

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD DECEMBER 1, 1971.

The minutes of the regular meeting of the Tippecanoe County Drainage Board held in the Commissioners Room in the Court House at 9:00 a.m., on December 1, 1971.

Upon motion by Dale Remaly, seconded by Edward Shaw the Board approved the minutes of the November 3rd meeting as read.

Present at Meeting

Those present at the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, Claude Acheson, Dan Ruth Jr., Richard Donahue, John Garrott, Larry Clerget, Gladys Ridder, and Bill Martin.

Ditches Referred to Engineer

Upon motion by Bruce Osborn, seconded by Dale Remaly the Board referred the following ditches to the Engineer to prepare for a maintenance fund: George Ilgenfritz, Wea & Sheffield Townships, William A. Ortman, Wea Township, John L. Hoffman, Perry Township, William A. Stewart, Perry and Washington Townships and Calvin Lesley, Perry and Washington Townships.

9:30 a.m. Hearing on Elmer Thomas Ditch

The hearing on the Elmer Thomas Ditch was opened by Dan Ruth the Engineer. Those attending said meeting were as follows: Floyd Lamb, Lucille B. Williams, Hazel Holmes Gephart, Francis E. Scowden, Charles R. Scowden, Kathryn DeBoy by Norman DeBoy, Marjorie A. Connelly, Lawrence Krug, Francis Zeigler, E. E. Franklin, Curtis Vanderklee, Robert G. Gross, Janet M. Buker, Robert Franklin, Dorothea M. Franklin, Edward L. Bryant, Martha R. Yerkes, Chester S. Yerkes, Forrest Williams, Patty Garrott, Dale Remaly, Bill Martin. Mr. Buker, showed slides of the area involved and Mr. Bill Martin of the SCS office explained the involvement of his office in this project. The question was again raised as to whether Mr. E. E. Franklin's dam in the Harrison Creek, into which the Elmer Thomas ditch empties, changed the water flow enough to cause the ponding. Also the information from the Dept. of Natural Resources could find no permit having been given to build the dam in the first place and said they would check further. Also the Engineer said he still needed a few answers and told some of the members he would go out and walk the area with them.

Changes in acreage

He had checked elevations on Mr. Marjorie Connelly's, Mr. Alice Halstead's and Lawrence Krug's property and recommended the Board change their acreage. The Board so moved. The acreage changes are as follows: Connelly's 11.80 acres to 1.50 acres; Halstead's 2.69 acres to no acres; Krug's 19.79 acres to 3 acres.

The Board then moved the hearing be continued until February 2, 1972, as Mr. Shaw said he felt he could not vote intelligently on this project as yet. As this hearing continued on into the time allotted for others the motion by Edward Shaw, seconded by Claude Acheson to adjourn was made unanimous by Bruce Osborn.

Hearing on Floyd Coe Ditch

Bruce Osborn, Chairman of the Board opened the hearing by asking the people present namely: Albert Kochert, Mabel Hault, Mary C. Bocher, V. L. VanAsdall for N & W Railway Co., Betty Howey, and Robert Kirkpatrick if they had made any decisions since their first hearing. Mr. Kirkpatrick said he could speak for about fourteen of the thirty in this watershed area. When asked if they still wanted the Board to abandon their drain they said definitely not but didn't want a maintenance fund established at this time. The Board moved to give them a year and then they would have to do one or the other.

Upon motion by Bruce Osborn seconded by Dale Remaly this hearing was tabled until the December meeting of 1972.

Hearing on Oshier and McFarland Ditch

The meeting was opened by the Drainage Engineer explaining to those attending the maintenance hearing on the McFarland-Oshier Branch of the three alternatives they could take in determining the water shed area of these two ditches. Those attending were: John VanHoy, Lynn P. Hawkins, Merrill McCahan, I.J. Pflug by William Rowe, and Mark Briar.

Those on the Oshier Branch wanted to be a separate legal drain and said they would assume the care of the short length of ditch that they use jointly with the McFarland people. The Engineer made it clear that the Oshier Ditch to be a legal drain would only be the main channel as designed by the SCS Office and not any of the laterals.

The Engineer told the Board he would write a new legal description for both ditches if all concerned wanted to remain separate. The Engineer also recommended a change in acreage \*\*

Upon motion by the chairman, seconded by Mr. Shaw the Board moved to make the Oshier Ditch a legal drain and to establish a 50¢ per acre maintenance fund on both ditches outlining the water shed area per the Engineers new description.

Order and Findings

The Board signed the Order and Findings and certificate of assessments on the Oshier and McFarland Ditches.

\*\*\* in the Anna Pearl Boesch property from 60A to 45A.

Opening  
of Bids

At 1:00 p.m. the Chairman of the Board opened the bids received from the fill dirt, back hoe, cement tile, corrugated metal pipe and drag line.

DRAG LINE BIDS:

- \* Fauber - Small Lima Crane with operator & helper --- \$ 33.00 per hour
- Davis - Northwest, Model 41 with operator & helper---\$ 45.82 per hour

BACK HOE BIDS:

- \* Davis - Model 450 - 6.0 cu. ft. bucket, reach 13.8 feet ---\$29.85 per hour
- \* Cohee - 580 Case - 36" or 24" bucket, reach 14 feet -----\$22.00 per hour

FILL DIRT BIDS:

- \* Davis - 50¢ per cu. yds + 8¢ per cu. yd. per mile

METAL PIPE BIDS:

Young Metal Products Co. (Ladoga)  
Logansport Metal Culvert Co.

It is my recommendation that the bids with the \* adjacent to them be accepted. In the case of the metal Pipe Bids it is my recommendation that both bids be accepted.

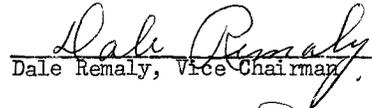
Mr. Paul Hamman

A discussion was held concerning the Paul Hamman property east of the By-Pass. No real progress could be made due to the fact that Mr. Hamman could not be present. It was the Boards feeling that Mr. Hamman needed to be present to express his views.

Upon motion by Edward Shaw, seconded by Bruce Osborn the Board adjourned.



Bruce Osborn, Chairman



Dale Remaly, Vice Chairman



Edward Shaw, Board Member

Attest:

  
Gladys Ridder, Secretary

The Tippecanoe County Drainage Board held it's regular monthly meeting on Wednesday, January 5th, 1972 at 9:00 a.m., in the Commissioners Room in the Court House.

Present at Meeting Present at the meeting were: Dale Remaly, Edward Shaw, Dan Ruth, Jr., John Garrott, Richard Donahue, Larry Clerget and Gladys Ridder.

Minutes Approved It was moved by Dale Remaly seconded by Ed Shaw to accept the minutes of the December 1, 1971 meeting as read.

Election of Officers The Board held their election of officers for the year 1972 with Bruce Osborn elected Chiarmn, Dale Remaly Vice Chairman, and Gladys Ridder was elected Secretary to the Board. By unanimous decision, the first Wednesday in the month was chosen for the Drainage Board's regular meeting date.

Bids Accepted The Board made their decisions on the maintenance bids for 1972 and were tabled as follows:  
 DRAG LINE BIDS  
 \* Fauber - Small Lina Crane with operator & helper \$33.00 per hour  
 Davis - Northwest, Model 41 with operator & helper \$ 45.82 perhour

BACK HOE BIDS  
 \* Davis - Model 450 - 6.0 cu. ft. bucket, reach 13.8 feet \$29.85 per hour  
 \* Cohee - 580 Case - 36" or 24" bucket, reach 14 feet \$22.00 per hour

Cohee to be called first and if not available to call Davis.

FILL DIRT BIDS  
 \* Davis - 50¢ per cu. yds + 8¢ per cu. yd. per mile

METAL PIPE BIDS  
 For the type of pipe we would be using the bids are identical. The bids of both suppliers were accepted.  
 Logansport Metal Culvert Co.  
 Young Metal Products Co. (Ladoga)

Ditches Referred Upon motion by Dale Remaly, seconded by Ed Shaw the Board referred the following ditches to the Engineer to classify and prepare a maintenance report.  
 Susana Walters, (Perry Twp.), E. F. Haywood, (Jackson Twp.), James Shepherdson, (Perry and Sheffield Twps.), and Jesse Dickens, (Shelby Twp.).

9:30 a.m. Hearing on George Ilgenfritz Ditch Dale Remaly, Vice Chairman opened the hearing of the George Ilgenfritz Ditch by asking the engineer for his report.

The engineer read letters from Mrs. H. H. Reed, requesting a maintenance fund be established and one from Mr. Louis Vaughan, saying it would be of no advantage to him because he had kept his part of the ditch clean. He felt R. R. cause most of his trouble. Those attending were: Louis Vaughan, Porter Kirkpatrick, Homer Kerlin, Homer Boesch, Charles Leaman, Lloyd Bailey, James Phillips, Hugh Henry for Wallace Farms, Robert Peabody, Robert Elliott, Anna Jane Rice, Wallace Rice, Robert McCabe, Rep. for Constance Reed.

Changes in acreage suggested by the engineer were:  
 One or two persons attending felt the clean out should include the extension to Wyandotte Road which is almost a mile long into the Beeler property but after discussion of additional cost all decided if it were necessary later they would petition the Board to make the extension a part of the legal drain.

No objections were filed against the \$1.00 per acre assessment so upon motion by Edward Shaw, seconded by Dale Remaly the Board so moved to establish a \$1.00 per acre maintenance fund.

10:30 a.m. Hearing on Ortman-May Ditch The engineer opened the hearing on the Ortman May ditch by reading his report with recommendations to the Board to abandon the Jacob May ditch and postpone final decision on the William Ortman ditch until John E. Smith Co. had presented their engineer's plans for reconstruction on the part of this ditch that goes through a tract of their ground now being developed into Twyckenham Estates Sub-Division.

Those attending were: J. C. Hilligoss and Robert Tumley for John E. Smith and Louis Thomas for Norfolk and Western Railroad.

Upon motion by Dale Remaly, seconded by Ed Shaw the Board moved to make no decisions until the April meeting. The Board so instructed the Secretary to re-notify those persons on these two ditches of the re-scheduled hearing in April.

11:30 a.m. Hearing on William Stewart Ditch The engineer opened the hearing of the William Stewart ditch by reading his report on the condition of the ditch and his recommendation.

Those attending were: Maurice Cripe and James C. Buck. Upon request and by recommendation of the engineer the Board changed the acreages of the following: Donald Mullins, one acre was removed and James Bucks, twenty-five acres was reduced to seventeen acres due to the overlap with the Calvin Lesley ditch.

There were no objections to the \$1.00 per acre assessment so upon motion by Ed Shaw, seconded by Dale Remaly the maintenance fund of \$1.00 per acre was established.

Order & Findings & Certificate of Assessments After the establishment of maintenance funds on William Stewart and George Ilgenfritz ditches, the Board signed the order and findings and certificates of assessments for both ditches.

Upon motion by Dale Remaly, seconded by Edward Shaw, the Board ajourned.

*Bruce Osborn*  
 Bruce Osborn, Chairman

*Dale Remaly*  
 Dale Remaly, Vice Chairman

*Edward J. Shaw*  
 Edward Shaw, Board Member

Changes in acreage suggested by the engineer were:  
One or two persons attending felt the clean out should include the extension to Wyandotte Road which is almost a mile long into the Beeler property but after discussion of additional cost all decided if it were necessary later they would petition the Board to make the extension a part of the legal drain.

No objections were filed against the \$1.00 per acre assessment so upon motion by Edward Shaw, seconded by Dale Remaly the Board so moved to establish a \$1.00 per acre maintenance fund.

10:30 a.m.  
Hearing  
on  
Ortman-May  
Ditch

The engineer opened the hearing on the Ortman May ditch by reading his report with recommendations to the Board to abandon the Jacob May ditch and postpone final decision on the William Ortman ditch until John E. Smith Co. had presented their engineer's plans for reconstruction on the part of this ditch that goes through a tract of their ground now being developed into Twyckenham Estates Sub-Division.

Those attending were: J. C. Hilligoss and Robert Tumley for John E. Smith and Louis Thomas for Norfolk and Western Railroad.

Upon motion by Dale Remaly, seconded by Ed Shaw the Board moved to make no decisions until the April meeting. The Board so instructed the Secretary to re-notify those persons on these two ditches of the re-scheduled hearing in April.

11:30 a.m.  
Hearing  
on  
William Stewart  
Ditch

The engineer opened the hearing of the William Stewart ditch by reading his report on the condition of the ditch and his recommendation.

Those attending were: Maurice Cripe and James C. Buck. Upon request and by recommendation of the engineer the Board changed the acreages of the following: Donald Mullins, one acre was removed and James Bucks, twenty-five acres was reduced to seventeen acres due to the overlap with the Calvin Lesley ditch.

There were no objections to the \$1.00 per acre assessment so upon motion by Ed Shaw, seconded by Dale Remaly the maintenance fund of \$1.00 per acre was established.

Order & Findings  
& Certificate  
of Assessments

After the establishment of maintenance funds on William Stewart and George Ilgenfritz ditches, the Board signed the order and findings and certificates of assessments for both ditches.

Upon motion by Dale Remaly, seconded by Edward Shaw, the Board ajourned.

*Bruce Osborn*  
Bruce Osborn, Chairman

*Dale Remaly*  
Dale Remaly, Vice Chairman

*Edward J. Shaw*  
Edward Shaw, Board Member

Attest:

*Gladys Ridder*  
Gladys Ridder, Secretary

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD FEBRUARY 2, 1972.

The Tippecanoe County Drainage Board held it's regular monthly meeting on Tuesday, February 2, 1972 at 9:00 o'clock, a.m.

Present  
at  
Meeting

Those attending the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, Claude Acheson (Mr. Acheson attending afternoon session only) Ronald Melichar, Atty., John Garrott, A. D. Ruth, Jr., Larry Clerget, Ken Raines and Gladys Ridder.

Minutes  
Approved

Upon motion by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, the minutes of the January 5th, 1972 meeting were approved as read.

Change  
of  
Acreage

The Board discussed the inconvenience of people asking for a change in their acreage at the hearings and asked the Engineer to draft a notice to be placed in the envelope at the time the notices of the hearings are sent out reminding all involved to get their differences taken care of before the hearing!

Ditches  
Referred

The Board referred the following ditches to the Engineer to prepare for periodic maintenance reports: Orrin Byers, Franklin Reser, J. Kelly O'Neill, Jesse Dickens, Ann Montgomery, Nellie Ball, Peter Rettereth and John A. Kuhn.

9:30 a.m.  
Hearing on  
Calvin Lesley  
Ditch

The hearing on the Calvin Lesley ditch, located in Perry and Washington Township, was opened by the Engineer reading his report and recommendations to the Board.

Those attending were: Myron A & Richard L. Welch, Edwin Napier, Ralph Wise and John Boes, Jr. All in attendance were in favor of establishing a maintenance fund but asked the Board if they would set the amount at 50¢ instead of the proposed \$1.00 basing their request on the few repairs that have had to be done in the past several years.

Upon motion by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw the Board so moved to establish a \$0.50 mintenance fund. Because the Rettereth vs Clark ditch is a small branch that empties into the Calvin Lesley ditch and the same people are involved on both ditches, the Engineer suggested to the Board that these two ditches

*James Buck asked the Engineer to check his acreage - he did and recommended a 20% reduction in the South 20.*

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

The Tippecanoe Drainage Board met in the Commissioners Room in the County Office Building at 9:30 a.m. with the following members present: William Vanderveen, Bruce Osborn, Fred Hoffman, Robert L. Martin, Kenneth Miller, Mike Spencer, Grady Jones, Gladys Ridder and Ethel Kersey.

Minutes Approved

Upon the motion of William Vanderveen, seconded by Bruce Osborn the minutes of the September 14, 1977 meeting were approved as read.

Minutes Approved

9:30 a.m.  
E.W.Andrews Ditch

The Chairman opened the new maintenance hearing on the E. W. Andrews ditch by asking for the remonstrances filed. There was none filed and no one appeared in favor of or in objection to an increase. Mr. Osborn moved to increase the assessment per acre on the E. W. Andrews ditch to \$2.50 per acre. William Vanderveen seconded the motion.

9:30a.m.  
E.W.Andrews Ditch

10:30 a.m.  
Calvin Lesley Ditch

The Chairman opened the new maintenance hearing on the Calvin Lesley ditch by explaining to those present the reason for bringing them in for a new hearing. He said they were currently in the red \$827.37 and there were more repairs needed. The Chairman read the one remonstrance filed.

10:30a.m.

Calvin Lesley Ditch

Those in Attendance were: James A. Buck, Richard L. Welch and Dave A. Buck.

Kenneth Miller was asked to comment on the work that has been done to this point and he explained where the work has been done and who has done the work after he became an employee of the Drainage Board. He also reported that there is 6 to 8 holes that need to be repaired. Mr. Dave Buck voiced his feelings that the \$1.50 assessment was a little to high and asked that a \$1.00 assessment be considered. Mr. Osborn made a motion to increase the assessment per acre on the Calvin Lesley ditch to \$1.00 per acre. Mr. Vanderveen seconded the motion.

After establishing a new rate of assessment on the E. W. Andrews ditch and the Calvin Lesley Ditch, the Board signed the "Order and Findings" and the "Certificate of Assessments".

Meeting Schedule

Mr. Vanderveen suggested that the meetings on smaller ditches be schedule a half-hour a part.

Meeting Schedule

The days business completed, Bruce Osborn moved to adjourn. William Vanderveen seconded the motion.

*William Vanderveen*

William Vanderveen, Chairman

/absent/

Robert F. Fields, Vice Chairman

*Bruce Osborn*

Bruce V. Osborn, Board Member

ATTEST:

*Ethel Kersey*  
Ethel Kersey, Exec. 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

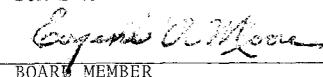
ELLIOTT DITCH

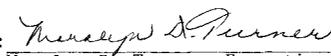
A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

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  
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 Richerd, Alexander Ross, James Shepherdson, John Saltzman, Ray Skinner, Joseph C. Sterrett, Wm A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohey, John VanNatta, Harrison Wallace, Sussana Walters, McDill Waples, J. & J. Wilson, Franklin Yoe, and Shawnee Creek.

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

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

COUNTRY CHARMS

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

TRASH TRANSFER

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

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

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

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

Sue W. Scholer stated there are two recommendations made.

1. The erosion control. 2. The calculations.

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

COUNTRY  
CHARMS

TRASH  
TRANSFER

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

✓  
DIMMENSION

DIMENSION CABLE

CABLE

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

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

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

George stated they are asking for final drainage approval.

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

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

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

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

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

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

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

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

WAL-MART

WAL- MART

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

WAL-MART CONTINUED  
JANUARY 3, 1990 DRAINAGE BOARD MEETING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## STATE ROAD

## STATE ROAD 38 PROJECT AGREEMENT

## 38 PROJECT AGREEMENT

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

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

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

## ORCHARD PARK

## ORCHARD PARK

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

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

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

The services that were included are:

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

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

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

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

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

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

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

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

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

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

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

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

**CARROLL COUNTY JOINT DRAIN**

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

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

Hubert Yount, seconded. Motion carried.

**DRAINAGE BOARD ATTORNEY CONTRACT**

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

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

Nola J. Gentry, seconded. Motion carried.

**ACTIVE AND INACTIVE DITCHES**

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

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

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

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

#### DISCUSSION ON TILE BIDS

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

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

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

#### JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

#### TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

#### HADLEY LAKE DRAIN

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

#### PINE VIEW FARMS

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

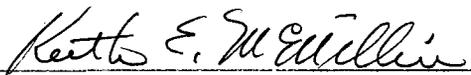
Discussion followed.

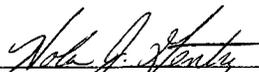
Mike Spencer recommended preliminary approval to the Board.

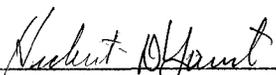
Nola moved to grant preliminary approval contingent on completion of restrictions and receipt of the recorded easements or agreements.

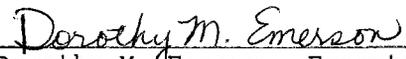
Hubert Yount, seconded. Motion carried.

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
<b>94</b>	<b>Shawnee Creek</b>	<b>6639.28</b>	<b>-0-</b>
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  
 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.

DRAINAGE BOARD MINUTES FEBRUARY 1, 1995 REGULAR MEETING

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'Ferral 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
<b>94</b>	<b>Shawnee Creek</b>		<b>\$1.00</b>	<b>\$6,639.28</b>	<b>\$3,411.51</b>
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 3<sup>rd</sup> Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

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

## **MIKE MADRID COMPANY**

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

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

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

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

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

## **DRAINAGE BOARD 1998 CONTRACTS**

### **Attorney**

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

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

**Engineering Consultant**

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

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

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

**1998 ACTIVE AND INACTIVE DITCH LIST**

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

**ACTIVE DITCH LIST**

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

**INACTIVE DITCH LIST**

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

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

**OTHER BUSINESS**

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

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

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

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

**MINUTE BOOK**

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

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

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

---

Ruth Shedd, President

---

---

Shelli Muller, Secretary

---

Kathleen Hudson, Vice President

---

John Knochel, Member



# TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

**Those present were:**

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

The Tippecanoe County Drainage Board met Wednesday, February 3, 1999, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3<sup>rd</sup> 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
<b>Shawnee Creek</b>			
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 3<sup>rd</sup> 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	<b>Shawnee Creek</b>	Kirkpatrick One
John Hoffman	Sarah Brum	HW Moore Lateral	Mary Thomas
Arbegust-Young	High Gap Road	Romney Stock Farm	Darby Wetherill Ext 2
Darby Wetherill Reconstruction			

INACTIVE

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

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

**OTHER BUSINESS**

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

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

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

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

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

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

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

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

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

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

**CHICAGO TITLE INSURANCE COMPANY**

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

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

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

---

Kathleen Hudson, President

---

Doris Myers, Secretary

---

John Knochel, Vice President

---

Ruth Shedd, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**February 2, 2005**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, County Highway Engineer Tim Wells, and Drainage Board Secretary Brenda Garrison. GIS Technician Shelli Muller was absent.

**Approval of January 5, 2005 Minutes**

John Knochel stated the January 5, 2005 minutes reflected his attendance. As he was absent for that meeting, he made a motion to approve the minutes with a correction indicating his absence. KD seconded the motion and the January 5, 2005 Drainage Board Regular minutes were approved with the correction as stated.

**Comprehensive Stormwater Management Ordinance**

Steve Murray updated the Board regarding compliance with the Federal Clean Water Act through Rule 13 and Rule 5 in Indiana. Part C was to be filed November 4, 2004. However an extension was requested and IDEM (Indiana Department of Environmental Management) granted an additional ninety days. February 4, 2005 was the extended deadline. IDEM granted an additional thirty-day extension. The filing deadline of Part C was now March 4, 2005. The following entities were on track to adopt and pass the Comprehensive Stormwater Management Ordinance in accordance with the federal guidelines; Lafayette, West Lafayette, Dayton and Battleground, as well as Tippecanoe County. Cost sharing was utilized between the entities.

The ordinance was patterned off of the existing Stormwater Ordinance, which addressed stormwater quantity. Provisions were added to address stormwater quality, and the various control measures as required by the aforementioned rules. A steering committee, project team and subcommittee reviewed technical standards. The Surveyor stated a majority of the local engineering companies were included in this process. Implementation of the federal guidelines had been a two to three - year process. The Drainage Board Attorney and Surveyor reviewed the ordinance and made appropriate corrections. The Surveyor stated he felt the ordinance was a good product for the community.

Pat Jarboe approached the Board and asked when the ordinance would be implemented and what would be the length of the interim period. The Surveyor stated he was unable to answer, as it was a federal mandate and would depend on legal aspects of the federal guidelines. The Surveyor felt once the ordinance had passed both readings, it would take precedence over the existing ordinance at that time. Copies of the proposed ordinance were available for public review at this time. It was discussed whether it should be on the web page, however the Surveyor felt it should be available by CD at this time only.

At that time, the Surveyor presented Ordinance No. 2005-04-CM amending Tippecanoe County Code, repealing Section 155.01, and adding the new Section 155.01 Comprehensive Stormwater Management Ordinance. Exhibit A was the Stormwater Ordinance guidelines as well as the Technical Standards Manual. John Knochel made a motion to approve and pass Ordinance No. 2005-04-CM on first reading. KD Benson seconded the motion. The following voted as indicated: KD Benson- yes, John Knochel-yes, Ruth Shedd-yes. Ordinance No. 2005-04-CM regarding Comprehensive Stormwater Management was passed on first reading unanimously. It was agreed to place the ordinance on the next Drainage Board meeting agenda for the second reading, followed by a Special Commissioners' Meeting for a second reading also.

**Water Safety Committee**

Mike Wylie of Schneider Engineering approached the Board as a member of the previously established Water Safety Committee. He stated he was in attendance to today give an update to the Board on the Committee's progress. The committee was formed to look at public safety issues, both in design and education. A design subcommittee and an educational (outreach to schools etc.) subcommittee were formed out of the main committee members. Mike stated he would like to review the outcome of these committees at the next Drainage Board meeting in March. A Power point presentation would likely be made at that time. The Surveyor stated safety recommendations from the subcommittee were included in Ordinance No. 2005-04-CM. The Surveyor also stated Mike would be added to the March meeting Agenda of the Drainage Board.

## **Other Business**

### **Classification of Drains**

In accordance with I.C. 36-9-27-34, the Surveyor presented a Report of Drains to the Board. The report listed classification of drains, drains in need of reconstruction, urban drains, drains in need of periodic maintenance, and drains with insufficient maintenance funds. He then reviewed the report for the Board. (A copy of which would be included in the official minutes book.)

*Drains in need of Reconstruction:* He stated reconstruction for the Berlowitz Drain was in the initial process. He noted an informal meeting regarding the Jakes Ditch had been held this past year with the benefited landowners. The original tile had eroded out and an open ditch had been created at the lower end. The upper end of the tile was exposed. Elliott Ditch had been a part of an ongoing planning process, specifically Branch #11 and the F-Lake detention facility behind Ivy Tech. Branch #11 of S.W. Elliott Ditch had been designed and would go to construction in the near future. J.N. Kirkpatrick's lower end had been reconstructed. In anticipation of a large industrial park near the upper end, a preliminary plan was in place for reconstruction from Concord Road to 450 East for the J.N. Kirkpatrick. Investigation of the Anson drain had been done. It was anticipated the drain would be presented for reconstruction or an assessment rate increase sometime this year. The J.B. Anderson, which served Clarks Hill, had another round of flooding the past couple of weeks. The Frank Kirkpatrick drain was also in need of reconstruction.

*Urban Drains:* In accordance with Indiana Code, the Surveyor designated drains that are in need of reconstruction and served an urban or urbanized area as Urban Drains. The drains listed were: S.W. Elliott, Berlowitz, J.N. Kirkpatrick, and the Alexander Ross which ran roughly behind the Super Wal-Mart located on S.R. 26.

*Drains in need of Periodic Maintenance:* The D. Anson, J. Blickenstaff, A. Brown, Burkhalter, T. Coe, County Farm, C. Daugherty, M. Dunkin, T. Ellis, M. Erwin, R. Grimes, F. Haffner, E.F. Haywood, L. Jakes, F. Kerschner, A. Kirkpatrick, F. Kirkpatrick, C. Lesley, F.E. Morin, H. Mottsinger, F. Resor, M. Southworth, J. Vvannata, and the H.B. Wallace were all drains listed in need of periodic maintenance. The Surveyor stated for the most part, these drains had their assessment rates set in the late 1960's. The present and future costs of construction projects required an increase of assessment rates from roughly \$1.00 an acre closer to \$2.00 - \$3.00 an acre, for adequate maintenance. KD Benson requested a GIS presentation of the drains listed on the report in the near future as time permits. John Knochel made a motion to accept the 2005 Report of Drains submitted by the Surveyor. KD Benson seconded the motion and the Board accepted the 2005 Report of Drains as submitted by the Surveyor.

The Surveyor presented Tippecanoe County Drainage Board Resolution No. 2005 – 01-DB to the Board for their approval. In accordance with I.C. 36-9-27-42, the Resolution increased assessments by twenty-five percent (25%) for the following drains: J. Blickenstaff, A. Brown, T. Coe, C. Daugherty, M. Dunkin, T. Ellis, M. Erwin, F. Haffner, F. Kerschner, A. Kirkpatrick, C. Lesley, H. Wallace, and S. Yeager. The drain had an insufficient maintenance funds in place. The Surveyor stated either the tile was in need of a significant amount of maintenance, or cleanout of the open ditch was warranted. He stated every ten to twelve years an open ditch should be cleaned out. In response to K.D.'s inquiry, the Surveyor stated a letter would be sent to White County regarding their acceptance of the proposed assessment increase of the Andrew Brown Joint Drain. John Knochel made a motion to adopt Resolution No.2005-01-DB as presented. KD. Benson seconded the motion. The Board adopted Resolution No.2005-01-DB, a Resolution Increasing Assessments for the Periodic Maintenance of Regulated Drains.

### **Maintenance Bonds**

*Prophets Ridge Phase 1 / Prophets View Subdivision Phase 1 / Paramount Lakeshore Subdivision*

The Surveyor presented the following three Maintenance Bonds for acceptance; Maintenance Bond No.4175907 in the amount of \$37,060.00 for Prophets RIDGE Subdivision Phase 1 from Fairfield Contractors, Maintenance Bond No. 69839855 in the amount of \$2000.00 for Prophets VIEW Subdivision Phase 1 (located on Pretty Prairie Road) from Norma G. & Rita A. Deboy, and Maintenance Bond No. 400TF4545 in the amount of \$23, 329.70 for Paramount Lakeshore Subdivision from Milestone Contractors. The Surveyor stated the subdivisions had been completed and approved. John Knochel made a motion to accept the three Maintenance Bonds as presented by the Surveyor. K.D. Benson seconded the motion. The Drainage Board accepted the aforementioned Maintenance Bonds.

**Professional Engineering Services for Engineering Review Contract**

The Surveyor presented the annual contract from Christopher B. Burke Engineering for professional engineering review service. The cost of their service was in turn billed to the developer of projects submitted for review. Dave Eichelberger from Christopher B. Burke Engineering stated the rate per hour was raised from \$70.00 per hour to \$75.00 per hour. John Knochel made a motion to approve the contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD. as presented. K.D. Benson seconded the motion. The contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD. was approved as presented to the Board.

**Lewis Jakes Ditch**

While researching the status and condition of Jakes Ditch, it was discovered the Drainage Board approved a rate increase from \$1.00 an acre to \$2.00 an acre in April of 1983. Research indicated the present assessment of \$1.00 per acre was never changed accordingly. After conferring with the Board’s attorney, it was agreed the rate of \$2.00 per acre set in the April 1983 meeting was valid. The Surveyor requested a formal vote in order for the increase to be activated by the Auditor’s office. John Knochel made a motion to approve the \$2.00 per acre assessment rate as set in the April 1983 Drainage Board meeting. In addition the said rate be in effect starting with the 2005 tax season. K.D. Benson seconded the motion. The Lewis Jakes Regulated Drain assessment of \$2.00 per acre was formally approved beginning with the 2005 tax season.

**Public Comment**

As there was no public comment, John Knochel made a motion to adjourn the meeting. KD seconded the motion. The meeting adjourned.

\_\_\_\_\_  
Ruth Shedd, Vice President

\_\_\_\_\_  
John Knochel, Vice President

\_\_\_\_\_  
Brenda Garrison, Secretary

\_\_\_\_\_  
KD Benson, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**March 24, 2006**  
**SPECIAL Meeting**

**Those present were:**

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

**Classification of Drains (Partial)**

The Surveyor presented the Classification of Drains (Partial) report to the Board. A copy of which would be included (excluding Exhibit A- see file) in the official Drainage Board Minutes book. The Surveyor stated he has completed and presented a Classification of Drains (Partial) report to the Board previously in 2003 and 2005. He stated this year he had expanded it with more detailed information as "Exhibit A". He stated as it was not feasible for his office to know the condition of every regulated drain under County Maintenance, he relied on the farmer to report the condition of a drain .Often calling upon them for a review of the drain's condition and noted his office receives maintenance request calls in the fall and spring when farmers are in the field.

He reviewed his report with the Board as follows:

1.) Drains in need of Reconstruction

a. Berlovitz, Julius (#8) (Includes Felbaum Branch)

1. Declared Drainage Impact Area by Resolution 2006-02-DB

The Surveyor stated the Board was very familiar with this Drain.

b. Kirkpatrick, J.N.(#46) (Watershed above (east) of Concord Road

1. Declared Drainage Impact Area by Resolution 2006-01-DB

The Surveyor stated he had met with the landowners on the Upper JN Kirkpatrick Regulated Drain. It was decided they would provide their own regional detention and the County would construct a positive outlet. He noted the design would be completed within a couple of months and was hopeful to start the bidding process at that time. Right of Entries would be required from the landowners which they had verbally agreed to.

c. Elliott, S.W. (#100)

1. F-Lake Detention Facility

The Surveyor stated EDIT monies was planned for this facility, however the Berlovitz Regional facility would take precedence over F-Lake.

2. Branch #11 (at S.R.38 near Tractor Supply)

The Surveyor stated Branch#11 of the S.W. Elliott served the property north of State Road 38. Previously the Brands were told they would have to reconstruct Branch #11 themselves. The reconstruction cost proved too much- as two 60" inch pipes were required under State Road 38. INDOT would not agree to place the pipes at their expense. The Surveyor suggested a formal reconstruction to the owners as INDOT would then have to shoulder the expense for the pipe installation under State Road 38. A landowner meeting concerning the reconstruction would be organized as soon as time allows.

d. Anderson, J.B. (#2) (Clarks Hill portion)

The Surveyor stated a conceptual reconstruction plan was completed by Christopher B. Burke through the Lauramie Creek Watershed study. The original estimate was in excess of two million dollars, however the Surveyor had reviewed costs and was able to decrease that to approximately half a million dollars.

e. Kirkpatrick, Frank (#45) (Portion East of C.R. 450E)

The Surveyor stated the Frank Kirkpatrick Drain was located in the southeast portion of the County with a portion east of C.R. 450East. This portion was investigated and found to be purposely laid uphill. The Surveyor stated he felt the reconstruction cost would not be acceptable by the landowners. However he noted it would continue to deteriorate over time and would be in need of the reconstructed in spite of the cost.

2.) Hearing and rates established in 2005

a. Anson, Delphine (#4) Reconstruction rate, periodic maintenance rate and maintenance rate after reconstruction set by hearing on August 29, 2005

b. Jakes, Lewis (#40) Reconstruction rate, periodic maintenance rate and maintenance rate after reconstruction set by hearing on August 29, 2005

The Surveyor informed the Board there was a SEA 368 Review scheduled in the near future for the Lewis Jakes Drain. The drain outlet at Indian Creek. He explained if work was reconstruction and the length of a drain greater than ten miles on the USGS map, a review (SEA 368) by IDNR, IDEM and Army Corps of Engineers was required. They will walk the drain with the Surveyor and give their requirements for said reconstruction.

- 3.) Urban Drains (per I.C. 36-9-27-68 Urban Drains are classified as in need of Reconstruction)
  - a. S.W. Elliott (#100)
  - b. Berlowitz, J. (#8) (Include Filbaum Branch)
  - c. Kirkpatrick, J.N. (#46)
  - d. Ross, Alexander (#48)

The Surveyor noted extensive maintenance work on the Alexander Ross drain.

- 4.) Drains in need of Periodic Maintenance  
Please see attached sheet Exhibit A

The Surveyor noted the Exhibit Sheet A indicated maintenance amounts from 1990 to date on each regulated drain and referred the Board members to the exhibit for review.

- 5.) Insufficient Funds
  - a. Blickenstaff, John (#11)
  - b. Crist Fassnacht (#29)
  - c. Grimes, Rebecca (#33)
  - d. Harrison Meadows (#37)
  - e. Kerschner, Floyd (#38)
  - f. Kirkpatrick, Frank (#40)
  - g. Lesley, Calvin (#48)
  - h. Morin, F.E. (#57)
  - i. O'Neal, Kelly (#59)
  - j. OShier, Audley (#60)
  - k. Saltzman, John (#70)
  - l. Dickens, Jesse (#91)

The Surveyor stated the most common reason for insufficient funds was the low originally established assessment rate. The rate was set many years ago and due to inflation did not meet present maintenance costs.

- 6.) Proposed Drains for hearing in 2006  
(Request these drains be referred to Surveyor for preparation of maintenance report)
  - a. Brown, Andrew (#13)
  - b. Coe, Train (#18)
  - c. Haywood, E.F. (#35)
  - d. Harrison Meadows (#37)
  - e. Kirkpatrick, Frank (#45)
  - f. Morin, F.E. (#57)
  - g. Mottsinger, Hester (#58)
  - h. Parker, Lane (#61)
  - i. Resor, Franklin (#65)
  - j. Southworth, Mary (#73)
  - k. Vannatta, John (#81)
  - l. Yoe, Franklin (#90)
  - m. Dismal Creek (#93)
  - n. Beutler Gosma (#95)
  - o. Romney Stock Farm (#109)

The Surveyor stated these drains assessment rates were more critical in his view. There was a limited amount of monies within the General Fund available for general use. For example the Andrew Brown in the northeast portion of the County was tile and open ditch. A portion of the open ditch was cleaned this spring due to the submerged outlet at the headwall. (Generally open ditches should be cleaned or dipped and cleared an average of ten to twelve years.) The cost for a three thousand foot open ditch at \$6.00 per foot would be approximately \$18,000.00. It would take approximately 4-5 years to

repay the general fund. The Harrison Meadows Drain had maintenance work done in the mid nineteen-nineties and owed the General Fund over \$6000.00 to date. The four year total assessment for this drain was only \$1915.70.

- 7.) Drains recommended to be raised by 25%
  - a. E.F. Haywood (#35)
  - b. O'Neal Kelly (#59)
  - c. Oshier, Audley (#60)
  - d. Resor, Franklin (#65)
  - e. Yoe, Franklin (#90)
  - f. Kirkpatrick One (#96)

The Surveyor noted this recommendation was a temporary fix. Raising the maintenance assessment 25% in his opinion was a proactive action in the interim.

- 8.) Petitions for New Regulated Drain Referred to Surveyor
  - a. Fred Whaley/Norm Bennett
  - b. Todd Welch

The Surveyor noted additional investigation was required for the Fred Whaley/Norm Bennett Petition as the tile drain was submerged which made it difficult to evaluate properly. He felt the most cost effective way was to set up a maintenance fund before additional investigation was done. Investigation on the Todd Welch petition would be completed as time allowed.

- 9.) Existing Drains Referred to Surveyor for Report
  - c. Upper JN Kirkpatrick (#46)
  - d. J. Berlowitz (#8)

The Surveyor stated these drains had existing maintenance funds and was conferring with Christopher Burke on their reports.

- 10.) Drain that should be vacated
  - a. That portion of Branch #5 of the J.N. Kirkpatrick which runs along the East side of Promenade Drive in Stones Crossing Commercial Subdivision.

The Surveyor stated this portion of the tile was presently functioning as a storm sewer for Promenade Parkway on the west side of Wal-Mart and should be vacated as it no longer functions as a county regulated tile.

In summary the Surveyor stated a new drainage layer and map was close to completion and would eventually be available to the public. He reviewed the layer utilizing GIS for the Board. A red dash tile was a county tile or open ditch: a solid blue label indicated it had a maintenance fund, a green label indicated it did not have a maintenance fund. He added a database (individual drains historical information to date) was being maintained as well. He informed the Board he will give a presentation the first Wednesday of April to the District SWCD Board concerning County Drains.

As there was no additional information for the Board, John Knochel made a motion to adjourn. Ruth Shedd seconded the motion. The meeting was adjourned.

---

KD Benson, President

---

John Knochel, Vice President

---

Brenda Garrison, Secretary

---

Ruth Shedd, Member



# Tippecanoe County Drainage Board

## Minutes

March 5, 2008

## Regular Meeting

### Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

### Approval of Minutes

John Knochel made a motion to approve the February 6<sup>th</sup> Regular and February 19<sup>th</sup> Special Drainage Board minutes as written. Ruth Shedd seconded the motion. The February 6<sup>th</sup> Regular and February 19<sup>th</sup> Special Drainage Board meeting minutes were approved as written.

### Riverwood Subdivision

Paul Dietz with Vester and Associates appeared before the Board and requested final approval for Riverwood Subdivision. The site was located on the south side of Division Road at the intersection of Division and Kerber Roads. The site's northern portion drained toward Division Road and eventually to Indian Creek while the southern portion drained to the Wabash River. A depressional storage area was located within the central portion of the site. Paul stated the project previously was presented to the Drainage Board as two Minor Subdivisions totaling 7 lots at the same site. At that time the project was granted a detention storage waiver due to the flows to the ravine did not increase volumes or peak flows. Two previous conditions on the prior approval remain outstanding. One was a sediment basin design to be placed in the northeast corner of the site. The second was the requirement of site plans for the individual lots due to the concern of the steep slopes. The current project included 4 of the original lots. The remaining original lots were converted to a Rural Estate. Paul stated the layout had been remodeled and all agreed the original detention storage variance would stand. The main concerns were the erodible soils and the steep slopes toward the ravine. There was a strip of land which was originally cut for a road into the project from Division Road. The stability of that strip of land would be documented as soon as the weather permits. The requirement for the new project was now two sediment basins and those have been designed. Pads were required to be generally located and septic drain fields to be located on each property. This would be done when weather permits. A covenant would address the required tree preservation in the area of the ravine and included in the overall covenants and indicated on the final plat. The Surveyor noted there would be required tree preservation on any of the lots with the steeper topography. He noted since individual site plans were required; this would insure the preservation of the trees as well as document the location of the buildings on the lots. There would be a building minimum setback delineated on the plans. For sites where septic was required those locations would be shown as well. This would insure the septic locations would not be compacted or altered as would be the case if construction equipment was driven over them. The Surveyor recommended final approval with the conditions stated on the Burke review memo dated February 29, 2008. Responding to KD's inquiry, Paul stated the clear cut area would not be utilized for access. There was no public comment.

John Knochel made a motion to grant final approval with the conditions as stated on the February 29, 2008 Burke review memo for Riverwood Subdivision. Ruth Shedd seconded the motion. Riverwood Subdivision was granted final approval with conditions as stated on the February 29, 2008 Burke memo.

### Lafayette Medical Park PD

Dan Teder from Teder Reiling and Schrier appeared before the Board to address the maintenance agreement concerning the Lafayette Medical Park project. He stated he had worked with the Board's attorney concerning the maintenance agreement for the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain located on the western portion of the site. Mr. Teder requested the maintenance agreement indicate maintenance on their side of the said ditch and the bottom area only and indicated as such on the appropriate exhibit to accompany the said agreement. The Surveyor stated he reviewed the agreement and the exhibit drawing should show their side of the ditch only. Unity was required to mow both sides until such time as the opposite side was developed. In the future the Medical Park would be responsible for the maintenance of their side of the ditch only. Dave Luhman clarified the description should indicate the southeasterly side of the ditch. Mr. Teder stated an exhibit would be specific to the area of maintenance required by his clients. Justin Frazier from TBIRD Designs appeared before the Board and requested final approval for the said development. The site was located south of the intersection of Creasy and McCarty Lanes and on the east side of Creasy Lane. It consisted of approximately 14 acres and would have been phase 2 of the Cross Creek Lakes Planned Development which was planned in 2000. Cross Creek Planned Development Phase 1 and Cross Creek apartments were located to the north. The project was located within the Lafayette

City limits. The existing conditions were two detention ponds in the northeast and southwestern corners which were connected by a drainage swale. The said ponds drain westerly to the western most pond which discharged into the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain. The existing swale would be filled in and construction of a new storm sewer system would connect the ponds. A landscape berm would be constructed to physically separate the medical park from the residential community. There will be no access from the existing residential area to the medical park. Cross Creek Lakes Home Owners Association have been involved with the planning of the filling in the swale and the said landscaped berm. Justin stated they conferred with the conditions of the February 21, 2008 Burke review memo and agreed with the aforementioned maintenance agreement language. Responding to KD's inquiry, the Surveyor stated the ditch was originally designed without any quality measures in place. The City of Lafayette would be addressing the Stormwater quality issues. The Drainage Board's concern at hand was the discharge rate to the Treece Meadows Relief Drain aka Wilson Branch of the SW Elliott Regulated Drain as well as a satisfactory maintenance agreement for said drain. The Surveyor stated the release rates were within the limits of the original study. He recommended final approval with the conditions as stated on the February 21, 2008 Burke review memo. There was no public comment.

John Knochel made a motion to grant final approval with the conditions as stated on the February 21, 2008 Burke review memo. Ruth Shedd seconded the motion. Lafayette Medical Park PD was granted final approval with conditions as stated on the February 21, 2008 Burke review memo.

#### **Alexander Ross Regulated Drain /Petition to Encroach**

Pat Jarboe with TBIRD Design appeared before the Board to present the Petition to encroach on the Alexander Ross Regulated Drain for Lot 7A and Lot 28 of the Candlewood Suites (a project previously approved by the Board). The encroachment agreements were to put 2 drives across the relocated Regulated Drain. The Surveyor recommended approving the Petition to encroach on the Alexander Regulated Drain easements for Lots 7A and 28 in the Candlewood Suites Subdivision. There was no public comment.

John Knochel made a motion to grant approval for the Petition to encroach on the Alexander Regulated Drain easements for Lots 7A and 28 in the Candlewood Suites Subdivision. Ruth Shedd seconded the motion. The Petition to encroach on the Alexander Regulated Drain easement for lots 7A and Lot 28 in the Candlewood Suites Subdivision was approved. A portion of the easement was done by plat for the Alexander Ross Drainage easement including a sliver in the northeast portion of the relocation. This would be required to be dedicated to the Board of Commissioners. Mr. Luhman stated it would be sufficient to be dedicated through a Commissioner's meeting.

#### **Champion Centre PD**

Brandon Fulk appeared before the Board to present the Champion Centre PD. The site was located at Northwestern Avenue (presently US 231 to be turned over to the City of W. Lafayette by INDOT) specifically in the City limits of West Lafayette. Brandon stated he was seeking conceptual approval for the drainage of the site. This was due to the proximity to the Celery Bog and the outlet to the Cuppy McClure Drain and the jurisdiction relative to that. The preliminary drainage design phase was underground. The adjoining Golf Course Superintendent, Purdue officials, the City of West Lafayette's Engineers office and Schneider representatives re-evaluated the drainage situation working together. The adjoining neighbors along the boundary and east side of property had Stormwater runoff problems. Four acres, Northwestern Avenue and four pipes which discharge from the north side of Windsor Avenue all discharged into a box culvert under Northwestern Avenue. The discharge from the box culvert was either overland or drawn down by a 15 inch pipe which serviced the Golf Course. The Golf Course drainage system was self contained. There was a 15 inch pipe which drained to a wetland and then to a series of wetlands adjacent to the Bog. The drainage was used for irrigation of the Golf Course. Brandon stated he had discussed the Bog with the Golf Course Superintendent and there was an emergency routing spillway located in the Northwest corner. There was no direct discharge into the Bog. In speaking with them Brandon noted the Superintendent stated they would take as much water as the project could give. Working with the West Lafayette's Parks Department, the Engineer's Department, Purdue's Office of Architect and PRF (owners of property) a constructed wetland system was planned. The system would take the discharged water from the site and the aforementioned box culvert into a Stormwater management plan located on the Golf Course itself. It would not be stored underground or in vaults. The neighbors would see a marked difference in the efficiency of the drainage in that area. The lowest elevation point on the boundary was 713, 706 was the box culvert. The planned wetland elevation was 702. Brandon stated this was a win, win situation for the site and adjoining property owners. The Surveyor stated the City of West Lafayette's Engineer office (specifically David Buck) had sent him an email respectfully requesting the Board grant the request for conceptual approval. He stated ultimately the Board would approve the discharge rate only to the celery bog which eventually was drained at Cumberland Avenue by the Cuppy McClure Drain. He reiterated Brandon was asking for conceptual approval at this time. The Surveyor would then through the consultant insure the discharge rate would not have a negative impact on the said Cuppy McClure Drain. He did not see the possibility that it would have a negative impact. He recommended the Board grant conceptual approval subject to his final approval of the

rates. Responding to KD's inquiry Brandon stated the permeable surface would be less than exists today. The management of the runoff in the constructed wetland on the Golf Course was releasing approximately half of the present amount. The Surveyor stated Schneider was solving problems to the east side of the site, adding water which Purdue wants, and providing an additional wetland for the Purdue students to study. There was no public comment.

John Knochel made a motion to grant conceptual approval with the final approval of the discharge rate by the Surveyor's Office. Ruth Shedd seconded the motion. The Champion Centre PD was granted conceptual approval with the final approval of the discharge rate by the Surveyor's Office.

#### **Legal Service Contract**

Responding to KD, Mr. Luhman stated the Drainage Board's contract mirrored what was presented for the Commissioners Contract. The Surveyor noted his office was pleased with the representation to date. John Knochel made a motion to approve the Legal Services Contract between Tippecanoe County Drainage Board and the firm Hoffman Luhman and Masson PC. Ruth Shedd seconded the motion. The 2008 Legal Services Contract between Tippecanoe County Drainage Board and the firm Hoffman Luhman and Masson PC was approved.

#### **Berlowitz Regional Detention Facility/ Design Contract Addendum**

The Surveyor stated he had a request for an increase of the original Berlowitz Regional Facility design contract amount from \$50,275.00 to \$64,757.00. He explained there were four different surveying firms involved with the topography elevations on the project. Burke had to do extra work to resolve the discrepancies between the various services. The Surveyor noted the increase was for their costs only and recommended the Board accept the contract addendum as presented. John Knochel made a motion to approve the addendum to the design contract of the Berlowitz Regional Facility as presented. Ruth Shedd seconded the motion. The addendum to the design contract for the Berlowitz Regional Detention Facility was approved as presented.

#### **Branch #1 of Branch #13 SW Elliott Regulated Drain/ Partial Vacation Petition**

The Surveyor presented to the Board a Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth. The Surveyor reviewed the area utilizing G.I.S. He stated the branch in question was an old agricultural tile which served the area of the northwest corner of State Road 38 and Creasy Lane. The tile stopped on the east side of Creasy Lane. When the Hospital site was approved one of the conditions was to vacate a portion of the said branch. They are in the process of obtaining the signatures and will present that to the Board at a later date. The petition at hand was for a stretch on property owned by Shook and Lambirth. He stated it was not needed and one would not be allowed to tie into it for any future development. The petition met the conditions for a partial vacation and the Surveyor recommended the Board grant the Partial Vacation of Branch #1 Branch #13 of the SW Elliott Regulated Drain. Mr. Luhman agreed a partial vacation was in order. John Knochel made a motion to grant the Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth. Ruth Shedd seconded the motion. The Partial Vacation Petition for Branch #1 of Branch #13 of the SW Elliott Regulated Drain submitted by Shannon Smeltz for James Shook, Lambirth Inc., and Rondal K. Lambirth was approved by the Board.

#### **JB Anderson Regulated Drain/ Town of Clarks Hill**

Alan Jacobsen appeared before the Board to request approval of a Petition to Encroach on the JB Anderson Regulated Drain Easement by the Town of Clarks Hill Sanitary Sewer Service. The project involved installation of a pumping station on the southwest corner of the Industrial Pallet property. The extension of a three inch force main northward along US 52 to the south side of the abandoned rail corridor which ran northeast out of Clarks Hill to C.R. 975 East. It will then run under said County Road to a manhole which was part of the gravity Sanitary Sewer collection system. He stated they would have five or six crossings over the said tile drain (which fell into alignment of the force main). They would cross under the tile while maintaining an appropriate space from the bottom of the existing tiles. They will replace the tile with new pipe at the crossing locations. Alan stated the Surveyor requested digital color photos including annotations for each crossing location prior to backfilling the excavation at the locations. He also requested coordinates of the pipe inverts at said locations so the data can be incorporated into the field tile database. The easements were finalized with the landowners and they will be provided to the Surveyor's office when available. A three year five thousand dollar maintenance bond was also requested by the Surveyor applicable to the work at the said crossings. This would be in addition to a Performance Bond to the Town of Clarks Hill from the Contractor which covered all aspects of the construction. Alan added the sanitary sewer pumping station would initially only take flow from the Industrial Pallet Facility however it was sized for adding in future expansion of that area. The Surveyor noted the office had worked with Mr. Jacobsen to identify the tiles which may be cut or intercepted with the force main. He stated he had a letter dated March 3, 2008 which addressed some of the conditions and requested the letter be incorporated into the minutes and part of the Petition. ( along with aforementioned photos, coordinates, and maintenance

bond) The Surveyor requested a couple days notification before the drain was crossed to have an inspector at site. At that time he recommended the approval of the Petition to Encroach on the JB Anderson Regulated Drain. Responding to John Knochel's inquiry, the Surveyor noted the Performance Bond would cover the work during construction and possibly up to 6 months after. The Maintenance Bond would cover three years after the work was completed. Responding to KD's inquiry the Surveyor stated the contractor would also be responsible for repair of private and regulated laterals which may possibly be disturbed or destructed during the construction of the project.

John Knochel made a motion to approve the Petition to Encroach on the JB Anderson Regulated Drain subject to the March 3, 2008 letter and obligations to repair any damaged private laterals submitted by the Town of Clarks Hill. Ruth Shedd seconded the motion. The Petition to Encroach on the JB Anderson Regulated Drain subject to the March 3, 2008 letter and obligations to repair any damaged private laterals submitted by Town of Clarks Hill was approved by the Board.

### **F-Lake Detention Facility**

KD Benson stated a letter was received a couple days ago from Chancellor Bathe of Ivy Tech Community College requesting the postponement of construction on the F-Lake Regional Detention Pond. Bids were opened on February 19, 2008 for the project. Pat Corey approached the Board as project leader of campus growth for Ivy Tech Community College. The aforementioned letter outlined several arguments for postponing immediate construction on the F-Lake Detention Facility. Pat Corey stated she realized the project had been in the works for years if not decades; however the college certainly did not anticipate the speed of growth they have experienced in the last decade or so. The land on which the college is located was constrained by drainage issues. F-lake, SW Elliott Regulated Drain and the floodplain all are part of the Campus site issues. The buildings located there now including the large Ivy Hall were built and located with respect to the said drainage issues at the time. As growth had been reviewed, several steps had been taken. The first step was to engage several community partners with them. The YMCA, Junior Achievement Headquarters, Tippecanoe School Corp. has all expressed interest to locate alternative programs on the Campus site. Eventually with the YMCA in particular a facility would have to be built on Campus. Last fall a group of stake holders were convened together for land use planning. The issue had become a service learning project for one of Purdue Professor Kim Wilson's classes. The stakeholders consisted of their partners, personnel from the campus, City of Lafayette, City of West Lafayette, Purdue, Lafayette and West Lafayette's Development Commission and the County Surveyor who were invited to meet and discuss the issues. She noted the process had been going on since the end of October and should conclude by the end of April. The process from this point on would be to look at alternatives on how best to create buildable as well as functional land from what is there. This may include looking for alternatives for non buildable land. (Land close to creek or in the proposed F-Lake location) Fisher and Associates were contracted to help understand the drainage issues. Soil sampling has been done to see if the extension of Creasy Lane changed the configuration of the soil and made it more buildable. She respectfully requested rather than proceed with F-Lake project that the planning process be allowed to consider how F-Lake could fit into the Campus Plan. They felt it could be a tremendous asset to the Campus. It could be part of the curriculum for science labs, environmental issues, best practices of soil management, a place of recreation with trails etc. She requested the Board hold off on awarding the Bid for F-Lake Regional Facility. Responding to John Knochel's inquiry, Pat Corey stated the land use plan would be completed in April and at that time she would have options to show the Board. She noted the lack of campus parking was an enormous issue to them. John Knochel stated the request to put the project on hold came at the eleventh hour or even later for the Board as Bids had been received. The Surveyor's office or the Commissioner's should have been notified before the letter was received this week. Pat Corey stated from October 31 of 2007 they had tried to include the County in the process. The Surveyor stated he had talked with Professor Kim Wilson, and other members of the Ivy Tech administration. The question can you move or stop F-Lake was asked and his answer was no. He stated they were too far along in the process; the agreements had been in place since 1987. A relinquishment clause in the contract stated if IVY Tech or the County did not use the various pieces of property which was exchanged within a five year period they would get the property back. In 1991 that language was removed from the agreement and the County does physically own the piece and it was deeded as a barrow pit so the Campus could construct the Campus Parking lot. In order to use that piece of land as a parking facility it would have to be filled in as a portion was located in the floodplain. Another concern would be the overall watershed management plan that had been in place since the mid 1980's, F-Lake would help reduce downstream flooding along the SW Elliott Regulated Drain. He stated they were in the process now of installing a stream gage near the County Highway property to try and prove to IDNR (Indiana Department of Natural Resources) that the flood plain was lower than it appeared to be by conventional model. He noted there was some risk of increased damage and flooding and inability to develop property in those areas besides Ivy Tech's property. At one time 3 or 4 years ago (this is one reason why F-Lake had been delayed to this point) Ivy Tech's requested to review the redesigning the design of F-lake (which was ready to go to contract at that time). At that time the review was to accommodate a road across the north side due to their possible acquirement of property to the east. He was not sure legally the bids could be rejected at this time. The attorney stated he thought the request for bids gave one the right to reject the bids. He would have to review the law in that area. Generally you have the right to accept the lowest bidder or reject one or all bids. Steve stated his other concern was the cost to the public. In response to KD's inquiry, the attorney

noted the bids were good for 60 days. The Surveyor also noted if the low bidder was pushed back too far into the construction season they would have the right to request additional money since they were not allowed to start in a timely fashion. If a redesign was done the cost could be in excess of \$100,000.00 and delay the project at least another year. The permitting through IDNR and IDEM (Indiana Department of Environmental Management) was very difficult and he would not want to have to go through the process again. However, his biggest concern was the fact it has been almost twenty years and the facility was intended to provide protection for the landowners downstream and mitigate some of the flooding problems. Pat Corey stated they were cooperating with some of the property owners such as John Gambs. They offered to help pay for the gages in the SW Elliott Reg. Drain. She stated they would like to have the information from the gages as part of their land use planning. She went on to say the level of capital investment in the Campus they expect over the next 3-4 years was on the order of approximately 40 million dollars. Ruth Shedd asked if Ivy Tech was considering purchasing more property around their present site. Pat Corey stated it was an option that Professor Wilson was looking at, however they are trying to do the planning with the smallest amount of money and noted they were trying to be extremely frugal with their planning. The idea was to inform all of the stake holders so that they knew what to expect and could go forward without delay. She thought the Tippecanoe School Corporation would be the first builders on the campus site and they were prepared to go forward quickly. John Knochel stated he was unaware there was a land use study going on for the site. He continued as valuable as Ivy Tech was to the area he would be willing to hold out the awarding of the bid until April so that they could see what impact the design of F-Lake would have on their plan. He asked if they did not accept the F-lake bids at this time and it had to be rebid would Ivy Tech be willing to pay the difference. Pat Corey stated at the level of their campus they were not able to make that commitment. Chancellor Bathe stated they have had a long relationship for twenty years and would hope to continue that relationship. KD Benson stated while it had been twenty years she would hope another month would not upset that relationship. Pat Corey responding to KD's inquiry stated she did not think the plan would be in place by April 19<sup>th</sup>. She also stated not only were they interested in obtaining additional parking, they were also interested in the design of F-Lake and how they can incorporate it into their plan. The Surveyor stated that information was sent to their drainage consultants and also Ken Larson of the Ivy Tech Community College previously. John Knochel moved for the continuance of the awarding of the F-Lake Regional Detention Facility to the April meeting subject to the possible requirement of a special meeting. Ruth Shedd seconded the motion. The award of Bids for F-Lake Regional Detention Facility was continued until the April meeting unless a special meeting was required.

#### **Maintenance Bonds**

The Surveyor presented Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of \$7035.00 dated February 13, 2008 for approval by the Board. John Knochel made a motion to approve Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of \$7035.00 dated February 13, 2008. Ruth Shedd seconded the motion. Maintenance Bond #502818 for Watkins Glenn South Part 6 Phase 2 submitted by A&K Construction in the amount of \$7035.00 dated February 13, 2008 was approved by the Board.

#### **Capilano Estates/Michael Preyss**

Michael Preyss a resident of Capilano Estates in West Lafayette approached the Board to discuss his concern of the poor drainage in his subdivision. He noted the neighborhood was holding a meeting on the 6<sup>th</sup> of March at 7 p. m. at the public library on Klondike Road in West Lafayette. The meeting was for the affected residents of the recent flooding at the entrance of the subdivision. He stated they would discuss the current flooding as well as the 2004 flooding and steps they would be able to take as a neighborhood and a neighborhood association. He invited the Board and the Surveyor to attend. They hope to come to a permanent solution to prevent future flooding on the Subdivision as well as downstream. He noted this was just a heads up that the Board would see more of them and hopefully resolve their drainage issues in the future. The Surveyor stated this issue had been discussed with a multitude of the subdivision's property owners and he did not see a solution the Surveyor's Office could provide. It was not a regulated drain and he did not think it could be converted into a regulated drain since this was a natural stream. There had been instances in the northeast part of the state which IDNR brought suit against the Drainage Board as they want to keep streams in their natural states. There was an IDNR floodplain study which showed the entrance of the Subdivision within the Floodplain, which means it would periodically flood. Mr. Preyss stated his house was the fortunate one which only got water on the land and not in his house. While the Surveyor was willing to talk with them, at some point one has to state there is no good option. Mr. Preyss stated he understood however he hoped the Board could offer options in freeing up downstream flow if that is the case.

#### **Drainage Issue/Susan Spaulding**

Susan Spaulding of 3250 North 750 East Lafayette Indiana approached the Board to discuss the drainage issue at her property. She has experienced flooding ever since moving in to her home four years ago. She has flooding at a minimum of six times a year. She presented photos to the Board of the flooding at her home which was taken on Sunday (there was no rain on Sunday) as she thought it was significant since they showed the standing water on her tract. Susan stated the water

flowed from a field through the culvert and right through her drive across all of her back yard to a drain 12 inches in diameter (breather on a subsurface tile). The Surveyor stated the breather was over a subsurface tile and there was a lateral which ran to the north which provided some relief for the septic systems in the back yards for the houses to the north. Susan stated she had come to request the County repair, maintain or update the drainage on her tract. The Surveyor stated the Leslie Calvin ran through the area to a headwall. It stopped being a regulated drain at the headwall and was an open ditch from there on. He stated the previous Surveyor had met with them before. Her land was somewhat in a depressional area. He stated if the building site was requested today it would not be approved. The problem pre-existed her purchase of the home. Susan stated she was not aware of the drainage issue when they bought the home and had not been informed of the problem. The Surveyor stated they took shots a couple years ago across the farm field to the west to see if shaving it down a hair in that location it would provide some relief. It could possibly benefit them to construct a swale to the west to try to drain some of the water into the farm field. He stated if he had some reasonable easy fix it would have been done by now. Responding to KD, Mike Spencer stated if the highway department went out and dipped out the roadside ditches it would certainly bring water to her faster. The Surveyor reiterated this was a depressional area and basically the pipe acts as an equalizer. Some water was let through but the pipe keeps it from building up on one side or the other. She stated in a dry spell the drain in her back yard stood full and was constantly flowing. The Surveyor stated many county tiles run year round. He stated they could go out and inspect at the headwall to make sure it was not plugged as was done a couple years ago. Responding to John's inquiry, the Surveyor stated a lateral to the north on several occasions had been jetted. Part of the problem of the lateral to the north (not a regulated drain) was trees overtop of the tile. Anytime there is tree growth over a tile there was susceptibility of blockage from roots. When the main branch of the Calvin Leslie Regulated Drain was checked a couple years ago it was flowing fine. This was confirmed by the Project Manager. Susan stated when it rains and floods beside her driveway it bubbles when water stands and asked if this was an indication of a problem. The Surveyor stated this could be a private lateral. He stated tiles were put in around the County which the office was not aware of for various purposes. Responding to KD, the Surveyor stated the headwall and the inlet in the back yard could be inspected for blockage. The attorney stated it was not a legal question as it was an engineering question of what could be done. He stated she could get permission from an adjoining land owner to cut a swale and have the water go to an adjoining landowner (farmer). The Surveyor stated when the shots were taken they stopped at the inlet. As the weather and work load permitted his office would try to get a few more shots up into the lots. Shots previously taken indicated a little more surface relief could be obtained by regrading the farm field west of their properties. The Surveyor noted this was an old strip subdivision completed well before there was any kind of zoning ordinance and maybe even a subdivision ordinance. The attorney stated if the subdivision was done today, there would have to be some sort of detention storage required for the subdivision to provide a positive outlet. There would be restrictions on drainage and development there. Responding to KD, Susan stated she was the only one in neighborhood which had the standing water. KD stated it may be that her next step would be to talk with a tile company and the adjoining farmer to see if there were any options she could take to relieve her problem with the drainage because unfortunately the Board could not fix the problem.

#### Public Comments

There were no public comments. John Knochel made the motion to adjourn. The meeting was adjourned.



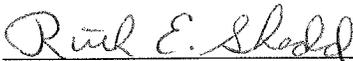
KD Benson, President



John Knochel, Vice President



Brenda Garrison, Secretary



Ruth Shedd, Member

# Tippecanoe County Drainage Board

## Minutes

December 8, 2010

Regular Meeting

### Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison.

### Approval of Minutes

David Byers made a motion to approve the November 3, 2010 Regular Drainage Board minutes and the November 3, 2010 Audley Oshier Regulated Drain #60 Hearing minutes as written. John Knochel seconded the motion. The November 3, 2010 Regular Drainage Board meeting minutes and the November 3, 2010 Audley O'Shier hearing minutes were approved as written.

### 2011 Drainage Board Meeting Dates

David Byers made a motion to approve the 2011 Drainage Board meeting dates as presented. John Knochel seconded the motion. The 2011 Drainage Board meeting minutes were approved as submitted. The Secretary will post these dates on the website and send out to media.

### Wea Substation /Tipmont R.E.M.C.

Jim Pence from Schneider Engineering appeared before the Board to present the Wea Substation/Tipmont R.E.M.C. for final approval. The site consisted of approximately 4.63 acres and located just north of County Road 450 South and west of the intersection of County Road 450 South and County Road 450 East. Access would be provided from County Road 450 South. The majority of the site's runoff outlet northwest into the existing JN Kirkpatrick Regulated Drain, and the remaining outlet to the County Road 450 South side ditch. Mr. Pence stated they agreed with conditions stated on the December 3, 2010 Burke memo. He requested final approval with the conditions as stated on the December 3, 2010 Burke memo. He stated Steve Traylor from Tipmont R.E.M.C. was in attendance today. Construction of the facility would start in the spring of 2011. Responding to Mr. Byers' inquiry, Jim stated the existing substation located approximately 0.5 miles from the site was owned by Duke Energy not R.E.M. C. He also noted a permit pending with the Highway department was for the access drive. David Byers made a motion to approve the Tipmont R.E.M.C. Wea Substation with conditions as stated on the December 3, 2010 Burke memo. John Knochel seconded the motion. David Byers withdrew the motions as stated to discuss the requested Variance and Encroachment Petition before the final approval was given. Mr. Pence requested a variance to the Stormwater Ordinance regarding Chapter 3 and more specifically as the required 30 feet easement to be reduced down to 10 feet. He stated due to the proposed 12 inch storm pipe to be located underground below and parallel to an existing overhead transmission line and high powered gas main utility easements, the requested 10 foot easement was sufficient to maintain the infrastructure when necessary. This was also at the request of Mr. Standiford the landowner. The Surveyor recommended approval of the variance. David Byers made a motion to approve lowering the required variance from 30 feet to 10 feet as requested. John Knochel seconded the motion. The requested easement variance was lowered to 10 feet as requested. A Petition to Encroach on the J. N. Kirkpatrick Regulated Drain was submitted for approval at that time. John Knochel made a motion to grant the petition to encroach on the J.N. Kirkpatrick Regulated Drain easement. David Byers seconded the motion. The Petition to Encroach on the J.N. Kirkpatrick Regulated Drain was approved as submitted. David Byers then made a motion to approve the Tipmont R.E.M.C. Wea Substation with conditions as stated on the December 3, 2010 Burke memo. John Knochel seconded the motion. The Wea Substation was granted final approval with the conditions as stated on the December 3, 2010 Burke memo.

### Chapelgate Senior Apartments/Earthwork & Grading

Dan Teder Attorney with Reiling, Teder and Schrier appeared before the Board to present Chapelgate Senior Apartment Earthwork & Grading for final approval. He noted Art Kaser with Evergreen planners; Dave Tilman and Joe Whitsett owners of Chapelgate Apartments were in attendance today and would answer any questions the Board may have. The site consisted of approximately 6.90 acres and was located south of U.S. 52 west of County Road 300 West (Klondike Road). The site's grading and placement of fill would be located within the floodplain of Indian Creek. It would be used to construct on-

site floodplain compensation ponds (2) and prepare the site for future construction of buildings and parking areas. One of the ponds would be located within the floodway of the Indian Creek; however no fill would be placed within the floodway of the creek. He stated a Dept. of Natural Resource (D.N.R.) approval would be required for one pond and there would be no increase to the existing runoff. He reiterated at this time the approval was for the earthwork and grading only as they planned to return to the Board for approval of the detailed construction plans regarding the building and parking areas. Responding to Mr. Murtaugh inquiry, Mr. Teder stated they would be working closely with D.N.R. during the process of construction of the pond in question. Mr. Kaser stated there would be some fill in the floodplain area of the site. Responding to Mr. Knochel's inquiry, it was noted that all excavated materials would be used on site. Mr. Kaser stated they agreed with the conditions as set forth in the December 3, 2010 Burke memo and requested approval. Mr. Murtaugh stated the area had been discussed in length by the Drainage Board. A master drainage study was planned by the Board regarding the potential impact of development within Indian Creek watershed. Mr. Teder stated the owners understood the present conditions of the site and were willing to work closely with the Surveyor on this project to insure adequate drainage. Discussion was held regarding the release rate requirement for future building and parking area construction on site. The Surveyor reiterated historically this area has had problems with the drainage and his office was looking at this closely. A more restricted release rate would be required as one condition for any future planned construction approvals. Dave Eichelberger stated it would be prudent to use the most restrictive release rate from the Ordinance and Technical Standards of .07 cfs per acre for the 10 year and .23 cfs per acre for the 100 year in their calculations as they start to develop the site. He noted they should check with the Surveyor's office in case the master drainage study had been completed before submission. If it was completed at that time they would need to follow the master drainage study recommendation regarding release rates. Responding to Mr. Teder's inquiry, Mr. Luhman stated the area's landowners were presently circulating a petition to establish a new regulated drain regarding Indian Creek north of the railroad. It was not known when the petition would be submitted. He also noted any time there was a catastrophic flood in the area; the Board has heard multiple complaints etc. regarding the lack of drainage. He continued this area may well be declared a Drainage Impact Area if the study indicated it. Mr. Teder asked if his clients submitted a future building and parking area construction plan using .1 cfs rate before the study was completed, would they have to refigure and resubmit their plans. Mr. Luhman stated no they would not be required after the fact. Mr. Eichelberger noted if possible they should use .1 cfs release rate for their future development calculations. Boone County (as a result of a newly established master drainage study) cut their release rates to .1 and .25 cfs. Joe Whitsett owner of Chapelgate Apartments stated they had many conversations with the neighbors in the area. They certainly planned for drainage improvement of the area and being good neighbors. Mr. Eichelberger stated the existing pond was a constructed wetland put in as a BMP measure as well as the channel from past development. Due to flood elevations there was no way the ponds could be used as detention and the developer was fully aware of that. John Knochel made a motion to grant final approval with the conditions as stated on the December 3, 2010 Burke memo for Chapelgate Senior Apartments Earthwork & Grading only. David Byers seconded the motion. Chapelgate Senior Apartments Earthwork and Grading only was granted final approval with the conditions as stated on the December 3, 2010 Burke memo.

### **Industrial Pallet Master Drainage Study**

Patrick Williams of TBird Designs Inc. appeared before the Board to submit Industrial Pallet Master Drainage Study for final approval. He noted Jay Wiegand was in attendance as well. The site consisted of approximately 26 acres and was located on the east side of U.S. 52 approximately a quarter mile just north of State Road 28. Currently the west side of the site was developed for business. This portion of the site drained west to east. The submitted Master Drainage Study would bring their current development into compliance as well as the eastern portion of the site. Two variances for the project were requested. A half acre of impervious area on the west side and a quarter acre of impervious area for the south side was planned to expand driveways and a small amount of business storage. A variance from the storm water quantity and quality was requested for these portions. In addition an emergency route was provided for offsite drainage on the south and east side of the site. There would be a small meadow or grass swale for some treatment in the area. No additional impervious area runoff would be sent to that area of the site. He stated he was available for questions at that time. Responding to Dave Byers inquiry, Mr. Williams noted they expect the storm water quality to be improved. There was presently a small amount of offsite runoff which ran to a natural depression/swale on the site. The development would impact this area of the site. The flow would bypass the pond because it was physically impossible to get the runoff into it. Hence it would be bypassed to its natural outlet and be used for emergency flow only. Storage would be provided within the swale. Discussion was held concerning the existing offsite runoff flow and the present conditions. From the culvert under the railroad the runoff crossed over the road into the ditch system. After construction instead of runoff routing through the property offsite runoff will be routed around the property. Pat Jarboe stated while the offsite runoff would be reduced it would be outlet to the same location at present. Responding to the Surveyor's inquiry, Pat Williams stated the existing onsite drainage tile would be abandoned and they would not be connecting to it. After the construction of the pond and new outlet the tile would remain in place and basically act as a farm tile for acreage to the north and noted there were private tiles tying into it. They were only proposing to obtain the Master Drainage Study approval only at this time. When the time came for construction to cross County Road

1075 South they would seek approval not only from the Surveyor Office but from County Highway as well. Pat Jarboe noted there had been discussion with the highway department regarding the culvert at that location. Regarding Dean Rusk's (5983 Broadview Road Colfax In.) inquiry, Mr. Williams stated the underdeveloped portion of the site would flow into and be contained in the pond. Marshall Palmer (10818 E 1075 S Clarks Hill In.) asked if the gas station, diner and lodge runoff flowed to his tract. Mr. Williams stated he believed it flowed south and into a depression area. The natural depression area straddled Industrial pallet's site and the south site. Mr. Weigand stated they have kept that area mowed however it was not owned by them. (small triangle tract) Pat Williams noted there would be no change on the Lincoln Lodge Property site and no investigation had been done regarding wetland etc of the depression area. Mr. Eichelberger stated when the project is submitted for approval a report would be required regarding the possible wetland issue. Kenny Johnson of Johnson Excavating (2105 S CR930W Clarks Hill In) responded to Mr. Murtaugh' inquiry and stated there was a 6 inch tile that went into an 8 inch tile in the undeveloped portion of the site. Mr. Palmer noted his property was directly north of the site. He has one area of his property which acts as a nice bio-filter full of willows, cat tails etc. and he did not want to see it destroyed. Mr. Williams stated any future expansion would be designed and based on a plan adhering to the Ordinance requirements. Tom Osborne (8536 E 1000S Clarks Hill In) asked if they had a Rule 6 permit. Jay Wiegand responded they had applied for a Rule 6 permit from Ind. Dept of Environmental Management (IDEM). He stated they were also required to do quarterly testing of any and all industrial contaminates specifically tailored to their business. He stated it was public information and could be obtained from IDEM. An engineer firm from Indianapolis performed the testing on a quarterly basis. He stated they have had a Rule 6 permit since 2006. A chain of custody of the samples was followed and they were submitted to IDEM for testing. He noted they have had no compliance issues to date. Mr. Eichelberger noted while a copy of the Rule 6 permit was on hand, a copy of the SWPPP was not. The Surveyor requested a copy of the report from IDEM (specifically the testing results) be submitted and recommended it to be a condition of approval today. Mr. Eichelberger suggested the developers submit a copy of their latest annual report from IDEM which includes testing data and any recent correspondence from IDEM as well. A current annual report would show key information from all the periods to date and would be sufficient. Mr. Wiegand noted they do have some industrial waste water which is totally separate from their storm water. They presently haul this waste offsite to a facility in Indianapolis as it is cheaper than to route the waste to the plant at present time. Eventually the industrial waste will be routed to the Clarks Hill Waste Water Plant. Currently only sewage from their restroom facilities are pumped to Clarks Hill Waste Water facility. He noted any and all industrial waste water was hauled off their site to a facility in Indianapolis. Responding to Dean Rusk's inquiry, Mr. Weigand stated their drinking water was tested by IDEM as well. Mr. Palmer stated at the present time there was a black sludge with the runoff from the site. Mr. Williams noted the pond was designed to treat for sediment, and approximately 80% of the sediment should be eliminated from the outflow. He also reiterated the release rate from the larger 2 acre pond would be restricted as the Ordinance allows. Responding to Mr. Murtaugh' inquiry, Pat stated presently the onsite ponds were undersized. Dave Luhman noted due to the additional onsite area retained in the pond the release rate would continue for a longer duration. Mr. Eichelberger stated it would create a higher volume, longer duration; the peak discharge would be about the same. During the 100 year storm the project site would produce 8 cfs (assuming fully developed) release rate, which was several times less than the contribution of the farm field at present. He also stated there were 10 year and 100 year flood restriction plates as well. Mr. Luhman, Board Attorney reiterated the developers were requesting approval for a master drainage study only for their future development plans. When they were ready to construct anything on site they would have to appear before the Board and plans would be reviewed for compliance to the Stormwater Ordinance. Action today would set the general ground rules however they would still be held to the standards as set in the Ordinance for the project at that time. Mr. Eichelberger stated that the two variance request would not be appropriate until the applicant submitted future plans for actual construction improvements on the site. David Byers made a motion to approve the Industrial Pallet Master Drainage Study with the conditions as stated on the December 3, 2010 Burke memo and the added condition of submission of the most recent IDEM report. John Knochel seconded the motion. The Industrial Pallet Master Drainage Study was approved with the conditions as stated on the Dec. 3, 2010 Burke memo and the added condition of submission of the most recent IDEM report.

#### **Uniform Fee Schedule Ordinance/Amended for Alcohol Certification Permit Fees**

The Surveyor presented the Uniform Fee Schedule amended to include a fee for the Alcohol Certification Permit Fees. He noted presently several counties were charging a fee for the process of said forms. In 2006 the law changed that businesses were to get annual renewal of their license which included obtaining a location certification permit from the County Surveyor office. The forms were more frequently submitted and required a significant amount of staff time and effort. Other County's fees for renewal were reviewed before setting the price at \$100.00. He noted the fee was for the service and costs associated with the renewal process. John Knochel made a motion to approve the Uniform Fee Schedule Ordinance/Amended for Alcohol Certification Permit Fees as presented. David Byers seconded the motion. The Uniform Fee Schedule was approved as amended.

### **J. Berlowitz Regulated Drain#08 / Partial Vacation request**

The Surveyor presented an order to partially vacate a portion of the J. Berlowitz#08 regulated drain. He explained this was an item included within the previously submitted Clarian/Arnett/County Agreement regarding the Berlowitz Regional Storage Facility. The order involved the Berlowitz tile portion which was routed through the subject property only. He noted the agreement was previously approved by the Drainage Board and Commissioners. He requested approval at that time. David Byers made a motion to grant the vacation order as presented by the Surveyor. John Knochel seconded the motion. Order #2010-12-DB Vacating a Portion of the Berlowitz Regulated Drain in Tippecanoe County Indiana was approved as submitted. The Attorney noted a second condition of the agreement was to reduce the right of entry for the relocated Berlowitz drain to 25 feet and would be effective as of the deed transfer date was recorded. John Knochel made a motion to grant approval of the reduction of the right of entry on the J. Berlowitz regulated drain relocated portion to 25 feet. David Byers seconded the motion. The J. Berlowitz regulated drain right of entry was reduced to 25 feet as requested. (Relocated portion only)

### **Audley Oshier Regulated Drain**

The Surveyor noted his office sent out request for quotes on the Audley Oshier regulated drain. Quotes were received and the job was awarded to Tony Garriott as lowest bidder. He will begin work as soon as weather permits.

### **Petition to Encroach on the John McCoy #50 Regulated Drain**

The Surveyor presented a Petition to Encroach on the John McCoy #50 Regulated Drain submitted by Gary D. Kirkham. He stated the location was just south of the Wea School Road on Co. Rd. 200 East. The residence was located on the west side of the road with an existing driveway. The relocated drive would be over said drain. The county regulated tile would be replaced under the drive as well as an additional 10 feet to each side. (Approximate total - 40 feet.) David Byers made a motion to grant approval of the Petition to encroach on the J. McCoy Regulated Drain as presented. John Knochel seconded the motion. The Petition to encroach on the J. McCoy Regulated Drain #50 was approved as presented.

### **Petition to Reconstruct/Calvin Lesley Regulated Drain #48**

The Surveyor presented a Petition to reconstruct on the Calvin Lesley Regulated Drain #48 submitted to the Surveyor office by Jack Buck and Paul Pence. The Lesley drain tile was located at Co. Rd. 750 East and north of Co. Rd. 300 North (just north of East Tipp. Middle School). It involved approximately 55 parcels and 900 acres within the watershed of this drain. He noted approximately 60-70% of the benefitted landowners signed the petition. John Knochel made a motion to approve the submission of the petition and direct the Surveyor to prepare a report for the Board. David Byers seconded the motion. The Petition to reconstruct on the Calvin Lesley Regulated Drain was approved as submitted and the Board referred the Petition back to the Surveyor to prepare a report.

### **Petition to Establish a New Regulated Drain Maintenance Fund/John Hengst Drain**

The Surveyor presented a Petition to Establish a New Regulated Drain Maintenance Fund for the John Hengst Regulated Drain. Mr. Jack Buck submitted the petition. The Surveyor noted there was no maintenance fund set on this drain and stated approximately 60% of benefitted landowners signed the petition. John Knochel made a motion to refer the petition back to the Surveyor for a report. David Byers seconded the motion. The Petition to Establish a New Regulated Drain Maintenance Fund regarding the John Hengst Drain was approved as submitted and referred to the Surveyor for a report.

### **Petition to Establish a New Regulated Drain Maintenance Fund/Combs Tile**

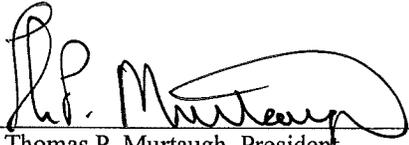
The Surveyor presented a Petition to Establish a New Regulated Drain and Maintenance Fund for the Combs tile Legal drain submitted by Jack Buck. The Surveyor stated this tile was NOT a County Regulated Drain and at this time was a private system. He stated approximately 72% of benefitted landowners signed the petition and were in agreement with Mr. Buck. The Attorney noted the requirement was 10% of the acreage or 25% of the value. David Byers made a motion to approve the petition as submitted and refer it back to the Surveyor for a report. John Knochel seconded the motion. The Petition to Establish a NEW Regulated Drain and Maintenance Fund regarding the Combs tile was approved as submitted and referred back to the Surveyor for a report.

**Maintenance Bond/ Tipmont R.E.M.C/ Battleground Substation**

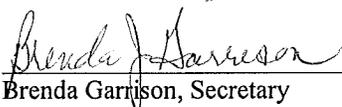
The Surveyor presented Maintenance Bond #929506906 in the amount of \$15,000.00 from Garmong Construction Services dated November 12, 2010 received from Tipmont R.E.M.C. Battleground for approval by the Board. He recommended Board approval. John Knochel made a motion to grant approval for the Maintenance Bond #929506906 in the amount of \$15,000.00 from Garmong Construction Services dated November 12, 2010 received from Tipmont R.E.M.C. Battleground. David Byers seconded the motion. Maintenance Bond #929506906 in the amount of \$15,000.00 from Garmong Construction Services dated November 12, 2010 received from Tipmont R.E.M.C. regarding the Battleground substation was approved as submitted.

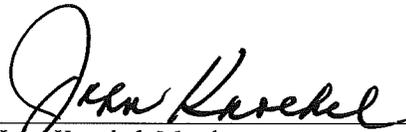
**Public Comment**

As there was no public comment John Knochel made a motion to adjourn. The meeting was adjourned.

  
\_\_\_\_\_  
Thomas P. Murtaugh, President

  
\_\_\_\_\_  
David Byers, Vice President

  
\_\_\_\_\_  
Brenda Garrison, Secretary

  
\_\_\_\_\_  
John Knochel, Member

**Tippecanoe County Drainage Board**  
**January 4, 2012**  
**Regular Drainage Board Meeting**

**Those present were:**

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison.

**Election of Officers**

The first order of business was the election of officers for the 2012 calendar year. The Attorney accepted nominations for President of the Drainage Board. Mr. Murtaugh nominated David Byers for President. John Knochel seconded the motion. There were no other nominations. Mr. David Byers was elected President of the Drainage Board for the 2012 year. The Attorney accepted nominations for Vice President of the Drainage Board. John Knochel nominated Thomas Murtaugh. David Byers seconded the motion. There were no other nominations. Thomas Murtaugh was elected Vice President of the Drainage Board for the 2012 calendar year. Election of officers for 2012 was closed.

**Appointment of Executive Secretary**

The Attorney accepted nominations for appointment of the Drainage Board Secretary for 2012. John Knochel nominated Brenda Garrison as Tippecanoe County Drainage Board Executive Secretary for 2012. Thomas Murtaugh seconded the nominations. There were no objections. Brenda Garrison was appointed Executive Secretary of the Tippecanoe County Drainage Board for the 2012 calendar year.

**Approval of Minutes**

Vice President Tom Murtaugh made a motion to approve the December 7<sup>th</sup> Regulated Drain Hearings and the December 7<sup>th</sup> Regular Drainage Board Meeting minutes as written. John Knochel seconded the motion. The December 7<sup>th</sup> Regulated Drain Hearings and the December 7<sup>th</sup> Regular Drainage Board Meeting minutes were approved as written.

**2012 Contracts**

The Surveyor presented the 2012 Christopher B. Burke LLC Engineering Services Contract to the Drainage Board. He noted there were no changes in this contract from previous year. John Knochel made a motion to approve the 2012 Christopher B. Burke Engineering Services Contract as presented by the Surveyor. Tom Murtaugh seconded the motion. There were no objections. The 2012 Christopher B. Burke Engineering Services Contract was approved as presented. The Surveyor presented the 2012 Hoffman Luhman Masson P.C. Legal Services Contract to the Drainage Board. He noted there were no changes in this contract from previous year. Tom Murtaugh made a motion to accept the 2012 Legal Services Contract from Hoffman Luhman and Masson P.C. John Knochel seconded the motion. There were no objections. The 2012 Hoffman Luhman Masson P.C. Legal Services Contract to the Drainage Board was approved as presented by the Surveyor.

**Tippecanoe County Indoor Soccer Facility**

Jim Pence from Schneider Corp. appeared before the Board and presented the Tippecanoe County Indoor Soccer Facility for final approval. The site located northwest of the intersection of Conservation Club Road (on the south side) and State Road 25 consisted of approximately 6.4 acres. Mr. Pence stated they obtained a base flood elevation from Indiana Department of Natural Resources (I.D.N.R.) for the site and have kept the project plans outside the flood plain. He noted water quality structures and a dry detention facility was included within the plans. They agreed with the December 8, 2011 Burke memo with the conditions as outlined in the December 8, 2011 Burke memo and requested final approval at that time.

Utilizing G.I.S. the Surveyor reviewed the area for the Board. He noted the site drained naturally to the west –northwest. The indoor facility would be located within the site's southeastern portion. The outdoor facility was located in the southwestern portion of the site. The detention basin was located immediately north of the outdoor facility. His office took extensive measures to insure the site was engineered appropriately to handle offsite runoff from the east. He wanted to insure there would be no problems associated with the structures located on the property to the east. The site was unique in that it drained into the old Wabash and Erie Canal. The landowner to the West (Mr. White) was notified as Mr. Pence stated he had spoken to him the day prior. The notification documentation would be provided to the Surveyor's office for the file. The

landowner had no objections to their plans. The Surveyor recommended final approval with the conditions as stated on the December 8, 2011 Burke memo. Responding to Mr. Murtaugh' inquiry, Mr. Pence stated the wooded area located at the site's northern border was the floodplain portion. (Old Wabash Erie Canal location) Tom Murtaugh made a motion to grant final approval with the conditions as stated on the December 7, 2011 Burke memo. John Knochel seconded the motion. The Tippecanoe County Indoor Soccer facility was granted final approval with the conditions as stated on the December 7, 2011 Burke Memo.

### **Zach Beasley/Other Business**

The Surveyor presented the following bonds for approval by the Board. Maintenance Bond #929541270 submitted by Milestone Contractors for Hawthorne Lakes Section 1 in the amount of \$22,100.00. Tom Murtaugh made a motion to accept Maintenance Bond #929541270 submitted by Milestone Contractors for Hawthorne Lakes Section 1 in the amount of \$22,100.00. John Knochel seconded the motion. Maintenance Bond #929541270 submitted by Milestone Contractors for Hawthorne Lakes Section 1 in the amount of \$22,100.00 was approved. Maintenance Bond #105690530 submitted by Fairfield Contractors for Hawthorne Gardens in the amount of \$18,305.00. Tom Murtaugh made a motion to accept Maintenance Bond #105690530 submitted by Fairfield Contractors for Hawthorne Gardens in the amount of \$18,305.00. John Knochel seconded the motion. Maintenance Bond #105690530 submitted by Fairfield Contractors for Hawthorne Gardens in the amount of \$18,305.00 was approved. Performance Bond #105690532 submitted by Fairfield Contractors for Hawthorne Gardens in the amount of \$30,000.00. Tom Murtaugh made a motion to accept Performance Bond #105690532 submitted by Fairfield Contractors for Hawthorne Gardens in the amount of \$30,000.00. John Knochel seconded the motion. Performance Bond #105690532 submitted by Fairfield Contractors for Hawthorne Gardens in the amount of \$30,000.00 was approved. Maintenance Bond #5037266 submitted by Valenti-Held Contractors for Hawthorne Villas in the amount of \$47,899.70. Tom Murtaugh made a motion to accept Maintenance Bond #5037266 submitted by Valenti-Held Contractors for Hawthorne Villas in the amount of \$47,899.70. John Knochel seconded the motion. Maintenance Bond #5037266 submitted by Valenti-Held Contractors for Hawthorne Villas in the amount of \$47,899.70 was approved. Payment AND Performance Bonds both numbered 5037273 for Hawthorne Villas in the amount of \$12,793.00 each. Tom Murtaugh made a motion to accept the Payment AND Performance Bonds both numbered 5037273 for Hawthorne Villas in the amount of \$12,793.00 each. John Knochel seconded the motion. Payment AND Performance Bonds both numbered 5037273 for Hawthorne Villas in the amount of \$12,793.00 were approved.

### **2012 Surveyor's Regulated Drain Classification Report**

The Surveyor presented the 2012 Regulated Drain Classification Report to the Board. He reviewed the Report for the Board. The Board members were provided a copy for review. He noted the classification of drains was a responsibility of the Surveyor per Indiana Code 36-9-27-34. This report classified drains in need of reconstruction, drains in need of rate increase due to lack of funds, drains in need of periodic maintenance and urban drain classification among other items. He noted this report prioritized and itemized the needs for the county maintained regulated drains. It is to be used as an asset management tool for regulated drains. Responding to Mr. Murtaugh' inquiry, the Surveyor noted he tried to prioritize within the report as much as possible. John Knochel made a motion to grant approval of the 2012 Classification report as presented to the Board. Tom Murtaugh seconded the motion. The Surveyor's 2012 Regulated Drain Classification Report was approved as presented to the Board. (Note: The 2012 Surveyor's Regulated Drain Classification Report will appear in its entirety proceeding these minutes)

### **2012 Regulated Drain Status List**

The Surveyor presented the 2012 Regulated Drain assessment status list to the Board. Per State Statute, the Surveyor shall present yearly a regulated drain assessment status list for approval by the Board yearly. The Surveyor noted maintenance fund balances on each drain determined whether the drain should be actively on assessment (status) for the current year or inactive for that year. If the balance in a drain fund is below the cap set by the assessment, the drain is automatically kept on assessment per State Statute. The list once approved is submitted to the Auditor office for collection. Tom Murtaugh made a motion to approve the 2012 Regulated Drain Status List as presented by the Surveyor. John Knochel seconded the motion. The 2012 Regulated Drain Status List was approved as submitted (Note: The 2012 Regulated Drain status list will appear in its entirety proceeding these minutes)

### **Calvin Lesley Regulated Drain Hearing Request**

The Surveyor requested a regulated drain reconstruction hearing date and time for the Calvin Lesley Regulated Drain #48. A Petition to Reconstruct the Regulated Drain was submitted in November of 2010 by watershed landowners. He requested the

hearing to be set in March of 2012. He reviewed the drain and its location and noted he had been working with the landowners regarding the reconstruction. Meetings with them had been held more than once to discuss the plans etc. for the reconstruction. Tom Murtaugh made a motion to set March 14, 2012 at 10:00 a.m. as the Calvin Lesley Regulated Drain #48 Reconstruction Hearing date and the time (the hearing would follow the regular scheduled meeting on that date). John Knochel seconded the motion. The date and time set for March 14, 2012 following the regularly scheduled Drainage Board Meeting (@10:00 a.m.) was approved for the Calvin Lesley Regulated Drain #48 Reconstruction Hearing.

#### **Public Comment**

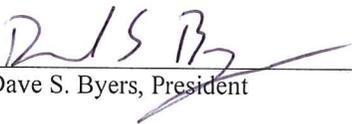
Tom Fackelman 4825 Hawthorne Ridge West Lafayette Indiana appeared before the Board. He stated he was the President of the Homeowners Association (H.O.A.) for Hawthorne Ridge Subdivision. He had lived at this location approximately 32 years. He was advised to bring drainage concerns to the Board by Dr. Griffith of the Area Plan Commission. He stated the biggest issue landowners were dealing with was excessive offsite runoff damage. The runoff in his opinion came from new developments south of their subdivision. Through the years as that area of land was developed many landowners have experienced increased erosion damages. Damage to existing trees and private bridges indicated runoff had become more intense in the last few years. They were very concerned future additional developments would mean increased damage to their properties. Landowners within the subdivision have lost ground due to the runoff and many have tried to "shore up" their tracts for protection. The creek (unnamed tributary to Burnett Creek) which ran through the rear of many lots within the subdivision had eroded due to offsite runoff. During several recent rain events the creek had overtopped its banks. He stated he felt St. Andrews Church development had made a negative impact to their subdivision. The "holding pond" on that site did not hold water. The creek was getting offsite runoff in a very short period of time and could not handle it on many occasions. He asked the Board specifically for assistance and/or direction to relieve their problems with offsite runoff damaging the properties.

The Surveyor noted he was familiar with the drainage complaint. He reviewed the site and surrounding area to include the Boes ditch watershed using the G.I.S. The Boes ditch eventually outlets to Burnett Creek via the creek (unnamed tributary) which routed through the Hawthorne Ridge Subdivision. He noted Boes agricultural tile south of Kalberer Road had been vacated and incorporated into developments through the years as time progressed. St. Andrews Church was developed in 2005/2006 and the development's release rates were in compliance with the County's Stormwater Management Ordinance at that time. The Dept. of Natural Resources (D.N.R) was the agency in control of natural creeks and tributaries not under county maintenance. County residents were able to petition the board for a new regulated drain regarding the unnamed creek. He then reviewed the petition process. Mr. Fackelman stated he felt the issue was the volume of offsite runoff from approved developments and thought the board could address due their prior approval of the development. He stated he felt runoff was getting released at a faster rate and caused damage along its route. He stated he felt it was the Drainage Board's jurisdiction and responsibility to stop excessive runoff from occurring. The Surveyor reviewed the area for the board using G.I.S. He reviewed the bmp measures taken for the St. Andrew Church development particularly the detention pond on their site. Inspections were completed to insure the bmp measures were not impeded by debris etc. The church also conducted maintenance on the pond periodically. Inspections of developments during construction were completed weekly by his office. He then reviewed the inspection process. Dave Eichelberger reminded the Board a Revised Tippecanoe County Stormwater Management Ordinance and Technical Standards went into effect on January 1, 2012. Additional requirements were included in the revisions for release rates regarding 2-5 year storm effects. The additional requirements were included under "Channel Protection Volume" and targeted the 2-5 year rainfall events specifically. The new requirements would reduce negative impacts on a receiving stream. Mr. Byers noted any new projects that were presented to the Board after January 1, 2012 would be governed by the new requirements for channel protection volume. It was noted all developments prior to January 1, 2012 were regulated with the previous ordinance in place at that time which included the St. Andrews Church development. The Department of Natural Resources (D.N.R.) would be the agency to contact for action on the unnamed tributary. It was not under the County Drainage Board's jurisdiction. Dave Byers stated Mark Eastman from S.W.C.D. may also be able to give recommendations for channel protection. Technical advice from the Surveyor's office would be available; however the office would not be able to conduct any maintenance on the channel. The St. Andrews Church detention pond would be inspected again by the Surveyor's office to insure the bmp measures were not impeded by debris etc. Mr. Fackelman thanked the Board for their time.

Mr. Carl Brody 4921 Hawthorne Ridge Dr. West Lafayette Indiana 47906 appeared before the Board. He stated he had lived in the location for 24 years. During large rainfall events, runoff from the ten acre site adjoining his property as high as 30-40 feet has flooded his tract. He had noticed an increase of runoff from new developments in the surrounding area of his tract the last few years. He stated a natural swale located through his yard was flooded more often. Many occasions water would back up and flood Hawthorne Ridge Drive. His concern was possible damage resulting from the planned ten acre site development adjoining his property. Many drainage tiles had busted on his site already and he had to fill them in at several

areas on many occasions and was concerned. The ten acre field was tiled at one time but over the years those tiles had deteriorated. He noted his crawl space had also been flooded on more than one occasion due to the overflow. The Surveyor noted the revised ordinance regulations could potentially eliminate most of the sheet flow crossing his property presently from the site. The Attorney noted revisions did not apply to approved developments to January 1, 2012. Mr. Brody thanked the Board for their time and looked forward to any assistance the Surveyor's office may give regarding inspection of the St. Andrew site's pond storm water quality devices.

There was no other public comment. Tom Murtaugh made a motion to adjourn. The meeting was adjourned.

  
\_\_\_\_\_  
Dave S. Byers, President

  
\_\_\_\_\_  
Thomas P. Murtaugh, Vice President

  
\_\_\_\_\_  
John Knochel, Member

  
\_\_\_\_\_  
Brenda Garrison, Secretary

## Tippecanoe County Drainage Board

March 14, 2012

Calvin Lesley #48

Hearing Minutes

### Those present were:

Tippecanoe County Drainage Board President David Byers, Vice President Thomas Murtaugh, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison.

President David Byers opened the hearing and referred to the Surveyor for his report. The Surveyor read the Calvin Lesley #48 Reconstruction Report into the record as follows: "Calvin Lesley Regulated Drain #48 Reconstruction Report Dated January 26, 2012 Referred to the County Surveyor by the Tippecanoe County Drainage Board for a Reconstruction Report on December 3, 2010. The Calvin Lesley Regulated Drain #48 and its watershed are located in Sections 3 and 4 of Township 23 North Range 3 West in the political Township of Perry and Section 33 and 34 of Township 24 North, Range 3 West in the political Township of Washington, Tippecanoe County, Indiana. The Calvin Lesley Regulated Drain was organized in 1914 in Tippecanoe County Circuit Court, Case No. 8633, File Box No. 716, Mortgage Record Book No. 105, page 624. The watershed area is 918.8 acres. A maintenance fund of \$1.00 per acre was established by the Tippecanoe County Drainage Board on the 5<sup>th</sup> day of October 1977. However in 2005 the maintenance rate was increased 25% to \$1.25 per acre in accordance to I.C.36-9-27-42. I have personally walked, drove, talked with landowners, and inspected the Calvin Lesley drainage system per the request of the landowners who signed the petition. It is my professional judgment that to accomplish the wishes of the landowners and based on my investigation a parallel or dual main tile system should be installed beside the existing Calvin Lesley main tile line. The existing main tile is in good condition and in working order, however it is under sized and does not have the capacity to drain the land as desired by the landowners. To reach this goal 7580 lineal feet of 24" diameter tile and 2206 lineal feet of 18" diameter tile will be installed combined with other miscellaneous items. It is the judgment of the Tippecanoe County Surveyor that a sum of approximately \$282,000.00 is needed to reconstruct and improve the Calvin Lesley drainage system. After completion of the project there will be 1000 lineal feet of open ditch, 20,586 of main tile and 5000 lineal feet of branch tile under maintenance. An assessment of \$60.00 per acre and a \$200.00 minimum over a five year period is recommended. This will generate \$290,900.40 over a five year period. Assuming the reconstruction and improvements are complete and the general drain fund has been repaid after the five year period, the Tippecanoe County Surveyor recommends the per acre assessment be lowered to a maintenance rate of \$10.00 per acre with a \$50.00 minimum with an 8 year total. Respectfully Submitted by: Zachariah Beasley P.L.M.S. Tippecanoe County Surveyor."

The Surveyor reviewed the watershed map of the drain for the Board. He stated there were numerous depressional areas within the entire watershed and the current tile was overloaded as it had exceeded its capacity. At present it did not drain the area as well as the landowners would like, therefore they submitted a petition to reconstruct to his office. He was asked to construct a dual tile line alongside the existing county tile to assist in the area's drainage. Starting at the headwall a dual line on the north side of the existing main tile north to the curve of the main tile and on the west side of the lots along Co. Rd. 750E would be constructed. It would cross under Co. Rd. 750E and continue in a northeasterly direction paralleling the existing tile continuing to a large depressional area located on the John and Carol Underhill Farm. Adding the dual tile line would basically split the watershed in half. Approximately 450 acres of the watershed's northwestern acreage would drain into the new tile and the southeastern acreage would remain draining in the existing tile. He noted they would install Tee's as part of this project so that landowners within the watershed would be able to hook up into the main tile at various locations throughout. Specifically, this would allow lot owners located within the watershed along 750E to tie into the main tile if so desired. There were three options considered. This dual tile option was the best for all involved. The other two options considered were as follows: one -cut through the existing lots along Co. Rd. 750E, two-a much deeper cut and longer route with higher costs. Responding to Mr. Knochel's inquiry, the Surveyor stated the new tile size would be 24 inch from the headwall to just south of Co. Rd. 400N then it would be 18 inch throughout. The tile would be on average 4 to 4.5 feet below the surface.

Mr. Byers stated 3 objection letters were received, with one received *after* the deadline. Letters received were from Mel and Deb Spitznagle, Dave and Karen Grove and the letter received *after* the deadline was from Kenneth Griffin. The attorney stated I.C. 36-9-27-40 provided that any landowner must file written objections (received in the Surveyor's office) not less than 5 days before a hearing date. He noted, Mr. Griffin sent an objection letter to the Surveyor's office and received on March 12<sup>th</sup> with less than 5 days prior to this hearing. While it was acknowledged this was received, it would not be taken

into consideration at today's hearing. However, if Mr. Griffin was present today, he may still be allowed to state his objections during the public comment portion. Since neither Groves nor Spitznagle's were present, the Attorney read their letters into the record as follows: The first letter was from David F. and Karen K. Grove 3216 N 750E Lafayette Indiana 47905- Dear Tippecanoe County Drainage Board; We received a letter February 2, 2012 concerning the reconstruction of the Calvin Lesley #48 Regulated Drain. We are current land owners of Broadview SD Lot 14. We are adamantly opposed to the rate applied to our property. The rate we are asked to pay is completely unfair. Since we are one of the smaller land owners in the area, we are being asked to pay the "minimum". Not only was it not made clear how this obscure minimum rate was obtained, this minimum rate will only result in a benefit to the large land owners (more than 4 acres) and punish the small land owners such as us. If the minimum rate is applied to all land owners this would result in a surplus well over the amount needed for the reconstruction and maintenance costs of the project. We own 0.74 acres which is 0.08% of the acres benefited from the drain reconstruction. We are being asked to pay \$200 a year for five years for a total of \$1000.00. This is 0.35% of the cost of the project which is 4.4 times the amount we should have to pay. This fee is the same fee applied to a land owner with over four times the land. If the rate applied was actually fair for us with 0.08% of the land benefited, we should be asked to pay \$45.12 annually (\$60 an acre rate) over a five year term for a total of \$225.60. The amount we are being asked to pay for maintenance is a total of \$400 over an 8 year period. This is the same amount with over five acres is being asked to pay, also unfair. We should only have to pay \$7.50 annually (\$10 an acre rate) over the eight year term for a total of \$60.00. Our questions: 1. Why are we being charged 4.4 times more for the reconstruction than we should for the amount of land we own. 2. Why are we being charged 5.6 times more for maintenance than we should for the amount of land we own? 3. How was the minimum amount figured? 4. 60% of the majority requested this reconstruction? Of the 60%, how many own less than five acres? 5. I have not noticed drainage problems on my land so how will this benefit me and my land? If the benefit to this reconstruction and maintenance can be proved to us and our land: the fair rate for reconstruction for 0.74 acre at \$60 per acre per year is \$45.12 a year for 5 years (total \$225.60). The fair rate for maintenance for 0.74 acre at \$10 per acre is \$7.50 for 8 years (total \$60). Thank you for your careful consideration before proceeding. Sincerely, Dave Grove Karen Grove The second objection letter was from Mel and Deb Spitznagle 3208 N 750E Lafayette Indiana 47905- To: Tippecanoe County Drainage Board, We received a letter notifying us that the Calvin Lesley #48 Regulated Drain was going to be rebuilt. We do not have a problem with the reconstruction or paying our fair share, but we do have a problem with the assessment being levied. We do not make any money from our land as the farmers whose fields drain into this drain. By your figures we own .75 acres or .08% of the total cost of \$282,000.00 for reconstruction. With these figures, I feel that we owe \$225.60 for the reconstruction of \$45.12 per year. Who came up with the \$200.00 per year minimum fee? Or the \$50.00 a year fee for maintenance? At \$10.00 an acre times .75 acres; I feel that we owe \$7.50 a year for maintenance. This comes to \$60.00 for eight years. I don't mind paying \$285.69 for my share of this project but I do not believe that the \$1400.00 as you suggested is fair. Thank you for considering our thoughts on this, Sincerely Melvin Spitznagle Debra K. Spitznagle

Mr. Byers asked for public comment. Mr. Ken Griffin 3340 N 750E Lafayette Indiana 47905 approached the Board. Quote" I agree with my neighbors, the Spitznagles and the Groves, that the cost of this is excessive. I'm sorry you didn't get my letter on time but it was postmarked five days before the meeting, and I was well expecting you to consider it. I basically agree with my neighbors the small landowner is really getting penalized for this and it needs to be fair. You are charging way too much. You need to do away with the minimums and make it fair if you are going to be doing this project and way over a quarter of a million dollars I think is a little bit excessive too. I think you need to get some more bids on the problem/project first. Thanks for your consideration." Unquote John Underhill 3500 N 1000E Lafayette Indiana 47905 approached the Board. He stated he was a landowner greatly affected by the lack of drainage on the Calvin Lesley Drain. He expressed his appreciation to Zach and his office staff for their time on this project. He stated it needed to be looked at for over 40 years that he had been associated with the area. He thanked the Board. Susan Spaulding 3250 N 750E Lafayette Indiana 47905 Quote" My property is an affected property on the road of the sixteen houses mine is the only one that floods. So with the work that is going to be done, the assessments that I am being asked to pay, my question is how is the change going to stop or improve the issues on my property? Mr. Knochel responded that she would have an opportunity to hook into the main tile and her property should be drained considerably better. "So the opportunity to hook in will be at the back?" Mr. Knochel stated yes. Susan: "But, the flooding issue was at the front from the farmland across the street -not the back." The Surveyor interjected and informed the Board the existing main tile was located on Ms. Spaulding's tract and specifically located between her house and detached garage. Her lot was the lowest lot of the group of lots along Co. Rd. 750E. There was a 36-48 inch diameter culvert right in front of her house. The drainage from the east and north farm fields surface conveyance routes through the culvert into the tile and traveled between her house and detached garage. The Surveyor reminded Ms. Spaulding the project would not solve all of her problems. In the more frequent storm events, the depressional areas fill up and break out among the surface and the surface runoff caused her problems. Presently, at the discharge point (tile outlet) the discharge rate is roughly 8-9 cubic feet per second (CFS). Once the drain was reconstructed the discharge rate would be 19-20 CFS. This meant as the depressional areas filled up, the tile would take more of the surface runoff than it had previously. As the depressional areas rise instead of spilling out over land and surface flow flooding her lot, the tile would handle more

of the water. This would lessen the amount of surface runoff to her tract than she sees presently and this should relieve a lot of her flooding issues. He stated he could not promise it would never flood her lot after the reconstruction project. He explained, in a rain event which exceeded the proposed design, the surface flow would race across the farm fields toward her tract as it was located in the natural drainage path. He noted the reconstruction would help tremendously but would not solve all her problems. There would be a tee at the tile outlet and the lots north of Mrs. Spaulding's would be able to tie into it and therefore lessen the runoff to her lot. Responding to Mrs. Spaulding's inquiry, the Surveyor stated he would inform her when the contractor would be in her area so she may make plans for tying into the main tile. He stated he would provide the plans and contractors contact information to her. He also noted he hoped to begin construction in July or August of this year. He hoped to bid the project out within a couple months. The farmers along the route would leave a fifty foot strip for the equipment to get in and out. Norma Huffman 3914 N 800E Lafayette Indiana 47905, speaking for her husband Levi Huffman, approached the Board. She stated she had two questions. She asked the Board if the landowners approve the project or if it would be approved by the Board and at what time. Mr. Knochel stated the decision would be made at today's hearing and the Board considering the information from the landowners would make the decision to approve or disapprove the reconstruction as presented to them. The attorney noted the landowners do not have a vote; the Drainage Board must make the final determination on whether the benefits exceed the cost of the project. However information gathered from those landowners within the watershed was considered when making the determination. Mrs. Huffman then stated her husband, Levi felt the reconstruction was very beneficial. She then asked if the assessment had to be paid up front. The attorney stated that it did not have to be paid up front and could be paid over a five year period. She asked if interest was charged. He informed her there would be no interest on the assessment charge as long as it was paid in a timely manner *each year (annually)* along with taxes. He stated the County had a General Drain Improvement Fund which if the balance of the fund allowed; the project would be started prior to the assessments collected. The assessments as collected would in turn repay the General Drain Improvement Fund. She stated while their assessments were much more than those with owning a lot, she had empathy for those with these charges. She understood they also received benefit from the reconstruction but felt they had a valid complaint. She thanked the Board for their time. There was no other public comment.

Responding to Mr. Murtaugh' inquiry, the attorney noted the five year reconstruction assessment was not automatically altered if project costs came in under estimate. The Surveyor would have to request the Board lower the assessment. However unless it was a substantial amount it was prudent to keep the monies for unforeseen costs pertaining to the reconstruction- wait until the job was complete before any change in the tax assessment was requested. If the actual cost was less than estimated the Board had the option to reduce the maintenance rate assessed. Excess funds in the reconstruction fund were not automatically transferred to the maintenance fund. The Surveyor noted since the project estimate was completed the cost of tile had increased and most likely along with other material costs would continue to increase throughout the five year assessment period. Answering Mr. Murtaugh the Surveyor noted it would be May or potentially June before Bids would be received and opened for this project.

Mr. Knochel stated drainage in this particular area was a huge problem. Driving from Buck Creek to East Tippecanoe School one could see the "lake" on Mr. Underhill's tract which looked big enough to float a boat. He noted the assessment for those landowners in the Broadview area should be looked at and possibly the annual reconstruction assessment amended. He made a motion to reduce the annual assessment of the reconstruction rate to \$100 minimum instead of the \$200 minimum proposed. Tom Murtaugh seconded the motion. The reconstruction rate assessment was reduced from the proposed \$200 minimum assessment to a \$100 minimum assessment. Tom Murtaugh seconded the motion. The Calvin Lesley #48 reconstruction assessment rate was reduced to \$100 minimum from the \$200 minimum proposed. Mr. Knochel then made a motion to approve the reconstruction on the Calvin Lesley Regulated Drain #48. Tom Murtaugh seconded the motion. Calvin Lesley #48 Regulated Drain Reconstruction was approved by the Board.

The attorney then read the Findings and Order into the record as follows: Before the Tippecanoe County Drainage Board In the matter of the CALVIN LESLEY #48 REGULATED DRAIN: FINDINGS AND ORDER (RECONSTRUCTION AND ANNUAL MAINTENANCE): This matter came to be heard upon the Reconstruction and Maintenance Report and Schedule of Assessments prepared by the Tippecanoe County Surveyor and filed on January 20, 2012. Certificate of mailing of notice of time and place of hearing, to all affected landowners filed. Notice of publication of time and place of hearing in the Journal and Courier was filed. Remonstrances were filed. (Spitznagle and Grove letters filed) Evidence was presented by the Tippecanoe County Surveyor and many of those landowners affected were present. A list of those present is filed herewith. After consideration of all the evidence, the Board does now FIND THAT:

- (1) The Reconstruction Report of the Tippecanoe County Surveyor and schedule of reconstruction assessments and annual maintenance assessments were filed in the Office of the Surveyor on January 26, 2012.

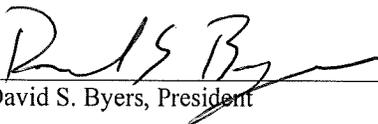
- (2) The Petition for Reconstruction of the Calvin Lesley #48 Regulated Drain was filed November 4, 2010 and thereafter referred to the Surveyor for a report.
- (3) Notice of filing of the reconstruction report and schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
- (4) Notice of the time and place of this hearing was given by publication in the Journal & Courier, The Lafayette Leader newspapers of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
- (5) The legal drain consists of 1000 lineal feet of open ditch and 20,586 lineal feet of main tile and 5,000 lineal feet of branch tile under maintenance.
- (6) The present condition of the drain has exceeded its capacity.
- (7) The ditch needs the following maintenance at present:  
A parallel or dual main tile system to include 18" and 24" tiles installed beside the undersized existing main tile line.
- (8) There is now \$2,468.74 owed to the General Drain Fund for past maintenance on this ditch.
- (9) The ditch drains 918.8 acres total.
- (10) Estimated annual benefits to the land drained exceed reconstruction costs.
- (11) After reconstruction costs have been paid in full, an annual maintenance assessment should be collected.
- (12) In order to provide the necessary reconstruction and annual maintenance, the annual assessment per acre and lot benefited should be as follows: A reconstruction assessment of \$60.00 per acre and a \$100.00 minimum over a five year period is recommended. This will generate \$278,900.40 over a five year period. Assuming the reconstruction and improvements are complete and the general drain fund has been repaid after the five year period, the Tippecanoe County Surveyor recommends the per acre assessment be lowered to a maintenance rate of \$10.00 per acre with a \$50.00 minimum with an 8 year collection total.
- (13) The assessment list filed herewith should not be amended.
- (14) The assessment list filed herewith is fair and equitable and should be adopted.
- (15) The assessment should be collected with the May 2012 taxes.

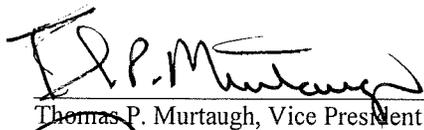
NOW, THEREFORE, IT IS ORDERED THAT:

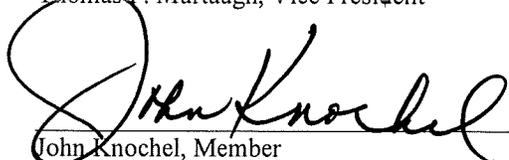
- (1) A reconstruction assessment of \$60.00 per acre with a \$100.00 minimum over a five year period is established. Assuming the reconstruction and improvements are complete and the general drain fund has been repaid after the five year period, a maintenance rate of \$10.00 per acre with a \$50.00 minimum with an 8 year collection total should be established.
- (2) The Schedule of Assessments filed herewith is adopted and made a part thereof.
- (3) The first annual assessment shall be collected with the May 2012 taxes.

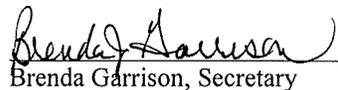
DATED at Lafayette, Indiana this 14<sup>th</sup> day of March 2012 with signature lines of the Drainage Board and attestation by the Drainage Board Secretary. There was no other comment.

John Knochel made a motion to adjourn, the meeting was adjourned.

  
 \_\_\_\_\_  
 David S. Byers, President

  
 \_\_\_\_\_  
 Thomas P. Murtaugh, Vice President

  
 \_\_\_\_\_  
 John Knochel, Member

  
 \_\_\_\_\_  
 Brenda Garrison, Secretary

**Tippecanoe County Drainage Board**  
**July 11, 2012**  
**Regular Meeting Minutes**

**Those present were:**

Tippecanoe County Drainage Board President David Byers, Vice President Thomas Murtaugh, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC.

**Approval of Minutes**

Tom Murtaugh made a motion to approve the July 11<sup>th</sup>, 2012 regular minutes as written. John Knochel seconded the motion. The July 11, 2012 regular meeting minutes was approved as written.

**Purdue Research Park Phase 3 Part 2 Section 1**

Jim Pence of Schneider Corp. approached the Board and requested conditional approval for the Purdue Research Park Phase 3 Part 2 Section 1 project. The project site was located on the west side of Yeager Road (Co. Rd. 100 West) approximately 1300 feet north of Kalberer Road and consisted of 5 acres. The project was located within the City of West Lafayette limits. The Surveyor noted the City of West Lafayette would approve the onsite stormwater measures. The site's discharge into the Dempsey Baker Regulated Drain had been reviewed. He recommended conditional approval as stated on the June 22, 2012 Burke memo. Tom Murtaugh made a motion to grant conditional approval as stated on the June 22, 2012 Burke memo. John Knochel seconded the motion. Purdue Research Park Phase 3 Part 2 Section 1 was granted conditional approval as stated on the June 22, 2012 Burke memo.

**Crosswalk Commons**

Mark Rhinehart of Engineering Resources Inc. approached the Board and requested Preliminary approval for Crosswalk Commons project. The site was located on 1.35 acres west of Hilltop Drive on the Purdue University Campus. He noted approximately 12 acres of runoff routed through the site via an existing drainage easement. Underground detention was planned for the site's majority of runoff. Approximately .35 acres of the site would continue to sheet flow into the drainage easement as in present condition. Due to the topography and planned preservation of the onsite wooded area, variances regarding the stormwater quality and stormwater release requirements were requested. He then asked for preliminary approval from the Board. The Surveyor reviewed the site for the Board utilizing G.I.S. He noted the plans were reviewed, reminded the Board they were seeking preliminary approval only today and the project would be back in front of the Board for final approval in the future. He stated the variance requests were reviewed as well. Due to terrain restrictions onsite, he recommended approval of the variances as requested along with preliminary approval as stated in the July 5, 2012 Burke memo. Tom Murtaugh made a motion to grant approval for the Variance of stormwater quality for entire site as requested. John Knochel seconded the motion. Tom Murtaugh made a motion to grant approval for the Variance of post construction configuration regarding a stormwater quality offline unit. John Knochel seconded the motion. Tom Murtaugh made a motion to grant a Variance regarding the allowable release rate due to the site's restrictions. John Knochel seconded the motion. Tom Murtaugh made a motion to grant preliminary approval with conditions as stated in the July 5, 2012 Burke memo. John Knochel seconded the motion. Crosswalk Commons was granted the variances requested and preliminary approval as stated in the July 5, 2012 Burke memo.

**S.I.A. Body Shop and Warehouse #10**

Stan Jones of RQAW Corp approached the Board and requested conditional approval for S.I.A. Body Shop and Warehouse #10 project. The site was located along State Road 38 between County Road 475 East and Interstate 65 within the City of Lafayette's limits. The projects were previously addressed within the overall Master Drainage Report for S.I.A. Warehouse #10 would include a total of 16 dock areas. The overall site outlet to Parker Ditch Regulated Drain. The current project location drained into a basin known as pond #5. The Body Shop would be expanded with a container yard and drain to a basin known as pond #2. Presently, Pond #2 outflows to Pond #4 then outlets into Parker Ditch Regulated Drain - he noted this would not change. He stated they were given approval for 178 allowable cfs on the original overall site design in 1987, and stated with these additions, the cfs rate was at 167. He noted they were within the limits approved by the Board in 1987. He requested approval for the S.I.A. Body Shop and Warehouse #10 projects. The Surveyor stated the projects were being

reviewed by the Board for the discharge into Parker Ditch Regulated Drain. He noted the plans were reviewed and followed their Master Drainage Study. He recommended approval for the S.I.A. Body Shop and Warehouse #10 projects as stated on the June 19, 2012 Burke memo. Tom Murtaugh made a motion to grant conditional approval as stated on the June 19, 2012 Burke memo. John Knochel seconded the motion. S.I.A. Body Shop and Warehouse #10 was granted conditional approval as stated on the June 19, 2012 Burke memo.

**Black Swan Peat Mining  
Petition to Encroach on the Delphine Anson Regulated Drain  
Petition to Partially vacate and relocate a portion of the Delphine Anson Regulated Drain**

The Surveyor presented a Petition to Encroach on the Delphine Anson Regulated Drain and a Petition to Partially Vacate and Relocate a portion of the Delphine Anson Regulated Drain to the Board for approval. The Peat Mining operation's site was located north of Harrison High School on County Farm Road (aka Co. Rd. 50 West) where the county road makes a bend to the west, then north to the dead end. He stated he worked with Mr. Kyle Betz of Fisher and Assoc. on the Petitions as submitted and recommended approval by the Board. Tom Murtaugh made a motion to grant approval of the Petition to Encroach on the Delphine Anson Regulated Drain. John Knochel seconded the motion. Tom Murtaugh made a motion to grant approval of the Petition to Partially Vacate and Relocate a portion of the Delphine Anson Regulated Drain as presented. John Knochel seconded the motion. The Petition to Encroach on the Delphine Anson Regulated Drain and the Petition to Partially Vacate and Relocate a portion of the Delphine Anson Regulated Drain were granted approval as submitted.

**Zach Beasley  
Regulated Drain(s) Update**

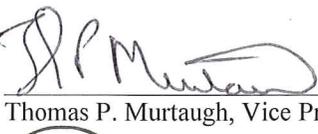
**Train Coe #18 Regulated Drain**

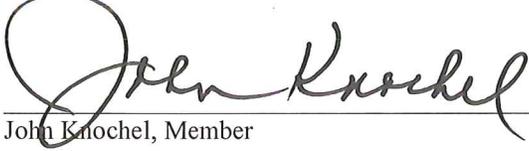
The Surveyor noted his office was in the process of obtaining the required permits regarding the Train Coe #18 maintenance work as planned. The Surveyor noted the Calvin Lesley #48 Reconstruction Phase I (open portion) was awarded. Phase II (tile portion) reconstruction bids were due in his office on August 1, 2012 at 9:30 a.m. hopefully the second phase would be awarded during the Drainage Board Regular meeting at 10:00 a.m. He noted his office was in the process of compiling plans and obtaining quotes regarding the Mary Southworth Regulated Drain # 74 maintenance work. At that time he referred back to the Board.

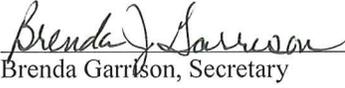
**Public comment**

As there was no public comment, John Knochel made a motion to adjourn. The meeting was adjourned.

  
David S. Byers, President

  
Thomas P. Murtaugh, Vice President

  
John Knochel, Member

  
Brenda Garrison, Secretary

**Tippecanoe County Drainage Board**  
**August 1, 2012**  
**Regular Meeting Minutes**

**Those present were:**

Tippecanoe County Drainage Board President David Byers, Vice President Thomas Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Member John Knochel was absent.

**Approval of Minutes**

Tom Murtaugh made a motion to approve the July 11, 2012 regular minutes as written. Dave Byers seconded the motion. The July 11, 2012 regular meeting minutes were approved as written.

**Calvin Lesley #48 Regulated Drain/Tile Project Bid Opening**

The President referred to the Attorney for the opening of the Calvin Lesley #48 Tile Project Contract submittals. Seven companies submitted contract bids for consideration. He read the following contract bids into the record: Dwenger Excavating in the amount of \$249,386.65: Fairfield Contractors in the amount of \$423,888.64: Lauramie Excavating in the amount of \$245,812.00: Merryman Excavation in the amount of \$527,782.00: Earth Resources in the amount of \$336,017.00: Maxwell Farm Drainage in the amount of \$195,303.36: Paul Pence/Viverde by Stonecraft in the amount of \$244,272.71. The Attorney then recommended the contract bids to be taken under advisement to assure compliance with the contract specifications. Tom Murtaugh made a motion to accept the submitted contract bids as presented for review of compliance with the contract specifications. Dave Byers seconded the motion. He thanked all the contractors for their submissions. The Calvin Lesley #48 Tile Project Contract submittals were accepted by the Board. The Surveyor would review the Contracts submitted for consideration to assure compliance with the contract specifications prior to awarding the Contract at a later date.

**Petitions**

**Waples McDill #85 Petition for Reconstruction**

The Surveyor presented a Petition to Reconstruct on the Waples McDill #85 Regulated Drain submitted by Bob Devault. He asked the Board to refer it to him to complete a Surveyors Reconstruction Report. Tom Murtaugh made a motion to refer the Petition for Reconstruction on the Waples McDill #85 Regulated Drain to the Surveyor for the completion of a reconstruction report. Dave Byers seconded the motion. The Petition to Reconstruct on the Waples McDill #85 Regulated Drain submitted by Bob Devault was referred to the Surveyor for a Reconstruction Report as requested.

**Bonds**

The Surveyor presented Maintenance Bond #9295545916 in the amount of \$16,775.00 from Milestone Contractors regarding Lindberg Village Phase 2 Part 2 to the Board. He recommended approval by the Board. Tom Murtaugh made a motion to approve the Maintenance Bond #9295545916 in the amount of \$16,775.00 from Milestone Contractors regarding Lindberg Village Phase 2 Part 2. Dave Byers seconded the motion. Maintenance Bond #9295545916 in the amount of \$16,775.00 from Milestone Contractors regarding Lindberg Village Phase 2 Part 2 was approved by the Board.

**Other Business**

The Surveyor presented an Amendment to Agreement submitted by Christopher B. Burke Engr. regarding the S.W. Elliott #100 Regulated Drain / Branch #11 reconstruction in the amount of \$25,732.00. He noted this was an amendment to the existing contract and recommended approval. Tom Murtaugh made a motion to approve the Amendment to an Agreement submitted by Christopher B. Burke Engr. regarding the S.W. Elliott #100 Regulated Drain /Branch #11 reconstruction in the amount of \$25,732.00. Dave Byers seconded the motion. The Amendment to an Agreement submitted by Christopher B. Burke Engr. regarding the S.W. Elliott #100 Regulated Drain /Branch #11 reconstruction in the amount of \$25,732.00 was approved as presented.

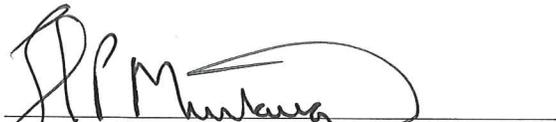
The Surveyor presented a contract submitted by Christopher B. Burke Engr. regarding the S.W. Elliott #100 Regulated Drain/Branch #11 Reconstruction Design in the amount of \$21,750. He noted this contract was to finalize construction plans and final contract documents for Branch #11 of the S.W. Elliott #100 Regulated Drain. Tom Murtaugh made a motion to approve the S.W. Elliott #100 Regulated Drain/Branch #11 Reconstruction Design Contract in the amount of \$21,750 submitted by Christopher B. Burke Engineering. Dave Byers seconded the motion. The S.W. Elliott #100 Regulated Drain/Branch #11 Reconstruction Design Contract in the amount of \$21,750 was approved as presented.

The Surveyor presented a contract submitted by Christopher B. Burke Engr. regarding the J.B. Anderson #08 Regulated Drain Preliminary Engineering and Grant Assistance Professional Svc. in the amount of \$53,500.00 to the Board. He recommended approval of said contract. Tom Murtaugh made a motion to grant approval for the J.B. Anderson #08 Regulated Drain Preliminary Engineering and Grant Asst. Professional Svc. contract in the amount of \$53,500.00. Dave Byers seconded the motion. The J.B. Anderson #08 Regulated Drain Preliminary Engineering and Grant Assistance Professional Svc. Contract with Christopher B. Burke Engineering in the amount of \$53,500.00 was approved as presented by the Surveyor.

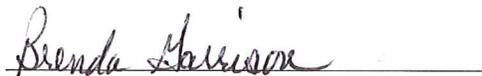
**Public Comment**

As there was no public comment, Tom Murtaugh made a motion to adjourn. The meeting was adjourned.

  
\_\_\_\_\_  
David S. Byers, President

  
\_\_\_\_\_  
Thomas P. Murtaugh, Vice President

  
\_\_\_\_\_  
John Knochel, Member

  
\_\_\_\_\_  
Brenda Garrison, Secretary

**Tippecanoe County Drainage Board**

**August 15, 2012  
SPECIAL Meeting  
Minutes**

**Those present were:**

Tippecanoe County Drainage Board Vice President Thomas Murtaugh , member John Knochel , County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison. President David Byers was absent.

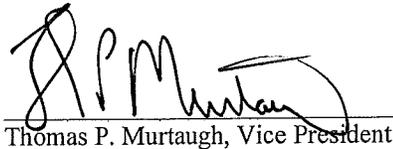
**Calvin Lesley Regulated Drain #48 Tile Project Contract Award**

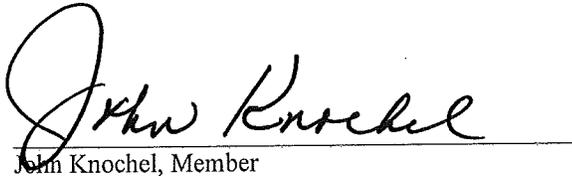
Vice President Tom Murtaugh opened the meeting and referred to the Surveyor. The Surveyor all contract submissions were reviewed by himself and the Board's Attorney. The contract documents were in order. He recommended the Board award the said drain contract to Maxwell Farm Drainage as the low bidder. The amount of the Maxwell Farm Drainage Contract Bid was \$195, 303.36. Responding to Mr. Knochel's inquiry, the Surveyor stated Maxwell Farm Drainage Company was located in Montgomery County. He also noted the project would start construction either later today or first thing in the a.m. of Thursday August 16, 2012. There was no public comment. The Calvin Lesley Regulated Drain #48 Tile Project Contract was awarded to Maxwell Farm Drainage.

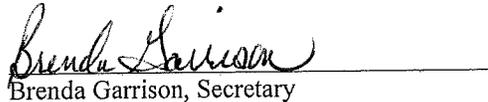
John Knochel made a motion to adjourn. The meeting was adjourned.

**ABSENT**

David S. Byers, President

  
\_\_\_\_\_  
Thomas P. Murtaugh, Vice President

  
\_\_\_\_\_  
John Knochel, Member

  
\_\_\_\_\_  
Brenda Garrison, Secretary

**Tippecanoe County Drainage Board**  
**September 5, 2012**  
**Regular Meeting Minutes**

**Those present were:**

Tippecanoe County Drainage Board President David Byers, Vice President Thomas Murtaugh, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC.

**Romney Stock Farm Regulated Drain #109/ 2012 Maintenance contract**

President Dave Byers referred to the Attorney regarding the Romney Stock Farm Regulated Drain #109 Maintenance Contract Bids submitted for consideration by the Board. The Attorney opened the submitted bids as follows: Maxwell Farm Drainage- total estimate \$24,200.00; Tony Garriott- total estimate \$17,354.00; Lauramie Excavating-total estimate \$13,310.00. He recommended the Board review the submitted bids for compliance with contract specifications. John Knochel made a motion to accept the submitted bids for review. Tom Murtaugh seconded the motion. The Romney Stock Farm Regulated Drain #109 Maintenance Contract bids were taken under advisement for review of compliance with the contract specifications. President Byers stated Jim Butcher Project Manager with the Surveyor Office would review the bids during the meeting. The Romney Stock Farm Regulated Drain #109 Maintenance Contract would be awarded prior to adjournment today.

**Approval of Minutes**

Tom Murtaugh made a motion to approve the August 1<sup>st</sup> Regular and the August 15<sup>th</sup>, 2012 Special meeting minutes as written. John Knochel seconded the motion. The August 1<sup>st</sup> and August 15<sup>th</sup>, 2012 meeting minutes were approved as written.

**Crosswalk Commons**

Andy Gutwein representing the Petitioner appeared before the Board regarding Crosswalk Commons PD. The site consisted of approximately 1.35 acres and was located on the west side of Hilltop Drive on Purdue University Campus. He stated prior preliminary approval had been granted by the Board and he stated he felt everything was in order at this time. He requested final approval from the Board. The Surveyor reminded the Board preliminary approval along with three variances were granted during the July 11, 2012 Board meeting. His office had reviewed all submittals since that time and recommended approval with the conditions as stated on the August 17, 2012 Burke memo. There was no public comment regarding the project.

Tom Murtaugh made a motion to grant approval with the conditions as stated on the August 17, 2012 Burke memo. John Knochel seconded the motion. The Crosswalk Commons PD was granted approval with the conditions as stated on the August 17, 2012 Burke memo.

**Calvin Lesley Regulated Drain #48/ Ratification of Contract Award**

The Attorney stated Maxwell Farm Drainage was awarded the Calvin Lesley Regulated Drain #48 2012 Tile Replacement Contract during the August 15, 2012 Special Meeting of the Board. He opened the floor for the ratification of said contract. Tom Murtaugh made a motion to ratify the award of the 2012 Tile Replacement Contract with Maxwell Farm Drainage. John Knochel seconded the motion. The award of the Calvin Lesley Regulated Drain #48 2012 Tile Replacement Contract with Maxwell Farm Drainage was ratified. The Surveyor then presented a short video of tile installation on the Calvin Lesley Regulated Drain #48.

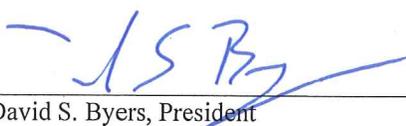
**Romney Stock Farm Regulated Drain #109/ 2012 Maintenance Contract**

The Attorney stated all bids for the Romney Stock Farm Regulated Drain #109 Maintenance Contract had been reviewed for compliance. He noted the lowest bid of \$13,310.00 was received from Lauramie Excavating with all contract documents in order. Tom Murtaugh made a motion to accept the low bid submitted from Lauramie Excavating in the amount of \$13,310.00 regarding the Romney Stock Farm Regulated Drain #109 / 2012 Maintenance Contract. John Knochel seconded the motion.

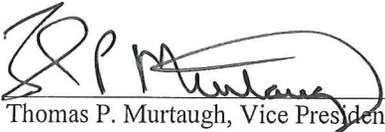
Lauramie Excavating bid of \$13,310.00 for maintenance work on Romney Stock Farm Regulated Drain #109 was accepted by the Board.

**Public Comment**

As there was no public comment Tom Murtaugh made a motion to adjourn. The meeting was adjourned.



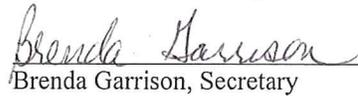
David S. Byers, President



Thomas P. Murtaugh, Vice President



John Knochel, Member



Brenda Garrison, Secretary

**Tippecanoe County Drainage Board**  
**February 11, 2015**  
**Regular Meeting Minutes**

**Those present were:**

Tippecanoe County Drainage Board President David S. Byers, Vice President Tracy Brown, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Evan Warner, Surveyor Office G.I.S. Technician and James Butcher, Surveyor Office Project Manager was also in attendance.

**Contracts**

The President referred to the Attorney for reading of contract bids received for three separate regulated drain projects planned for 2015. The Attorney read the contract bid amounts as follows: **1.** Calvin Lesley Regulated Drain Maintenance project: Maxwell Farms Drainage submitted a bid of \$36,770.00; Central Indiana Drainage submitted a bid of \$36,440.00. **2.** The Hester Mottisinger Regulated Drain Maintenance project: Maxwell Farm Drainage submitted a bid of \$48,840.00; Tony Garriott submitted a bid of \$48,084.75. **3.** Moses Baker Regulated Drain Maintenance project: Tony Garriott submitted a bid of \$71,417.50; F&K Construction submitted a bid of \$175,330.00. The President thanked the contractors for submitting bids. Tom Murtaugh made a motion to take the bids under advisement and award the contracts after determining the required documentation was including in the packets. Tracy Brown seconded the motion. Motion carried. The project contracts would be awarded at the end of today's meeting.

**Approval of Minutes**

Tom Murtaugh made a motion to approve the January 7, 2015 regular minutes as written. Tracy Brown seconded the motion. Motion carried.

**Lindberg Village Phase 6**

Pat Cunningham of Vester and Associates appeared before the Board to present Lindberg Village Phase 6 for approval. The site was located north of the intersection of Lindberg and Klondike Roads on approximately 7.78 acres. As a continuation of the Lindberg Village Overall Planned Development, it would include an additional 30 residential lots. Mr. Cunningham stated this phase would be located between Klondike Road and the existing Lindberg Village Development. Detention ponds for the entire development were previously constructed for the overall development. As G.I.S. was not working, he indicated using a printed plat the storm sewer route for the Board. Infrastructure for this phase included an existing 42 inch storm sewer located in the northwest corner of the phase. The storm sewer would receive runoff within the phase and direct it to an existing detention pond within Section 1 of the overall development. A mechanical storm water unit (BMP Unit) and vegetative swale will provide stormwater quality prior to entering the detention pond. Since the current phase was a continuation of the overall development, a variance from the minimum BMP's (required by Ordinance) and approval for the project was requested. Responding to the Surveyor's inquiry, Mr. Cunningham stated the 2<sup>nd</sup> certification of notifications would be submitted today to the Surveyor's office. (The first notification lacked the official meeting date and time) The Surveyor stated due to the fact there was existing infrastructure his office recommended approval of the variance request for this phase. He noted the January 30, 2015 Burke memo under Stormwater Quantity Item #1: Tippecanoe County Highway approval for the direct release to Klondike Road right of way must be addressed. Item #2 under Stormwater Quantity must be addressed and a note placed on the final plat of the phase prior to recording. The note stated "All roof drainage and side yard drainage from each home must be directed to the front yards and streets. No roof or side yard drainage will be allowed to the rear yards of any home" and was to be included on the recorded final plat. A point of clarification for the adjoining homeowners; the 3.82 acres which currently drained to the rear yard swales would be reduced to 0.78 acres. Tom Murtaugh made a motion to grant a variance for Lindberg Village Phase 6 as requested and noted on the January 30, 2015 Burke Memo. Tracy Brown seconded the motion. Motion carried. The Surveyor recommended approval with the conditions as stated on the January 30, 2015 Burke Memo. Tom Murtaugh made a motion to grant approval for Lindberg Village Phase 6 with the conditions as stated on the January 30, 2015 Burke Memo. Tracy Brown seconded the motion. Motion carried.

**South 18<sup>th</sup> Street Reconstruction**

Eric Hart of TBIRD Designs appeared before the Board to present South 18<sup>th</sup> Street Reconstruction for drainage approval. The site was located within the City of Lafayette. The reconstruction area started south of County Road 350 South and continued approximately 4700 feet south past County Road 430 South and crossed the J.N. Kirkpatrick Regulated Drain. The road would be widened from 25 feet to 48 feet throughout the project area. A DNR (Department of Natural Resources) "Construction in a Floodway Permit" was obtained for the pedestrian bridge (12 feet width) to cross the J.N. Kirkpatrick Regulated Drain. He then requested approval from the Board. (Previously during the June 2014 Drainage Board meeting a

Petition for a Regulated Drain Easement Crossing and Encroachment was granted approval for this project.) The Surveyor noted this project was located within the City of Lafayette therefore the Board's concern was approval of the release rate into the J.N. Kirkpatrick Regulated Drain and approval of the planned pedestrian crossing as presented. He recommended approval of this request with the conditions as stated on the January 14, 2015 Burke Memo. Mr. Tom Murtaugh made a motion to grant approval with the conditions as stated on the January 14, 2015 Burke memo. Tracy Brown seconded the motion. Motion carried.

**Other Business/Zach Beasley**

Per I.C. 36-9-27-34 the Surveyor presented the 2015 Regulated Drain Classification Report with Exhibit A to the Board for review. He noted with the volume of work the Surveyor's office has been accomplishing, he has submitted this report yearly since 2011 to keep them updated. The reports reflect work accomplished from year to year within his office on Regulated Drains. He stated he felt it was an accountability report to the Board from his office. He recognized the work completed since 2011 was done with landowner support. Tom Murtaugh made a motion to accept the 2015 Regulated Drain Classification Report including the 25% increase of assessments noted within the report and Exhibit A as presented by the Surveyor. Tracy Brown seconded the motion. Motion Carried.

**Bonds**

The Surveyor presented the following bonds for approval: The Orchard Phase 4 Maintenance Bond #929605817 written by Continental Insurance Company for Milestone Contractors LP in the amount of \$5900.00 and dated February 11, 2015 as well as Roberts Ridge Phase 2 Maintenance Bond #106220307 written by Travelers Insurance and Surety for Fairfield Contractors Inc. in the amount of \$8240.50 and dated January 28, 2015. He requested acceptance by the Board for both bonds as stated. Tom Murtaugh made a motion to grant acceptance for the Orchard Phase 4 Maintenance Bond #929605817 written by Continental Insurance Company for Milestone Contractors LP in the amount of \$5900.00 and dated February 11, 2015 as well as Roberts Ridge Phase 2 Maintenance Bond #106220307 written by Travelers Insurance and Surety for Fairfield Contractors Inc. in the amount of \$8240.50 and dated January 28, 2015. Tracy Brown seconded the motion. Motion carried.

**Contract Bids Award**

The Attorney stated the following: Regarding the Calvin Lesley Regulated Drain #48 Tile Maintenance Project bid submitted by Central Indiana Drainage the total quote was listed as \$36,449.00 however there was a mathematical error and the total was actually \$36,220.00. This was the low bid for the project. Tom Murtaugh made a motion to accept the Central Indiana Drainage bid of \$36,220.00 (as corrected) for the Calvin Leslie #48 Regulated Drain 2015 Tile Maintenance Project. Tracy Brown seconded the motion. Motion Carried.

Regarding the Hester Mottsinger Regulated Drain #58- 2015 Tile Maintenance Project bids, Maxwell Farm Drainage submitted a bid of \$43,840. However this bid had a mathematical error and the total was \$48,840.00. The bid submitted by Tony Garriott in the amount of \$48,084.75 was low bid. Tom Murtaugh made a motion to accept the Tony Garriott bid of \$48,084.75 for the Hester Mottsinger #58- 2015 Tile Maintenance Project. Tracy Brown seconded the motion. Motion carried.

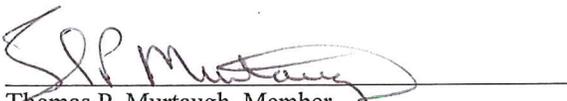
Regarding Moses Baker Regulated Drain #114- 2015 Open Ditch Maintenance Project bids, Tony Garriott submitted the low bid at \$71,417.50. Tom Murtaugh made a motion to accept Tony Garriott's bid of \$71,417.50 for the Moses Baker #114 - 2015 Open Ditch Maintenance project. Tracy Brown seconded the motion. Motion carried.

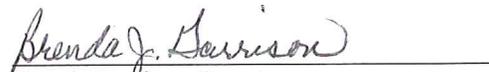
**Public Comment**

As there was no public comment, Tracy Brown moved to adjourn. The meeting was adjourned.

  
\_\_\_\_\_  
David S. Byers, President

  
\_\_\_\_\_  
Tracy Brown, Vice President

  
\_\_\_\_\_  
Thomas P. Murtaugh, Member

  
\_\_\_\_\_  
Brenda Garrison, Secretary

**Tippecanoe County Drainage Board**  
**February 1, 2017**  
**Regular Meeting Minutes**

**Those present were:**

Tippecanoe County Drainage Board Vice President David S. Byers, member Tracy Brown, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Evan Warner-G.I.S. Technician and James Butcher-Project Manager, both with the Surveyor Office, were also in attendance. President Thomas P. Murtaugh was absent.

**Approval of Minutes**

Tracy Brown made a motion to approve the January 4, 2017 regular Drainage Board Minutes as written. David Byers seconded the motion. Motion carried.

**Franklin Yoe #90 Regulated Drain/ G. Swanson #76 Regulated Drain Maintenance Bid(s) Opening**

David Byers referred to the Attorney for the reading of the submitted bids regarding the Franklin Yoe #90 Regulated Drain and the G. Swanson #76 Regulated Drain Maintenance Projects. Attorney Masson read the following:  
Regarding the Gustav Swanson Regulated Drain #76 Maintenance Project the bids were as follows:  
Tony Garriott submitted a bid in the amount of \$49,595.80; ADI submitted a bid in the amount of \$14,594.00; Huey Excavating submitted a bid in the amount of \$24,672.00

Attorney Masson recommended the bids be taken under advisement. Tracy Brown made a motion to take the submitted bids under advisement. Once bids were reviewed for compliance by the Surveyor's office Project Manager, the Gustav Swanson #76 Maintenance Project bid could be awarded at the end of the meeting. David Byers seconded the motion. Motion carried.

Attorney Masson read the Franklin Yoe Regulated Drain #90 Maintenance Project bids as follows:  
ADI submitted a bid in the amount of \$18,563.00; Tony Garriott submitted a bid in the amount of \$33,234.56 Attorney Masson recommended the bids be taken under advisement. Tracy Brown made a motion to take the submitted bids under advisement. Once the bids were reviewed for compliance by the Surveyor's office Project Manager, the Franklin Yoe #90 Maintenance Project bid could be awarded at the end of the meeting. David Byers seconded the motion. Motion carried.

**Drainage Board 2017 Professional Engineering Assistance Contract**

David Byers referred to the Surveyor regarding presentation of the 2017 Drainage Board Professional Engineering Assistance Contract. Surveyor Beasley noted he as well as Attorney Masson had reviewed the contract. He stated contract's rates had not changed from the past 3-4 years and he saw no additional changes. He recommended approval by the Board. Responding to Tracy Brown's inquiry, the Surveyor stated this was indeed at a cost savings to the county. He had previously in years past reviewed this issue. The cost for the services was approximately \$75,000 annually versus a minimum of \$130,000 cost for the exact work by an office staff member. Tracy Brown made a motion to approve the Drainage Board Engineering Assistance Contract as presented by the Surveyor. David Byers seconded the motion. Motion carried.

**Lafayette YMCA**

David Buck from BFS appeared before the Board to present the Lafayette YMCA for drainage approval. The site was located within the City of Lafayette at the existing Point East Mobile Home Park. The Board would review this project today for drainage purposes only. Mr. Buck stated a Petition to reduce the drainage easement on the S.W. Elliott Branch #13 was submitted for approval as well. The reduction in the drain maintenance easement would leave a 30 foot easement for maintenance of said branch. He noted they had received the January 12, 2017 Burke memo and was in agreement with the conditions as noted. He requested approval at that time for both the Petition and the project's drainage.

The Surveyor stated the Board's actions today were to approve the aforementioned Petition and the project's drainage only. He noted the project site drained to Branch #13 of the S.W. Elliott drain and continued southwest along Creasy Lane and eventually to the F-Lake Detention Basin. He recommended approval to the Board for the Petition to Reduce the Easement on the S.W. Elliott Branch #13 Drain as well as approval per the January 12, 2017 Burke memo recommendation. Tracy

presented. David Byers seconded the motion. Motion carried. Tracy Brown then made a motion to approve the Lafayette YMCA per the January 12, 2017 Burke memo recommendations. David Byers seconded the motion. Motion carried.

#### **Belle Tire (Lot 4A 26 Crossing Subdivision)**

Kyle Betz of Fisher and Associates appeared before the Board to request approval for the Belle Tire project. The site was located within the City of Lafayette and more specifically on Lot 4A in 26 Crossings Subdivision approximately ¼ mile from the interchange of I-65 and SR26. The site consisted of approximately 0.94 acres. This site was adjacent to the Alexander Ross Detention Basin. The site would drain entirely to the F-Lake detention facility. He stated they agreed with the January 25, 2017 Burke memo and requested approval for the project. The Surveyor stated the project had been reviewed and noted calculations were missing from their submittal. David Eichelberger stated calculations for the detention storage were not provided to date and that would need to be provided as soon as possible. The Surveyor agreed with the Consultant and reiterated those calculations should be provided and his recommendations were contingent on this. Mr. Betz agreed to review the report and provide those calculations to the Consultants as soon as possible. Tracy Brown made a motion to grant conditional approval as stated in the January 25, 2017 Burke memo. David Byers seconded the motion. Motion carried.

#### **USGS Geological Stream Gages WREC Contract Support**

Stan Lambert from Wabash River Enhancement Corp. (WREC) appeared before the Board to request financial and administrative support of the stream gages contract with the USGS Geological Services. He stated he was requesting to share the cost of the USGS Stream Gage Contract with the Tippecanoe County Partnership for Water Quality (TCPWQ). The streams were: Little Wea at Co. Rd. 800S, S.W. Elliott Ditch at old Romney Road and Little Pine Creek at Co. Rd. 850E with the contract covering the period of Jan. 23, 2017 through Sept. 30, 2017. He noted the data collected would be available on the USGS stream monitoring site on an hourly basis. This information was used as part of Water Quality monitoring by WREC and Purdue University. He noted Sara Peel from his office presented this to the TCPWQ and was given approval by their Board to go forward with support. The Surveyor stated he would review the TCPWQ Board minutes as the MS4 Coordinator to confirm the TCPWQ's intention was to contribute up to \$10,000.00 toward the overall cost of the contract. Tracy Brown made a motion to approve the contract amended \$10,000.00 amount as submitted with the condition the Surveyor as MS4 Coordinator confirms the TCPWQ support. David Byers seconded the motion. Motion carried.

#### **Franklin Yoe#90 Regulated Drain/ G. Swanson #76 Regulated Drain Maintenance Bid(s) Award**

Tracy Brown referred to Attorney Masson for the results of the submitted bids on the F. Yoe #90 and G. Swanson #76 Drain Maintenance Projects. Attorney Masson stated the bids were in order and the recommendation was to accept the low bid on each project. Tracy Brown made a motion to grant approval of the bid from ADI regarding the Gustav Swanson #76 and the F. Yoe Regulated Drain #90 Maintenance Projects as the low bidder on each project. David Byers seconded the motion. Motion carried.

#### **2017 Classification Report/2017 Drain Assessment Activity Report**

The Surveyor presented an active and inactive drain assessment list regarding county regulated drains with maintenance funds for approval by the Board. He reviewed the annual process for the Board. Tracy Brown made a motion to approve the Active Inactive Drain list as submitted by the Surveyor. David Byers seconded the motion. Tracy Brown made a motion to approve the 2017 Classification Report provided by the Surveyor. David Byers seconded the motion. Motion carried.

#### **Zach Beasley/Other Business**

##### **Appointment of Drainage Board member to Tri-County Board**

The Surveyor stated he was contacted by Benton County Surveyor David Fisher regarding the Sophia Brumm Joint Drain. The landowners have requested a joint meeting to discuss reconstruction of several lineal feet of the tile within the S. Brumm Drain watershed. The proposed time was February 21, 2017 at 10:00 a.m. at the Benton County Courthouse. An appointment from this Board was requested. David Byers noted there was a Commissioner Meeting at the same date and time. Tracy Brown made a motion to appoint Commissioner David Byers to the Sophia Brumm Tri-County Drainage Board as requested pending a new date and time is set due to conflict. David Byers seconded the motion. Motion carried.

##### **Outstanding Reconstruction Assessments**

The Surveyor informed the Board the five year reconstruction payment cycle was coming to a close on a few of the drain reconstruction projects. With that said there were a few landowners who had not paid any payments during this five year period. His understanding was these properties which had outstanding debt for the reconstruction of a drain should be included in the tax sale. He read Indiana Code 36-9-27-86 i.e. regarding the sale of the property due to outstanding drain

reconstruction assessments and referred to Attorney Masson for his direction. He stated he was seeking a recommendation from the Board to proceed as the code dictates in these situations. He noted financially, the deficit could adversely affect the General Drain Improvement Fund and future drain maintenance and reconstruction projects.

Attorney Masson clarified that only the land affected by the delinquency could be sold, that this was not a personal judgement but a liability which stayed with the land only. He would speak with the Auditor and Treasurer to clarify the issue and start utilizing the process in this county from which the code dictates. A lien on the property not the land would be sold. Attorney Masson would follow up on this issue and those landowners who may be affected by this code. He requested authorization to contact landowners who were affected by this regulation. He stated he would work with both the Treasurer and Auditor to set the process which this County can utilize to automatically go forward with the property lien sale when warranted. There was no public comment.

Tracy Brown made a motion to give authorization to the Attorney to begin the process by sending out delinquent reconstruction assessment letters to those landowners who were delinquent as well as listing them on the tax sale when appropriate. David Byers seconded the motion. Motion carried.

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

Below is the Surveyor's 2017 Classification Report less Exhibit A:

### **Classification of Drains**

**Per IC 36-9-27-34**

**February 2017**

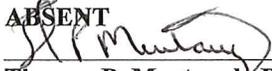
- 1.) Drains in need of Reconstruction
  - a. Elliott, S.W. (#100)
  - b. J.B. Anderson (#02) (Clarks Hill Portion)
  - c. Edwards (Not Maintained)
  - d. McBeth (Not Maintained)
  - e. F.E. Morin (#57)
  - f. Marion Dunkin (#25)
  - g. Huffman-Weimert (Not Maintained)
- 2.) Hearing and Rates Established in 2011, '12, '13, '14, '15 and 2016
  - a. Michael Binder (#10)
  - b. John Blickenstaff (#11)
  - c. Train Coe (#18)
  - d. Fred Haffner (#34)
  - e. E.F. Haywood (#35)
  - f. Mary Southworth (#73)
  - g. Franklin Yoe (#90)
  - h. Jess Dickens (#91)
  - i. Romney Stock Farm (#109)
  - j. John Hengst (#117)
  - k. Calvin Lesley (#48)
  - l. Audrey Oshier (#60)
  - m. Combs Ditch (#118)
  - n. Leader Newton (#115)
  - o. Thomas Ellis (#27)
  - p. John McFarland (#51)
  - q. Hester Mottsinger (#58)
  - r. J. Kelly O'Neal (#59)
  - s. Franklin Resor (#65)
  - t. Harrison Wallace (#82)
  - u. Eldora K. Lois (#119)
  - v. Frank Kirkpatrick (#45)
  - w. Elijah Fugate (#30)
  - x. Mary McKinney (#52)
  - y. Harrison Meadows (#37)
  - z. Shepherds Point (#121)

- aa. James Kellerman (#42)
  - bb. Alonzo Taylor (#77)
  - cc. Clymer Norris (#122)
  - dd. Crist Fassnacht (#29)
  - ee. Peter Rettereth (#66)
  - ff. Ann Montgomery (#56)
  - gg. Gustav Swanson (#76)
  - hh. Nathaniel W. Box (#12)
  - ii. Lydia Hopper (#124)
  - jj. Amanda Kirkpatrick (#44)
  - kk. John McLaughlin (#97)
  - ll. Martin Erwin (#28)
  - mm. Waples McDill (#85)
- 3.) Urban Drains  
(I.C. 36-9-27-68 Urban Drains are classified as in need of Reconstruction)
- a. S.W. Elliott (#100)
  - b. Julius Berlowitz (#8) (Include Filbaum)
  - c. Alexander Ross (#48)
  - d. Cuppy McClure
- 4.) Drains in need of Periodic Maintenance  
*Please see attached sheet-Exhibit A*
- 5.) Insufficient Maintenance Funds
- a. E.W. Andrews (#03)
  - b. Floyd Kerschner (#43)
  - c. F.E. Morin (#57)
  - d. John Saltzman (#70)
  - e. Ray Skinner (#71)
  - f. Abe Smith (#72)
  - g. Joseph Sterrett (#74)
  - h. William Stewart (#75)
  - i. John Toohey (#79)
  - j. John Vannatta (#81)
  - k. Suzanna Walters (#83)
  - l. J.B. Anderson (#02)
  - m. Dismal Creek (#93)
  - n. Moses Baker (#114)
  - o. Grant Cole (#19)
  - p. Shawnee Creek (#94)
  - q. Kirkpatrick One (#96)
- 6.) Proposed Drains for hearing in the near future / Request these drains be referred to Surveyor for preparation of Maintenance Report)
- a. Andrew Brown (#13)
  - b. F.E. Morin (#57)
  - c. Parker Lane (#61)
  - d. John Vannatta (#81)
  - e. Dismal Creek (#93)
  - f. Beutler Gosma (#95)
  - g. Jacob Taylor (#78)
  - h. E.W. Andrews (#03)
  - i. Suzanna Walters (#83)
  - j. Jesse B. Anderson (#02)
  - k. Floyd Kerschner (#43)
  - l. Joe Sterrett (#74)
  - m. Moses Baker (#114)
  - n. Grant Cole (#19)
  - o. Shawnee Creek (#94)
  - p. Kirkpatrick One (#96)
  - q. John Saltzman (#70)

- r. Ray Skinner (#71)
  - s. Abe Smith (#72)
  - t. William Stewart (#75)
  - u. John Toohey (#79)
- 7.) Drain Assessments recommended to be raised 25% starting May 2015  
No Maintained Regulated Drains Applicable in 2017
  - 8.) Petition for New Regulated Drain referred to Surveyor
    - a. Huffman Weimert Drain (Town of Buck Creek)
  - 9.) Existing Drains referred to Surveyor for Report
    - a. Julius Berlovitz(#08) (Remaining Phases)
    - b. F.E. Morin (#57)
    - c. Huffman Weimert (Not Maintained)
    - d. Marion Dunkin (#25)
  - 10.) Drain that should be vacated
    - a. That portion of the Felbaum Branch (Part of Julius Berlovitz #08 Regulated Drain) East of County Road 550East

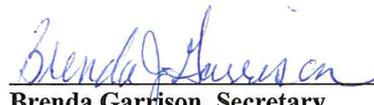
*Please see Classification of Drains- Exhibit A on file in the Tippecanoe County Surveyor office and Office of the Tippecanoe County Auditor*

ABSENT

  
 \_\_\_\_\_  
**Thomas P. Murtaugh, President**

  
 \_\_\_\_\_  
**David S. Byers, Vice President**

  
 \_\_\_\_\_  
**Tracy Brown, Member**

  
 \_\_\_\_\_  
**Brenda Garrison, Secretary**