

Upon motion made and carried the Board adjourned.


Edward J. Shaw, Chairman


Robert Fields, Vice Chairman

ATTEST:


Gladys Ridder, Exec. Secretary


Bruce Osborn, Board Member

Those in attendance at the regular meeting of the Tippecanoe County Drainage Board held on August 1, 1973 in the County Commissioners room in the Court House were: Edward Shaw, Robert Fields, Bruce Osborn, A.D.Ruth, Jr., Fred Hoffman and Gladys Ridder.

Regular Business
Session 9:30 a.m.

Upon motion by Robert Fields seconded by Bruce Osborn made unanimous by Ed Shaw, the minutes of the July 18, 1973 were approved as read.

Huntleigh Estates

Mr. Ruth read a letter he had written to the Schneider Engineering Corporation with reference to using the Elliott Ditch.

July 25, 1973

Schneider Engineering Corporation
3675 North Post Road
Indianapolis, Indiana 46226

RE: Storm Water Drainage for
Huntleigh Estates Addition

Gentlemen:

It is the recommendation of this office that, before approval by given the above mentioned Subdivision, provisions be made to control the storm water run-off.

It is the philosophy of the Tippecanoe County Drainage Board that the storm water shall not enter the Elliott Ditch at any greater rate or in any greater quantity than it does at the present time. This means that all development which naturally drains into the Elliott Ditch must be controlled and that the storm water run-off meet the above requirement.

Therefore, it is recommended that a scheme be developed to meet the above requirement. It would be well to have the proposal approved as soon as is practical.

If this matter is resolved I see no other objections from a storm water stand point to this development.

Very truly yours,

/S/ A. Daniel Ruth
A. Daniel Ruth, Surveyor

ADR/res

10:00 A.M.
Maintenance
Hearing
on
L. B. Wilson
Ditch

The Engineer opened the hearing on the L.B. Wilson Ditch by reading his report and making his recommendations to the Board. The Board consisted of the Tippecanoe County Board with the Fountain County Commissioners, Kenneth Rayburn, Lucky Stucker, Fountain County Surveyor, Elmer Thomas and Keith Barnhart, Fountain County Attorney. The landowners in the watershed area of both counties were: Donald Holoday for Mr. Wilson, Berniece and Frank Oteham, Richard T. North, Russell D. North, Ralph E. Jackson, Larry Carlson, Orville Carlson, Pearl Meharry, Mr. and Mrs. J. W. Schumann, Robert Amstutz, William VanHook, Frank Pearl Jr.

Because Fountain County had not properly notified their people, as to acreage or amount of assessment per acre, the attorneys felt there was a necessity to hold another hearing. Another ditch (Nixon) in Fountain County is a branch of the L.B. Wilson and the Fountain County Board needed time to decide whether to assess it with Wilson or by itself and pay a percentage on Wilson also.

When these questions have been answered they will let us know and we'll notify our people of another hearing.

11:00 A.M.
Maintenance
Hearing
on
Richard B.
Wetherill
Ditch

The Engineer opened the hearing on the Richard B. Wetherill ditch by reading his report and making his recommendations to the Board. He reported that the head-wall was in bad shape and he felt the \$1.00 per acre assessment was not too high. Mr. Robert Martin, acting Surveyor of Benton County joined our Board but none of the Benton County Drainage Board attended. Those in the watershed area of the drain who attended were: Wayne Wettschurack, John Miller, William Wettschurack, Max Kelly and M. P. Lord.

Benton County did not notify their people as is required by law but Mr. Martin said he felt they could be ready by September and the Board knowing our September schedule was pretty full voted to set the new hearing on the Wetherill Ditch at 10:30 a.m. October 3, 1973. Both Benton County and Fountain County are struggling to get started as neither have a budgeted office with Secretary, typist, etc, so our Board offered any assistance they might want.

Upon motion made and carried the Board adjourned.

Edward J. Shaw
Edward J. Shaw

Robert Fields
Robert Fields

Bruce Osborn
Bruce Osborn

ATTEST:

Gladys Ridder
Gladys Ridder, Exec. Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD OCTOBER 3, 1973.

The regular meeting of the Tippecanoe County Drainage Board was held in the County Commissioner's room on October 3, 1973 at 9:00 a.m., with the following members present: Bruce Osborn, Edward Shaw, Fred Hoffman, A. D. Ruth, Jr. and Gladys Ridder.

MINUTES SIGNED

Upon motion of Bruce Osborn, seconded by Edward Shaw, the minutes of the September 5 meeting were approved as read.

HOEFER DITCH

Public Law Number 199, Section 1 as amended in 1973 gives the Drainage Board the right to relinquish their jurisdiction, by resolution, any ditch located within a city, if said city accepts. Because the Henry Hoeffler ditch lies entirely within the city of Lafayette, the County Attorney was asked to prepare the resolution.

DITCHES REFERRED

The Drainage Board referred the following ditches to the Surveyor to prepare for maintenance funds: William A. Tyler, Wm. F. Grimes vs Monk, James Kellerman, John S. Lofland and Kellerman-Leaming.

ELMER THOMAS

The Engineer asked the Board their pleasure on re-advertising for bids on the Elmer Thomas ditch. They felt that unless someone had knowledge of a bidder who would be within the Engineer's figure, it was a waste of money.

KELLERMAN-LEAMING

The Surveyor asked the Board's opinion on setting up the Kellerman-Leaming watershed for maintenance. To decide whether the large watershed should be one assessment or whether the branches should be set up for maintenance and each one pay a percentage of the Main, was the decision to be made. All seemed more in favor of setting up the smaller areas and then be made aware of their liability towards the maintenance of the Main.

9:30 a.m.
MAINTENANCE HEARING
ON THE
BAKER VS NEWELL
DITCH

The Surveyor opened the hearing on the Baker vs Newell ditch by reading his report and making his recommendations to the Board.
Those in attendance were: George DeLong representing Fay O. Wainwright and William Sanson. Mr. DeLong said that most of this ditch was laid with three tile (two on the bottom and one on top). He stated that no doubt the ditch was in need of attention. There were no charges against this ditch. The acreage in this watershed is small so all of those present felt the \$1.00 per acre assessment would be necessary.
Upon motion by Bruce Osborn, seconded by Edward Shaw a one dollar per acre assessment was established.

10:00 a. m.
MAINTENANCE HEARING
ON THE
ALFRED BURKHALTER
DITCH

The Surveyor opened the maintenance hearing on the Alfred Burkhalter ditch by reading his report and making his recommendations to the Board. He read all the letters received. Mr. Ruth also informed those present of the expenditures against this ditch. The Surveyor had prepared an aerial map of the entire watershed area so all questions could be answered more easily.
Those in attendance were: Mr. and Mrs. Glen Skiles, Everett Miller, Mr. and Mrs. Ervin Larson, V. L. VanAsdall, Division Engineer of N & W railroad, Mr. and Mrs. Raymond Miller and Jack Boatright.
Raymond Miller felt that 89 acres of his land was too many to drain to the Burkhalter ditch and Mr. Ruth said he would take a few elevations to double check his acreage. The Ervin Larsons also felt part of their acres assessed drained another way but Mr. Ruth pointed out on the map how it actually drained to the Burkhalter ditch. Those in attendance were more in favor of a fifty cents per acre assessment, however when it was pointed out how badly the ditch was in need of repair they agreed that perhaps seventy five cents would be more realistic. Upon motion by Edward Shaw, seconded by Bruce Osborn the \$0.75 per acre assessment was established.

10:30 a.m.
MAINTENANCE HEARING
ON THE
RICHARD WETHERILL
DITCH

Mr. Ruth corrected Mr. Miller's land to 60 acres to be assessed on Burkhalter. The Tippecanoe County Surveyor opened the hearing on the Richard B. Wetherill ditch by reading his report and making recommendation. Mr. Robert Martin and two of the Benton County Drainage Board joined our Board for this joint hearing. Those in Attendance were: Wayne Wettschurack, John Miller, Elmo Mills, William C. Wettschurack, Donald E. Johnson, Gene S. Conner, Wayne F. Anderson, Thurman Wolfe, Dwight W. Sewell, and Dr. M. P. Lord.
Mr. Conner spoke for the Benton County group and said that he had land on both the Wetherill and the Darby ditches (the outlet for Wetherill) and was most happy to see someone take the initiative to get something going. He felt that because the Darby ditch was an outlet for the Wetherill ditch and because it was so badly in need of reconstruction, that to establish a maintenance fund on the Wetherill ditch at this time would be foolish. With 2½ miles of dredging needed as well as about 2 miles of brush cleaning on the Darby ditch, Benton County people suggested that they get that job done first then notify us when they were ready for another joint meeting. Mr. Conner had pictures of those problems and shared them with Tippecanoe County. The Board moved to continue this hearing until Benton County was ready.

ORDER AND FINDINGS
AND CERTIFICATE OF
ASSESSMENTS

After having established a maintenance fund for the Baker vs Newell and the Alfred T. Burkhalter ditches, the Board signed the Order and Findings and the Certificate of Assessments.

On motion made and carried the meeting adjourned.


Edward Shaw, Chairman


Robert Fields, Vice Chairman


Bruce Osborn, Board Member


Gladys Ridder, Exec. Secretary

TIPPECANOE COUNTY DRAINAGE BOARD MEETING HELD ON MARCH 5th 1975

The Tippecanoe County Drainage Board held it's regular meeting on March 5th, 1975 with the following members present: Bruce Osborn, Robert F. Fields, William Vanderveen, Robert L. Martin, Ron Melichar and Gladys Ridder.

Minutes Upon the reading of the minutes of the February 5th, 1975 meeting, a motion was made by William Vanderveen, Seconded by Robert Fields and made unanimous by Bruce Osborn to accept the minutes as read.

10:00 a.m. Harold D. Witz came before the Board with some questions on the Elliott ditch. Mr. Martin H.Witz assured him that the laterals had been connected and levels taken before the work was begun on the pipe recently installed on the Elliott ditch.

Roger D. Branigan, Jr. appeared before the Board on behalf of those interested in vacating a portion of Branch No. 14 of the S. W. Elliott ditch. The following Petition was filed with the Surveyor on February 27th, 1975:

10:15 a.m.
Branch # 14
Elliott
Vacation

IN THE MATTER OF THE VACATION
OF A PORTION OF BRANCH NO. 14
OF THE ELLIOTT DITCH

PETITION

The Petitioner, First National Bank of East Chicago, Indiana respectfully petitions the Tippecanoe County Drainage Board and shows the Board as follows:

1. The Petitioner believes itself to be the owner of at least ten per cent of the real estate which would be directly affected by the vacation herein prayed for.
2. The Petitioner wishes the Board to vacate the following portion of Branch No. 14 of The Elliott Ditch, lying wholly within Tippecanoe County, Indiana:

Beginning at station 286 of the main ditch thence south to station 3 + 70 feet said course intersecting the public highway running east and west through the center of Section 3 Township 22 Range 4 West; thence south 45° east to station 5; thence south 30° east to station 8 + 75 feet; thence south 33-½° east to station 12; thence south 1° west to station 15; thence south 35° west to station 19+60 feet; thence south 2° east to station 21+20 feet; thence south 37° east to station 26; thence south 4° east to station 32+80 feet, said station 32+80 feet, said last course intersecting the Lake Erie & Western Railroad roadbed at a point 25 feet west of the certain culvert in the roadbed of said railroad.
3. The above-described portion of said legal drain no longer performs the function for which it was designed and constructed inasmuch as the upstream drainage has been totally diverted through another positive drain to the Elliott Ditch.
4. The expense of reconstructing the above-described portion of said legal drain outweighs the benefits to be derived therefrom.
5. The vacation and abandonment of the above-described part of said legal drain will not be detrimental to the public welfare.
6. The owners which the Petitioner believes would be directly affected by said vacation are as follows:
 1. First National Bank of East Chicago
Indiana (The Petitioner herein)
 2. Fairfield Manufacturing Co., Inc.
U. S. 52 South
Lafayette, Indiana 47905
 3. Rostone Corporation
By Pass 52 South
Lafayette, Indiana 47905
 4. Tippecanoe Industrial Associates, Ltd.
17 Academy
Newark, New Jersey 07102
7. The Petitioner wishes to have the date on which the matter will be referred to the surveyor for report advanced in accordance with IC 19-4-1-10(g).
8. The attorneys who will represent the Petitioner in these proceedings are Thomas R. McCully and Roger D. Branigan, Jr. of the firm of Stuart, Branigan, Ricks, & Schilling, 801 The Life Building, Lafayette, Indiana 47902 (Phone: 317/742-8485), and Joseph E. Costanza, of the firm of Murphy, McAtee, Murphy & Costanza, 720 West Chicago Avenue, East Chicago, Indiana 46312 (Phone: 219/397-2401).

WHEREFORE, the Petitioner prays that the Board:

- A. Serve notice of intention to vacate the above-described portion of Branch No. 14 of the Elliott Ditch on all owners of land affected by said vacation;
- B. Advance the date on which the matter will be referred to the surveyor for report;
- C. Fix a date for and hold a hearing on the proposed vacation; and
- D. Issue an order vacating the above-described portion of Branch No. 14 of the Elliott Ditch as a legal drain.

FIRST NATIONAL BANK OF EAST CHICAGO, INDIANA

BY: /s/ William J. Riley

Chairman of the Board

STUART, BRANIGIN, RICKS & SCHILLING
801 The Life Building
Lafayette, Indiana 47902

Attorneys for Petitioner

MURPHY, MCATEE, MURPHY & COSTANZA
720 West Chicago Avenue
East Chicago, Indiana 46312

Attorneys for Petitioner

Also supplied were three JOINDER AND CONSENT papers signed by (1) Rostone Corporation BY Robert B. Smith, it's President (2) Tippecanoe Industrial Associates, LTD. BY: Rachlin Properties, Inc. BY: S. Rachlin, it's vice President and (3) Fairfield Manufacturing Co., Inc. BY: Charles E. Kramer, it's President. All three consents read as follows:

JOINDER AND CONSENT

(Fairfield Manufacturing Co.
(Tippecanoe Industrial Associates, Ltd. respectfully shows The Tippecanoe
(Rostone Corporation
County Drainage Board as follows:

- 1. It is the owner of certain real estate in Tippecanoe County, Indiana which is affected by the following portion of Branch No. 14 of the Elliott ditch:

Beginning at station 286 of the main ditch thence south to station 3+70 feet said course intersecting the public highway running east and west through the center of Section 3 Township 22 North Range 4 West; thence south 45° east to station 5; thence south 30° east to station 8+75 feet; thence south 33-½° east to station 12, thence south 1° west to station 15; thence south 35° west to station 19+60 feet; thence south 2° east to station 21+20 feet; thence south 37° east to station 26; thence south 4° east to station 32+80 feet, said last course intersecting the Lake Erie & Western Railroad roadbed at a point 25 feet west of the certain culvert in the road-bed of said railroad.

- 2. It is aware that First National Bank of East Chicago, Indiana is filing a petition with the Board to vacate the above-described portion of Branch No. 14 of The Elliott Ditch.
- 3. The undersigned wishes to and does hereby join in and consent to said petition and the vacation sought therein and requests that the Board grant the same.

After much discussion by all present the Board referred this Branch to the Surveyor to classify and make a report to them as to it's feasibility. Bruce Osborn felt the Board's first consideration should always to all landowners in the drainage area and if the change would affect even one farmer's drainage, the ditch should not be vacated. The question of whether the Elliott ditch could carry the extra load from the Staley Company if they would locate in this area was discussed. Mr Branigan said it was hard- for this area to turn down a \$ 50,000,000 business and that as yet the Staley people had only an option on the land.

It was noted that when General Foods came into the area they had re-routed this branch of the Elliott ditch through their land without ever consulting the Drainage Board. Mr. Osborn asked the Surveyor to contact the General Foods people asking that they vacate the old part that they re-routed.

Mr. Martin said he would make his report to them as soon as possible and would notify the people and set up a hearing.

Benton Co.
Drainage Board

+

Tippecanoe Co.
Drainage Board

Mr. John Barker, Surveyor of Benton County along with Sam Wolf, Melvin LaGue and Wayne Anderson, Benton County's Drainage Board met with the Tippecanoe County Board to discuss the possibility of combining the Darby and the Wetherill ditches into one drain. The Wetherill ditch is tile and is located almost totally in Tippecanoe County but the Darby ditch is open and located almost totally in Benton County. However, the Darby ditch is the outlet for the Wetherill ditch and until it is dredged no one will have drainage. To make a natural waterway a portion of the Darby ditch, to combine the two into one system, and to set the combination up for reconstruction is the job facing the two surveyors. Because Mr. Martin is a licensed Land Surveyor and Mr. Barker is not, the Board asked Mr. Martin if he would do the engineering work and assured him Mr. Barker would help in any capacity he could. The Benton County Attorney is Mr. John Barce with phone 317/884-0383. The Board suggested that our Attorney and Mr. Barce get together to get the legal work started.

Upon motion of Bruce Osborn, seconded by Robert Fields, the Board moved to adjourn.

Robert F. Fields
Robert F. Fields, Chairman

William Vanderveen
William Vanderveen, Vice Chairman

Bruce Osborn
Bruce Osborn, Board Member

ATTEST:

Gladys R. Ridder
Gladys Ridder, Exec. Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JANUARY 5, 1977

The regular meeting of the Tippecanoe County Drainage Board met at 9:00 a.m., in the County Commissioner's Room in the Tippecanoe County Court House on January 5, 1977 with the following members present: Bruce Osborn, William Vanderveen, Robert L. Martin and Gladys Ridder. They then traveled to Fowler, Indiana where they had a joint board meeting with Benton County on the Darby ditch.

The Secretary read the minutes of the December 3rd, 1976 meeting. Upon motion of Bruce Osborn and seconded by William Vanderveen the Board accepted the minutes as read.

Because Section 105 of the Indiana Drainage Code states that the members of each drainage board shall organize at the board's first meeting, and each January thereafter shall elect one chairman, one vice-chairman, one secretary and appoint the attorney for the year, Bruce Osborn moved to nominate William Vanderveen as the new Chairman for the year 1977. Mr. Vanderveen accepted the nomination. Bruce then nominated Robert F. Fields as Vice-Chairman. That motion was seconded by Wm Vanderveen. Bruce moved to re-appoint Gladys Ridder as Secretary and Fred Hoffman as Attorney. That move was also seconded by William Vanderveen.

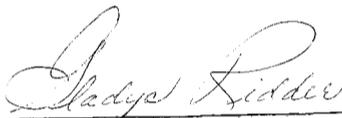
All in attendance drove to Fowler, Indiana to attend a joint Board meeting called by Benton County on the Darby Ditch. John Barker, surveyor of Benton County conducted the meeting. The outcome of the meeting was that Benton County would petition to have the area between the Darby ditch and Pine Creek made a part of the legal drain. This responsibility lay with the Benton County Drainage Board. After that is accomplished, the two Boards will hold a hearing to reconstruct the newly described Darby ditch, along with combining the Wetherill ditch into this ditch system. At this hearing the combination will make the ditch the Wetherill-Darby ditch.

With the work load heavy in Tippecanoe County, all present felt it necessary to hire an engineer to do the field work on the reconstruction of the Wetherill-Darby ditch. Benton County asked the Tippecanoe County Board if they would approach John E. Fisher, L. S. and Stewart Kline and Associates to see if either of them would undertake the project.

Attorney Robert A. Spahr of Benton County said he would draw up the needed petition for those in the Benton County(extension)watershed to make that a part of the legal drain and he would also make up the resolution for the two Boards to show them in agreement to hire an engineer.

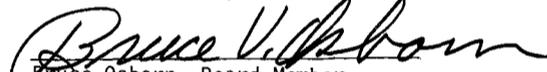
Mrs. Frances Martin and her son who live along the Otterbein open ditch appeared before the Benton County Board to complain of the condition of that ditch and ask for help. The Tippecanoe County Board was also interested because the Otterbein ditch is also located in their county. As many answers were needed to their problem, it was decided to hold a joint Board meeting and discuss this at a later date.

ATTEST:


Gladys Ridder, Exec. Secretary


William Vanderveen, Chairman

/absent/
Robert F. Fields, Vice Chairman


Bruce Osborn, Board Member

9:00 a.m.
Minutes

Election of
Officers

10:00 a.m.

Joint Board
Meeting with
Benton Co.

Otterbein
ditch

SPECIAL CALLED MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD FEB. 21, 1977

A special meeting of the Tippecanoe County Drainage Board was held at 1:00 p.m., on February 21, 1977 in the County Council Room with the following members present: William Vanderveen, Bruce Osborn, Ron Melichar, Gladys Ridder, Kenneth A. Miller and Grady Jones. Also attending the meeting was Wally Hubbard.

Upon receipt of the following Motion:

STATE OF INDIANA)
TIPPECANOE COUNTY) SS:

BEFORE THE TIPPECANOE
COUNTY DRAINAGE BOARD

IN THE MATTER OF THE)
VACATION OF A PORTION)
OF THE MICHAEL LAYDEN)
DRAIN)

MOTION TO DISMISS

The undersigned hereby withdraw the petition to vacate a portion of the Michael Layden Drain filed by them on January 24, 1977, and move the Board to dismiss the hearings thereon presently set for March 2 and 11, 1977, without prejudice to the right of the Petitioners subsequently to file a petition to reconstruct and relocate the Michael Layden Drain as an urban drain or a petition to vacate the Michael Layden Drain and substitute therefor a private drain.

Dismissal
M.Layden
Branch

Lafayette National Bank,
Trustee of Land Trust No. 1440
/s/ _____
by Roger D. Branigan, Jr.

/s/ Betty M. Smith
by Roger D. Branigan, Jr.

/s/ James F. Murtaugh, Joseph M. Murtaugh,
Gerald Murtaugh and Rita G. Caesar
by Roger D. Branigan, Jr.

/s/ Helen F. Kepner
by Roger D. Branigan, Jr.

/s/ The Lafayette Union Railway Company
by Roger D. Branigan, Jr.

Upon motion of Bruce Osborn, seconded by William Vanderveen, the Board moved to accept the motion to dismiss the hearings thereon presently set for March 2 and 11, 1977.

BEFORE THE TIPPECANOE COUNTY
DRAINAGE BOARD

STATE OF INDIANA)
TIPPECANOE COUNTY) SS:

IN THE MATTER OF THE)
VACATION OF A PORTION)
OF THE MICHAEL LAYDEN)
DRAIN)

DISMISSAL

The petition to vacate a portion of the Michael Layden Drain, filed on January 24, 1977, by Lafayette National Bank, Trustee of Land Trust No. 1440 et al. is, upon written motion of said petitioners, dismissed.

The secretary is directed to give notice of dismissal to each of the persons heretofore notified of the hearings on said petition.

ENTERED this February 21st, 1977.

TIPPECANOE COUNTY DRAINAGE BOARD

/s/ William Vanderveen

/s/ Bruce V. Osborn

Upon motion of Bruce Osborn to charge the expense incurred by the petition and dismissal of petition be placed in the hands of the Petitioners through their attorney. That motion was seconded by William Vanderveen.

Motion to adjourn was entertained by Bruce Osborn and seconded by William Vanderveen.

William Vanderveen
William Vanderveen, Chairman

(absent)
Robert F. Fields, Vice Chairman
Bruce Osborn
Bruce V. Osborn, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Executive Secretary

TIPPECANOE COUNTY SPECIAL JOINT BOARD MEETING HELD AT OTTERBEIN ON APRIL 4, 1977

A special joint board meeting was held on Monday, April 4th, 1977 in the Legion Hall at Otterbein, Indiana. The two Boards, Benton County and Tippecanoe County, were represented by Norman Skoog, Wayne Anderson, Dave Baxter, and John Barker from Benton County and William Vanderveen, Bruce Osborn, Robert L. Martin, Mike Spencer and Gladys Ridder from Tippecanoe County.

The Chairman, Norman Skoog opened the meeting by explaining to those present the purpose for this meeting, namely, to give some idea of the Engineering fees that would be involved to get this reconstruction of the Wetherill-Darby ditch under way.

Mr. John Fisher, of Fisher and Associates, was asked to give a resume of his studies. Mr. Fisher introduced Paul Coates, his engineer, and said at this point any answer would only be a guess for there was not enough information available to give a very definite figure. Mr. Fisher said he felt a complete study of the problem was in order and that the answer to that study could come in phases. He said he felt the whole project need not be accepted all at once but that a full study of types of soils, depth of open channel and what each depth would carry, the need for grass waterways and the amount of extra water to be dumped into Pine Creek should all be calculated. All of this would take both time and money and he felt that perhaps a per diem basis with a maximum amount to be spent could be worked out and reconstruction plans made ready for a contractor

Mr. Fisher said there should be a watershed defined and the capacity of the open channel analyzed. There would need to be site inspections made to gather evidence before going to the drawing board. Mr. Fisher said his estimate would be somewhere around \$6,500.00. He wished to specify that the stipulation be that the work was to be done soon before the weeds got high and work became too difficult. Mr. Fisher said that the government quad sheet shows between 4,000 and 5,000 acres drains into this ditch system.

William Vanderveen said that he wished to accomplish one thing in this meeting and that was to determine if those in the watershed were interested enough to go ahead and hire an Engineer, with the cost of engineering to be borne by the people in the watershed. He felt that unless the survey was adequate there would be many unknown problems in an open channel of four or five miles.

Bruce Osborn said Tippecanoe County's funds were limited and from the financial angle, we may have to build in phases. He felt the new ditch would surely increase the value of the land involved.

Norman Skoog then asked Paul Geswein, who was speaking for Lloyd Mettes, a surveyor from Benton County, to give us some figures, too. Mr. Geswein said there were 4,000 acres draining into this system. While he was a technical for the SCS office he had done quite an intensive study of the Wetherill and the Darby ditch. For help in 1969 and 1970 ~~xxxxxxx~~ from the SCS office, it required full landowner participation and at that time one farmer was opposed to the re-construction. However, Paul said, that by now he felt sure that farmer was no longer opposed. Mr. Geswein said the project excluding bridges, crossings, etc. should be done somewhere around \$60,000.00.

Norman Skoog then read a "guestimate" from the Stewart Kline Firm. The estimate was based on a variance of 50% either way. Mr. Kline's estimate total was \$104,700.00 and it was prepared by Russ Johnson.

Mr. Robert Martin said it looked like a figure of two or three dollars per acre would take care of the Engineering fees.

Maurice P. Lord, II moved to go ahead with the study and the property owners would assume the cost of the Engineering. He suggested the Board choose a firm quickly before the foliage comes out.

Phil J. Kerkhoff seconded that motion.

Gene Conner made an amendment to the motion that says, if legal, all affected landowners assume the cost of engineering.

Bob Hayes seconded the amendment. Motion carried unanimously.

Then came the question of the motion as amended. That motion carried but for one nay vote, that of W. F. Moyars.

Those in attendance were: Ruth Vaughn by Jerry Rooze, Carl Kerkhoff for Helen Kerkhoff, Stephen, Philip, Daniel Kerkhoff by Philip Kerkhoff, Bruce and Glen Musser, Ron Charlesworth, Dwight Sewell, J. R. Hays, Donald E. Johnson for Greta Husted, Gene S. Conner, Bob Johnson, Paul Geswein, Wayne Wettshurack, Maurice P. Lord, Maurice P. Lord, II, Elmo J. Mills, Elmer B. Hanssen, Anton A. Brazes for Swindler farms, W. F. & Bernard Moyars, John Fisher and his engineer, Paul Coats.

Some legal questions arose and without counsel available those questions were to be referred to both Benton and Tippecanoe County Attorneys for answers. Whether the percentage of those present was adequate and if those present here to represent someone else could be counted.

With the business at hand attended to, Mr. Norman Skoog moved to adjourn. That motion was seconded by William Vanderveen and made unanimous by Bruce Osborn, Wayne Anderson and Dave Baxter.

Norman Skoog, Chairman
William B. Vanderveen
William Vanderveen, Vice Chairman
Bruce Osborn
Bruce Osborn, Board Member

Wayne Anderson, Board Member

Dave Baxter, Board Member

/absent/
Robert F. Fields, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD ON APRIL 6, 1977.

The regular meeting of the Tippecanoe County Drainage Board met in the County Council Room in the Tippecanoe County Court House with the following members present: William Vanderveen, Robert F. Fields, Bruce V. Osborn, Robert L. Martin, Kenneth A. Miller, Fred Hoffman and Gladys Ridder.

The minutes of the March 2nd, 1977 meeting were read. A motion was made by William Vanderveen, seconded by Bruce Osborn and made unanimous by Robert Fields to accept the minutes as read. Minutes Approved

Don Barker and Malcolm Stingley came before the Board asking for help on the Isfalt ditch. Mr. Barker said in 1950 Arthur Buerkle had tile out there to repair the ditch and someone instituted an injunction against it, so it was never fixed. Mr. Vanderveen asked the surveyor if he would start proceedings for a reconstruction on this ditch. Mr. Martin said he would have something ready for the meeting on the 18th of May, 1977 and the Board set the time at 10:00 a.m. This change of date would allow the time to get notices to the people. Isfalt ditch

William Vanderveen opened the reconstruction hearing on the Waddell Branch of the J. B. Anderson ditch by asking those present, namely, Arthur Waddell, William Waddell and E. Eugene Johnson, how they felt about the new figures sent to them by the secretary, reflecting a new cost estimate. The estimate was about double of the first estimate and when bids were opened on the first estimate the lowest bid was almost twice the surveyor's estimate. Mr. Waddell said even though it was much higher than they had hoped, he was for it. His feelings were echoed by the other two present. Mr. Waddell questioned the damage to crops and the Board said the statute said the farmer planted at his own risk. Mr. Osborn assured him that any reputable contractor would be as careful as possible. Waddell Br. of the

Mr. Waddell asked if when bids were ready would we notify Robert Chittick of Mulberry, Indiana. Upon motion of Bruce Osborn, seconded by Robert Fields and made unanimous by William Vanderveen, the Board moved to J.B. Anderson readvertise for bids on the reconstruction of the Waddell Branch of the J. B. Anderson ditch. ditch

E. Eugene Johnson asked the status of the Johnson ditch. It had formerly been agreed upon that a portion of the Johnson ditch needed to be cleaned out and Eugene had brought in a figure from Robert Hodgen. With the maintenance money available the job could be done but the amount of money involved would require advertising for bids. Mr. Osborn suggested with the cleanout being so expensive, the Johnson ditch should have a new hearing to raise the assessment to about \$3.00 per acre instead of the one dollar per acre assessment that is presently on the ditch. The secretary was instructed to notify all in this watershed and hold that maintenance hearing on the 18th of May, 1977 at 10:30 a.m. The Surveyor said he would have bids for the work ready to open on May 2nd, 1977 at 10:00 a.m. Eugene Johnson Ditch

Because the neighbors on the Michael Binder ditch wished to get together before the hearing and discuss things just between themselves, when Mr. Vanderveen opened the hearing on the Michael Binder ditch he asked Norman Bennett to report on the private meeting held in the surveyor's office. Mr. Bennett said he was afraid they were no closer to an agreement than before and that the Board would have to decide what to do. Mr. Vanderveen asked the Attorney to read both remonstrances that were filed. Mr. Shelby was still not in favor of the per acre assessment but then he said he was not in favor of the benefits and damages, either. Mr. Robert Ade said he wasn't really in favor of either the per acre or benefits and damages. His remonstrance was written in protest to the benefits and damages. With the exception of these two, all others present were in favor of reconstruction. The Board felt it would be wrong to deny drainage to many when only two were opposed. Michael Binder ditch

Mr. Shelby ask about the connecting of the existing tiles to the new tile and the Surveyor said it would be in the specifications to connect all existing tiles. Then Mr. Shelby asked about payment for the damages that had accrued on his land for over the last twenty years. Mr. Osborn said when the maintenance fund is established those holes can be repaired out of that fund.

A motion was made by Robert Fields to reconstruct the Michael Binder ditch according to benefits and damages. That motion was seconded by Bruce Osborn and made unanimous by William Vanderveen.

The Surveyor said he would have the specs ready and the letting of bids could be at 10:00 a.m. on May 2nd, 1977.

Those in attendance were: Robert C. Ade, Raymond Bennett, Sr. Norman Bennett, John Shelby and son, John C. Sheets, Paul W. Ade, Charles E. Kerber, Eleanor B. Frost and Raymond C. Bender.

The vacation hearing on that part of the Michael Layden ditch that lies North of the Section Line of Section 36 and Section 35 brought many interested landowners into the court house with many questions to be answered. Mr. Vanderveen opened the hearing by asking the corporations attorney, Roger D. Branigan to speak on behalf of the petitioners. Doug spoke in behalf of his client (unnamed) and the petitioners as to why it was necessary to vacate this portion of the legal drain.

Mr. John Fisher had an easel set up with Exhibit "A", an aerial photo of the entire watershed and explained how that watershed could fluctuate several feet by even the way in which the ground was tilled. Then he carefully explained the difference between ground tile to take care of farm land's sub-surface water and an Urban drain that handled the majority of the run-off water. He said the ditch as it is now was built sixty nine years ago and certainly not designed to handle anything but sub-surface farm water. He spoke of the problem now existing in this area caused by State Road 26 being a dam and the blacktop driveways and roofs that created much more run-off water, and the need for a good Urban drain to handle that problem. He said in no way would the vacation of this old field tile either hamper or improve their drainage. He explained it's sole purpose was to remove the one hundred fifty foot easement that exists on all legal drains. The network of old field tile with an easement of 150' would make it virtually impossible for anyone to develop the land. Rather to vacate the old tile and let the new neighbor who is obligated to get rid of his water, help with the design and payment of a new urban drain that would help solve all of their problems.

Mr. Fisher gave his registration number, S-0025, and introduced his engineer, Paul Coarts.

Many expressed their dire need for drainage. Mr. Robert Wesner said at Sullivan and Fortner's parking lot a pond formed every time it rained and stayed there for many days. He felt convinced that this was the best way to get their situation improved and voiced his opinion to vacate.

Oka LeMaster asked about the water on the north side of State Road 26. Mr. Fisher said the vacation of this old field tile will neither help or harm that situation.

The surveyor's report was asked for and Mr. Martin submitted his recommendation to vacate the portion above mentioned. His report was made a part of the transcript.

Mr. James Shook spoke on the change of land in the area and that it is now zoned for business. He explained how many of the landowners put in an open ditch at their own expense, approximately \$125,000.00 and that some of the water from Biggs Pump and Supply along with other industry found it's way into the Kepner Private Drain. He said his client was well aware of the drainage problem in the area and was anxious to help solve the total drainage problem.

The cost of an Urban Drain would be high enough that probably a bond issue would need to be floated

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD ON APRIL 6, 1977 (continued)

because the General Drain Fund could not possibly handle an amount of that magnitude, Mr. Osborn said.

Mr. John C. Sheets sat in on the meeting in the place of Robert F. Fields who had land in the area and had disqualified himself for this meeting.

Part of
Michael
Layden
Branch of the
Elliott
ditch

Those in attendance were: Pat Redd, who took the transcript, Ron Norberg, John Fisher, Pat Shaw, Paul Coats, Roger D. Branigan, Jr., John E. Smith, Carl E. Brour, Oka LeMaster, Clarence LeMaster, George Needham, Jr., Cable G. Ball for Lafayette Union Railway Co., George E. DeLong, Charles Skiver, Gordon Kingma, James C. Shook, Donald C. Lecklitner, Robert D. Wesner, Jim Murtaugh and Bill Oakes.

Mr. Wesner asked the Board when they could possibly expect any relief. Mr. John Fisher said he would guess probably two years.

With most questions answered, Bruce Osborn made a motion to vacate that portion of the Michael Layden Branch of the S. W. Elliott ditch that lies North of the Section Line of Section 35 and 36. That motion was seconded by John C. Sheets and made unanimous by William Vanderveen.

Jim Hilligoss was scheduled to appear before the Board at 11:45 a.m. but due to a mix-up in time the Board re-scheduled the appearance to 1:45 p.m. (same day)

RECESS

Board adjourned until 1:45 p.m.

Jim Hilligoss did not appear as was scheduled but John Fisher knew his need for coming before the Board so he filled in for Mr. Hilligoss. Mr. Fisher said when Mr. Ruth was County Surveyor, he had asked that the storage basins be re-designed for the streets to carry 20% of the water in the Fink Meadows Subdivision. Swails would be designed to carry the underground water in a conduit to the Elliott ditch. Bruce said he would like to table this until the Board could study it more thoroughly. He told Mr. Fisher to give them at least two weeks and they would try to have an answer ready.

A meeting between the Benton County and the Tippecanoe County Drainage Board on the Wetherill-Darby ditch was opened with the Chairman, Norman Skoog, addressing the two Attorneys for some answers to questions that this Joint Board had at their last meeting, held in Otterbein on April 4, 1977.

The minutes of the April 4, 1977 meeting were read and approved. In those minutes the questions of the last meeting were: Can the expense of the Engineering be charged to the project instead of being borne by the whole county. Mr. Sparr said Section 106F says when it is necessary to hire outside help, the expense of it should be assessed to the project. He said it was not very specific about the expense if the project did not mature, however, he said he would assume the project would still bear the expense.

The second question, is it legal for someone to vote in another's place as happened in the last meeting. Mr. Sparr said it didn't matter for that was not a legal hearing.

It was noted that the Secretary should notify the Department of Natural Resources of the State of Indiana as is required by law when any reconstruction is to be done.

Those present at this meeting were: Norman Skoog, Wayne Anderson, Dave Baxter and Robert Sparr from Benton County and Bruce Osborn, William Vanderveen, Robert L. Martin, Fred Hoffman and Gladys Ridder from Tippecanoe County.

Wayne Anderson said he felt we should select an engineer as quickly as possible for he would need to walk the tile portion of this ditch and locate the holes that only need repair instead of a whole new tile system. Then when heavy undergrowth makes photography and on the ground surveys more difficult the majority of the work could be done.

Norman Skoog said he felt John Fisher could do the job better, and faster than anyone else. That feeling was pretty unanimous, so John Fisher was brought into the meeting and asked to do the job. He was asked if he had a contract form or if he would like the attorney to draw one up and it was decided that Mr. Robert Sparr would draft a contract.

Mr. Fisher said he will fly the area immediately then 1. Accurately assess problem areas, 2. Define the watershed 3. Put data in plotter and accurately determine area 4. talk to people to see what they want most- a public relation 5. Calculate the run-off 6. Check the outlet and see what extra water's affect would have on this situation.

He said he would try to have the plans ready by autumn-1st of October.

Norman Skoog suggested that when one half of the plans were ready we would hold another meeting.

John said his firm would gladly work with the Board on assessing according to benefits and damages.

Mr. Fisher said his first request for a draw would not be until June and then in proportion to the Engineering completed.

With the completion of the day's business the Board signed the Order and Findings and the Certificates of Assessment and adjourned.

Norman Skoog, Chairman of the Joint Board

William J. Vanderveen
William Vanderveen, Chairman

William J. Vanderveen
William Vanderveen, Vice Chairman of the Joint Board

Robert F. Fields
Robert F. Fields, Vice Chairman

Bruce V. Osborn
Bruce V. Osborn, Board Member

Bruce Osborn
Bruce V. Osborn, Board Member

Wayne Anderson, Board Member

ATTEST:

Dave Baxter, Board Member

Gladys Ridder
Gladys Ridder, Exec. Secretary

SPECIAL JOINT DRAINAGE BOARD MEETING HELD AT LAFAYETTE NOVEMBER 8, 1977

A special joint board meeting was held on Tuesday, November 8, 1977 in the Community Meeting Room in the County Office Building at Lafayette, Indiana. The two Boards, Benton County and Tippecanoe County, were represented by: Norman Skoog, Robert A. Spahr, David D. Baxter and Wayne F. Anderson from Benton County and William Vanderveen, Bruce Osborn, Robert L. Martin, Michael Spencer, Grady Jones and Ethel Kersey from Tippecanoe County.

Wetherill-Darby Ditch

The Chairman, Norman Skoog opened the meeting by explaining the purpose for this meeting, namely, how Mr. John Fisher, of Fisher & Associated, was to be paid for the work that he had done on the Wetherill-Darby ditch.

Robert A. Spahr said there has been no contract by Mr. John Fisher but that he would have one signed and mail the Tippecanoe County Drainage Board a copy of the Contract.

The Benton County Drainage Board had received a statement from the Company who had taken the aerial photographs for Mr. Fisher. It was agreed by both Boards that Mr. John Fisher would have to submit the claims to the Drainage Boards as he is the one we have the contract with, not the other company. The costs for the employment of Mr. John Fisher, of Fisher & Associated are to be borne by each county in proportion to the apparent percentage of the total land area in each county to be affected by the drain. It was the opinion of the Board that Fisher should have the watershed area completed by now and furnish a copy to each county Surveyor.

Tippecanoe County Drainage Board is to pay the first claim submitted by Mr. Fisher as the Benton County Drainage Board is short of funds. Benton County is to pay the next payment.

Norman Skoog asked Robert L. Martin if there was anything concerning Pine Creek. Mr. Martin stated he would be setting up another meeting and would notify Benton County of the meeting.

With the business at hand attended to, Mr. Norman Skoog moved to adjourn. William Vanderveen seconded the motion. Motion carried.

Norman Skoog, Chairman

William A. Vanderveen
William Vanderveen, Vice Chairman

Bruce Osborn
Bruce Osborn, Board Member

David D. Baxter, Board Member

Wayne F. Anderson, Board Member

/absent/
Robert F. Fields, Board Member

ATTEST: *Ethel Kersey*
Ethel Kersey, Secretary

JOINT DRAINAGE BOARD MEETING HELD ON JANUARY 23, 1978 AT BENTON COUNTY COURT HOUSE IN FOWLER, INDIANA

The Benton County Drainage Board and the Tippecanoe County Drainage Board held a meeting on January 23, 1978 at 2:00 p.m. in the Commissioner's Room in the Benton County Court House in Fowler, Indiana. The following members were present: Norman Skoog, David D. Baxter, Wayne F. Anderson and John Barker from Benton County and William G. Vanderveen, Robert L. Martin, Mike Spencer and Ethel Kersey from Tippecanoe County.

The Chairman, Norman Skoog, opened the meeting by asking John Fisher, of John Fisher & Company, to report on the progress of the Wetherill-Darby ditch. Mr. Fisher had maps and sketches of the watershed, after explaining the maps and the amount of work already done, he explained how he figured the percentage of the total land area in each county affected by the drain. All agreed that thirty-five per cent (35%) Tippecanoe County and sixty-five per cent (65%) Benton County was a fair percentage. Fisher was asked, if he knew how much longer it would take for him to have the work completed? His answer was: he hope by the first of March he would be ready to have another meeting with the Joint Drainage Board, so that they could approve the plans. After Fisher's work is approved the Joint Drainage Board can proceed with the legal procedure according to the Indiana Drainage Code.

Wetherill-
Darby
Ditch

Norman Skoog signed the Employment Agreement, and he returned two copies to the Tippecanoe County Drainage Board.

The Tippecanoe County Drainage Board and the Benton County Drainage Board had received a request for a meeting of the Joint Drainage Board for the purpose of discussing the cleaning out and maintenance of the Otterbein Ditch.

Otterbein
Ditch

There was no one appeared for the meeting, so the Joint drainage Board could take no action. Norman Skoog said, "he would contact the property owners who sign the request." The Secretary, to call Carolyn S. Holder, Attorney, for the people signing the request.

With no more business the Joint Drainage Board moved to adjourn.

I, Ethel Kersey, did contact Carolyn S. Holder, and she apologized for no one appearing for the meeting but asked that the request be pursued.

Norman Skoog, Chairman

William G. Vanderveen

William G. Vanderveen, Vice Chairman

/absent/

Bruce Osborn, Board Member

David D. Baxter, Board Member

Wayne F. Anderson, Board Member

/absent/

Robert F. Fields, Board Member

ATTEST:

Ethel Kersey

Ethel Kersey, Secretary

SPECIAL JOINT DRAINAGE BOARD MEETING HELD JULY 20, 1978

A Joint Drainage Board meeting held on Thursday, July 20, 1978 in the Otterbein School at Otterbein, Indiana. The two Boards, Benton County and Tippecanoe County, were represented by: Norman Skoog, David D. Baxter and Wayne F. Anderson from Benton County and William Vanderveen, Bruce Osborn, Frederick Hoffman, Michael J. Spencer and Ethei Kersey from Tippecanoe County.

The Chairman, Norman Skoog opened the meeting by introducing Paul Coutts, representing John Fisher Company. Mr. Skoog then turned the meeting over to Mr. Coutts to explain about the work that John Fisher Company had done on the Wetherill-Darby Ditch.

Mr. Coutts introduced George Schulte and Roger Doll who had worked on the project of reconstruction of the Wetherill-Darby ditch. They had a large map of the ditch hanging so that all could see. Paul Coutts explained the Report of the Engineer. The Report read as follows:

Joint
Board
Wetherill-
Darby

TO: Joint Drainage Board
Benton and Tippecanoe Counties

SUBJECT: Report on Reconstruction
Darby-Wetherill Legal Drain

Dear Sirs:

To help understand the proposed reconstruction, the following outline summarizes the work that will be done for this drain which serves the 4800 acre watershed. In addition, a reconstruction cost estimate and map are attached with a land owners' list.

The reconstruction will consist of basically three different types:

- (1) Channel cleaning, which consists of clearing of all trees and brush and excavation of the channel bottom, is predominantly on the western end of the project. Approximately 5.5 miles are proposed to be cleaned and are indicated by the blue line on the map of the reconstruction plan.
- (2) Construction of 8.7 miles of swale (indicated in green) on the upper end of the watershed will provide a positive outfall for the many ponded areas on the eastern end of the project. In conjunction with these swales, 19 structures will have to be replaced under various county roads to provide proper capacity and elevation. These structures are indicated by red dots on the map and range in size from an 18" c.m.p. to twin 48" c.m.p.
- (3) Repair of the existing subsurface tile system on the eastern end of the drain has been estimated to include approximately 2,000 lineal feet out of the total 9.0 miles of the tile drain.

In addition, all disturbed areas from the reconstruction shall be seeded to provided proper ground cover and to minimize erosion.

Storm water flows that were used to size proposed structures and swales and to evaluate existing structures and channels are based on calculations using the Soil Conservation Service's TR-20 computer program.

Sincerely,

John E. Fisher Company

Paul J. Coutts, P.E.

RECONSTRUCTION COST ESTIMATE

DARBY-WETHERILL LEGAL DRAIN

BENTON and TIPPECANOE COUNTIES

1. Clearing	
A. Extremely rugged (170' width) 6800 L.F.....	\$ 23,850
B. Mild to rugged (60' width) 14,500 L.F.....	16,000
C. Little to mild (50' width) 7,800 L. F.....	5,810
2. Channel Excavation - 30,000 Cu.Yd.....	24,000
3. Channel Construction - 54,500 CuYd.....	49,050
4. Structure Replacement - 19 total	33,500
(includes pipe, granular backfill, end rip-rap)	
5. Seeding (92 acres).....	36,000
6. Tile replacement and reconstruction (2,000 L.F.±	11,000
7. Engineering (includes construction line and grade plus project coordination and management.....	12,000
8. Contingency.....	4,614

TOTAL ESTIMATED COST \$ 215,824

Prepared by: John E. Fisher Company

Those attending the meeting were: Eula Voliva, Ethele Voliva, Jim Yeoman, William J. Sondgerath, Eli Schwamberger, John Miller, Roy Schwamberger, Wm. J. Brost, Mrs. Wm C. Wettschurack, Elmo J. Mills, Wayne J. Wettschurack, Charles Keller, C. V. Sutton, Dick Christopher, Frank L. Handy-Benton County Auditor, Robert K. Moyars, James Moyars, D. W. Sewell, Ortar Broges, Donald E. Johnson-Agent for Greta Sewell Husted, Harry Brost, George Mann, Harry Etter, M. P. Lord, Thomas E. Reppert-S.C.S. Fowler, Georgia Halstead, Marybelle Clark, Hardin Coogler, Philip Kerkhoff agent for Kerkhoff Bros., Carl Kerkhoff agent for Helen Kerkhoff, Ruth Vaughn-Jerry Rooze agent, Mr. & Mrs. J. R. Burns-Charles Dunwoody agent, Jerry Moss-Lafayette National Bank-Trustee Irene Allen-Agent for Dick Tewksbury, Elmer B. Janssen, Ron Charlesworth, Alvin Musser.

Those attending the meeting were most concern about the total estimated cost of reconstruction and the swales.

SPECIAL JOINT DRAINAGE BOARD MEETING HELD JULY 20, 1978 (continued)

There were many questions, that were answered by Paul Coutts.

There were twenty(20) written remonstrances and three (3) that came to the Tippecanoe County Surveyor's office with their objections.

Norman Skoog, The Chairman told all present at the meeting, that the people in the watershed would be charged for the cost of the Engineer, that Benton and Tippecanoe Counties had already paid..

Meeting Adjourned.

Norman Skoog
Norman Skoog, Chairman *by David Baxter*

William G. Vanderveen
William G. Vanderveen, Vice Chairman

Bruce Osborn
Bruce Osborn, Board Member

/absent/
Robert F. Fields, Board Member

David D. Baxter
David D. Baxter, Board Member

Wayne F. Adnerson, Board Member

ATTEST:

Ethel Kersey
Ethel Kersey, Secretary

The Tippecanoe County Drainage Board met in the Community Meeting Room in the County Office Building at 10:45 a.m. on Monday, January 29, 1979, with the following members present: William G. Vanderveen, Bruce V. Osborn, Robert F. Fields, Michael J. Spencer, Kenneth Miller, Frederick Hoffman, Dan Ruth Jr., and Ethel Kersey.

Upon Motion of Robert Fields seconded by Bruce V. Osborn and made unanimous by William G. Vanderveen the minutes of the January 22, 1979 meeting were approved as read.

Ralph and Rosemary Crowder and Rowland Hoskins came before the Drainage Board objecting to the denial of payment to Mr. Crowder for repairs to the Ann Montgomery Ditch.

The Drainage Board read the following letter:

Ralph H. Crowder
41 Poland Hill Place
Lafayette, Indiana

January 27, 1979

Tippecanoe County Drainage Board
County Office Building
Lafayette, Indiana

Subject: Claim for repairs to the Ann Montgomery Ditch.

Dear Sirs,

On December 28, 1978 I (Ralph H. Crowder) submitted a bill to your board for repairs made to the Ann Montgomery Ditch, Jackson Township, Tippecanoe County, on property of Ralph H. Crowder. I was told-- there had been no trouble reported, and the County had personnel to do the work. In regard to these statements I have listed in the order of their occurrence the events leading up to my present situation.

1974:

A special ditch assessment set up in 1974 for needed repairs and maintenance of the Ann Montgomery Ditch would certainly indicate a need for these things. As a taxpayer I have contributed more than enough in this assessment to cover the expenses incurred the spring of 1978.

1976:

Joe Raub, my tenant in 1976 talked to the Surveyors Office regarding needed repairs to the Ann Montgomery Ditch, he was told there was limited funds, but to go ahead. I went into the office to confirm this and arrangements were made to do the work; however the repairman never came.

1977:

Rowland Hoskins, resident of the farm since 1976, and operator beginning with the 1977 crop year, knowing Phil Halsema had done repairs to the Ann Montgomery Ditch on adjoining property (Neil Simison) phoned the Surveyors Office and inquired if they had personnel to repair ditches and was told they did not. He was told to make needed repairs and the owner would be reimbursed by the County.

After I submitted my bill on December 28, 1978, a Mr. Miller, from the Surveyors Office did check out the work and after deleting two bags of cement mix (\$8.54) and an estimated \$80.00 for completion of the work * was to submit a corrected bill in the amount of \$783.63.

*Incomplete work to be finished by County.

On January 19, 1979 I recieved a letter from the Tippecanoe County Drainage Board denied because the Surveyors Office said it was not authorized. In the before mentioned communications with the board nothing was ever said about written orders or authorization.

der
m
Repairs
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Crowder
Claim
for Repa
to Ann
Montgome
Ditch

I am again submitting my corrected bill for your consideration and hope that verbal agreements between conscientious taxpayers and public servants can be honored.

Sincerely,

/s/ Ralph H. Crowder

Ralph H. Crowder

Considering that the present staff in the Surveyor's Office had changed in the past year, the Drainage Board, upon motion made and carried approved payment to Mr. Crowder for repairs to the Ann Montgomery ditch.

Informal
Hearing
Reconstruction
Shepherdson
Ditch

The Chairman opened the informal hearing on the reconstruction of the James A. Shepherdson ditch. The purpose of this meeting was to explain to those present that an error was found in the original estimated cost for reconstructing the Shepherdson ditch.

From the tile bids and other bid jobs the County Surveyor and Engineer now has a more accurate way of estimating the cost of reconstructing a ditch.

It was decided that the Drainage Board would advertise for Bids, for construction cost only, and then add the tile prices to the construction price and this would give a definite total cost.

If the property owners agreed to this, then the County would go ahead with the reconstruction of this ditch.

There will be another meeting sometime in March.

Those attending the meeting were: George DeLong, Howard Ayers Sr., John E. Haan, Mary Haan, Morris Gochenour, Hazel Gochenour, Phyllis Bolyard, Floyd Bolyard, Margaret Cornell and Ed Brud.

Wetherill
Darby
Ditch
Meeting
Continued

Upon motion of William G. Vanderveen the hearing on the Wetherill Darby Ditch was continued to February 12, 1979 at 1:00 p.m., because of the weather conditions in the vicinity of the Otterbein School a quorum of members of the Joint Drainage Board was unable to be present and, also, because of the weather conditions the most of the public interested in this drain were unable to be present.

Motion made and carried meeting adjourned.

A Joint Drainage Board meeting held on Monday, February 26, 1979 in the Otterbein School at Otterbein, Indiana. Because of the weather conditions in the vicinity of the Otterbein School, this was a continued meeting that was originally scheduled to be held on January 29, 1979. The two Boards, were represented by: Norman Skoog and Garry Guthridge from Benton County and William G. Vanderveen, Bruce Osborn, Michael J. Spencer and Ethel Kersey from Tippecanoe County.

The meeting was called to order at 2:00 p.m. by Mr. Norman Skoog, Chairman, who immediately turn the meeting over to Mr. Paul Coutts, Engineer for John Fisher's Company. Mr. Coutts explained to those present that the plans for reconstruction of the Wetherill-Darby Ditch could not have the final approval to-day, because the plans hadn't been reviewed by the Soil Conservation Service and the Department of Natural Resources.

Wetherill
Darby
Ditch

Those present were: D. Elwood representing Hardin & Lora Coogle, Eula Voliva representing Ethele Voliva, Jim Moyars representing Ethele Voliva, Bud Widmer representing Stella Stolte, Alvin Musser, John Miller, Eli Schwamberger Philp J. Kerkhoff representing Stephen, Philp and Daniel Kerkhoff, Carl Kerkhoff representing Helen Kerkhoff, William J. Brost, Mary Adams representing Mary Caine, Marybelle Clark, Harry Brost, Gene S. Conner, Joe A. Vaughn, Elmer Janssen, Ron Charlesworth, Wayne Wetttschurack representing Wm. C. Wetttschurack, Elmo J. Mills, Charles Keller, Swindler Farm-Anton A. Brages, Mrs Lewis Husted-Donald E. Johnson Farmcraft Service, Bob Johnson, Charles D. Dunwoody representing Mr. & Mrs. J. R. Burns Farm, Jerry S. Rooze representing Ruth Vaughn, Bill Moyars, Max Kelly, Dick Christopher, Dwight Sewell and Paul Coutts, Roger Doll and John Fisher representing John Fisher Company.

The following Revised Construction Cost Estimate was explained to those present, by Paul Coutts.

DARBY-WEHTERILL LEGAL DRAIN

Revised Construction Cost Estimate

1. <u>Clearing</u>			
	Rugged-Heavy Timber 60' wide-6.0 acres @ \$900	= \$	5,400
	Medium-Light Timber 50' wide-13.0 acres @ \$800	=	10,400
2. <u>Channel Excavation</u>	30,000 yd ³ @ \$0.80/yd ³	=	24,000
3. <u>Reconstruction of Channels</u>			
	Ditch-3:1 side slope with 10' bottom	}	34,500 yd ³ @ \$0.70 = 24,150
	Surface Drain- 8:1 side slopes, variable bottom		

JOINT DRAINAGE BOARD MEETING HELD FEBRUARY 26, 1979 (continued)

4. Replace 2,000 lineal feet of field tile	=	11,000
5. Seeding 38.0 acres @ \$225.00/acre	=	8,550
6. Engineering -project management and coordination, inspection, and construction line and grade	=	12,000
7. Contingency	=	6,624
	TOTAL	\$102,124

Proposed assessment = $\frac{\$102,124}{4640 \text{ acres}}$ = \$22/acre

There were nine (9) written remonstrances filed.

Paul Coutts asked if there were any question or comments. Wayne Wettschurack, representing William Wettschurack, was concerned about the amount of water that would flow across the Wettschurack property, and also, question the depth of the tile at the headwall, he was of the opinion that it should be raised about 18 to 20 inches. He, also, stated that he thought they had worked this out.

Paul Coutts told Me. Bill Moyars he would be happy to talk to him about the number of acres assessed to his Aunts property.

Marybelle Clark and Mary Adams, representing Mary Caine, was asked to take their complaints up with the Tippecanoe County Drainage Board.

All questions were answered by Paul Coutts and John Fisher, they also stated that there would be another meeting in 4 or 5 weeks for final approval and if anyone had any complaint, or any other questions about the plans, to please call or come in to the office within the next 4 or 5 weeks.

The days business completed, the Joint Drainage Board moved to adjourn.

Norman Skoog, Chairman

William G. Vanderveen

William G. Vanderveen, Vice Chairman

Garry Guthridge, Board Member

Bruce Osborn

Bruce Osborn, Board Member

/absent/
David D. Baxter

/absent/
Robert F. Fields

ATTEST:

Ethel Kersey

Ethel Kersey, Secretary

The regular meeting of the Tippecanoe County Drainage Board met in the Community Meeting Room in the County Office Building, on Wednesday, March 14, 1979, at 9:30 a.m. with the following members and staff present: William G. Vanderveen, Bruce Osborn, Robert F. Fields, J. Frederick Hoffman, A. D. Ruth Jr., Michael J. Spencer, Kenneth Miller, Grady Jones and Ethel Kersey.

Upon motion of William G. Vanderveen, seconded by Bruce Osborn and made unanimous by Robert F. Fields the minutes of the February 7, 1979 meeting were approved as read.

Minutes
Approved

Floyd Mitchell, John E. Fisher, John K. McBride, Carol Whitson and George DeLong atteded the hearing on a Petition for the establishment of a new legal drain and establishing a maintenance fund on this legal drain to serve Harrison Meadows Subdivision. The Petition read as follows:

Harrison
Meadows
Subdivision

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

BEFORE THE TIPPECANOE COUNTY
DRAINAGE BOARD

IN THE MATTER OF THE)
HARRISON MEADOWS SUBDIVISION)
DRAIN PETITION)

The undersigned petitioners respectfully petition the Tippecanoe County Drainage Board to establish a legal drain and in support of this petition show the following:

1. That Harrison Meadows Subdivision is described in a plat recorded at Plat ~~Cabinet A~~ Slide A-94, Office of the Recorder of Tippecanoe County and the real estate covered therein is more particularly described in Exhibit A attached hereto and incorporated herein by reference.

2. That as of the date hereof the undersigned are the owner-s of all the real estate described in Exhibit A, being Lots 1 thru 38 in the aforesaid subdivision, which lots each will be affected by the proposed improvement.

3. That the cost of creating this legal drain will all be born by the petitioners, including the cost of notice and legal costs if their petition be dismissed.

4. That in the opinion of the petitioners, this drain will improve the public health, be of public utility and benefit the public generally.

5. The costs, damages and expenses of the proposed improvement will be less than the benefits.

6. The general route of the proposed drain is that area of land specifically described in Exhibit B attached hereto, together with all that ~~land in the Harrison Meadows~~ Subdivision which is described on the plat thereof as Drainage easement.

WHEREFORE, petitioners pray that the Drainage Board of Tippecanoe County accept this petition, grant the same, and accept the legal drain.

/s/ Floyd G. Mitchell
FLOYD G MITCHELL

STATE OF INDIANA)
COUNTY OF TIPPECANOE } SS:

Before me, the undersigned a Notary Public in and for said County and State, personally appeared Floyd G. Mitchell who duly acknowledged the execution of the above and foregoing Subdivision Drain Petition.

Witness my hand and notarial seal this 7th day of Dec., 1978

My Commission expires: _____ /s/ _____ Notary Public

This instrument prepared at the law offices of Ball, Eggleston, Bumbleburg & McBride, 810 Purdue National Bank Bldg., Lafayette, Indiana.

DESCRIPTION:

Part of the Southeast Quarter of Section Twenty-two, Township Twenty-four North, Rang Four West, Tippecanoe Township, Tippecanoe County, Indiana, described as follows:

Beginning at a point on the southern line of the Southeast Quarter of said Section Twenty-two, said point being located North 90°00'00" East, 140.00 feet from the southwestern corner of the Southeast Quarter of said Section Twenty-two; thence North 0° 52' 00" East, 690.00 Feet; thence North 90° 00' 00" West, 140.00 feet to the western line of the Southeast Quarter of said Section Twenty-two; thence North 0° 52' 00" East along the western line of the Southeast Quarter of said Section Twenty-two, 385.00 feet; thence North 90° 00' 00" East, 665.30 feet; thence South 0° 52' 00" West, 803.00 feet; thence North 90° 00' 00" West, 160.00 feet; thence South 0° 52' 00" West, 272.00 feet to the southern line of the Southeast Quarter of said Section Twenty-two; thence North 90° 00' 00" West along the southern line of the Southeast Quarter of said Section Twenty-two, 365.30 feet to the point of beginning, containing 13.20 acres, more or less.

DESCRIPTION: Legal Drain Easement

Ten feet of even width off the northern side of Lot #31, Lot #38, and Lot #25 in Harrison Meadows Sub-division, also ten feet of even width off the southern side of Lot #32, Lot #37 and Lot #24 in Harrison Meadows Subdivision, also ten feet of even width off the eastern side of Lot #34 and Lot #19 in Harrison Meadows Sub-division, also ten feet of even width off the western side of Lot #20, all located in Harrison Meadows Sub-division as recorded in Plat Cabinet A, Slide A-94, Office of the Recorder, Tippecanoe County, Indiana.

PREPARED BY: John E. Fisher, L.S. S0025
1535 Main Street
Lafayette, Indiana 47905
Telephone 317 448-1535

Proof of notice of meeting (17 receipt for certified mail) with 3 notices returned unclaimed, also, Journal and Courier proof of publication.

Bruce Osborn made a motion to accept Harrison Meadows Subdivision Drain as a legal drain. The motion was seconded by Robert F. Fields and made unanimous by William G. Vanderveen.

Upon motion of Bruce Osborn, seconded by Robert F. Fields and made unanimous by William G. Vanderveen the Board so moved to establish a \$10.00 per lot maintenance fund assessment.

The Board requested a \$1,000 Personal Undertaking Legal Document from Mr. Floyd Mitchell to assure completion of certain grass seeding and minor grading work on the legal drain in accordance with construction plans.

With the establishment of a new legal drain the Board signed the Order and Findings form and the Certificate of Assessment form for the Harrison Meadow Subdivision Drain.

Meeting continued until 11:00 a.m.

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD MARCH 14, 1979 (continued)

Marybelle Clark Wetherill-Darby Ditch

Marybelle Clark Wetherill-Darby Ditch

Next on the agenda for the Tippecanoe County Drainage Board was Marybelle Clark contesting the 15 acres she is being assessed for on the Reconstruction of the Wetherill-Darby Ditch. She is of the opinion that this land does n't lie within the watershed. Mr. John Fisher stated that before an answer could be given, that his company would have to do a field survey. Mrs. Clark was informed that she would be notified of the findings. John Fouts, Bruce Parker and John Fisher came before the Drainage Board with different plans for handling storm water for the Deardorf Estates.

The following letter was mail to Mr. Fouts, on January 17, 1979:

John Fouts
3025 SR 25 W
Lafayette, Indiana 47905

Re: Rezone Z-844

Deardorf Estates

Dear Mr. Fouts:

At the January 15, 1979 meeting of the Tippecanoe County Commissioners, it was agreed by the Commissioners, that the storm drainage system recommended to be used in the Deardorf Estates subdivision not be approved.

It is our considered opinion that the outlet of the storm drainage system from any subdivision shall connect to a ditch or stream having a natural flow.

Very truly yours,

Board of Commissioners of
The County of Tippecanoe

/S/ Robert F. Fields
Robert F. Fields, President

John Fouts stated that after receiving the letter from the County Commissioners that they decided to go with a ditching system in place of a dry well system. The ditching system would entry into the ditch along State Road 24, proceed along the road then crosses under the road to the railroad ditch system and would eventually reach the Wabash River. Mr. Fouts, also stated that they were to receive a Miscellaneous Permit for work on State Highway Right-Of-Way today. John Fisher assured the Drainage Board that this system is going to be built to take care of the 100 year storm.

Bruce Osborn made a motion to leave the Drainage Plans for Deardorf Estates and the plans would be taken under advisement. The motion was seconded by Robert F. Fields and made unanimous by William Vanderveen.

Richard Bouwkamp came before the Drainage Board inquiring about a proposed ditch coming into Tippecanoe County from White County with the outlet into Burnett's Creek, namely the Gosma ditch. Mr. Bouwkamp question if they had the right to do this. He is of the opinion that the water would come in quicker than before, causing Burnett's Creek to flood more than usual.

After a discussion of the pros and cons, Mr. Bouwkamp was informed that if they don't increase the rate of the flow of water that legally the Drainage Board could do nothing.

With the completion of the day's business the Board adjourned.

William G. Vanderveen
William G. Vanderveen, Chairman

Bruce Osborn
Bruce Osborn, Vice Chairman

Robert F. Fields
Robert F. Fields, Board Member

ATTEST:
Ethel Kersey
Ethel Kersey, Executive Secretary

A special Joint Drainage Board meeting of Tippecanoe and Carroll Counties for the purpose of increasing the maintenance fund for the Buck Creek Open Drain. The following members and staff were present: William Vanderveen, Bruce Osborn, Robert F. Fields, J. Fredrick Hoffman, Michael J. Spencer, Kenneth Miller and Ethel Kersey from Tippecanoe County. Mr. William Dickinson was the only member present from Carroll County.

Buck
Creek
Ditch

William Vanderveen, Chairman of the Tippecanoe County Drainage Board opened the new maintenance hearing on the Buck Creek Open Drain by explaining to those present there are 3170.90 assessed acres in the watershed and there were 21 remonstrances filed. (This represents 1,643.60 assessed acres or 51.83% of the watershed.)

Those in attendance were: Mary Anne Day, Kelly Day, Carol (Felix) Walters, Robert L. Shively, Fred Wise, J. E. McCormick, Melvin Miller, Myron A. Welch, John A. Wilcox, Richard L. Welch, Maurice Cripe, Orville E. Shultheis, Charles R. Shultheis, Jack Buck, Dale Fosnock, J.W. Shepard, Earl Miller, Maxine & Francis Humbarger, and Leila & Paul Humbard.

The Chairman read the following Surveyor's Report:

REPORT ON THE CONDITION OF THE BUCK CREEK OPEN DRAIN AS VIEWED

ON MARCH 12, 1979 BY TIPPECANOE COUNTY SURVEYOR

196

In walking the entire Tippecanoe County portion of the ditch, the following observations were made:

The majority of the needed repairs concern tile outlets, that either no outlet pipe exists, or the existing pipe has broken off, or been bent down leaving the outlet submerged. There are approximately 70 outlets along this portion of the ditch, of which about 25 need repair. There are approximately 30 location where trees have fallen into, or are growing in the ditch flow line. Snag exist, causing silting and log jams.

Also, there are about 20 places where large amounts of surface water has been running over the spoil banks into the ditch causing bank erosion and silting. In these cases, pipes should be placed through the spoil bank.

There are two locations where a headwall was built to allow surface water, and a tile outlet to enter at the same location, but these have washed out, causing water to flow either around or under the structure.

Additionally, some degree of clearing is needed along the majority of the ditch. The above work, in my opinion, should be considered maintenance.

Mike Spencer
Tippecanoe County Surveyor

The Chairman, then asked if the new assessment was agreeable to those present. Mr. Wilcox asked it there was a Joint Board present? The Drainage Code reads. If lands in two (2) counties may be affected the chairman of the board of each county shall appoint two (2) of the members of his board, other than the surveyor, to serve on the joint board. With Carroll County only having one member present there could be no legal action taken.

After a question and answer period and the discussion of the pros and cons of a legal Joint Drainage Board. Bruce Osborn made a motion that the Presidents of each Drainage Board get together and work things out as to forming a new Joint Drainage Board. The motion was seconded by Robert F. Fields.

William Vanderveen stated he would contact Carroll County President about setting up a meeting, and also stated that it would be nice to have the committeemen on the ditch in attendance of the first meeting and this meeting would not be a public meeting.

The committeemen are: John McCormick, Robert Shively, Kelly Day, Charles Skiles and Donald Mullen.

William Vanderveen tank all for coming.

Upon motion made and carried the meeting adjourned.

William G. Vanderveen

William G. Vanderveen, Chairman

Bruce Osborn

Bruce Osborn, Board Member

Robert F. Fields

Robert F. Fields, Board Member

William Dickinson, Carroll County
Board Member

ATTEST:

Ethel Kersey
Ethel Kersey, Secretary

The Joint Drainage Board meeting, met at the Community Meeting Room in the County Office Building, at 1:30 P.M. on Thursday, September 6, 1979, with the following members present: William G. Vandervee, Bruce Osborn, Robert F. Fields, Michael J. Spencer, William Martin. Benton County members present: Norman Skoog & David D. Baxter.

The attendance for the meeting are as follows: Bob Johnson-Otterbein, Alvin Musser-Otterbein, Olmo Mills-Otterbein, Charles Keller-Otterbein, Art Plant-West Lafayette, Harry Brost-Oxford, Wayne Wettscharack-Otterbein, for William C. Wettscharack-Otterbein, Paul Geswein-Fowler, Max Kelly Dr. M.P. LordFarm-West Lafayette, Harlin Coogle-Otterbein, Mary Adams for Mary Caine-West Lafayette, Ernest Widner-Otterbein, John Miller-Otterbein, Harry Etter-Fowler, Elmer Janssen-6203 W. 750 N. West Lafayette, Ralph Jacson-Lafayette National Bank, Mary Belle Clark-Battleground, Carl Kerkhoff-7728 W. 900 N. West Lafayette, Phillip Kerkhoff-7805 W. 900 N. West Lafayette, William J. Brost-R.R. 1 Oxford, El. N. McCole-R.R. 1 Otterbein, Don Johnson (G.S. Husted Farm) Box 65 Oxford, Eula Voliva-Oxford, Ethele Voliva-Oxford, Gene S. Cormer R.R. 1 Osford, A.A. Braces (Swindler Farm)-Oxford.

Norman Skoog opened the meeting at 1:30 P.M. immediately turning the meeting over to Paul Coutts.

Paul Coutts: Basically let me go down, I have a long list of items here to cover. Since we met last time basically what I want is to set down and bring you up to date as far as, the input on things that have transpired since the last meeting. I think you remember what we agreed to was about the basic extent and scope, as far as what we were going to do, in other words, we decided to pull in, look at the main part of the system and go ahead and rework this and that legal portion of it and that we would try to stay with the cost estimated around \$100,000, and I think this time we are up about \$110,000. We have tried taking in account, since we made our last estimate there is a little more inflation in there. What has transpired since then, that we left the last meeting with the idea, that one would get with the SCS Office and some of the interesting parties that live in the area within the watershed and who have specific problems would try to address those issues. O.K., out of that would come a number of revisions and changes to the plan that we have got here today. It is that, in working with the SCS, they recommended that we change the concrete headwall where we go from the open channel structure to underground tile with surface drains above it or running parallel with it. They recommend we change from concrete headwall to what they call a corrugated metal drop structure. A U-shaped thing with corrugated walls on it. And we did not feel that was a problem, it maybe indeed was better designed. So we have gone ahead and changed the plans which reflects that on there now.

The other thing was regarding the drop structure, Mr. Wettscharack requested that, it be moved 100 feet from his fence line. We will do that.

The other point of contention in reviewing it with these parties, had to do with the surface drain cross section itself, and what aspect that was not desirable from their view point was the 10 ft. flat bottom on that cross section and what they wanted to see, was something that would be more suitable to actually farming through it and what we did, we adopted a parabolic section which would not handle necessarily all our design flows. But, the feeling was in talking with SCS and with some property owners that if the water would come up and flood or go out of the banks of the exact legal drain area, that this would not be bad, because as long as we provide a positive drainage flow, eventually, the water would still get out. So, what we have really done is kind of lower our design standard and I see nothing wrong with it.

O.K., then the other point of disagreement or point of discussion was that we should maybe look at deeping the open channel, excavating down towards the Western end, and taking and raising the surface drain. Flow line elevation on the Eastern end. So, I looked at this and the whole point of discussion centered around whether a 10th of a percent was really adequate to go ahead and provide surface drainage through these areas, and in reviewing it with SCS and a number of other people, they feel that indeed the .10% would be adequate. We are willing to go ahead and revise the construction plans, and we have done so.

Now what has happened with it is that, due to the change and so forth, the cost estimate as we originally sent to you has changed. No, the total amount of dollar has not changed. The indications are that there is going to be a trade-off. In other words, the deeper amount of excavation on the Western end, in regards to the open channel is going to cost wise, be compensated for, by raising the surface drain, eliminating some of the surface drain, and when we are bringing that channel in eliminating a 10 ft. bottom. What that really means is we are going to have less dirt up on that end to move. So, what it amounts to is that around \$20,000 change from the channel excavation. We are estimating about \$20,000 more down there and about \$20,000 less up on top, as far as construction of the surface drain. So, the total dollar effect or the total net effect, is that we are right at the same amount we are talking about, right around \$110,000. So, the assessments are basically the same.

Now as far as, where we stand today, basically as far as I am concerned, we have got a set of plans which will work will provide the service needed, that I think you folks are looking for. I think, we tried to deal with all those parties that had complaints, that come to us, with seeking their inputs and so forth, and we are proposing today is that we basically approve the plans and specifications, second to putting the finishing touches on and getting them dressed up so that we can put it out for bid. And I think, that my recommendation is to the Joint Drainage Board here, is that we proceed with it, and listen to what you folks have to say about it today. I think we are to the point as far as design I think we have reached agreement with property owners, we have something that will work and which I think is reasonable with regards to the cost. And so with regard to that, I will go ahead and be quiet and answer any questions there might be. That is basically where we stand with the plans today.

Phil Kerkhoff: Questions Deeping the Dredge part of the channel.

Paul Coutts: Answer. There was some concern that down on the lower end, the Western end, the existing open channel. Do you know what I am talking about? I'm not sure how many miles it is what 2 or 3, 4 or something like that. There is a lot of concern that siltation in there might be fairly heavy and that we really need to get down 2 or 3 feet, dig that drain out, so any tile coming in will definitely have the relief in there. And we were skeptical about getting down a 10th of a percent and going to something that flat.

And reviewing this with the SCS, their thoughts are that in this situation that we are talking about .10% grade would work fine. They are not going to be able to carry the heavy rains, but that is not our concern. Now about the surface, I think I know what you are talking about. Mr. Coutts went ahead explaining surface drains on the Eastern end. All we are doing with the .10% grade, is still using the same low spot up here, so that we are draining it up, so the main effect is on this end is that it is shallower. That is what we are talking about. So we don't have to cut down the surface drain itself. We still have the positive drainage to the low spot that is on the Eastern end.

Mr. Kerkhoff: So, what are the advantages of this?

Paul Coutts: Cost saving, more than anything else. In other words, I think that is the primary thing. Plus, I think, a lot of us were fearful, that when we get into certain places the cuts were going to 2 to 2 1/2 feet deep, or more, then there is going to be some problems for them, in regards to working through it and trying to maintain it and having something you can farm through, is the idea of the surface drain. So, you know, there is still a problem with drainage, as far as, getting the water out, but, they are just apprehensive with having to deal with it and there was some concern. There is some real problem, particularly if you want to look at improving that Eastern end, where you think it should be.

Carl Kerkhoff: When they cross 500, how deep is it?

Paul Coutts: You ask a specific question. I'll have to roll out and see. He couldn't keep that number in his head. In regards to what we are talking about, I know where your at, as far as, your ground. As far as your outlet, and getting rid of your water, it really does not affect it. All it means, is that...

Mr. Kerkhoff: I think there is enough fall there.

Paul Coutts: Yes, there is fall. That is the point. Instead of taking from your point, the low spot and running say two-tenths (0.2) percent or 16 hundredths used in that area. We will just flatten that out just a little bit more, and putting it at tenth (0.10) percent grade. So, all we have done is taken you low spot and go from that on down. With regard to how it will affect your ground, basically, as far as I am concerned, it is no different really. It's just not going to get away as fast. Maybe, if it sets there 2 hours before, maybe it will set there 2 hours and 15 mins. or 2 1/2 hours, I don't know. That is why I think it will help you.

Wayne Wettscharack: I would like to bring up to date, some of the things we talked about before, involving some of the things I was interested in. Between the last meeting and this meeting we did meet with Mr. Fisher. Going into that situation, I looked into these plans and checked some of the grades myself. It looks like to me, we are getting some pretty deep cuts to us that wasn't necessarily needed. So, I hired Paul Geswein to work on it and he proposed to lower the grade. How to get the water out without the 2' - 2 1/2' cuts. And we presented it to Mr. Fisher and the SCS meeting and let them look it over and came to an agreement. I would like to introduce Paul Geswein. He worked with Drainage for 25 years and worked on the project in Benton County several times and turned down. Mr. Wettscharack continued talking that they had a meeting Tuesday with Paul Coutts. We ironed out some things hopefully, that they would go into the project, as Paul said they are. I would like to give Paul Geswein a chance to express his views to the rest of the people that are involved.

Paul Geswein: Mr. Geswein stated that he wasn't sure what to say and what the commissioners wanted him to say. But, my findings and their findings are way off. He has made personal surveys on this channel before. He said that at the first meeting we had on this, about 2 years ago, that in 1956, this ditch was surveyed. We had that record available at the time of the meeting in O-terbein. I told you of that engineering service. Evidently they didn't want to utilize it.

Norman Skoogs: None of the Commissioners know about it. If you told us about it, we sure did not listen.

Paul Geswein: Wayne had asked me to look into this project on the original plans. Pertaining primarily to just surface flow, nothing else. He told Wayne, he could not do that without a survey. I've got to go out there and record the notes and pick up the level up through the fields. So he did, and we found that what the Fisher's Association designed was different than what I have designed. This is my own feeling. It is nothing against Fisher Assn. What I would do if I were doing it. They had it way way deep. I advocated putting a channel up on grade. We will have gravitational flow. Slower in places-faster in others. We would permit out of bank flow. We would not make a channel big enough to hold a 6" rain in 24 hours. We would take a more average rain and try to handle that within a given channel as it came down toward the open ditch. They had cuts in some of those fields where you people try to farm in excessive of 3' deep. Where in places, they wouldn't need to be over 1' deep. Just to provide direction for this water. Rather than going back and forth and giving everyone drainage. We came up with this idea and met with Mr. Fisher and his office also with SCS. And we both have had understanding of what we wanted to be done, as far as, I am concerned and Wayne was concerned. But then this set of plans came out and Wayne asked me at that time, to review the open channel from this point on down. Which I did. From the knowledge that I have had from past experience. The Fisher group proposed a channel not hear big enough. We had a meeting the day before yesterday, in Dick Christophers office at Fowler. Paul and I, Dick and Wayne. Paul Geswein stated that, we have to have a deeper channel at the lower end. We have got to have volume flow. He asked me to put ditches on .18 grade. We put ditches on a lot of times .02 grade. But, we need more depth than this set of plans will afford. This will not give you what you want unless you revise it.

Mr. Coutts: It is revised.

Paul Geswein: (Continues) You have got to get your feet wet. You have got to get a crew out there and walk that ditch. Survey it, every foot of it. I believe the engineering code-quotes that, when you are public money public people Drainage Boards, per say, you have to have a cross sectional view of this ditch a minimum of every 500 feet. A cross sectional view is like an X-ray, you find out what the condition of the ditch are today-what you have to have to drain all the ground above it and adjust it to compute yardage. As far as I know, they may have made 1 or 2 cross sections. But, you don't have anything in this set of plans that tells us, what the exact grades are. We have got an approximate grade. We can't deal with approximates. When we deal with you peoples money and the Drainage Board, you got to be as far as, I am concerned exact. You have got to know what you have to do.

An estimate is based on so many dollars per cubic yard excavated. If you don't have an exact survey how area you going to have an exact cubic yard computation. You can't leave that till last. After the contract is out, you have to have it prior to the letting. You can not get it from an aerial photograph. You have to get your feet wet because, that is the only way. That is my opinion again. Before I will have anything to do with it, in any way what so ever, you may want to talk to someone else or whatever, that is up to you. We have got to go out to the ditch and stake the ditch.

Does anyone have any questions?

In this set of plans, Harlin Coogle, for instance, he is at the upper end of the lower branch. You people have heard where he is at. The people that designed this ditch, didn't even know the cement structure, headwall was there. They didn't know we had some urgent conditions within the existing tile outlet. The tile was completely covered, submerged.

Does anyone have any questions?

Harlin Coogle: Stated that he was for the ditch and wanted it to go through, but he thinks he should have a little something for it, after spending all the money he has on it and if they throw more water on me. I think I should have something to take care of the water. That is all I have to say about it.

Paul Coutts: Let me explain to you a little bit. I've already explained to him a number of things about what we have done and what the procedure was here. True, we did not do this by conventional survey. We did not take it and send a field crew out there and go ahead locate each and every cross section 500 feet apart. Whatever. The idea was in the out set. We would go more modern and do things a little more differently. We would use aerial photography go ahead and get out contours and everything and to find out watershed. 2 reasons, for this, Number 1. By using the aerial techniques, we can take it and precisely find a watershed, as far as telling who is in it and who is out of the watershed. So, we don't get in a situation of someone who owns 80 acres. They throw whole 80 one way or the other. My feelings was, to get a fair assessment that way. We talked to the Drainage Board about this in the beginning. They felt the cost involved would be better. Also, regards to design. When I came upon the scene, there was given information regarding the ditch and what we were going to do. We were told basically to solve the total watershed drainage problems. Which meant to us that, if we were going to do that we basically had to have area. And when you send a 3 man crew out at \$36.00 an hour to run up and down all these farms, checking cross sections. Where I am concerned, you are talking about running a big bill. So, we talked to the Drainage Board, their feeling was that aerial possibly would work. As far as, drawing a line across the aerial photography and knowing contours and everything plotting it up showing you what a typical cross section is. What we did do on top of that, was go ahead and physically measure all the structures, so we would have an idea what the structures are like and where they are. So, we have some relationship to know how that structure sets in there. I think there is something to be said for both. True, you may get particular better information for a specific spot. When you compare the cost and the overall design and engineering. I don't think you can really beat the aerial photographic technique.

As far as, the plans not being according to what he is talking about. Part of the problem here, is that I did indeed get away from the process. Mr. Fisher has asked me to come back and I have been called here at an embarrassing moment to try to put this together and solve. That is what I have been trying to do. I've talked to Wayne and Mr. Christopher and tried to explain and I am willing to do whatever you think is necessary or important as far as, getting something that will work for you people. If we have got something wrong, I am the first to admit it. Maybe, I don't know everything about culvert drainage that we should. The idea was in the beginning, that we would take it and use a standard design and so on. Use the SCS program to model it and to come through with the size of the culverts and to look at what kind of channel capacity we are talking about. If you look at that, versus what we are talking about now. That is a different situation. I'm not saying what we are doing is wrong, I'm saying that if it works, and you folks are willing to live with it and it handles the water a tenth percent is fine, then let's go ahead and proceed. We will work with Paul and Wayne and go with the project here. As far as, Mr. Coogle and his tile problems, we do have how much money in there?

We have got almost (\$10,000) ten thousand dollars allocated. We are actually going ahead and repairing the main tile system where we have those kind of problems you are talking about. There is money in there to do that. That's my response to it, as far as that's concerned. We are all here trying to solve a project and make it go. I am willing to do whatever is necessary with our agreement. That is what I am trying to do here as far as, incorporating Paul's suggestions and Wayne's suggestions into these plans. At this stage of the game, I think we have something that will work and does consider your input and I think we have tried to work with all you people to some extent. I've been out there a number of times. I have spent a lot of my own time out there not making money off of it, because I thought it was important to try and solve some of these problems. I really feel that we have something that will work. I hate to see us get in a haggling match, one thing or another at this stage of the game.

These Plans are revised, for this meeting as of yesterday.

Paul Geswein: This new modern technology that Paul is referring to, that set of specs, where we filled the open ditch. We are talking about design and survey technology going up that ditch. It is just one of those things which I don't know how much I can help you. The only thing is someday, somewhere down the road you are going to have to stake and survey that channel to know what you have got.

Paul Coutts: We agree to that. Except the construction line. We are talking about a tenth of a percent. There is no way you can turn a contract loose and just say go to it. That's why we have got \$12,000 in here for coming out there and staking it. We want to get something that will drain.

Paul Geswein: If this thing was actually surveyed properly, the first time over. That we should have a ditch half dug by now. Should have been done right the first time. A proper survey. I feel it strongly and we still haven't done that survey. We still have that yet to do. We have got a lot of money in this thing already.

Phil Kerkhoff: Our feelings, as far as the people involved, in our office, as far as doing it right, it was done right in the 20's or 30's. But, that was 1920 technology. Since then in the 1940's they tried to improve this water problem. We are talking about. O.K., now in the 70's, we are talking 1970 technology. We want something that will definitely be a good system, late in the century.

They can go on all morning, we feel that the first proposal that we had with Fisher was probably the best. I think we are relatively satisfied with the job so far.

Wayne Wettscharack: I would like to thank Paul Geswein and Paul Coutts. We're not really haggling Paul. But, I think that on anything like this we need to make a record of what transpired and what would transpire, and we were given assurances that possibly Paul Geswein would be hired as a consulting engineer.

Paul Coutts: Now, I didn't say that. I said we would take a look at it and consider it, in other words, my idea Wayne is that, when we come out with something here go ahead. If you have some questions or some inputs still there, that is your problem. There was nothing agreed to, who hired him without consulting anyone.

Wayne Wettscharack: It's still my job to hire Paul Geswein, to make sure that you guys are doing the job that needs to be done.

Paul Coutts: It doesn't make any difference to me. We are giving you the opportunity to look them over. If you have some comments, that's fine. There are other people here to, that we have to take into consideration.

Wayne Wettscharack: Everyone here should take a real good look at that system. That we have assurance, they will do what they said. We've got a good thing going here. A good project. I've been upset with myself, not with Paul Coutts or Fisher, trying to work the thing out. But, I don't really think that should have been my job.

You haven't done what we've talked about.

I do want to make a matter very clear. They are going to go ahead with what we had discussed. The change in design of the plans.

We have done that. That is what we have worked up here.

I would like some assurance from the Drainage Board of what we are going to have to do.

Mr. Voliva: May I ask a question? My aunt here, they went through and reduced 80 acres on the west ditch. They suggested they come into John's office.

Paul Coutts: If you want to come into John's office and sit down with me and let me show you what parts we are talking about on the overall contours map. I would be happy to show you what we are talking about, and why we get what acreage we do. That's the only way I can do it. I can't set here and know which parts are which. If you want to set down in the office and roll out the contours and I'll show you what we are talking about. I would be happy to work with you. I told you that before, and if you want to look at it on paper, I would be more than happy to do that with you.

Mr. Voliva: That is what she is objecting to.

Paul Coutts: I will be glad to show you the contours and show you where we got the ditch line drawn. This is the only thing I can do. Show you what I based it on and let you see for yourself.

Mary Belle Clark: I would like to know, if the ditch has been changed so my property will drain into the ditch. This spring the people across the road in Benton County, said that all their land had drained, and I still was covered with water. If I can drain into it, then I'm willing to pay my portion of it. But, if I lose my crops, because the water, I can't afford it.

Paul Coutts: We have been through this discussion many times before. At that time, we did look about running a specific line up to your ground. I talked about it to you before. From our view point, your water definitely gets off the ground.

Mary Belle Clark: There is no drain that will go into the ditch that you are talking about. If I can get relief from paying this, I'm going to try and see if I can get permission to have the ditches along the road deepened. So that my water will get off of the fields, and it will be there and my fields will be dry. I can't afford to do something like this until I find out what is going to happen here.

Basically, what we did, and I'm not talking to the Drainage Board, what we did was try to reduce our design and our construction plans back to the point where they were just main drainage systems. I think a lot of people have that same kind of problem. The basic thing, was that we pull back and look at just legal drain portions.

Mary Belle Clark: There was a tile across the road years ago, that would relieve that what is around my field. There is no tile across the road now.

Are you talking about a culvert or an underground tile?

Yes, a culvert. I know why it was taken out. Because, it kept filling up on the other side. The silt would rest there until it no longer would drain and the water held there and kept freezing and ruining the road. So, finally they took it out. But, that doesn't help me any. And so now it's filled in and no way to get out of there. I appreciated Mr. Coutts. He spent his own time and he is a gentleman. I appreciate that. But, it does not help me with the water problem, that I am faced with. I've tiled all I can. I have got to have an outlet. It's important to have that water off.

Norman Skoog: As far as, the road ditch, we have to go by a certain grade. We can't go out and dig a big-what I call a hog waller along the side of the road, just to hold your water as it comes off of your field. It should be looked into. If it is true, that there is a culvert across the road and it was removed, it has to be put back in. I would think.

Paul Coutts: I would see the County Highway Engineer about it. See if they have any record of it. Whether, someone did remove it or see what the story might be on it. He might be able to give you some information on the side ditch itself.

Paul Geswein: I didn't want to interrupt her. But, I have a couple of questions I would like to ask. Is it public knowledge as to how much input money wise, we have into this set of plans?

Norman Skoog: \$4,900 is the contract price, plus the \$3,200 for the plan. Plus the advertising and everything that goes with it.

Paul Geswein: Two years and \$8,100. put into that set of plans, and in two days it is completely changed.

William Vanderveen: I think the first plan that they came up with most everybody agreed that, that was more or less, I'd say the Cadillac of plans. I think, somebody at this meeting, I think it was Mr. Kerkhoff, mentioned that it was the plan that should have been used. I think to satisfy everyone on this thing, that they have made a lot of changes. Tried to work with it because both Drainage Boards, in both counties feel like this is rather important. I think the Drainage Board, could of either, gone ahead with the original plan, or they could have dropped it. One or the other. We have that paragon right now. That we can go ahead with it or we can drop it. I would certainly hate to see it dropped. I think you are trying to throw a wrench into the works here somehow or another. Whether, it's because you didn't get the contract here or what. I've certainly haven't appreciated some of your remarks.

Dick Christopher: I'm representing Wayne Wettscharack. What you have here is, divergence of professional opinion on a matter which concerns the public. They are entitled to express their views. They are entitled to give you their opinions. There have been some basic fundamental changes as far as, specifications on reconstruction of the Darby Wetherill. However, these have been taken as far as, real basic fundamental technical changes that are suppose to be made. Lip service has apparently begun in the last few months. Now, the first conference that these people had with Fisher and SCS a number of weeks ago, at that time, which the SCS said there were some things that they were going to incorporate in these plans. That was not done. These specs that have come out, we have seen notes on. In the last few weeks there was very little change, if any, in these plans. Now, the meeting the day before yesterday, it was agreed that they were going to use the assistance of Mr. Paul Geswein, as consultant and these changes were going to be taken under consideration. This apparently has been done. Now, what we have before the public here, this happens all the time, Wayne asked me to assist in filing these appeals. Which I have done. He is concerned that the base of the watershed area towards the old ditch that he is going to be candidated whenever we have a 6" rain, like we did the 3rd of July. He says look, I helped neighbors out, we want to relief this water problem, as far as emptying the watershed. However, I won't be penalized for that. As result of this, he asked Mr. Geswein to come in on it. It is a difference of views.

Simple as that. These people want to be Damn well satisfied that it's going to be done, bec-ause once you do this, you have to live with it. So, if it is going to take someone else to come in and assist with these people, then this is the way it ought to be done. Wayne has been picking up the tab on the thing ever since it started. He ought to have a little help. Even from the DrainageBoard or the Public, or something. If these plans are going to be dropped fine. But, if this thing is not set up the right way, then we will have to drop it. If you are willing to work, and work with Paul and the Board here, and get this thing set up so there may be compromise, I think it will go.

William Vanderveen: I certainly think that we have seen enough compromise here, and alot of attitude in trying to work this thing out. That's what I'm trying to say. I still feel that Wayne is trying to throw a wrench in the works.

Dick Christopher: I disagree with that.

Norman Skoog: I might add one thing. It is a feeling, I think some of the other members of, and I can only speak for our other commissioner that is not here, that alot of these meetings we didn't know anything about. Maybe, we as commissioners, if we had known about it, might have been able to do something sooner, than the day before yesterday. This is a feeling, I know of, Dave & I that if we had known some of these specific problems and some of the meetings, we might have been able to have some input. And in turn, mor-e input to Fisher's or to the Tippecanoe Drainage Board, as the Joint DrainageBoard. I feel alot like Bill does there. We have tried to work as much as we can. We have made some mistakes as a Board. I think that Paul has made some mistakes. The more we stand up here and talk about the difference of opinion, we have got to quit it or we will be here the rest of the afternoon. We ought to be able to work it out.

We have got to unroll these plans, see if they have to be changed, or else drop it. And I for one, and I know there are a number of you that don't want it dropped. If we do have to drop it, what it will do in the case of Benton County, it will move about 4 projects ahead of you and you will be down the road unless you put up your private money and do it that way and do your project that way. I'm not trying to scare anyone. Just tell you how it is. We have got 4 or 5 ditches that we have held back because we want to get something done on the Wetherill Darby Drain.

Phil Kerkhoff: We would like to have the original plan work.

Norman Skoogs: It's my opinion, that if we have a workable set of plans that would met with the SCS in Tipp. County o r Benton County. Would that be enough assurance to the people in this room and the people involved in the watershed, to see that the project went through.

Mr. Christopher: Stated that things should be workd out for everyone. Let's have some possibility on this.

William Vanderveen: I agree. We have got everyone in here again. We still seem to have some problems. Are we going to try to solve, say Mr. Wettscharack, problems at this time and come in again and solve Mr. Kerkhoff's problems?

Mr. Christopher: Wayne wants the ditch. As of the drainage problem, I have a difference of opinion here. We need to work out some of the details. I think you in the ball park.

Wayne Wettscharack: Some things I want put on the record. When Paul Coutts talked to Mr. Fisher and to incorporate some of the ideas we have had, I wanted to contact you, because I talked to John Fisher. He has a set of plans, he looked them over, and came to a compromise. I want it to go on record that they were in agreement. I have no ax to grind. Just want to get a good hold and the watershed working together.

Mary Belle Clark: I would like to say something again. I think that if my situation were anyone of yours, that you would all feel like I do. Do unto others as you would have others do unto you. Increase the cost.

Norman Skoog: When we talk about the increase, it is because cost are increasing everyday. Everyone knows that. We went from \$22.00 an acre to \$24.00 an acre. Strickly because of inflation. There were some mistakes that we pointed out between the lasttime and this time, regarding acreage. We had gotten 2 people I have forgotten their- names, put on the West end on the North side, that have been left out.

If that culvert has been removed and it is a natural water way, we have to put it back in.

If it is in agreement with the people here, that we or that Fisher and Assoc. present these plans to SCS at both counties and there is no major disagreements of any sort, would that be a go ahead to go ahead with the project?

Yes, Definitely so.

MOTION: Bruce Osborn made a motion that, these set of proposed plans, that are revised as of the meeting the day before yesterday, if there are no objections to those SCS that those plans be approved and we go Ahead with the project.

Bob Fields: 2nd the motion.

Paul Coutts: What I did, I went down and explained what all the revisions that were basically made.

1. Change concrete headwall to corrugated metal pipe drop structure per SCS.
2. Move that over 100 feet instead of 50 feet, or whatever we had on the plans.
3. On the surface drain itself, we would take it and eliminate the 10 foot bottom. As far as the surface drain and the open channel, we will make it deeper on the Western end, and bring up surface drain.

Those are basically my understandings.

Wayne Wettschurack: We move that back 100 feet.

Yes.

Paul Geswein: How are we going to determine how deep the channel has to be, for instance on Mr. Coogle's farm?

Paul Coutts: We will probably go out there and check that. Just to make sure, I have got the grade set based on what your information was the other day.

JOINT MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD Held September 6, 1979 (Continued)

Norman Skoog: MOTION: That we take these proposed set of plans and present them to SCS in both counties. The final people to review. If they find no objections with the plans, then we can go ahead with the project.

Harlin Coogle: How will they know how much water is coming down on me?

Paul Coutts: Part of the concept in the beginning was that more important than anything else, that if we can improve the surface water run off. In other words, if we can get rid of the water as soon as it rains, that water would be taken care of by the tile system. The problem in the past, as I see it is that, alot of surface water does not get off. Your holding it and consequently your tile system is getting overloaded. If we get the surface water off of there, we are not overloading the tile system. The tile system itself is going to be relieved to a certain extent.

We have some money in there to take care of the tile. They obviously cannot function, if you have tile to be repaired or replaced.

The main idea is to get rid of the surface water the best we can. Which will relief a great burden off of the tile. Hopefully, the tile should handle it alot better.

William Vanderveen: MOTION of the Joint Drainage Board to adjourn.

All agreed.

Norman Skoog: 2nd the motion.

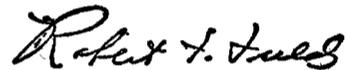
We will have another meeting if there is disagreement with the SCS. Either way, there will be another meeting.



William G. Vanderveen, Chairman

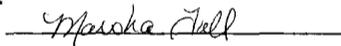


Bruce V. Osborn, Vice Chairman



Robert F. Fields, Board Member

ATTEST:



Marsha Tull, Exec. Secretary

The Tippecanoe County Drainage Board met in the Community Meeting Room in the County Office Building at 9:30 a.m. on Wednesday, February 6, 1980, with the following members present: William G. Vanderveen, Bruce V. Osborn, Martin Galema for Robert Fields, Michael J. Spencer, and Marsha Tull. Also, Bill Martin and George Schulte set in.

Valley Forge Subdivision: Dick Benning appeared representing John E. Smith. They want to present to the Drainage Board an over view of what took place a few years ago with Valley Forge, and a proposal that they would like the Board to consider at this time.

Valley
Forge
Subdivision

The original plan for Valley Forge Subdivision was conceptually approved, but now would like you to look at a modification of this system. They are proposing, at this time, a little bit different detention system.

Robert Grove discussed some of the engineering factors and future maintenance of detention system.

"We are talking about solving 2 problems:

- 1: Have to store the difference between predevelopment flow and after-development flow. This has to be stored below the flow line. If you dike this water up, you create a dam across the floodway. We propose a concrete channel and catch basin into the 15" tile. In addition to the detention area we have to provide a floodway. The floodway will be 175' wide from top of bank to top of bank.
- 2: The upstream area that is defined as the Legal Drain, is 2200 acres that comes through there. When you have that much capacity coming in, we have 2 30" tile under 9th St. outletting. There is an imbalance."

218

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD Held February 6, 1980 (Continued)

"The system the way it is today, 9th St. just by virtue of those small pipes, detains some flow. What we want to do is squeeze this down to still provide a channel and reduce detention from 9th St. We can't do that entirely. We are trying to channelize the flow, but not make this problem any worse than it is."

"We have given no credit to the soil taking some of this water out. We are going to put in Dry Wells and give then a try."

Valley
Forge
Subdivision

Valley Forge Subdivision The question came up: Why can't you discharge this after-development flow and meter it into the system? A basic problem that arises, is that this flow line between 9th St. and 18th St. there is no place to detain any water. Anything you discharge off the developed area will go right into the channel. If you meter that, you would be damming that channel way. What do you do with the water that is stored up? The point was brought up that the 30" tile that is there now is overloaded and has some problems up and down stream. The decision was then made not to allow any after-development water into that 30" tile.

To resolve that problem, a 15" corrugated metal pipe which would run parallel with the 30".

It will be the property owners responsibility to maintain their own property with this proposal. There was some discussion about the assessments. How they would determine who would be assessed and how much.

The main proposal consists of changing from a Wet System to a Dry System.

MOTION: William G. Vanderveen made the motion to take the plan under advisement.
Bruce Osborn: 2nd the Motion.
Mr. Galema: Unanimous.

Britt Drain: Robert Grove and John Fisher came before the Board to review the plan that was discussed at the January 2, 1980 meeting. Robert Grove went over some of the important factors. The question was asked: How much of the proposed plan is to be a Legal Drain? The Legal Drain will stop at the Right-of-Way. Line on the West side of I-65. If this is made a Legal Drain, the State will pay their portion.

Britt
Drain

The Watershed area has been established for Britt Drain.

John Fisher, Bob Grove, Mike Spencer, and George Schulte are going to get together and work on the project.

MOTION: William G. Vanderveen made the motion: Go ahead and do the field survey, and we will get back with you.
Bruce Osborn: 2nd the Motion.
Mr. Galema: Unanimous.

Wetherill Darby: Robert Grove has talked to Paul Coutts. Paul knows what SCS's problems were and some of the property owners problems. He has agreed to call some of the property owners and tell them how they will be resolved. Also, make changes that Soil Conservation Service in both counties recommended.

Wether-
ill
Darby
Drain

John Fisher stated that they want to keep the Board up to date as to the progress of the Wetherill Darby Drain.

MOTION: Bruce Osborn made the motion to accept the Tile Bids from Economy Tile.
Mr. Galema: 2nd the Motion.
William Vanderveen: Unanimous.

MOTION: Mr. Vanderveen made the motion to adjourn.
Bruce Osborn: 2nd the Motion.
Mr. Galema: Unanimous.



William G. Vanderveen, Chairman



Bruce V. Osborn, Vice Chairman

 Martin Galema

ATTEST: Marsha Tull
Marsha Tull, Executive Secretary

Wetherill-Darby

The Joint Drainage Board of Tippecanoe and Benton County Drainage Boards met in the Otterbein School-Otterbein, Indiana on July 11, 1980 at 10:00 a.m. with the following members present: William G. Vanderveen, Michael J. Spencer, Tippecanoe County, Norman Skoog, David Baxter, Benton County Commissioners, George Schulte-Drainage Engineer-Tippecanoe County, and Marsha Tull, Secretary.

Norman Skoog opened the meeting and turned it over to William Vanderveen.

Mr. Vanderveen stated that there were 7 letters and 10 people that remonstrated against the assessments. Mr. Vanderveen read the names of the remonstrators and their acreage.

Hardin & Lora Coogle	200 acres
Bernard Moyars	100
Leslie Moore	26
Marybelle Clark	15
Ethele Voliva	118
Donald Christopher	71
Richard L. & Donald L. Christopher	7
Wayne & William Wettschurack	160 & 80
Elmo & Ione Mills	160 & 80 & 80
Charles Keller	100

25.9% is the total percentage of remonstrators.

The meeting was then turned over to the engineer of the project. Bob Grove-John E. Fisher Co. Bob went over the changes in the plans from their last meeting.

Bob mentioned that the engineers cost estimate and the specifications are completed.

Mike Spencer-Tippecanoe County Surveyor, said we have an itemized cost estimate if anyone would like to see why the cost estimate for the reconstruction is so high.

Wayne Wettschurack asked why the assessment jumped from \$24.00 an acre to \$40.00.

Mike Spencer replied that they had a couple of contractors look at our plans and gave them a rough idea of what had to be done and they gave us a rough estimate. One was pretty high and the other was low. We averaged those, and this is how we came up with the present price, from current contractor's prices.

Doug Elwood representing Hardin Coogle, came before the board. Mr. Coogle was concerned about an existing structure that he was told would be removed. If so, this would cause him a water problem.

They were told by Mike Spencer and George Schulte that the existing structure will remain.

Wayne Wettschurack requested some time to express his opinion to everyone.

"First of all, I am not in favor of the overland drainage which will add to my water problem, because it is caused by changing the natural drainage course of overland water."

"It is also unduly penalizing us as landowners, as we must give up land to make a waterway course for up-stream water to run to the ditch."

"In the last bunch of rain, we received considerable amount of water, enough to cover about 70% of 30 acres. 12 hours after the rain most of this water came from upstream through a tile that erupted and boiled over. Our rights as landowners have been taken away if the overland drainage is allowed to continue."

"I am speaking for 3 landowners. I would like to recommend for reasons of excessive cost at this time and period of rough times-economically, for undue use of acreage against benefits that the overland water construction be suspended at this time, that we go ahead with the ditch clean out and tile repair that we proposed when we started this project. We as owners don't intend to stop the project. It has always been our intention that if the ditch was cleaned out and tile repaired that we would receive benefits all along the waterway."

"I would also like to know why there is not a separation of assessments between owners directly affected and owner-s that are drained by tile ditch. It is my understanding that there is a formula for figuring that up why it should be 50-50 when people right on the ditch are going to get more effect from it than the ones that are setting back upstream."

Mrs. Mills expressed her and her husbands feelings on the project and their assessment. She stated that they felt it would hurt them instead of help and they felt like their assessment is ridiculous, according to what they are going to gain from it. "It is going to cost us and it is going to hurt us. We are going to lose farm Ground."

Mike Keller was the other person Wayne was speaking for. He had nothing further to add to what Wayne had stated.

Wayne also stated that there are 3 or 4 landowners on the backend of the ditch that are paying considerable assessments. Don't believe at this time that they will receive direct benefits.

He mentioned that they have done considerable work on the ditch, mostly because we said something about it. At one time when they were going to put water down over us, there was no way they were going to get water away from us by what they had done to the ditch.

"The ditch needs to be cleaned and tile repaired, but I am not in favor of bringing overland water by changing the natural drainage."

Don Johnson stated that he represented the Houston Farm. "When Paul was involved in it, he had come out and visited us. There was old 24" tile that had come through the Houston farm, which we agreed because of the cost and the difference between the 24" tile and the open ditch, to go ahead and take the open ditch up through the Houston Farm. Paul had agreed with us, that it was O.K. to straighten the ditch out as it came to the road which is one mile west of the County Line Road. It's on the west end of the farm, where the ditch comes at an angle and over to the black top road, that was supposed to be straight so we didn't have point rows on both sides of the ditch, at that point."

It was mentioned that there is nothing noted on the present map about straightening the ditch through the Houston farm.

Wetherill-Darby

Bob Grove stated that he didn't think there was a problem. It just didn't get on the map.

William Vanderveen mentioned that the Board did not have a lawyer representing them. It is up to the Drainage Board whether or not they want to go ahead with this. It has to be a public vote of the Drainage Board at this meeting, whether or not to proceed. If we vote to proceed, then those remonstrators always have the option of filing an injunction and going to court.

Dick Chrisopher stated to the Board that he represented Wayne Wettschurack, Elmo Mills, and Mr. Keller. These people have a genuine concern about what the storm water might do to their particular farms as result to the reconstruction of the upperend of the watershed. They are not convinced of this engineering wise, and they hate to go out and be in the position whereby we are just going to have to wait and see what happens.

"These people are saying, if you alter surface drainage on the upper end of the watershed we are not sure what kind of problems this will give us. We are very concerned about that now. If you inted to go ahead with this project, and we suffer damages as result of it, then we expect someone to be liable for this."

"In the meantime they are willing to go ahead and clean out the open ditch and the extention of the open ditch, repair sub-surface drainage. At this time they would like to see that done. They would like to see the benefits of that. If we do have a problem then lets talk about coming in and doing some additional work on the upperend of the watershed. Based on the information we have now, we are reluctant to go ahead with it."

"Once you make these cuts we are going to have to live with them, but more importantly this 25.9% of the people are going to have to live with it."

It was stated that by law a Maintenance Fund has to be set up. You have five years to pay off the reconstruction assessments, ifit is paid off in the first year, there is no interest charged. If not, 10% interest per year- on the unpaid balance will beccharged.

MOTION: William Vanderveen made the motion that we advertise for bids for the Wetherill-Darby Drain.

David Baxter: 2nd the motion.

Norman Skoog: Unanimous.

MOTION: William Vanderveen made the motion to adjourn.

David Baxter: 2nd the motion.

Norman Skoog: Unanimous.

Motion made and carried, meeting adjourned.

Norman Skoog, President



William G. Vanderveen, Vice President

ATTEST: Marsha Tull
Marsha Tull, Secretary

David Baxter, Board Member

The Tippecanoe County Drainage Board met on Wednesday, April 1, 1981 at 9:30 a.m. with the following members present: William Vanderveen, Bruce Osborn, Sue Reser, Fred Hoffman-Attorney, George Schulte-Engineer, Mike Spencer-Surveyor, Natalie Boyer-Secretary.

Ken-Do-Lake Mobile Home and R.V. Campground

George Schulte was before the Board seeking Drainage Board approval for Ken-Do-Lake Mobile Home and R.V. Campground. The area consists of about 15 acres. The area lies about two miles east of Munroe; it is on the Clinton-Tippecanoe County Line on CR 900 S. Ken-Do-Lake

George Schulte has talked with the State Board of Health and is awaiting their approval.

It was stated the lake has adequate capacity to handle the runoff.

Motion: Bruce Osborn made the motion to approve the Ken-Do-Lake Mobile Home and R.V. Campground Drainage Plans.

Sue Reser: Seconded the motion.

William Vanderveen: Unanimous.

Welborn Industrial Park

John Fisher was before the Board seeking Drainage Board approval on Welborn Industrial Park.

Motion: Bruce Osborn made the motion that Welborn Industrial Park Drainage Plans be approved. Welborn Industrial Park

Sue Reser: Seconded the motion.

William Vanderveen: Unanimous.

J.N. Kirkpatrick Ditch-Petition

A petition was submitted to the Drainage Board from the landowners on the J.J. Kirkpatrick Ditch.

The attorney stated they will have to have a public hearing. All the people on the ditch will have to be notified because of the cost involved. J.N. Kirkpatrick

William Vanderveen explained to the landowners at the meeting the cost will be assessed to the ditch whether or not the project ever goes through.

The Board decided to have a public hearing to be held on June 3, 1981. At this meeting, the assessments on the ditch will also be discussed.

Appoint Members for the Joint Board-Wetherill-Darby Ditch

The motion was made by Bruce Osborn to appoint Sue Reser and William Vanderveen as members of the Joint Board of Benton and Tippecanoe Counties. Joint Board

Sue Reser: Seconded the motion.

William Vanderveen: Unanimous.

Pheasant Run Phase VII

Bob Williams submitted calculations and drawings to the Drainage Board for their approval of the drainage on Pheasant Run Phase VII. Pheasant Run-PhaseVII

William Vanderveen asked if it would require a new pipe to be put in underneath.

Mike Spencer: "No, that is the same pipe."

There was some discussion on the types of pipe that is involved. The pipes are designed to carry the water, not drain the ground.

Bruce Osborn made the motion to approve Pheasant Run Phase VII Drainage Plans.

Sue Reser: Seconded the motion.

William Vanderveen: Unanimous.

246

MOTION: Bruce Osborn made the motion to adjourn.

Sue Reser: Seconded the motion.

William Vanderveen made the motion unanimous.

Motion made and carried, meeting adjourned.

William B. Vanderveen
William Vanderveen-President

Bruce Osborn
Bruce Osborn Vice Chairman

Sue M. Reser
Sue Reser-Board Member

ATTEST: *Natalie Boyer*
Natalie Boyer-Secretary

Representatives Sue Reser and William Vanderveen of the Tippecanoe County Drainage Board and Garry Gutheridge and Norman Skoog of the Benton County Drainage Board, met at the Commissioners Room of the Benton County Court House on Wednesday April 15, 1981 at 10:00 a.m. for an organizational meeting to elect officers for the Wetherill-Darby Joint Reconstruction Project.

Those present, other than the representatives, were Mike Spencer-Tippecanoe County Surveyor, Paul Helterbran-Benton County Surveyor, Nancy Gardner-Benton County Attorney, Richard Christopher-Attorney, Doug Elwood-Attorney and Paul Geswein of Fowler Farm Technology.

Acting Chariman Norman Skoog opened the meeting and emphasized the fact that the meeting, as advertised in the Benton Review and Lafayette Journal and Courier, was for the organization of the Joint Board only.

Nominations were opened for Chairman and William Vanderveen nominated Norman Skoog. Garry Gutheridge seconded the nomination and as there were no further nominations, nominations were closed. Mr. Skoog was elected unanimously.

Nominations were opened for Vice-Chairman with William Vanderveen being nominated by Garry Gutheridge seconded by Sue Reser. There being no further nominations, nominations were closed. Mr. Vanderveen was elected unanimously.

Paul Helterbran was appointed Secretary for this meeting only with a permanent Secretary to be appointed by Chairman Skoog.

Nancy Gardner was appointed Attorney for the Joint Board with the approval of all Board Members.

Chairman Skoog set the time and place of the next meeting for 8:00 p.m. on Friday, June 5th, 1981 at the Otterbein School Gymnasium. This meeting is open to the Public and Certified Notices are to be sent to affected land-owners no later than Monday, May 4, 1981 with publication in the Benton and Lafayette Journal and Courier at least 10 days prior to the meeting. At this meeting, discussion will be held on old plans, tentative new plans, Engineering, proposals from land-owners and general discussion.

There being no further business at this time, the motion to adjourn was made by Mr. Vanderveen and seconded by Mr. Gutheridge. The meeting adjourned at 10:30 a.m.

_____/S/
Norman Skoog
Chairman
Benton and Tippecanoe County
Joint Drainage Board

_____/S/
Paul R. Helterbran
Acting Secretary
Benton And Tippecanoe County
Joint Drainage Board

Wetherill-Darby Drain

The Joint Tippecanoe-Benton County Drainage Board met on Friday June 5th, 1981 at 8:00 p.m. in the Gymnasium of the Otterbein School. Members Sue Reser and William Vanderveen of Tippecanoe County and Norman Skoog of Benton County were present, as were Mike Spencer and Paul Helterbran, surveyors of both counties.

A motion was made by Norman Skoog and seconded by William Vanderveen to dispense with the reading of the minutes of the Organizational meeting of Wednesday, April 15, 1981.

The meeting opened with a general discussion of the problems with the plans as they were and suggestions from many property owners for their solution.

After much discussion, with no clear-cut solution being brought forth that was acceptable to all present, three new Petitions were circulated by Wayne Wettschurack and Phil Kerkove and accepted by the Board.

These Petitions are to be reviewed by the Board and a meeting was set for 10:30 a.m. of Tuesday, June 16, 1981 at the Commissioners Room of the Benton County Court House.

There being no further business, a motion was made by William Vanderveen and seconded by Norman Skoog to adjourn. The meeting adjourned at 11:00 p.m.

/s/

Paul R. Helterbran
Secretary

Wetherill
Darby
Drain

Wetherill-Darby Drain

Wetherill
Darby
Drain

The Joint Tippecanoe-Benton County Drainage Board met on Tuesday, June 16, 1981, at 10:30 a.m. in the Commissioners Room of the Benton County Court House. Present were Norman Skoog and Gary Gutheridge of Benton County. Due to conflicting meetings, Sue Reser and William Vanderveen of Tippecanoe County were unable to attend. Chairman Skoog set the next meeting for Tuesday, June 30, 1981 at 1:00 p.m. at the same place and adjourned the meeting.

 /s/
Paul R. Helterbran
Secretary

November 28, 1984 - Joint Drainage Board Meeting Benton County/Tippecanoe County

The Tippecanoe County Drainage Board and Benton County Drainage Board met Wednesday, November 28, 1984, in the Commissioner's meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana 47901 at 10:00 A.M. for an organizational meeting between Tippecanoe County and Benton County for the Otterbein Ditch.

OTTERBEIN
CH Attorney J. Fred Hoffman called the organizational meeting to order for the Joint Drainage Board. Mr. Hoffman ask for nominations from the floor for a Chairman. Bruce V. Osborn nominated Norman L. Skoog for Chairman, Eugene Moore seconded the nomination. There being no other nominations from the floor for Chairman, Eugene Moore moved the nominations be closed, seconded by Bruce V. Osborn. Motion carried.

Norman L. Skoog Chairman ask for volunteer to be Vice-Chairman. Bruce V. Osborn was appointed Vice-Chairman. Norman L. Skoog recommended that his Drainage Board Secretary be appointed Executive Secretary, Linda Ford, Benton County Secretary was appointed.

By statue Michael J. Spencer, Tippecanoe County Surveyor was appointed surveyor since Tippecanoe County has the most footage and acreage.

J. Fred Hoffman was selected attorney for the Otterbein Ditch.

A petition has been presented requesting action be taken on the ditch. The ditch has been reviewed. Michael J. Spencer stated that the ditch is already a legal drain. Board has original specifications of 1931. The surveyor needs to write up a report. Michael J. Spencer ask if the petition had 10% of the acreage. Question: Was the petition for reconstruction or clean out? After much discussion, attorney J. Fred Hoffman advised the board to have an official meeting after the surveyor gets his report written. Discussion of who notices would go to for the Town of Otterbein. Mr. Hoffman suggested the board use the assessment list.

Bruce V. Osborn moved the Special Joint Board Organizational meeting for the Otterbein Ditch be adjourned. Seconded by Eugene Moore, carried.

DARBY/WETHERHILL DITCH

BY
HERHILL
CH A meeting was called to order to discuss the maintenance problems of Darby/Wetherhill Ditch. Benton County stated their General Drain fund will be depleted if something isn't done, they are two (2) years behind now. Mr. Hoffman, attorney suggested have another maintenance hearing to raise the Maintenance fee. After much discussion Bruce V. Osborn moved that notices be sent to property owners to raise maintenance fee from \$1.50 to \$4.00 for Darby/Wetherhill Ditch. Seconded by Gary Gutheridge. Unanimously carried.

Benton County Drainage Board will send notices the week of December 3, 1984. Publication will be in newspaper December 6, 1984. Joint Board meeting will be held Tuesday, January 8, 1985, at 10:00 A.M. in the Tippecanoe County Office Building Community meeting room, 20 North Third Street, Lafayette, Indiana 47901 for the Darby/Wetherhill Ditch. Norman Skoog ask to have an informal meeting for the Otterbein Ditch the same day.

There being no further business, Bruce V. Osborn moved the meeting be adjourned. Seconded by Eugene Moore. Carred.

Those in attendance for the Joint Board meeting were: Linda Ford, Benton County Drainage Secretary, Norman L. Skoog, Benton County Commissioner, Paul R. Helderbran, Benton County Surveyor, Bruce V. Osborn and Eugene Moore, Tippecanoe County Commissoenrs, Maralyn D. Turner, Tippecanoe County Drainage Board Secretary, Michael J. Spencer, Tippecanoe County Surveyor, J. Fredrick Hoffman, Attorney, Gary A. Gutheridge, Benton County Commissioner, and Sue Scholer, Elected Tippecanoe County Commissioner.

NORMAN L. SKOOG, CHAIRMAN

BRUCE V. OSBORN, VICE-CHAIRMAN

ATTEST:

Maralyn D. Turner
MARALYN D. TURNER, ACTING EXECUTIVE
SECRETARY

The Tippecanoe County Drainage Board met in regular session on Wednesday, January 8, 1986 at 8:30 A.M. in the Tippecanoe County Office Building, Community Meeting Room, 20 North Third Street, Lafayette, Indiana.

Chairman Bruce V. Osborn called the meeting to order. Those in attendance were: Bruce V. Osborn Chairman, Eugene R. Moore and Sue W. Scholer, Board Members, Michael J. Spencer Surveyor, Fred Hoffman Drainage Attorney, and Matalyn D. Turner Executive Secretary.

Chairman Osborn turned the meeting over to Attorney Fred Hoffman for the election of officers.

Mr. Hoffman ask for nominations from the floor for President of the Board, Eugene Moore nominated Bruce V. Osborn President of the Board, seconded by Sue W. Scholer, there being no other nominations, Sue Scholer moved the nominations be closed, seconded by Eugene Moore. Mr. Osborn was unanimously elected President of the Drainage Board for 1986. Bruce Osborn ask for nominations for Vice-President, Sue Shcoler nominated Eugene R. Moore Vice-President, unanimously approved that Eugene Moore serve as Vice President.

334

January 8, 1986 Regular Meeting Continued

Sue W. Scholer was nominated by acclamation as Secretary of the Board. Sue W. Scholer moved to appoint Maralyn D. Turner Executive Secretary, Mr. Fred Hoffman Drainage Attorney, and George Scholte Drainage Engineer. Unanimously approved by the Board.

986
SSESS-
ENTS

1986 ASSESSMENTS:

Fred Hoffman attorney read the list of 1986 Ditch Assessments for approval. Those to be made active are Charles Daughtery, Thomas Haywood, F.E. Morin, William Walters, Luther Lucas ditch to be assessed two consecutive years (1986&1987). Those that will continue to be active are: Jesse Anderson, E.W. Andrews, Julius Berlovitz, Herman Beutler, Michael Binder, John Blickenstaff, N.W. Box, A.P. Brown, Buck Creek (Carroll County) Orrin Byers, County Farm, Darby Wetherill (Benton County) Marion Dunkin, Christ Fassnacht, Martin Gray, E.F. Haywood, Harrison Meadows, Lewis Jakes, Jenkins, James Kellerman, Frank Kirkpatrick, John A. Kuhns, Calvin, Lesley, Mary McKinney, Wesley Mahin, Samuel Marsh (Montgomery County) J. Kelly O'Neal Emmett Raymon (White County) Arthur Richerd, John Saltzman, Abe Smith, Mary Southworth, William A. Stewart, Gustaval Swanson, Treece Meadows, Lena Wilder, Wilson-Nixon (Fountain County), Simeon Yeager, S.W. Elliott, and Dismal Creek. Sue W. Scholer moved that the ditch assessment list for 1986 be approved as read, seconded by Eugene R. Moore, Unanimous approval given. A letter to the Auditor with attached list of 1986 Ditch Assessments will be forwarded.

ODRIDGE
UTH

WOODRIDGE SOUTH

Michael Spencer surveyor, presented the drainage plans for the Woodridge South, at the December 4, 1985 board meeting it was decided that the landowners would take care of the detention basin behind the two lots and they they would check into increasing the release rate from a 10 year storm event to 25 year storm to make the basin smaller. George Schulte has looked at the plans and finds the plans in order, Michael Spencer recommended the board give final approval to the detention area for Woodridge South. Eugene Moore made motion to give final approval to Woodridge South, seconded by Sue W. Scholer, Unanimous approval.

Sue W. Scholer ask the board to review Allen County's proposed section pretaining to Subdivisions in their Drainage Ordinance, the board members agreed to study.

JAMES
KIRPATRICK
DITCH

JAMES KIRPATRICK DITCH

Need to assess landowners within the James Kirpatrick watershed in order to get back \$6,000.00 spent for the drainage study in 1981, December. State Board of Accounts requested this be done.

MCLAUGHLIN
DITCH

MCLAUGHLIN, JOHN DITCH

A letter needs to be sent to Montgomery County requesting total amount of expenses to date on the John McLaughlin ditch so that we can collect our share of expenses in Tippecanoe County.

ELLIOTT
DITCH

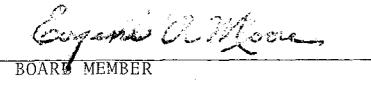
ELLIOTT DITCH

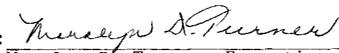
A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

There being no further business, meeting adjourned at 8:50 A.M.


CHAIRMAN


BOARD MEMBER


BOARD MEMBER

ATTEST: 
Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
JULY 29, 1987

The Tippecanoe County Drainage Board met in Special session Wednesday, July 29, 1987 at 9:00 A.M. in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana 47901.

Chairman Bruce V. Osborn called the Special meeting to order with the following being present: Eugene R. Moore and Sue W. Scholer Boardmembers, Michael J. Spencer Surveyor, and Maralyn D. Turner Executive Secretary, others present are on file.

BUCKRIDGE SUBDIVISION PART II

BUCKRIDGE
PART II

David Kovich developer of Buckridge Subdivision Part II ask for final drainage plan approval.

Michael J. Spencer recommended approval with two stipulations:

1. That the developer execute the Public Service Encroachment agreement.
2. Need to talk to Robert Grove engineer, in regards to spillway structure where it ties onto Lockwood IV. Spillway elevation needs to be set over pipe.

Mr. Kovich stated this was to be shown on As-Built Plans.

Michael J. Spencer stated the Encroachment Agreement is quite necessary, and should be recorded.

Eugene R. Moore moved to give final Drainage Plan approval with the condition that the Board receive a copy of recorded Encroachment Agreement, and plans be received showing change of spillway structure elevation over pipe, seconded by Sue W. Scholer, Unanimous approval.

S.I.A.Inc.

S.I.A.

No action was taken as the request for the Special meeting for S.I.A. Inc. was withdrawn. Action will be taken at the regular meeting of the Drainage Board, Wednesday, August 5, 1987.

There being no further business to come before the board, the meeting was adjourned at 9:15 A.M.

Bruce V. Osborn
Chairman

Sue W. Scholer
Board Member

Eugene R. Moore
Board Member

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

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Michael stated he had received a letter from Benton County in regards to the Darby Wetherhill ditch and he asked the board to appoint a representative and alternates for this ditch. Sue W. Scholer is representative, first alternate Eugene R. Moore, second alternate Bruce V. Osborn.

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

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

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

January 6, 1988 Drainage Board Meeting Continued

the south west quarter, Section 6, Township 23 North, Range 4 West, all in Wabash Township, Tippecanoe County, Indiana.

Michael stated a hearing date would have to be set when assessment list is received.

Bruce Osborn asked where they were going with the water? Michael stated he felt it was through holding ponds then metered out to the same place it has always gone, Hadley Lake.

Bruce Osborn stated the board has never vacated a portion where it still drains through the existing legal drain. Mr. Hoffman answered no, if they are going to use the drain they can't vacate, if they are not going to use it then it can be vacated. Mr. Hoffman stated there would be a question of taking them out of the Watershed in regards to assessments. They will still have to pay their assessment as they are remaining in the watershed, the Purdue Research should be notified of this. If this is for the upper end this will help. Mark Houck stated there is a problem of metering at the same rate, but it will increase the volume of water going to Hadley Lake. They will have to meet the ordinance.

Many questions need to be answered before action is taken.

VALLEY FORGE

Valley Forge

Michael J. Spencer informed the board that a letter of Credit for \$62,000.00 to cover half the cost of installation of the permanent drainage system, this was through Tippecanoe Development Corporation. Roy Prock is new owner of Valley Forge he wants to substitute a new \$62,000.00 letter of credit for the other one since he is the new owner. Michael has talked with Mr. Hoffman there will be no problem to do this, accept the construction bond needs to be secured for deposit for Mr. Prock just like originally had been presented by Tippecanoe Development Corporation before the old one can be released and except new one from Mr. Prock. Mr. Hoffman stated they will have to present an agreement along with the Letter of Credit then the other can be released.

MEETING TIME CHANGE

Eugene Moore moved to change meeting time of the Drainage Board from 8:30 A.M. to 9:00 A.M., seconded by Sue W. Scholer, motion carried.

JOHN HOFFMAN DITCH

JOHN HOFFMAN DITCH

Bruce Osborn called the meeting to order at 9:15 A.M.

Tri-County Board representatives are Eugene R. Moore Tippecanoe County, William Lucas Clinton County, and Charles Sutton Carroll County.

Mr. Hoffman conducted election of officers.

William Lucas nominated Eugene R. Moore as Chairman, seconded by Charles Sutton, there being no other nominations Eugene Moore was elected Chairman.

Eugene R. Moore nominated William Lucas as Vice-Chairman, seconded by Charles Sutton, there being no other nominations William Lucas was elected Vice-Chairman.

Eugene R. Moore nominated Maralyn D. Turner as Secretary, seconded by Charles Sutton, there being no other nominations Maralyn D. Turner was elected Secretary.

Mr. Hoffman was chosen to serve as the Attorney for the board when the board was first formed, he will continue to serve.

Mr. Osborn thanked the property owners for coming to this informal meeting. He informed them that nothing would be decided officially, it is an opportunity for the property owner to see what has happened up to this time.

After Michael J. Spencer presents the project questions may be asked.

Michael J. Spencer, surveyor introduced those present Maralyn D. Turner, Secretary, J. Frederick Hoffman Attorney, Sue W. Scholer, Bruce V. Osborn, and Eugene R. Moore Tippecanoe County Commissioners, William Lucas Clinton County Commissioner and Neal Conner Clinton County Surveyor, Grover West Carroll County Surveyor, and Charles Sutton Carroll County Commissioners, and Mark Houck Tippecanoe County Drainage Consultant.

Mr. Spencer presented Construction Estimates in Phases I, Alternate I, Alternate II, Alternate III, and Alternate IV, and Phase II. This estimate was done by Robert Gross engineer with Stewart Kline and Associates.

Mr. Spencer asked for questions.

Bob Power asked if there was tile in there at the present time? Answer yes, Phase I the tile would come out. Alternate I would be to dig the tile out approximately 6" below the existing tile, under Alternate II lowering it 4'. This is to gain grade. The area being discussed on the ditch is at 900 E.

Lola Harner asked how are you digging 4' and stopping at 900 East wouldn't you have to continue on west? Michael answered they would have to continue west of 900 East, this wouldn't be to far west as the ravine system drops off.

Mr. Power asked if a bridge would have to be put across 900 East? Michael stated they

felt the culvert was the right size and would carry the water, it is just too high.

Mr. Power asked if a tile could be put in without tearing up the road? Michael stated he did not think this could be done without tearing up the road.

Mr. Moore asked how many acres in the watershed? Total acres 2420. There may be a difference of 80 acres, this would be checked.

Mr. Power asked how much is coming out of maintenance fund? There is no maintenance fund on the ditch at this time, if a tile hole breaks it is up to the landowner to do the repairs.

Jesse Barr asked would the soil change? Answer the dirt will not be changed, just better drainage. Mr. Barr asked if the ditch was going to be the same size at 1025 East. Answer at the road 1025 108" round pipe, two 72" round pipe, two 84" and at 900 East 14'10" X 9'1" structural plate pipe arch.

Neal Dexter asked how much water will come down into Coffee Run ditch. Michael stated the same amount of water would be coming down. Mrs. Harner and Mr. Dexter were concerned about the erosion and damage.

Mr. Hoffman asked if there was a positive outlet. Answer it goes into a ravine system that eventually gets to the Wildcat creek. Mr. Hoffman asked how far from the end of the legal drain to the Wildcat. Answer give or take one and half to two miles.

LaVonne Scheffee had concern of gravel and the culvert being closed shut. Michael stated this is the reason he has pointed out the culvert sizes at the different road crossings.

Elwood Burkle asked that the cost be discussed. Mr. Spencer pointed out that the last page of the estimate summarizes the cost.

Mr. Spencer explained the Indiana Drainage Codes to the landowners. The decision is made by the property owners.

Mr. Barr asked who is responsible for drainage on property? County is responsible for the road crossings, property owners is responsible for drainage on their own property.

Elwood Burkle asked what depth would tile be? Answer some of the cuts would be 10-11 feet deep from the existing ground. Banks would be a lot higher than they are now. Michael stated at 900 East 1/4 mile east it is 5 feet below the bottom of the existing water way.

Mr. Hoffman stated the property owners should consider extending the legal drain down to the Wildcat to maintain the valleys, as there is problems if you don't have a positive outlet especially one with this size. There is no control over the valleys as it is now. He felt this would not add that much to the cost.

Jerry Frey stated he is constantly fixing blow holes. It is getting continuously worse. They are finding that the tiles are shifting. He feels the major problem is at the outlet. It has been severely neglected. There are tree roots and tiles that have floated up out of the system. He feels the first thing to do would be fixing and opening up the outlet.

Mr. Power asked in the estimate has consideration been taken in the area west of 900 East? No. Mr. Power felt this would be essential. Michael answered until a legal drain is extended down that way they can't do anything with it, they can do some corrective measures directly downstream from the road. He has to work with the starting and stopping points of the ditch, this is what he had to work with.

At this point Mr. Hoffman explained the procedures of making legal drain west of 900 East.

Malcomb Miller stated he agrees with Jerry Frey's statement. Mr. Miller's concern is the hardship the assessments would make for the property owners.

Jerry Frey stated they can't seem to hold the blow holes, each spring they are back and bigger holes. Mr. Frey doesn't know what causes this except another ditch was added about four years ago this makes more pressure from the upland it's coming down in such a velocity causing the problem.

Debbie Lineback asked what kind of time frame are you talking about as she carried petition in 1982. Mr. Hoffman stated it probably wouldn't take the time that he did previously.

Mr. Moore asked the feeling of the property owner.

LaVonne Scheffee asked if there was any rules in regards to health and sanitation? Thirty years ago when they purchased their property you couldn't jump over the ditch, now there is refrigerators and other debris making the ditch level. She doesn't understand why the farmer doesn't have to keep it cleaned out. She complained about the road grader grading gravel making a wall at the ditch.

Mr. Osborn stated the board is powerless in regards to debris in the ditches until there is a maintenance fund set up. Maintenance fund is needed.

January 6, 1988 Drainage Board Meeting Continued

Jerry Frey asked who has authority? Mr. Hoffman explained the board is the authority.

Mr. Frey is for starting a legal drain with a maintenance fund, but he feels that the money should be brought forward to be spent on opening up the outlet and fixing the main tile. Try to get by with what they have with maintenance.

Malcomb Miller supports Mr. Frey's statement.

Mr. Moore asked Michael if a maintenance fund could be set up and just clean or does it come under reconstruction?

Michael stated they would be maintaining what there is now.

Mrs. Scheffee asked how this would help? Mr. Hoffman stated it would be taking the ditch back to it's original condition.

Mr. Lucas asked if there was an estimate for a maintenance clean out? NO. Michael felt it would just take a week to get an estimate put together. Mr. Lucas stated it would probably take two years to get a maintenance fund set up. Michael stated for a few years the fund could be set at a high figure and then lowered.

Debbie Lineback stated when she carried the petition around and 80-90% of the property owners stated it should be an open ditch, it never worked from day one.

Elwood Burkle stated that those living north and east of the Clinton and Carroll County line would receive no benefits by opening the bottom portion yet they would be paying for it. There are too many obstruction.

Dale Fossnock stated: His ancestors stated that when the ditch was put in, it never worked.

Glen Kelly stated there were six of them that worked on the ditch where the tile comes out. This was 30 years ago.

Mrs. Glen Kelly stated it cost her \$100.00 to get a petition in 1982 out of her pocket. She was informed that there is a standard petition form now and there would be no cost for the petition. Mrs. Kelly stated they have willows and to get rid of them the water has to be taken care of.

Glen Kelly stated there are two 6" raises in the ditch, one is on the Bogan property and the woods.

Question was asked was it constructed that way? Yes. When the ditch was built it was built by the people.

Michael stated the grade can be checked.

Mr. Barr would agree to keep the water going.

Mr. Scheffee stated when they first came to the area there were no problems he feels it has to be open all the way.

Mrs. Kelly stated they have two ponds on their property, water is over the road most of the time, getting out is a problem most of the time. Even when it was dry this summer it was wet.

Mrs. Harner stated this has been a problem for many years.

Mrs. Scheffee stated a lot of the problem was created when 900 East was reconstructed.

Grover West asked how many small acreages were in the watershed. His concern is the break down in lots and acreage.

Mrs. Harner stated the assessment doesn't seem fair.

Kenneth Walker stated there is peat in the area of the Ford property, reason for so much water in the area.

Neal Conner stated that it would be spring of 1989 to get a maintenance fund in to affect.

After much discussion Mr. Spencer asked for show of hands.

Phase I Alternate I, Phase II Dig Open ditch up to where the two branches come together and tile system. Approximate Cost \$200.00 acre. Vote 7.

Open Ditch all the way. Approximate Cost \$242.00 per acre. Vote 8.

Maintenance. Assessment per acre to be set possible classifications. Vote 5.

The vote going for an open ditch all the way Mr. Spencer will get estimates and hold another meeting to present findings to the property owners.

There being no further business the meeting adjourned at 10:30 A.M.

Bruce V. Osborn

Bruce V. Osborn, Chairman

Sue W. Scholer

Sue W. Scholer, Boardmember

Eugene R. Moore

Eugene R. Moore, Boardmember

ATTEST:

Maralyn D. Turner

Maralyn D. Turner
Executive Secretary

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

ORCHARD PARK

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, Aurthur	\$1,064.80	Inactive	Inactive
68 Ross, Alexander	\$1,791.68	Inactive	Inactive
69 Sheperdson, James	\$1,536.72	Inactive	Inactive
70 Saltzman, John	\$5,740.96	Inactive	Inactive
71 Skinner, Ray	\$2,713.60	Active	Active
72 Smith, Abe	\$1,277.52	Active	Active
73 Southworth, Mary	\$558.08	Active	Active
74 Sterrett, Joseph C	\$478.32	Inactive	Active
75 Stewart, William	\$765.76	Inactive	Active
76 Swanson, Gustav	\$4,965.28	Active	Active
77 Taylor, Alonzo	\$1,466.96	Inactive	Inactive
78 Taylor, Jacob	\$4,616.08	Inactive	Inactive
79 Toohy, John	\$542.40	Inactive	Inactive
81 VanNatta, John	\$1,338.16	Inactive	Inactive
82 Wallace, Harrison B.	\$5,501.76	Inactive	Inactive
83 Walters, Sussana	\$972.24	Inactive	Inactive
84 Walters, William	\$8,361.52	Active	Active
85 Waples, McDill	\$5,478.08	Inactive	Active
86 Wilder, Lena	\$3,365.60	Inactive	Inactive
87 Wilson, Nixon (Fountain Co)		Inactive	Inactive
88 Wilson, J & J	\$736.96	Inactive	Inactive
89 Yeager, Simeon	\$615.36	Active	Active
90 Yoe, Franklin	\$1,605.44	Inactive	Inactive
91 Dickens, Jesse	\$288.00	Inactive	Inactive
92 Jenkins	\$1,689.24	Inactive	Inactive
93 Dismal Creek	\$25,420.16	Active	Active
94 Shawnee Creek	\$6,639.28	Active	Active
95 Buetler/Gosma	\$19,002.24	Inactive	Active
96 Kirkpatrick One	\$6,832.16	Active	Inactive
97 McLaughlin, John	\$0.00	Inactive	Inactive
98 Hoffman, John	\$72,105.03	Active	Active
99 Brum, Sarah (Benton Co)		Active	Active
100 S.W.Elliott	\$227,772.24	Active	Active

DISCUSSION ON TILE BIDS

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

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

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

JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

HADLEY LAKE DRAIN

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

PINE VIEW FARMS

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

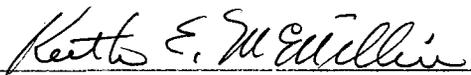
Discussion followed.

Mike Spencer recommended preliminary approval to the Board.

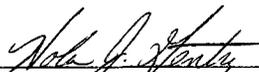
Nola moved to grant preliminary approval contingent on completion of restrictions and receipt of the recorded easements or agreements.

Hubert Yount, seconded. Motion carried.

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



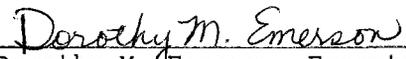
 Keith E. McMillin, Chairman



 Nola J. Gentry, Member



 Hubert D. Yount, Member

ATTEST: 

 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
JANUARY 5, 1994

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

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

ELECTION OF 1994 OFFICERS

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

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

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

-APPOINTMENTS-

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

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

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

-MEETING DATES FOR 1994-

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

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

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

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

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

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

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

HAWKS NEST SUBDIVISION, PHASE I

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

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

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

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

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

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

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

TRIPLE J POINTE SUBDIVISION

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

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

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

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

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

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

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

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

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

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

HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

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

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

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

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

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

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

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

ACTIVE DITCHES FOR 1994

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

INACTIVE DITCHES FOR 1994

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

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

OTHER BUSINESS

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

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

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

GREAT LAKES CHEMICAL

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

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

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

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

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
MARCH 9, 1994

The Tippecanoe County Drainage Board met Wednesday, March 9, 1994, in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

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

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

HAWKS NEST SUBDIVISION PHASE II

Greg Hall, Intercon Engineering, presented the Board with final drainage plans on Hawks Nest Subdivision, Phase II.

Mr. Spencer explained the developer is asking for a variance to allow for onlot storage within the drainage easement at the north end of the subdivision.

Mr. Hall stated the four lots are part of the ravine bank which are steep enough it would take a 100 year storm event to reach the top of the bank. The land owner will be aware of the possible on-lot storage through their restrictive covenants.

Mr. Spencer recommended the drainage swales that run north & south taking water to the detention basin be clearly shown to run within the drainage easements. When the developers request a building permit, they need to submit a site drainage plan for each lot showing how the lots will be graded.

Commissioner Haan moved to grant the variance for lots 58, 60, 82, and 83 for on-lot stormwater storage within the drainage easement and the developer add the language to the restrictive covenants. Seconded by Commissioner Gentry. Motion carried.

Mr. Spencer read the conditions:

1. The applicant should include both proposed easements on the final plat. The applicant should also provide verification to the surveyor that the swales will lie within the platted easements.

2. The applicant should include the drainage areas for the storm sewer system and the proposed pad elevations for each lot on plans. A note should also be added to those plan sheets stating that each individual lot must be graded to be compatible with the drainage divides shown.

Commissioner Haan moved to grant final approval of Hawks Nest Subdivision, Phase II, subject to the two conditions read by the Surveyor. Seconded by Commissioner Gentry. Motion carried.

ROMNEY RUN SUBDIVISION, PHASE I

Jerry Kittle, Schneider Engineering, asked for final approval of Romney Run Subdivision, Phase I. Mr. Kittle asked for two variances: the fence requirement around the two detention basins and lots 45-49 having onlot storage. The water in a 100 year storm event will encroach on the lots approximately 2 to 3 feet within the drainage easement and will not exceed 1 foot of depth.

Mr. Spencer suggested each lot owner own a 1/186 interest in the detention ponds instead of having the Homeowners Association responsible for the maintenance of the ponds.

Mr. Hoffman asked where the ponds are located within the subdivision and the depth of the ponds?

Mr. Kittle stated one pond is surrounded by lots and the other has frontage along County Road 300 South. The pond's depth will not exceed 10 feet.

Mr. Hoffman felt there should be a fence.

Mr. Kittle proposed putting a larger shelf in the pond that runs along 300 South.

Commissioner Gentry stated there needs to be a barrier between the road and the pond, so that people are not able to see the pond from the road.

Mr. Kittle suggested using landscaping mounds as a barrier between the road and the pond.

Mr. Spencer stated the mounds could not block the emergency spillway that is currently planned on the southwest corner of the detention pond. The developer could use a hard surface emergency spillway that would also serve as an emergency access.

Commissioner Yount joined the meeting at 9:25.

Mr. Spencer brought to the Boards attention the gutter spread calculations have not been approved by the County Highway Engineer. The gutter spreads are at 9 feet instead of 10 feet with the major one in the southwest cul-de-sac.

Commissioner Yount moved to grant the variance for lots 45-49 to store up to a foot of onsite storage.

Commissioner Yount moved to grant final approval of Romney Run Subdivision, Phase I subject to the gutter spread calculations being approved by the County Highway Engineer, subject to lots 45-49 onlot storage not to exceed one foot in depth, and subject to the emergency spillway and emergency access on the south pond be located at the southwest corner of the pond and the surface be approved by the County Surveyor. He also approved the variance for a fence around both ponds and a berm to be constructed between County Road 300 South and the south pond, seconded by Commissioner Haan. Motion carried.

Paul Coutts, C & S Engineering, asked for preliminary approval of Wake Robin Estates II. The southwest portion of the subdivision drains to the south and the north portion of the subdivision drains to the east both outletting into detention ponds.

Commissioner Gentry asked what the plan is for the pond along Lindberg Road?

Mr. Coutts stated a berm has been planned as an obstruction between the pond and Lindberg Road.

Commissioner Yount asked who would be responsible for maintaining the detention ponds?

Mr. Coutts stated the landowners will be responsible for maintenance by each having an undivided interest in the pond.

Mr. Spencer read the conditions that need to be met before final approval is granted.

1. The applicant has proposed to utilize twelve 36" CMPs for the outlet of the north detention pond. The applicant has shown general compliance with the ordinance with this configuration however, re-evaluation of this design may be warranted based on maintenance issues of the facility.
2. The applicant provided storm sewer calculations with the first submittal. However, the second submittal indicates that the applicant has revised a portion of the lot and street layout. These revisions require changes to the watershed map and the calculations that should be completed before submitting for final approval. The first submittal does indicate a general compliance with the ordinance.
3. The submitted calculations indicate that a culvert will be constructed under Yeoman Lane. The applicant should provide the location for this culvert and details for the conveyance system to the proposed detention pond in the submittal for final approval.
4. The January 17, 1994 memorandum stated that there may be a wetland in the area of the proposed north detention pond. The applicant has provided a letter from the Corps of Engineers regarding this issue. Based on this letter, it appears that a permit may be required for the construction in the wetland. The applicant should clarify this issue before submitting plans for final approval.
5. The detention ponds are located on lots 175-177 and 86-91 and not on common areas. The applicant will be requesting a variance for this issue and will include wording in the covenants and restrictions for maintenance by the lot owners.
6. In addition to the concerns listed above, the applicant must also provide items such as erosion control plans, gutter spread calculations, proposed grading plans, etc. in the submittal for final approval.

Commissioner Yount moved to give preliminary approval of Wake Robin Estates II, subject to the six conditions being met before final approval. Seconded by Commissioner Haan. Motion carried.

Other Business

DARBY-WETHERHILL JOINT BOARD

Commissioner Gentry stated Benton County has asked the Board to appoint Drainage Board members to a Joint Drainage Board for the Darby-Wetherhill Ditch. She appointed herself and Commissioner Haan to serve on the Board.

J.N. KIRKPATRICK WATERSHED STUDY

Mr. Spencer asked the Board to approve payment for additional work that was done to the J.N. Kirkpatrick Watershed Study by Ticen, Schulte and Associates. The original agreement to do the study was \$12,500.00. The Board asked for additional work to be done to the study in December which included analyzing detention storage requirements for 25, 50 & 100 years pre-development release rates. They have charged an additional \$1,833.00 for the work.

Commissioner Yount moved approve payment on the additional work which was conducted on the J.N. Kirkpatrick Watershed Study, seconded by Commissioner Haan. Motion carried.

LEWIS JAKES DITCH

Mr. Spencer presented the Board with a request from Don Caddy, 8231 North 300 West, to reduce the easement on both sides of the Jakes Ditch from 75' to 25' for the portion of ditch that runs through his property. The 75' easement overlaps an existing building that was built before the drainage code was implemented.

Commissioner Yount moved to approve the reduction of easement on the portion of Jakes Ditch that runs through Mr. Caddy's property from 75' to 25'. Seconded by Commissioner Haan. Motion carried.

CUPPY-MCCLURE PROJECT

Commissioner Gentry asked Mr. Spencer to update the Board on the progress of the Cuppy-McClure project.

Mr. Spencer stated he received a denial of the Section 401 Water Quality Certification for the Cuppy-McClure Watershed from IDEM. An item of concern when Mr. Maupin, Mr. Peterson, and Mr. Spencer walked the section of project which is planned for reconstruction was the sediment basin needed to have flatter slopes to create more vegetation in the shallow water, but the denial letter did not mention the sediment basin. Mr. Peterson and Mr. Spencer prepared a formal appeal letter to be sent certified mailed. Until approval of certification the project can not move forward.

WET BOTTOM BASIN DESIGN REQUIREMENT

Commissioner Gentry asked Mr. Stolz, Mr. Spencer and Mr. Hoffman to help with a plan to eliminate the request for variances on a fence surrounding detention storage ponds. As the ordinance reads now, basins designed with permanent pools or containing permanent lakes shall be surrounded by a nonclimbable chain link fence at least six (6) feet in height plus a barb wire suitably posted to prevent unauthorized entry into the pool area. Commissioner Gentry would like to see a plan to give the developer a choice, either have specified safety ledges or a fence will have to surround the pond.

Mr. Stolz stated he can look through studies that have been done on detention basins to see what is being done in other counties and how they are handling the safety issues of ponds.

Being no further business Commissioner Gentry moved to adjourn until April 6, 1994, seconded by Commissioner Haan. Motion carried.

DRAINAGE BOARD MINUTES Dan Gentry MARCH 9, 1994 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
AUGUST 3, 1994

The Tippecanoe County Drainage Board met Wednesday, August 3, 1994, in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

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

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

TRIPLE J SUBDIVISION

Bob Grove, Engineer for John E. Smith, continued the discussion from the July Drainage Board Meeting on final approval of the drainage plan for Triple J Subdivision. Mr. Grove stated Mr. Smith agreed to put a 48" pipe along Old Romney Road.

Mr. Spencer confirmed the right-of-way is 30' instead of 25', which increases the amount of room to work above ground, but the utilities are set at 25'. The County Engineer's Office could have the utilities moved back to the right-of-way line if it is a highway improvement.

Mr. Grove explained there will be a swale over the proposed 48" pipe, which will carry water to a concrete structure then empty into a 60" pipe that runs under Old Romney Road.

Thomas McCully and Robert Gloyeske were also present to represent the owners of the Wea Ton Subdivision, they requested a copy of the proposed plan so their Engineer could review the plans.

Kristy Frazell-Alexander, County Highway Engineer, stated it was her understanding that if the project is considered to enhance the county road way drainage then utilities are moved without reimbursement. If the utilities are moved for a private development then the developer would have to reimburse the utility company. The Highway Department needs to review the plans before making a final decision on whether or not the utilities need to be moved, and if so, who is financially responsible for moving the utilities.

Mr. Spencer recommended approval subject to changing a few sheets in the construction plans: C-11 correction of pond cross section; C-12 needs to show the pipe is reinforced concrete pipe not corrugated metal pipe, C-13 shows the 30' right-of-way instead of 25'.

Commissioner Yount moved to grant final approval of Triple J Subdivision, subject to the developer providing construction plans with the previously mentioned corrections and providing copies to the Wea Ton representatives, seconded by Commissioner Haan. Motion carried.

OTHER BUSINESS

Rowe Trucking Agreement

Mr. Spencer presented the Board with an executed document from John Rowe, but on the attestation the secretaries of Rowe Trucking signed the document without a notary and they are not corporate secretaries.

Mr. Luhman stated it has to be signed by a corporate secretary or the secretaries signatures notarized to make the agreement legal.

Powers Branch Appointment

Commissioner Gentry suggested herself and Commissioner Yount serve on the Joint Drainage Board with Benton County for the Powers Branch of the Wetherhill-Darby Ditch

Commissioner Haan moved to appoint Commissioner Gentry and Commissioner Yount to the Powers Branch Joint Drainage Board, seconded by Commissioner Yount. Motion carried.

Commissioner Gentry asked if the Joint Board with Montgomery County was a legal Board considering the fifth member is not an elected County Commissioner?

Mr. Luhman verified the state statute states that members of the Joint Board have to be member of the Board of the prospective county.

Brookfield Heights Subdivision Phase II, Section II, Phase III lot 61

Joe Bumbleburg presented the Board a resolution to vacate a portion of easement on lot 61 in Brookfield Heights Subdivision Phase II, Section II, Phase III.

Mr. Spencer concern is the 48 inch pipe that runs through the lot.

Mr. Bumbleburg assured the Board that the 48 inch pipe would not be affected.

Commissioner Yount moved to pass the resolution to vacation of a portion of the easement of lot 61 in Brookfield Heights Subdivision Phase II, Section II, Phase III, seconded by Commissioner Haan. Motion carried.

Drainage Ordinance - fence issue

Mr. Spencer sent a letter to various Surveyors/Engineers letting them know at 9:30 a.m. Aug 3, 1994 the Board would be discussing the wet bottom basin design that will change the Drainage Ordinance. The Drainage Board has determined that a fence can be omitted if certain safety features are included in the design of the detention basin, and because such design features will increase the size of the detention basin and its cost, the developer should be given an alternative of constructing a fence as provided in the present ordinance or incorporating such safety features in its design:

A. Section 14 h, entitled "Wet Bottom Design Requirements" (appearing on page 33 and 34) of Ordinance No. 88-40 CM, as amended, shall be deleted from said Ordinance No. 88-40 CM, and replaced by the following two sections, h and h (a):

h. Wet Bottom Basin Design Requirements with Fence:

Where part of a detention basin will contain a permanent pool of water, all the items required for detention storage shall apply except that the system of drains with a positive gravity outlet required to maintain a dry bottom basin will not be required. A controlled positive outlet will be required to maintain the design water level in the wet bottom basin and provide required detention storage above the design water level. However, the following additional conditions shall apply:

- (1) Basin designed with permanent pools or containing permanent lakes shall have a water area of at least one-half acre. If fish are to be used to keep the pond clean a minimum depth of approximately 10 feet shall be maintained over at least 25 percent of the pond area. the remaining lake area shall have no extensive shallow areas, except as required by subsection (3) below.
- (2) In excavated lakes the underwater side slopes in the lake shall be stable. In the case of valley storage, natural slopes may be considered to be stable.
- (3) A safety ledge 4 to 6 feet in width is required and must be installed in all lakes approximately 30 to 36 inches below the permanent water level. In addition, a similar maintenance ledge 12 to 18 inches above the permanent water line shall be provided. The slope between the two ledges shall be stable and of a material such as stone or riprap which will prevent erosion due to wave action.
- (4) A safety ramp exit from the lake is required in all cases and shall have a minimum width of 20 feet and exit slope to 6 horizontal to 1 vertical. The ramp shall be of a material that will prevent its deteriorate due to vehicle use and/or wave action.
- (5) Periodic maintenance is required in lakes to control weed and larval growth. the reservoir shall also be designed to provide for the easy removal of sediment which will accumulate during periods of reservoir operation. A means of maintaining the designed water level of the lake during prolonged periods of dry weather is also required.
- (6) For emergency use, basin cleaning or shoreline maintenance, facilities shall be provided or plans prepared for auxiliary equipment to permit emptying and drainage.
- (7) Aeration facilities to prevent pond stagnation shall be provided, if required. Design calculations to substantiate the effectiveness of these aeration facilities shall be submitted with final engineering plans. Agreement for the perpetual operation and maintenance of aeration facilities shall be prepared to the satisfaction of the Drainage Board.
- (8) Basins designed with permanent pools or containing permanent lakes shall be surrounded by a nonclimbable fence at least six (6) feet in height suitably posted to prevent unauthorized entry into the pool area, as shown on typical cross-section.

h (a). Wet Bottom Basin Design Requirements without Fence:

Where part of a detention basin will contain a permanent pool of water, all the items required for detention storage shall apply except that the system of drains with a positive gravity outlet required to maintain a dry bottom basin will not be required. A controlled positive outlet will be required to maintain the design water level in the wet bottom basin and provide required detention storage above the design water level. However, the following additional conditions shall apply:

- (1) Basin designed with permanent pools or containing permanent lakes shall have a water area of at least one-half acre. If fish are to be used to keep the pond clean a minimum depth of approximately 10 feet shall be maintained over at least 25 percent of the pond area. the remaining lake area shall have no extensive shallow areas, except as required by subsection (3) below.
- (2) In excavated lakes the underwater side slopes in the lake shall be stable. In the case of valley storage, natural slopes may be considered to be stable.
- (3) A safety ledge of 10 feet minimum in width is required and must be installed in all lakes 18 inches minimum below the permanent water level. In addition, a similar maintenance ledge 12 inches minimum above the permanent water line shall be provided. The slope between the two ledges shall be 6:1 slope and of a material such as stone, riprap or other erosion control material which will prevent erosion due to wave action
- (4) A safety ramp exit from the lake is required in all cases and shall have a minimum width of 20 feet and exit slope to 6 horizontal to 1 vertical. The ramp shall be of a material that will prevent its deteriorate due to vehicle use and/or wave action.
- (5) Periodic maintenance is required in lakes to control weed and larval growth. the reservoir shall also be designed to provide for the easy removal of sediment which will accumulate during periods of reservoir operation. A means of maintaining the designed water level of the lake during prolonged periods of dry weather is also required.
- (6) For emergency use, basin cleaning or shoreline maintenance, facilities shall be provided or plans prepared for auxiliary equipment to permit emptying and drainage.
- (7) Aeration facilities or other facilities to prevent pond stagnation shall be provided, if required.
- (8) As shown on typical cross-section.

Mr. Spencer stated he received a letter from R.W. Gross Land Surveying indicating that he has no objections to the changes. Also, a recommendation

from Bill Davis concerning the language in item #3, the last sentence that reads material such as stone or riprap which will prevent erosion due to wave action, if the change is to a 6:1 cross section that will be approximately 25 feet of riprap which could be a hazard, Mr. Davis recommended adding a strip of riprap at least four foot centered on the permanent pool elevation.

Discussion from the floor involved #3 the width of riprap would depend on the size of the pond because in a larger pool the fluctuation in wave action causes the erosion and in a smaller pool the fluctuation in elevation causes the erosion. Also in #3, a change to the wording in the last sentence was suggested to read: material such as stone, riprap or other erosion control material which will prevent erosion due to wave action. Another suggestion was to change #3 to read: A safety ledge of 10 feet minimum in width is required and must be installed in all lakes 18 inches below the permanent water level. In addition, a similar maintenance ledge 12 inches minimum above the permanent water line shall be provided. A suggestion to #7 was to change the first sentence to read aeration or other facilities to prevent pond stagnation shall be provided, if required.

Commissioner Gentry stated the Board will review the input of the Surveyors/Engineers and draw up a final draft before approving the changes.

Commissioner Gentry advised the Surveyors/Engineers of another proposed change to the ordinance which is incorporating a review time limit of a maximum of 10 hours. Any review time after the 10 hours will be paid by the applicant before or upon final approval of the plan by the Drainage Board.

Being no further business Commissioner Yount moved to adjourn until September 7, 1994, seconded by Commissioner Haan. Motion carried.

DRAINAGE BOARD MINUTES AUGUST 3, 1994 REGULAR MEETING 09/13/9408/03/94

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
JANUARY 3, 1996

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

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

ELECTION OF OFFICERS

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

Mr. Hoffman opened the floor to nominations for President.

Commissioner Haan nominated Commissioner Gentry.

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

Mr. Hoffman turned the meeting over to the President.

Commissioner Gentry asked for nominations for Vice President.

Commissioner Haan nominated Commissioner Jones for Vice President.

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

APPOINTMENTS TO THE BOARD

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

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

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

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

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

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

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

1996 ACTIVE/INACTIVE DITCH LIST

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

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

1996 - ACTIVE/INACTIVE DITCH LIST

ACTIVE

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

INACTIVE

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

Commissioner Gentry mentioned the ditches that are in red:

COUNTY FARM, REBECCA GRIMES, FRANKLIN RESER, GUSTAV SWANSON

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

"December 29, 1995

Nola J. Gentry, President
Board of Commissioners

Michael J. Spencer
County Surveyor

Re: Interest on Drainage Funds

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

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

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

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

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

Sincerely,

Betty J. Michael"

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

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

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

APPROVAL OF MINUTES

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

BRENTWOOD COMMUNITY

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

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

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

SOUTHERN MEADOWS

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

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

Mr. Spencer explained the site drains to the pond.

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

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

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

VILLAGE PANTRY #564R

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

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

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

PETITION TO ESTABLISH O'FERRALL LEGAL DRAIN

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

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

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

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

ALEXANDER ROSS DITCH EASEMENT REDUCTION

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

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

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

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

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

SANWIN APARTMENTS

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

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

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

Cuppy-McClure - update

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

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

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

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

DRAINAGE BOARD MINUTES JANUARY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
 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 4, 1998

regular meeting

Those present were:

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

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

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

MIKE MADRID COMPANY

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

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

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

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

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

DRAINAGE BOARD 1998 CONTRACTS

Attorney

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

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

Engineering Consultant

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

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

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

1998 ACTIVE AND INACTIVE DITCH LIST

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

ACTIVE DITCH LIST

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

INACTIVE DITCH LIST

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

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

OTHER BUSINESS

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

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

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

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

MINUTE BOOK

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

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

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

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

September 2, 1998

Regular Meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd, Kathleen Hudson 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, September 2, 1998, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda was to approve the minutes from the July 1, 1998 and August 5, 1998, regular Drainage Board meeting. Commissioner Hudson moved to approve the minutes, seconded by Commissioner Knochel. Motion carried.

ASSISTED LIVING, Wea-Ton Subdivision

Mr. Spencer stated the representatives for the Assisted Living, Wea-Ton Subdivision lot 4B will be present this project at a later time in the meeting.

CARRINGTON ESTATES SUBDIVISION, PHASE 2

Mr. Spencer asked for a continuance of Carrington Estates Subdivision, Phase 2 until the next regularly scheduled Drainage Board Meeting. Commissioner Hudson moved to continue Carrington Estates Subdivision, Phase 2 until a later date, seconded by Commissioner Knochel. Motion carried.

WINDING CREEK SUBDIVISION

Mr. Spencer asked for a continuance of Winding Creek Subdivision until the next regularly scheduled Drainage Board Meeting. Commissioner Hudson moved to continue Winding Creek Subdivision until a later date, seconded by Commissioner Knochel. Motion carried.

HAROLD KLINKHAMER WATERWAY

Mr. Harold Klinkhamer came before the Board in representation of his and his daughter's property at 9721 N 100 W in Section 6, Township 24 North, Range 4 West. Mr. Klinkhamer stated he has attempted to get assistance from the County on dredging the waterway that runs through these properties, but has not received any assistance. Mr. Klinkhamer feels the waterway was created by the county when the Andrew Brown tile drain was installed and believes it is the county's responsibility to maintain the waterway.

Mr. Spencer stated according to the 1907 court specification for the construction of the Holwerda branch of what was then know as the James Connett Ditch later changed in the 1950 to the Andrew P. Brown Ditch, it specifies the installation of tile with no specifications for the installation of waterways. Mr. Spencer stated there are only two ditches in the county, in which, the court included the waterways to be installed and later set up as part of the maintenance fund.

Mr. Klinkhamer presented the Board with pictures which show flooding of his daughters property and pictures showing the waterway. Mr. Klinkhamer presented the Board with a parcelization

map showing the estimated elevation marks in the flow line and the flow of water in relationship to the Co. Rd. and through his daughter's property. He explained the overflow is dangerous for the people traveling on Co. Rd. 100 West and it is dangerously close to his daughter's garage and crawl space. Mr. Klinkhamer also, submitted a soils map, and a topographical map. Mr. Klinkhamer presented Mr. Knochel, prior to this meeting, evidence showing they do pay taxes on a ditch. The evidence is a fax of his tax receipt from the Treasurer's Office indicating they pay taxes on the A.P. Brown Ditch. Mr. Klinkhamer stated the receipt states it is a ditch, not a tile.

NOTE: All the documentation Mr. Klinkhamer submitted to the Drainage Board is on file in the

Surveyor's Office in the Andrew Brown Ditch file.

Mr. Klinkhamer referred to the soils map showing that the problem is coming from the deposit of silt that comes from the landowners property on the West side of the road to the north, which drains under the road and through his property. Mr. Klinkhamer stated there are a few tile holes that were reported, but have not been fixed. Mr. Klinkhamer impression is the waterway was created by the county to have enough cover for the proper drainage.

Commissioner Shedd asked if the flooding has been a problem in the past?

Mr. Klinkhamer replied the flooding has not been noticeable, he has not farmed the land himself, he rents it out, but had he known this problem existed he would not have built the house in its present location.

Mr. Klinkhamer submitted a petition to the Board.

(start quote)August 17, 1998

PETITION TO TIPPECANOE COUNTY DRAINAGE BOARD

THE OPEN DITCH KNOWN AS THE ANDREW P. BROWN DITCH, WHICH WE ALL PAY TAXES ON, HAS BECOME CLOGGED WITH SILT, CORNSTALKS, BEAN STUBBLE, GRASS CLIPPINGS AND WHO KNOWS WHAT ELSE OVER THE PAST 50 YEARS OR MORE.

THIS DITCH NEEDS TO BE DREDGED TO ALLOW WATER TO FLOW WITHIN ITS BANKS RATHER THAN FLOW OVER A 50 FOOT PATH. HEAVY RAIN FALL WILL CAUSE WATER TO RUN OVER THE SURFACE OF THE ROAD AND CREATES A HAZARD TO ANY MOTORIST TRAVELING CO. RD. 100 W. THE CAPACITY OF THE TILE UNDER THE ROADWAY IS NOT ADEQUATE AND IS HAMPERED BY THE FACT THAT THE DITCH IS SO CLOGGED THAT THE WATER FROM THE TILE MUST RISE APPROXIMATELEY TWO FEET BEFORE IT STARTS TO MAKE ITS JOURNEY DOWN THIS OPEN DITCH.

THE BELOW PROPERTY OWNERS REQUEST THE COUNTY MEET ITS RESPONSIBILITIES BY MAKING PROPER REPAIR OF THE ANDREW P. BROWN DITCH WHICH INCLUDE THE DREDGING, MAINTAINING A PROPER GRADE SO THE WATER WILL FLOW FROM ONE END TO THE OTHER WITHOUT PUDDLING OR CREATING A SWAMP EFFECT, THE BANKS GRADED TO AN ANGLE WHICH WILL ALLOW THE PROPERTY OWNERS TO MOW AND MAINTAIN A NEAT APPEARANCE, AND TO RESEED THE DITCH ONCE ALL GRADING HAS BEEN COMPLETED.

THE HIGHWAY DEPARTMENT SHOULD ENLARGE THE CAPCITY UNDER THE ROAD BY ADDING AN ADDITIONAL TILE BESIDE THE ONE THAT IS CURRENTLY THERE SO THE WATER WILL NOT RUN OVER THE TOP OF THE ROADWAY.

THE ROAD SIDE DITCH ON THE WEST SIDE OF CO. RD. 100 W. SHOULD HAVE A WATERWAY RECREATED SO THAT THE FLOW OF WATER FROM THAT PROPERTY IS DIRECTED TO THE TILE/S RUNNING UNDER THE ROADWAY. THERE IS AN UNDERGROUND TILE WHICH IS BROKEN ON THE WEST SIDE OF THE ROAD AND HAS BEEN BROUGHT TO THE ATTENTION OF THE SUREYOR BUT NOTHING HAS BEEN DONE ABOUT IT AS OF THIS DATE. THERE IS A LARGE HOLE AT THE EAST END OF THE HAROLD KLINKHAMER FARM AND MOST LIKELY THIS SAME TILE IS BROKEN AT THE LOCATION. THIS WAS REPORTED TO THE SURVEYOR'S OFFICE AND HAS NOT BEEN REPAIRED TO THIS DATE.(end quote)

SIGNED BY:

TAMI CLARK, CHRISTOPHER CLARK, HAROLD
KLINKHAMER,
KAREN KLINKHAMER, THOMAS MOSLEY, JAMI MOSLEY,
MARY LOU BERRY, MARVIN BERRY, STEVE KLINKHAMER,
KATHY KLINKHAMER

Mr. Klinkhamer presented the Board with a Citizen Complaint from the Tippecanoe County Highway Department.

(start quote)Tippecanoe County Highway Department

Citizen Complaint

Date: September 2, 1998

Phone Conversation: XXX
Office Visit:

Citizen's Name: Harold Klinkhammer

Address:

Phone Number: 564-2730

Complaint Location: 100 West at culvert #699

Subdivision: N/A

Nature of Discussion: Mr. Klinkhammer is concerned about the surface drain over the Brown legal drainage tile. He thinks that the existing culvert does not have enough capacity to carry the runoff under the roadway. Presently the roadway is flooded, and runoff is carried over the road. The path that the water takes is across the front yard of his house and near his well-head. He is worried also about water potentially entering his garage. Mr. Klinkhammer also mentioned that water could be rerouted to the north along the west side of 100 West. I told him that we could look into that possibility, however since the culvert near his home is quite large the chances are that another culvert north of that one would not have the capacity to handle any extra water.

Action Required or Taken: I performed a field investigation after speaking with Mr. Klinkhammer and agreed to meet him onsite to look at the problem. I checked with Todd Butler, from the Surveyor's Office, and copied several pictures from Todd's field visit. Todd explained that he thought that the problem is being caused by an insufficient waterway along the north side of Mr. Klinkhammer's property, and then through the field. I noticed that the culvert, which is a

51" X 27", is partly plugged by cornstalks at the inlet, and the outlet end is obstructed about 18" from the pipe by earth within the flowline.

Recommendations: I would recommend that the flowline downstream of the culvert be dredged, in order to provide an unobstructed outlet. The best solution would be to regrade the waterway to the East where the legal drain is an open ditch.(end quote)

Signed by: Tim Wells, Tippecanoe County Highway Department.

Mr. Spencer stated anything he could find regarding the Andrew P. Brown Ditch did not specify, state or define a surface drain to be maintained in the A.P. Brown watershed. Mr. Spencer stated he found a petition from 1949 that was signed by the landowners along the Holwerva Branch of the A.P. Brown Ditch petitioned the Board to repair the tile drain. The Holwerva Branch is the ditch that is in question with Mr. Klinkhamer's property. Mr. Spencer explained the Holwerda Branch is an all tile portion of the A.P. Brown Ditch that comes from White County. Mr. Spencer presented a copy of the ditch map from the 1950 proceedings, which depicts the route of the tile drain. Mr. Spencer stated it is not unusual for tile ditches to have waterways run beside them or over the top, but they are not usually maintained by the County. Mr. Spencer researched aerial photographs from 1939 to 1997 and it appears there is a waterway in the location in question.

Commissioner Knochel asked Mr. Spencer in his opinion what the ditch taxes that Mr. Klinkhamer is paying goes towards.

Mr. Spencer responded the maintenance of the tile ditch.

Commissioner Shedd asked when the maintenance fund was established?

Mr. Spencer stated he believed it was 1973.

Mr. Klinkhamer pointed out Mr. Spencer's opinion is the ditch tax is for the maintenance of the tile ditch, it is his opinion the ditch tax is for the surface and tile ditch.

Mr. Spencer referred to Mr. Luhman as to what the maintenance funds are to be used for, generally the maintenance is for the structure itself, the open channel or the tile.

Mr. Klinkhamer stated when the County has no origin as to where the waterway came from than should it not be the County's responsibility to maintain?

Mr. Spencer stated, no.

Mr. Klinkhamer stated since 1939 the waterway has not been farmed because they were told by the County they couldn't farm it.

Mr. Spencer asked if that request from the County was in writing telling him he could not farm the land?

Mr. Klinkhamer stated, no, but if Mr. Spencer were to tell him he could farm it than they'll start.

Mr. Spencer stated farmers plow through waterways all the time. Mr. Spencer stated he has no problem with Mr. Klinkhamer plowing through the waterway, but he thinks it will cause a severe erosion problem, which has happened on east of Mr. Klinkhamer's property towards the open channel.

Mr. Luhman stated to determine what the maintenance funds are to be used for, the County will have to go back to documents that created the legal drain. If the maintenance funds were created to maintain the tile drain than that is what the fund is to be used for and can not be used for incidental surface projects that are within the watershed. If the tile is not adequate to handle the water than a reconstruction can be done on the ditch and the surface drain added to the maintenance fund if the landowners in the watershed agree. Mr. Luhman referred to the word "ditch" it is not a legal term anymore, they should be referred to as a drain. That is the reason the tax receipt does not determine what type drain is included. The common word is "ditch", but what the tax receipt is referring to is a regulated drain, which is a tile drain or an open drain.

Mr. Klinkhamer feels that it would be a lot less for the County to dredge the waterway than to do a reconstruction. If that does not work, a six inch tile on the west side of the road needs to be improved and another 12 inch needs improvement.

Commissioner Hudson moved to accept all the information that was presented to the Board and take the information under advisement and further investigate the situation by the Surveyor until the next regular scheduled meeting, seconded by Commissioner Knochel. Motion carried.

ASSISTED LIVING, Wea-Ton Subdivision

Tracy Trimpe and Richard Hoover of American Consulting Engineers, presented the Board with drainage plans of Wea-Ton Subdivision, lot 4b , which the Assisted Living Building will be constructed. Ms. Trimpe stated she received the review comments from Christopher B. Burke Engineering and the plans have been revised to address the comments. Ms. Trimpe presented the Board with a revised copy of the drainage plans. Ms. Trimpe asked for preliminary approval of the project.

Commissioner Hudson moved to grant preliminary approval of Wea-Ton Subdivision Assisted Living project with the conditions of the memorandum from Christopher B. Burke Engineering and further review for final approval of the revised plan, seconded by Commissioner Knochel. Motion carried.

OTHER BUSINESS

Brindon Woods Subdivision

Mr. Spencer presented the Board with a Release of Easement in Brindon Wood Subdivision. Mr. Spencer explained a drainage and utility easement was platted in the County Road Right-of-Way, this is not the desired way of plotting an easement. Mr. Spencer informed the Board the utilities are located outside the right-of-way therefore he asked the Board to release the easement so it can be corrected and recorded in the County Recorder's Office.

Commissioner Hudson moved to Release the Easement described in the plat of Brindon Woods Subdivision with the President of the Drainage Board's signature, seconded by Commissioner Knochel. Motion carried.

Thomas Ellis Ditch

Mr. Spencer presented the Board with an easement reduction from Michael Barnes on the Thomas Ellis Ditch. Mr. Barnes address is 4512 State Road 28 East, parcel #120-04300-0221. The tile has been found and plotted by Bob Gross of R.W. Gross & Associates, showing the location of the tile on Mr. Barnes property. Mr. Spencer recommended the reduction of easement from 75 feet either side of the center of tile to 25 feet either side of the center of tile.

Commissioner Hudson moved to approve the easement reduction as located on the plot of Mr. Barnes property, key number 120-04300-0221, seconded by Commissioner Knochel. Motion carried.

J.B. Anderson Ditch

Mr. Spencer requested the Board reclassify the J.B. Anderson Ditch from a drain in need of maintenance to a drain in need of reconstruction.

Commissioner Hudson moved to reclassify the J.B. Anderson Ditch from a drain in need of maintenance to a drain in need of reconstruction, seconded by Commissioner Knochel. Motion carried.

Darby Wetherhill Ditch

Mr. Spencer asked the Board to appoint two members of the Board to serve on a Joint Board with Benton County regarding the Darby Wetherhill lateral #2 Ditch.

Commissioner Knochel moved to appoint Ruth Shedd and Kathleen Hudson to serve on the Joint Board with Benton County considering their districts are closer to Benton County than his, seconded by Commissioner Hudson. Motion carried.

Being no further business Commissioner Hudson moved to adjourn until Wednesday, October 7, 1998 at 10:30 a.m., seconded by Commissioner Shedd. Meeting adjourned.

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

Those present were:

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

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

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

ACTIVE

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

INACTIVE

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

Calvin Peters Saltzman Skinner Ray William Stewart	Peter Rettereth Abe Smith 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

Special Meeting

March 1, 2001

Those Present Were:

Tippecanoe County Commissioners Ruth Shedd and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Tom Busch, Drainage Board Engineering Consultant Dave Eichelberger, drainage Board Secretary Margaret Shields. Also present were Bill Davis, Mark Phipps, and Pat Jarbo of Hawkins Environmental and Darren Sorrenson the developer.

The Tippecanoe County Drainage Board met Thursday March 1, 2001, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Commissioner/Vice-President of the Drainage Board, KD Benson calling the meeting to order.

KD called the meeting to order.

Lindberg village, Phases 1-5 with Hawkins Environmental

Bill Davis appeared before the board. His first order of business was to thank the members of the board and the attorney for holding the meeting and the Burke people along with Steve for doing extra work to have these items prepared. He then introduced Mark Phipps and Pat Jarbo, also from Hawkins who were present to answer any technical questions, as well as introducing Darren who was there to answer any owner questions. Mr. Davis explained to the board that what he was presenting today was a drainage plan for the area between Klondike Road, Lindberg Road, and 250 N. Mr. Davis used some charts to better illustrate this and show exactly where the project was located.

On the next chart he showed how the project is situated near Green Meadows Subdivision, Wake Robin, and a trailer park. He showed how you could see that the new subdivision is really located in two watersheds. The west watershed which discharges under Lindberg through a couple of small tiles and culverts and the other which is a larger watershed comes down and discharges through a large culvert at Lindberg Road near Klondike Road. There are also a series of smaller culverts and drain tile throughout the area which they tried to identify the best they could using the help of local farmers and other sources. There is a part of the **Vanderkleede legal drain**, which is a tile drain that comes up into the property, and so they will be later asking to vacate a portion of it.

Mr. Davis goes on to explain that basically, what we are doing is routing 99% of the water from this site through a series of three ponds. These ponds are all interconnected and work together to control the discharge. There is a lot of technical information we could go through, but what I (Mr. Davis) feel is important to tell you is two things: (1) what the water flow is today (2) what the water flow will be after this project is put into place. Mr. Davis breaks the project into two areas and uses his charts to illustrate to the board what he is talking about. He explains that in his examples he is using the ten-year storm level. The east watershed, today prior to the project the discharge rate through those culverts is about 76 CFS. On the other watershed the 10-year discharge rate is about 94 CFS. When the project has been completed the east watershed will go to 46 CFS and the other will go to 5.23, which breaks down to 54 CFS. There is over 52-acre feet of storage in the pond and that is about half the size of the Wilson Branch Reservoir per foot of storage.

KD asks what an acre-foot is and Steve explains it is a piece of ground that is 43,560 feet by one foot deep.

Mr. Davis goes on to explain that the control for the project is two 50" tiles located here (as he points to the chart) and two 36" tiles here (also pointing to the chart), and that it is not much to work with because you have to make an allowance for everyone else's discharge, also. So with a consistent good design it should function without difficulty.

KD asks how do you get from the ponds to the tiles? Mr. Davis tells her that there is a system of pipes that comes out of the pond then down along the road along the right of way that are oversized. This portion of pipes is oversized so that when Lindberg Road is widened they'll be able to discharge into this pipe system. When you leave the site here we come out and day light in the side ditch and there will be forty feet to the side ditch to where this discharge is between the side ditch and the road.

KD asks if they will be taking care of the businesses that are there? Mr. Davis references the ones on the map that he believes she is referring to and she says yes. Mr. Davis tells her yes they will be taking care of the businesses out there.

Steve goes on to explain that all the business including the Klondike road right of way on the west side and they've also picked up some water that currently flows through a combination of culverts and tiles to the southeast and then cuts to where the storage buildings are there and the north of the and they're bringing the water down through their system. The tile on the east side which is a private tile we've had a couple people in the last six months asking about that tile because the people who have storehouse, I guess my only point in all that rambling is that they're taking pressure off of that system/drainage pattern bringing it down into the same watershed, they're just by passing the broken down tile system where there are no easements and it is just passing over private property.

Mr. Davis adds that any water that is left and comes this way is actually being put into our systems so that we are not bringing any water across these properties anymore than it does today. This system or subdivision is entirely independent of any other system in the area.

Ruth asks for some clarification on what was said about the Vanderkleede ditch. Mr. Davis explains that there is a tile ditch that appears to, although not well defined, (county tiles with no assessment adds Steve) that comes into the project so legally there is a drainage easement over the tiles and since we will not be using them we plan to vacate a portion of that Vanderkleede ditch.

Steve asks Mr. Davis when they plan to vacate it. Mr. Davis responds that they will write a blanket easement and ask for vacation. Steve asks if this is before they plat and Mr. Davis agrees. KD mentions that those tiles are not working very well anyway because there is equipment that is in that area standing in two feet of water. Mr. Murray explains that even though that portion may not be working, the rest of the tile is functioning and it crosses Lindberg then SR26 and outlets somewhere in the vicinity of 400W into the drainage pattern that goes through Kingwood if he remembers correctly. But, it is basically an agricultural tile that does function but since they are on the upper end we have no reason, one because we don't have an assessment on it and so the county really doesn't maintain the tile, since it is clear on the upper end we would see no reason why they couldn't vacate it our only concern would be and I think they've done a fairly conscientious job of trying to trace down the tile pattern and where connections are, but one stipulation or condition that we do have is that as they actually dig that out they watch for key connections that they haven't found yet and purely provide an outlet for those tiles which they should be able to do with their existing storm sewer system because that is deeper than the current tile systems. So, they'll just have to agree to watch for those. I'd say that it is highly unlikely that a tile from off-site would need run through their property and into this tile and in the unlikely chance they'll have to accommodate it.

KD asks what vacating the tile do to the farmer whom she points out on the map. Steve answers that the only portion of the ditch that will be vacated is those that are on their property and since it flows downhill their should be no affect on the farmer. Steve said that he assumes that just inside of their property line they will cut it off and plug it in a satisfactory manner.

KD asks about a huge culvert on Lindberg and Steve explains that this is farther east than the development they are looking at. In fact, he explains that it is the same watershed involved with the Lindberg Road fiasco and the obstruction permit. KD asks if that is the pond in the front yard and Ruth says yes.

KD asks for questions. There seem to be no questions or comments. Steve states that they have the latest review memo with the four numbered conditions and besides providing the surveyor's office with the restrictive covenants to our satisfaction the only thing they will need to add is the condition about the legal drain and making sure that as they are taking out the tile.

Steve then asks Mr. Davis exactly what his intentions are for removing the tile from the portion of the legal drain they wish to vacate. Mr. Davis explains that they tend to take it out and fill it so that the tile will not be useable on any other portion of the site. Steve reiterates his concern about being careful and watching for connections as they remove the tile. Mr. Davis says that they plan to go around the perimeter and they should find anything that way. He also explains they have had a lot of discussion with the farmers out there so that they know where any connections would be if they were there.

Ruth asks Mr. Sorrenson if he has any comments and he just states that he is thankful for everyone for having the meeting. He states that he is leaving town for a month and that is why he needed the early meeting.

Steve goes on to say that they are prepared to recommend for approval but that Mr. Eichelberger and his associates have done most of the work on this complicated project. As Mr. Davis had said this site was less than well drained and given the fact they have provided more storage well in excess of what is required we are prepared to recommend final approval with the conditions.

KD asks about the pond ledge changes. Steve clarifies and says she is talking about the six to ones. Mr. Davis explains that they are six to ones on the drawing, yet they were labeled three to ones in error so that no change is necessary except to the labels. Steve adds that they have already had some discussion with the Highway Department and the bottom line is that they can't do the improvements in the County Road right of ways without Highway's approval.

KD asks about how this will affect the Lindberg widening. Mr. Davis uses his chart to explain that they spoke with Mark from the highway department and used the plans they had for the widening on their schematics so that they could come up with a culvert placement that would work after the road is widened. KD asks what side of the road is the tile going to be placed on. Mr. Davis explains that it will be placed on the south side. Steve adds that there is already an existing culvert system that does basically the same thing. KD asks who is responsible for notifying the person whom will have their yard torn up due to this construction. Mr. Davis and Steve explain that the area is in the right of way and that they have the documentation to show their right to do the construction. KD states that it would still be nice to notify the person anyway.

Ruth moves for final approval on Lindberg Village phases 1-5 with the conditions listed. KD seconds the motion. Motion carries.

Other Business

GIS Department

Mr. Davis brings the matter of some ortho photos he had to illustrate his project. He explains that all the information was obtained from the County GIS Department. He explains that this department has been of great use to him because of several reasons. (1) Reasonably accurate (2) allows us to readily investigate the real conditions in the watershed. Steve explains that previously they had to use USGS, which only give you 10-foot intervals, and now we have 2-foot intervals.

Mr. Davis explains that his reason for saying this is he believes we should give continued support to that department for providing good and accurate information. It helps public input and questions.

Active/Inactive Ditch List

Steve states that last meeting we had given them an active inactive ditch list, which contained had an error on it. He explains that there are two **Darby Wetherill ditches**, one being for general maintenance and the other reconstruction. He further tells the board that the reconstruction one was left off the list when in fact it should be active. Due to an oversight our office was unaware that this reconstruction came out of fund 95 and not fund 94 and so we had some inaccurate information when we initially prepared the list.

Ruth moves to adjourn the meeting. KD seconds. The meeting is adjourned.

John Knochel, President (Absent)

KD Benson, Vice President

Robert Evans, Acting Secretary

Ruth E. Shedd, Member

Tippecanoe County Drainage Board
March 7, 2001
Regular Meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Margaret Shields, Dave Ialo representing Bill Davis and Pat Sheehan representing Schneider Corporation.

The Tippecanoe County Drainage Board met Wednesday March 7, 2001 in the Grand Prairie Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel, calling the meeting to order.

Approval of February 7, 2001 Minutes

John Knochel made a motion to approve the minutes from the February 7, 2001 regular Drainage Board Meeting. Ruth Shedd seconds the motion and hearing no opposition, the motion carried.

CR50 S

Dave Ialo, representing Hawkins, came to present the CR50 S- Stable Drive project. Mr. Ialo began with a brief overview of the project. Originally, when the project was first submitted it was for the construction of the remainder of Stable Dr. and the reconstruction of CR50 and part of another drive for Lexington Farms. As the project progressed, there was some reconstruction involved with the **Berlowitz Ditch**, so the project has been phased into two pieces. The first phase of that piece is what they are seeking approval for today, which is the remainder of Stable Drive west of 550 East. The remainder of it will be submitted upon completion of the bridge plans and such with the **Berlowitz Ditch Reconstruction**.

Steve questioned Mr. Ialo as to where is the East End of the submittal today. Mr. Ialo answered that the East End will end right in front of the intersection on this side (pointing to his visual aid) of the drawing. There will be some temporary pavement put in to match the existing intersection. They are tying into the storm drainage system. It is actually designed to intercept the water that will be for the drainage for the remainder of this part of Stable Drive. Basically, all we have done is tie it into the existing drainage system, which is currently discharged into the **Berlowitz** basin, which is already existing.

Mr. Murray spoke up to say that part of the reason the section east was dropped was that Burke is doing design for the reconstruction on the **Berlowitz**. There is a structure that will have to go East of 550 east. The larger structure needs to go under 50S so it was a little premature for them to design that until all the hydraulic and design work is done by Burke.

The recommendation is for final approval with the standard conditions of review fees and a copy of the restrictive covenants. Ruth moves for final approval for CR50 S-Stable Drive Reconstruction Phase I as submitted. John seconds the motion. Hearing no further discussion the motion carries.

Petition for Encroachment

Mr. Murray presents this petition from Cyril E. and Lois J. Holladay on lot 32 Fink Meadows, part 1 section 2. Mr. Knochel asks where exactly is Fink Meadows? Steve explains that it is West of South 18th at Ortman Lane and 300S, south west actually, both sides of the **Elliot Ditch**. Right by the little cemetery. This is the encroachment obviously, he says pointing to a map. The gentleman had a concrete slab, which he tore out several years ago, put in a new slab and then put a roof over it. Mr. Murray could not recall if it is enclosed or not. Regardless, he is getting ready to sell the property and it showed up on a location report and wanted to make sure he had all the proper approvals. It has gone to the City Engineers office, they're O.K. with it and are prepared to give him a building permit for this structure contingent on our approval for the encroachment. He has letters from Verizon, Cinergy, and Insight stating they do not object. As, he was trying to explain earlier, there is a 90-foot utility drainage easement from the center of **Elliot Ditch**. Typically, in the city the City would approve the encroachments into utility and drain easements. Elliot also has a drainage easement associated with it that is 75-foot from top of bank. We did some estimation and the 75-foot line would fall within the 90-foot utility easement line, but never the less, looks like it clips the corner. Even though the petition states seven foot it is probably more realistically approximately three to four foot so something less than seven foot. Regardless, that does not impair our ability to get in there and work on the Elliot. I think it was an honest mistake so in the past the board has generally granted permission to encroach into the regulated drain easement. Steve apologizes for the form because the form we have is for the utility and drain easement and what we have been doing is modifying the wordage and using the same form, although, we probably should come up with a form that is specific to encroachment into regulated drains. Any way, those corrections haven't been made,

but we'll make those on this petition for encroachment, but I feel more than comfortable recommending that the commissioners or drainage board grant the petition to encroach.

Ruth asks if those letters from the companies were the only utilities that would be going through there that would need a clearance. Steve answers that the only others he can think of would be city utilities and they are prepared to issue a building permit so he is sure that they have looked at it. Their concerns are usually cable TV, phone, gas, and electric, but he would be surprised if gas is in that area.

Dave notices that the report shows ninety feet from he presumes the centerline. Steve confirms that it is the centerline and that was part of the plat and is a drainage and utility easement it just overlays on top of the regulated drain easement. Dave mentions that it sounded as if Steve had said that the 75 feet came within three feet. Steve says, yes three to four feet into it as opposed to seven feet into it. Dave then says as opposed to 90 feet and 75 feet would be 15 feet. Steve clarifies that the easement is from top of bank and they both estimated and it was an estimate that the width of the creek at that point was 20 feet. Therefore, we scaled over ten then came back 75 so then you can be 85 foot from the centerline, so roughly the regulated drain easement is five foot within the drainage easement. Never the less, I don't see any problem with this. We've allowed people to encroach almost to top of bank with parking lots and what not.

KD interjects that part of the agreement is that he would tear it out if we ever needed it. Steve states that although this is correct he is not sure that Mr. Holladay is aware of that and the chances of us needing to do that are slim. Steve says that basically we have 65 feet and that he guarantees that if you walk the banks of the **Elliot** there are things such as fences, trees, and landscaping, so once again with him being clear at the back of the easement he sees no problem with it and the city is satisfied to the point they are willing to issue him a building permit. KD mentions that she understands, but if at some point we need to drive a backhoe over his patio or something...technically, we wouldn't be responsible.

KD moves that they grant the petition for encroachment. Ruth seconds the motion. Hearing no further discussion the motion carries.

Active/Inactive Ditch List

Steve presents on this also, stating that at the special meeting he mentioned that inadvertently, because we didn't understand the situation, we left off the **Darby Wetherill Reconstruction #111 drain**. For the record we've since notified our auditor and treasurer that it is active and we wanted to update that. If you want an explanation I can give it to you. There is a standard maintenance fund on #110 and a reconstruction on #111.

Ruth asks if there are any questions for Steve. Hearing none, she asks the attorney if we need a motion. The attorney states that they need a motion to approve the list as amended. KD moves to approve the active/inactive ditch list as amended. Ruth seconds the motion. Hearing no further discussion, the motion carries.

Other Business

Unity Medical Cancer Center Building D

Mr. Pat Sheehan presents as a representative of Schneider Corporation. Pat states that he is here to discuss a change to a previously approved plan on lot two of Unity Medical. Pointing to the map he shows the commissioners that this is Crosspointe Community Commerce Subdivision off of Creasy Lane and Amelia Drive. Previously, this was approved as lot one with this building and this was all additional parking and now what we are trying to do is go through here and place a cancer center, a new building, here (showing them with his visual aids). So it does not change the amount of impervious area, but it does reduce the amount of parking. What we are asking is for approval on this modification for the plans that we have.

Ruth asks if there is enough parking if you make this modification. Mr. Sheehan answers yes and goes on to explain that there plan is to use lot four for parking since they don't plan to build on that lot for several years and they will use that as overflow parking. Mr. Sheehan believes that they have ample parking.

KD questions if it will change the drainage plan. Steve answers that it changes the drainage plan to some extent as far as the location of storm sewers and what not, but there is also an existing regulated tile that is affected by this project and would need to be relocated, which I would like to address when Mr. Sheehan is done with his portion of the presentation. It is not a substantial change, but never the less it is a change from what was previously approved. Typically, we have had them come back to the board because the regulated tile is involved. The Lafayette City Engineer's Office is satisfied with their plans for the overall development and the most recent change. We've had a review memo from Burke, which has four conditions plus

standard ones, the fees and restricted covenants, stated within it. Steve asks Pat if he happens to have the drawing that shows the regulated drains. Mr. Shehan asks if he is referring to the As-Builts. Steve says yes, the As-Builts and the proposed drain relocation. Steve states that it is the same tile that is affected by the Amelia Station Planned Development, Vester and Associates is working on to the East. This tile has been relocated once already with the Amelia Avenue Extension and it runs roughly parallel to the **Treece Meadow Drain** south of Amelia Drive and currently runs through the site, as you can see is going to be under the proposed building, under Creasy, taps into a box structure on the west side of Creasy that actually carries the old original **Treece Meadow Drain**. They are going to ask to relocate this. Basically, they are going to tie in, upgrade, and relocate this to the north of this building, then bring it over, and tie into an existing manhole (part of the problem is we have to get final plans and approve it all) west of Creasy. A more pertinent point this morning because we will require them to get final construction plans approved for this relocation is that because it is a regulated drain they will need to vacate the existing easement, relocate, and dedicate a new easement. Dave and I have talked about this regarding the PD at the east end, there is a section in the drainage code, I believe it is 52-5, where if this is all being done on one piece of property and at the property owners expense they can go through a somewhat abbreviated process to vacate and dedicate and will require board action at a meeting next month, but the board can basically after I've said its O.K. and the plans are O.K. and it won't affect anyone else which it shouldn't and I've doubled checked with Mike Spencer as well and he doesn't believe it should affect any of the farm drainage east of Amelia Station the board can then do an order that vacates the old and basically, accepts the new. The minimum width per code is thirty-foot, it currently has twenty foot shown, but I've asked them to revise that to the statutory minimum for an urban drain tile. So, I think we are prepared to recommend final approval with the conditions stated on the review memo dated March 7th from Burke as well as the condition that they provide us with satisfactory construction plans and follow through with the proper statutory process to vacate and relocated.

KD asks how are they going to get under Creasy. Steve states that there are some structures that already go across. Pat adds that they are going to tie into them before Creasy.

KD motions for final approval with the conditions listed plus a fifth condition recommended by Surveyor Murray stipulating that the Surveyor's Office be provided with the construction plans for the relocation of the drain and following through with the statutory process to relocated the regulated drain that was in question. Ruth seconds the motion. Before passing the motion Steve clarifies that the extra condition also requires them to vacate, relocate, and dedicating the drain. John states that the minutes should reflect the clarification on the fifth condition. Hearing no further comments the motion carries.

John asks for further business before the board. Hearing none, KD motions for adjournment and Ruth seconds. The motion carries.

The meeting is adjourned.

John Knochel, President

KD Benson, Vice President

Robert Evans, Acting Secretary

Ruth E. Shedd, 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