

SYNOPSIS OF

Minutes of the Regular Meeting of the Tippecanoe County Drainage Board held in the County Commissioners Room in the Court House at 9:00 a.m., on Tuesday, May 4th, 1971.

Present at Meeting Present at the meeting were Bruce Osborn, Chairman, Dale Remaly, Vice Chairman, Edward Shaw, Board Member along with A.D. Ruth, Jr., Engineer, G. Richard Donahue, Atty., Bill Martin, SCS, John Garrott, Surveyor, Larry Clerget, Deputy Surveyor, Ken Raines, Reporter and Gladys Ridder, Secretary.

Minutes Approved It was moved by Mr. Osborn, seconded by Mr. Remaly and made unanimous by Mr. Shaw to accept the minutes of the April 6, 1971 meeting with one correction.

E.W. Andrews Ditch At 9:30 a.m., there was a hearing on the maintenance report for the E. W. Andrews ditch. Three people involved in this water shed area attended. They were Mr. Charles Kerkhove, Eugene Sheets and Robert Kerkhove, all of whom felt the \$100 per acre as suggested by the Engineer in his report would be adequate and acceptable. Upon motion made by Bruce Osborn seconded by Dale Remaly and made unanimous by Edward Shaw, the Board declared the E.W. Andrews Maintenance Fund established.

Floyd S. Kerschner Ditch At 10:30 a.m., there was a hearing on the maintenance report for the Floyd S. Kerschner drain. Present at the hearing were Lorice Bails, Lina Kerschner, Glenn Heaton, W. A. Medley, Anna Hickman and Josephine Martin, all persons involved in this water shed area. After some discussion the landowners decided to try the Engineer's suggestion of \$ 1.00 per acre altho the majority felt it a bit high. Mr. Heaton asked the Board to please change the amount of acreage charged against him because of a change of tile on his farm. The tile

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May 4th, 1971 Meeting ( continued)

now causes the water to run more to another ditch and less water to this one. The Board accepted his request. Upon motion made by Mr. Remaly, seconded by Mr. Shaw and made unanimous by Mr. Osborn the Maintenance Fund of the Floyd S. Kerschner ditch was established.

Train Coe Ditch Mr. Dan Ruth suggested an informal meeting with the people in the Train Coe Ditch water shed area to see how they felt about setting this ditch up for reconstruction as it needs so much. This meeting is to be held at the next regular meeting at 2:00 p.m.

Order of Findings and Certificate of Assessments The Board then signed the Certificate of Assessments and the Order of Findings for both the E. W. Andrews and Floyd S. Kerschner ditches.

Ditches Referred to Engineer The motion made by Bruce Osborn and seconded by Dale Remaly, made unanimous by Edward Shaw to refer the following ditches for the Surveyor and Engineer's consideration; Thomas Ellis ditch (Lauramie Twp.), Elijah D. Fugate (Lauramie & Randolph Twps.), Gustave Swanson ( Lauramie Twp.), Frank Kirkpatrick (Lauramie & Randolph Twps.), and Jesse B. Anderson ( Lauramie Twp.). All of these ditches were to be set up for maintenance.

A. Suggestion Mr. Bill Martin, Conservationist brought out how important it was to always check the change of use of the ground in determining the run off of the water. His suggestion was to always inspect the ground carefully.

Elmer Thomas Ditch Report \*\*\* Mr. Ruth gave a progress report on his meeting with the State Highway Department with regards to the State putting the tile under State Road # 225. The State assured Mr. Ruth that when Tippecanoe County was ready to reconstruct the Elmer Thomas ditch that they would do their part in tiling under the highway.

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

ATTEST:

Gladys Ridder  
Gladys Ridder, Secretary

Bruce Osborn  
Bruce Osborn, Chairman

Dale Remaly  
Dale Remaly, Vice Chairman

Edward J. Shaw  
Edward Shaw, Board Member

\*\*\* Notice to Adjoining Counties Mr. Ruth presented two letters to the Board for approval. One to the Drainage Board of White County and one to the Drainage Board of Montgomery County asking them to waive their interest in the Andrew P. Brown ditch (White Co.) and the Elijah D. Fugate ditch ( Montgomery Co.) both of which more than 80% of the water shed area lies in Tippecanoe County. The Board approved.

SYNOPSIS OF-

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

Present at meeting. Those present at the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, Dan Ruth, Richard Donahue, John Garrott, Larry Clerget, Ken Raines and Gladys Ridder.

Minutes Approved Upon motion from Dale Remaly, seconded by Bruce Osborn, the minutes of the June 1st, 1971 meeting were approved as read.

Ditches refer- The Board referred the following ditches to the Engineer for a Maintenance ed to Engineer Fund set up: John Dooley ditch, Jackson Twp., John S. Lofland ditch, Randolph and Jackson Twps.

Kepner Indust- Mr. Ruth reported to the Board the progress made on Mr. Paul Hamman's request rial Tract for help in developing part of the Kepner Industrial Tract. They recommended the report submitted be given to the Area Plan Commission.

9:30 a.m. Anson-Delphine Ditch Hearing At 9:30 a.m., the Board's chairman opened the maintenance fund hearing on the Anson-Delphine drain. Remonstrances were read by the Engineer with his answers to those objections. Those attending were: Casper Shaw, Florence W. Anderson, Mable R. Anson, Allen Orr, Hugh B. Pence, M. P. Plumlee, Mr. and Mrs. Lewis McKay and R. P. Leonard. Doubt was expressed by John Dunbar, Paul Shepard and R. P. Leonard as to whether the \$1.00 per acre assessment was sufficient to make all the repairs needed on this ditch. Mrs. Anson felt it would not benefit her much so voted to abandon the drain. The engineer assured then that much could be done with their four year assessment and advise the Board to establish the fund as presented. Upon much discussion the motion was made by Dale Remaly and seconded by Bruce Osborn to establish the maintenance fund as submitted.

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10:30 a.m. Andrew P. Brown Ditch Hearing At 10:30 a.m., the Board's chairman opened the hearing on the Andrew P. Brown ditch. Mrs. Cleva Eastburn, Andy Klinkhamer, Ted Lucas, Mr. and Mrs. Lewis McKay, Leon Howey, Mable Anson, and Florence W. Anderson attended. Remonstrances were read by the Engineer with his reply to those objections. The majority of the objections were directed at situations created by the Interstate Highway. Mrs. Eastburn and Mrs. Anson voted to abandon, while the rest felt drainage was a must and were willing to try the \$1.00 per acre assessment. Upon recommendation of the Engineer, Mr. Dale Remaly move, with a second from Mr. Bruce Osborn, to establish the maintenance fund as submitted.

11:30 a.m. Gustave Swanson Ditch Hearing At 11:30 a.m., the Board's chairman opened the hearing on the Gustave Swanson ditch maintenance fund. Two people attended and both were in agreement with the Engineer's recommendation of the \$1.00 per acre assessment. They were A. D. Waddell and Oscar O. Waddell. No remonstrances were filed so with a motion by Dale Remaly and second from Bruce Osborn the maintenance fund was established.

1:30 p.m. Thomas Ellis Ditch Hearing At 1:30 p.m., the Chairman of the Board opened the hearing on the Thomas Ellis ditch. No remonstrances were filed but Mr. William Skinner came to report some broken tile in this drain damaged by the Holloway Construction Co. while working on State Road 500S. Mr. Ruth said he would check and if the property owners had not signed a release, he would contact the District Engineer at Crawfordsville and see that they repaired the damage. A motion was made by Edward Shaw, seconded by Dale Remaly to establish the maintenance fund on this ditch as submitted.

Order & Findings and Cert. of Assess. Signed Upon establishment of maintenance funds on the afore mentioned ditches, the Board signed the Order and Findings and the Certificates of Assessment.

Informal Meeting Opened At 2:00 p.m. the Board opened the meeting for informal discussions by people with a variety of drainage problems. Mr. Russell Warwick asked the Board to waive the 75foot easement building right for two of his lots in Broadview SubDivision. He said the SubDivision was approved before this law existed and lots 9 & 10 have the Leslie drain going through them. The Board told Mr. Warwick they would consider the 25 foot easement on one side and the regular 75 foot easement on the other side if no basements were constructed on these two lots. They also told Mr. Warwick that they would put their final decision in writing.

*R. Warwick  
Easement  
Re-duced*

Mrs. Loleda Funk was in to ask the Board if there were any provisions in the law to replace a bridge crossing a legal open ditch. She had built a bridge across an open ditch on her farm, namely the J. B. Anderson ditch, and the water had washed out the bridge and she wanted to know if she could get any help in replacing it. It was suggested that she have her attorney meet with the Board's attorney to search the statutes to see if any such law existed.

Mr. Lowell Brier from the Wea Woodland Area, was in to see if he could get any relief from flooding on his lot. He gave three reasons that he felt had caused his problem. One, a neighbor had altered a drain to the back of the subdivision, two, the developer had not put in an adequate storm sewer, and three, the newly constructed county road was higher than the old one causing water to be trapped. The Board's Engineer said he and the Highway Engineer would go out and look the situation over to see what help could be given.

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 Wednesday, November 3, 1971.

Present  
at  
Meeting

Those present at the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, A. D. RUTH, Jr., Dick Donahue, John Garrott, Larry Clerget, Ken Raines, Norbert Korty, Gladys Ridder, and Ruth Schneider.

Ditches  
Referred  
to  
Engineer

Upon motion by Bruce Osborn seconded by Dale Remaly the Board referred the following ditches to the Drainage Engineer for preparation of a maintenance fund: Michael Binder (Shelby Twp.). Elliott Ditch (Wea and Sheffield Twps.) and Jacob May (Wea Township).

Engineer's  
Specifications  
for Bids

The Engineer submitted his specifications for bids to be let on December 1, 1971 at 1:00 p.m. on labor, equipment, and supplies to be used by the Drainage Board in Maintenance of the ditches whose maintenance funds have been established and monies available.

9:30 a.m.  
Hearing  
on  
John McCoy  
Ditch

The Chairman opened the hearing on the maintenance fund of the John McCoy ditch by asking the engineer for his report. A correction was needed on the acreage of the John Purdy farm and upon the recommendations of the engineer the Board so corrected the old assessment list from 160 acres to 120 acres in the McCoy watershed area. The balance is in the O'Neal watershed. Those attending were: William Schroeder, William P. Martin and Julian E. Thompson.

Mr. Martin recommended in the future maintenance on this ditch try to take care of surface water and help remove the ponding problems.

Mr. Ruth said an open waterway which was not a part of the legal drain would not be a part of the legal drain, and would not be part of the maintenance of the ditch.

Upon motion by Bruce Osborn, seconded by Edward Shaw the maintenance fund of \$1.00 per acre was established.

Order  
and  
Findings

The Board signed the order and findings and certificate of assessments on the John McCoy ditch after the hearing that established this fund was completed.

10:30 a.m.  
Hearing  
on  
Floyd Coe  
Ditch

The Chairman opened the hearing on the Floyd Coe ditch maintenance fund by asking the Engineer to read his report.

Those attending this hearing were: E. L. Bible, Mr and Mrs. Fred Stewart, Henry and Elizabeth Ortman, Robert W. Kirkpatrick and Betty H0wey.

Mr. Ortman was much in favor of the fund being established although he had no water problems of his own he felt others at the lower end were disadvantaged with his water. (There was much disagreement on the part of Mr. Kirkpatrick and E. L. Bible against establishing a maintenance fund.) Mr. Kirkpatrick even suggested abandoning it. The Board asked them to talk with their neighbors and come back next month. The Chairman

said we would send out notices to everyone in this watershed area informing them of the time and date of a new hearing and ask them to consider the suggestions of lowering the rate or abandoning the drain.

Hearing adjourned.

1:30 p.m.  
Hearing  
on  
Moses Baker  
Ditch

At 1:30 p.m. the Engineer opened the hearing on the Moses Baker ditch by reading his report on the condition of this ditch to the Board. Mr. Norbert Korty sat in as a member duly appointed to take Bruce Osborn's place.

Those attending this hearing were: John Skinner, James F. Leamon, F. Elmer Burton, Harry Bowerman, Paul B. Leamon, Lloyd Maguire, Edith Sheese, Lee Sheese, Henry Ortman, Hobart Swanson, Arthur D. Waddell, Robert M. Sears, Mrs. Oakley McClain, Mrs. Lawrence Smith, Alameda McCollough, Floyd Kemper and Robert Nelson.

There were many signers of an objection against establishing this maintenance fund but most valid objections were against paying \$1.00 per acre on Swanson and Platt Ditches, then \$1.00 again on Moses Baker. They felt their acreage should be based on a percentage of the amount of the Moses Baker Ditch that they used.

After the discussion concerning landowners on one Legal Drain which is a part of a larger Legal Drain being assessed the full amount of the larger drain the engineer made the following recommendation: When the land on one legal drain that empties into a larger legal drain and is a part of a larger drain area has had a maintenance fund established and the drain that serves it directly is then assessed on the larger drainage area the assessment shall be made in the following manner:

Where ditch "A" empties into ditch "B" land which has been assessed on ditch "A" shall be assessed on ditch "B" in proportion to the length of ditch "B" which is used by water coming from ditch "A". If ditch "A" enters ditch "B" in the first 10% of the length of ditch "B" the land on ditch "A" will pay 10% of the unit assessment of those on ditch "B". If ditch "A" enters ditch "B" at a point between 10% and 20% of the length of ditch "B" the land on ditch "A" will be 20% of the unit assessment of those on ditch "B". This procedure would be used to determine the assessment of any legal ditch being assessed as part of another legal drain. However, if ditch "A" enters Ditch "B" at a point where it uses 75% or more of Ditch "B" the land on ditch "A" will pay a full assessment.

EXAMPLE---

Major Ditch 6000 feet long

Ditch "A" enters major ditch 4000 feet from drain outfall.

Ditch "A": uses  $\frac{4000}{6000} = 66.7\%$  of major ditch.

Land on ditch "A" would pay 70% of assessment of those who are assessed directly on major ditch.

No assessment is to be less than the minimum (\$3.00) set by law.

The Board approved the recommendation by the engineer.

The Board asked that each landowner bring their part of the Moses Baker ditch into a clean and well maintained condition and then come back when it was finished and if the Board and Engineer felt that their job was well done they would then consider a much lower figure.

Upon motion by Ed Shaw seconded by Norbert Korty the hearing was to be continued on January 2, 1973.

Twyckenham  
Estates  
Subdivision

The statement was made by Mr. Ruth that additional effort was made this past month to protect Elliott Ditch from having to carry too much water in times of rain by meeting with officials of John E. Smith Enterprises to discuss the storm water run-off of Twyckenham Estates Subdivision. The result of this meeting is the letter set out below which was forwarded to the Area Plan Department and John E. Smith Enterprises, Inc.

Tippecanoe County Area Plan Commission  
Court House, Lafayette, Indiana

Gentlemen;

This is to report a discussion held on November 1st, 1971 in the offices of John E. Smith Enterprise, Inc. concerning the storm water and sub-surface drainage in the Twyckenham Estates subdivision.

At this meeting, which Mr. Smith and Mr. Hilligoss plus others of his organization were present, it was agreed that (1) when the area was developed, water would not leave this area at any greater rate or in any greater volume than at the present time, and (2) the legal drains would be intercepted at the subdivision boundaries and carried through the subdivision and emptied out in the location where they now leave this area.

The plan presented was adequate and satisfactory to control the water and meet the requirements set out by the Drainage Engineer. However, the problem which must be solved is to assure that the procedures and plans set out are carried out.

If I can be of any further assistance I would be more than happy to do so.

Very truly yours,

/S/ A. D. Ruth, Jr.

A. D. Ruth, Jr. Engineer PE 6343  
Tippecanoe County Drainage Board

ADR/gr

Upon motion by Edward Shaw, seconded by ~~Mr. Koontz~~, the Board adjourned.

Bruce Osborn, Chairman

Dale Remaly  
Dale Remaly, Vice Chairman

Edward J. Shaw  
Edward Shaw, Board Member

ATTEST:

Gladys Ridder  
Gladys Ridder, 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.

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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  
ASSESS-  
MENTS

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  
OUTH

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

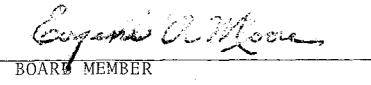
ELLIOTT DITCH

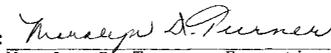
A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

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, Julius 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, WEDNESDAY, JANUARY 9, 1991

The Tippecanoe County Drainage Board met Wednesday, January 9, 1991 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, therefore she invited J. Frederick Hoffman drainage attorney to preside

Those present were: Keith E. McMillin, Hubert D. Yount, Board Members; Michael J. Spencer, Surveyor; Ilene Dailey Consultant Drainage Engineer; J. Frederick Hoffman Drainage Board Attorney; Don Sooby, City Engineer; and Maralyn D. Turner Executive Secretary.

Mr. Hoffman asked for nominations from the floor for board chairman. Keith McMillin nominated Nola J. Gentry as chairman, seconded by Hubert Yount, there being no other nominations from the floor Nola J. Gentry was unanimously elected chairman of the board.

Mr. Hoffman turned the meeting over to Ms. Gentry to conduct the remainder of the meeting.

Ms. Gentry asked for nominations from the floor for vice-chairman of the board. Keith McMillin nominated Hubert Yount as vice-chairman, seconded by Nola J. Gentry, there being no further nominations from the floor, Hubert D. Yount was unanimously elected vice-chairman of the board.

Ms. Gentry asked for nominations from the floor for Executive Secretary, Keith McMillin nominated Maralyn D. Turner as executive secretary, seconded by Hubert D. Yount, there being no further nominations from the floor Maralyn D. Turner was unanimously elected executive secretary.

Mr. Hoffman read the following ditches to be made active for the year 1991 J. A. Kuhns, Ray Skinner, Gustav Swanson, and Shawnee Creek. A letter from White County Surveyor was read to collect maintenance assessments on the Emmet Rayman ditch for 1991. Keith E. McMillin moved to make these ditches active for assessment in the year 1991, seconded by Hubert D. Yount, unanimously approved.

(See bottom of page for active and inactive ditches.)

#### ROAD 350 SOUTH

Stewart Kline of Kline and Associates presented final drainage plans for the project Road 350 South. A preliminary plan had previously been presented and a conceptual approval had been granted.

At this time they are developing plans for three separate projects along County Road 350 South as follows: Phase I Part I Cr 350 South from US 231 to CR 100 E. (9th Street) Phase II Part II CR 350S from CR100 E to 250 E (Concord Road) Project II CR 350 S from CR 250 E to approximately 0.3 miles west of US 52. All three projects fall in the Kirkpatrick ditch watershed except for a small section at the western terminus which outlets along US 231 and eventually into Wea Creek. The existing conditions for drainage are poor. Mr. Kline continued presentation which is on file. What they propose to do with the three projects is to use some road side channels and clean up allot of the existing problems. They have broken down three major off-site locations. Presentation continued on the new off-site surface flow channel.

Structure # 1 will be providing storage on the north side of new County Road 350 South and outletting into the Wea Watershed.

Second point of discharge is at the Kirkpatrick ditch itself where a new box culvert will be installed and channel improvements for downstream, at that point they will be opening up the existing tile. The channel will be deepened going with the box culvert sections allowing the existing pipe to be opened into the open flow channel, run down and spill eventually into the extension of Elliott ditch. This will allow them to bring more water more efficiently. This makes for a more economically feasible structure. At this time the bridge would be extremely long and very shallow because it is more of swale by defining the channel and dropping the depth will be able to cross in a much shorter distance.

County Road 100 East they are basically discharging down 100 east the existing path that flows down and back into the Kirkpatrick open ditch and tile system. Detention will be provided at this point to try to minimize any affects there.

The fourth at Station 135+94 line "A" where water will be routed through the proposed Valley Forge Subdivision storm water sewer system which eventually outfalls into the Kirkpatrick. They have coordinated with Dale Kuhns with Valley Forge, they are accepting the off-site water into their storm sewer system.

The fifth is at CR 150 E running down the existing side ditches again providing storage.

The last is a new overland ditch at Station 185+40 line "A" which runs south to the northernmost branch of the Kirkpatrick surface flow. This will provide detention ahead that and bring the channel out to match the existing surface flow which is very shallow and almost a sheet flow condition.

Detention is provided at several location. Presentation continued.

The two major points of detention are east of the Conrail Railroad at that point they will be holding the water before it ever crosses, catching the water that sheet flows to the south to the Kirkpatrick ditching it and doing major detention at the point holding both north and south prior to reaching CR 150.

Mr. Kline stated all in all it is an improvement of a very poor situation up and down the line. By holding at the top of the shed they eliminate problems from all the way down the watershed. Mr. Kline asked if there were any questions.

Hubert Yount asked at Valley Forge going into the storm sewer, what is the capacity realization for the future as it is developed, are you in good condition there so we won't have any problems the back up in Valley Forge? Mr. Kline stated as Valley Forge develops the storm water going into the County system should decrease because they are designing for existing flow conditions. As developers come in there they are going to have to meet drainage ordinance and hold back the 10 year pre-developed, so they are assuming that their peak that we are giving to Mr. Kuhns now is the maximum. Mr. Yount stated then we are still going to be in a safe condition when the developers come in. Mr. Kline stated as the developers come in we will actually have excess capacity.

Michael Spencer, surveyor asked what they were going to do in the mean time before the development takes place over on Valley Forge? If there system is not in place how is yours going to work? Mr. Kline answered if it comes to a point where Valley Forge is not going to be in place prior to our development we will have to go on down to 150 and take it south.

Nola Gentry asked then there is capacity at 150? Mr. Kline stated they would have to rebuild the ditch, but that is the existing path and will be reduced. It would mean greater construction expenses, which they are trying to avoid. One of the big problems in the shed is that there is not enough fall. To get the water down to the Kirkpatrick, they would have to take the larger volume of the water that they were going to route throughout Valley Forge they would have to do considerable ditch work to get it there.

Mr. Hoffman asked how much additional distance would you have? Mr. Kline asked to go around Valley Forge? Yes, at least a half of a mile.

Hubert Yount stated they would have to do some reconstruction on those existing ditches down there. Mr. Kline stated right, they would have extend Project I. Hubert asked if they had enough right of way to do that? Mr. Kline asked down 150? Yes, under the present plans the answer is no. It is assumed that the present plans is that the Valley Forge development occurs prior to our development. Hubert stated if it does not, then we will have to acquire the right of way to do that. Mr. Kline stated we will have to acquire right of way, this is 100 E (South Ninth).

Michael stated comes back west along the south side of 350 South, then south along the east side of Ninth Street. If they plat subdivision they would have to grant that additional right of way which is not platted today, therefore we do not have it. Stewart Kline stated we do not have the right of way to build the ditch if they don't build, then we don't have their storm sewer system in place. Hubert stated then we are ahead of them if we acquire right of way on South Ninth Street prior to that platting. Mr. Kline stated this is right.

Steve Murray Highway Engineer, stated he does not anticipate that being a major problem in that we have met with the developer and supplied him with information. He has been cooperative. The half width right of way dedication for that side of South Ninth Street, 50 or 60 feet based on the thoroughfare plan. He thinks if the worse case develops here where Valley Forge did not have or was not ready to put their storm improvements in at the time we go to construction that the developer would be willing to grant us the extra right of way knowing full well that when he plats he has to give that right of way up. We would use that primarily as a temporary solution to drain the water from this small portion of 350 South, south along South Ninth along the east side of the road down to the Kirkpatrick. Basically that is just a back up solution, and rather than to go into it without a back up we feel we have ourselves covered from both sides.

Hubert asked what does that do to our road construction?

Steve asked as far as the 350 South job? Yes. Steve - Nothing substantial. Hubert - How about on Ninth Street? Steve - It should not affect that either. Hubert, but you are ultimately going to have to widen there? Steve - Eventually, yes they are hoping to. There is going to be a need for it in a very few short years.

Nola J. Gentry asked if there were any questions or comments from those present.

Ed Purdy property owner on Road 231 South. His family farm is on the south end of the drainage system. He is very concerned about removing the existing tile, it is functional and performs adequately for the agricultural commitment that it was initially built for. He realizes that with the development upstream there probably is a need for a better drainage system. He would like for the system not to be opened if anything improving the size of tile. The area that it runs through is real rough ground and he feels if it is opened there will be allot of erosion in that area. The sub base is sand & gravel and he thinks that all of us know it would be difficult to maintain slopes on a ditch with a base of sand and gravel. What is there now is the existing system, the excess water runs over the surface and there appears to be no erosion. He stated since the board (Commissioners) are new, he would like for them to come out to the site and look over the area and see what is being talked about and presented. He thinks to do some of these things at this time the way they are proposing to do they are short sided for the future for the whole system. If the board would come out he would be more than happy to show them the area.

Michael asked Ed if he was talking about the part of the ditch at the Kirkpatrick north of the proposed Road 350 South. Steve stated basically where the tile is going to be taken out and replace it with an open channel. Ed stated he is not familiar with the other thing they are talking about on US 231 where your talking about some other detention area, this is new to him. Steve stated it is the water that is going to be stored in the ditches, the controlled structure will be a cross pipe under 350. Ed pointed out the area he was talking about is a habitat for wildlife. Tearing that out the wildlife is going to be disturbed. Discussion continued.

Fred Hoffman asked how long of a stretch are you talking about? Mr. Kline 800-900 feet. Mr. Hoffman asked how big is the pipe? Michael stated the existing pipe is approximately 27-30 inch. Nola asked if it would hold or would it have to be open for this to work. Michael stated they are not going to be allowed to put the road water into the tile. It drains overland today, after construction release rate is acceptable it could drain the same way today. Mr. Purdy stated what you have is the tile in there now is performing, there is no surface drainage. Mr. Purdy hates for them to jerk that tile out and always have surface drainage there, if the tile is left in and if the

system was regraded and cut back and smoothed out, then maybe you could take care of the run off easier. It is simply not a problem to his farm as it is today. Today there is no problem, if you tear it out it is going to be a continuous flow of water. There is flow in the tile at all times, if you remove it there will surely be continuous flow in the ditch.

Mr. Hoffman asked how deep is the tile from the surface? Mr. Purdy stated he did not know, he feels it is quite deep because the elevation of the banks is probably 25 feet. Discussion continued.

Mr. Purdy stressed again he is requesting the board to see the project before they grant approval to the proposed drainage plans.

Mr. Hoffman asked how deep were they going to have the water in the side ditches where they are going to have storage? Stewart Kline - 4 feet or less in compliance with the ordinance. Discussion continued.

Nola asked if we had a major storm what would be the depth in the side ditches on storage? Steve Murray stated this can't really be answered without computer calculations. Mr. Hoffman asked how long is it going to be before it drains out and will it create a traffic hazard? Answer - In a matter of hours, and no hazard to traffic as it is in the side ditches. Discussion continued.

Jack Coffman property owner of Fairfield Contractors 3310 Concord Road. Property is at NE corner of 350 and Concord Road. He recommended that the board not give approval to the proposed drainage plans submitted until they have a chance to review the affect on their property of this design.

Nola asked if there were any other comments on this project.

Steve Murray stated an over all comment of this project is that it takes up a very large area an improvement that the county highway department has been working on for quite some time, do to the SIA plant being put into Tippecanoe County. It has gone through the normal channels. Basically according to the drainage boards consultant it meets the drainage codes. He realizes that Ed Purdy has some concerns and he certainly has no problem delaying judgement on this for another month if the board would like to come out and become more familiar with the project and what is actually going to happen. He did point out that we have had conceptual approval, as stated the drainage board consultant has reviewed the calculations and documentation with some additional information to be supplied to them they do recommend conditional approval. Back to the out fall to the Kirkpatrick and removing a portion of the tile. The primary reason that was done was what Stu had mentioned to begin with, if we would try to put a bridge in there or a battery culverts, we would have a long very expensive part to maintain bridge structure, so at that time they took a look at putting in concrete box structures to keep the cost down, plus maintenance cost down for the future and looking at it they found out that from the hydraulics by taking that portion of the tile out it would actually cause the rest of the tile up stream to function better. Again we would have no objection to delaying this for a month. Delaying he feels will not affect the development of the project.

Hubert D. Yount moved to table the action on the Road 350 South project until next meeting so the board can go out to the project and give Mr. Coffman of Fairfield Contractors a chance to review the plans, seconded by Keith E. McMillin, unanimous approval.

#### MCCARTY LANE

Nola J. Gentry stated that McCarty Lane was not an agenda item, but that some of the preliminary drainage report is ready for the McCarty Lane. We will listen to the report, but no action will be taken today.

Stewart Kline presented the preliminary drainage plans. Presentation was given in the July 11, 1990 meeting and at that time conceptual approval to McCarty Lane drainage plan and LUR as presented for the over all regional detention plans.

Stewart Kline stated this is an interesting drainage problem with the existing Kepner ditch being overwhelmed.

They will be coming with a four lane urbanized roadway section.

Again he stated the solution is to build a regional detention facility which will be built in three phases that have already been presented. Phase I is to be built by the City. Phase II LUR. Phase III Caterpillar Tractor Inc.

It uses property currently owned by LUR and Caterpillar Tractor to detain the already existing problem. Presentation continued and is on file. Discussion continued.

Phase III will be built as they develop. Caterpillar is retaining the rights to enlarge the Phase I pond to meet their development needs. Hubert asked if this would occur as they developed. Answer - yes.

Nola Gentry asked how wide is Phase I? Mike Peterson stated about 100 feet. Hubert asked how deep? Mike Peterson stated the maximum depth in the whole basin is 8 feet, and a 7 foot chain length fence is around Phase II. Mr. Hoffman stated there would be a fence because of the requirement to the ordinance. Hubert asked how much water would it hold. Mike Peterson stated there is 18 acre feet in Phase I, 16 acres feet Phase II, and 26 acre feet in Phase III. Hubert asked if they are talking about carrying water in that at all times. Mike Peterson stated there will be a flow of water because of the Layden ditch to the north which brings water across from McCarty Lane down through the system. It is not actually a wet bottom pond, it is a ditch that will be used to detain.

Stewart Kline stated the city will have ownership of the entire property Phase I, Phase II, and Phase III properties. LUR will install the maintenance road in the Phase II pond and fence in that section. City will install the fence, the ultimate ownership and maintenance will be the city for the entire project.

Nola J. Gentry asked if there were some down stream problems that this is going to create? Michael Spencer stated this should help down stream property because they are making a regional facility. Currently there are some flooding problems along McCarty Lane. The pipe going into the Wilson branch is not going to change from what it is today as a certain capacity. Nola asked, then this would be a controlled. Michael stated it will be controlled by the existing pipes. Mr. Hoffman asked if this storage was going to help on the storage that is needed on the Wal-Mart project and on the Wilson (below)? Is it going to assist in our need there for the whole Elliott ditch system storage. Michael stated it will help, it is not connected with the Wal-Mart other than they both drain to the Wilson branch. They are not going to take water away from one and the other. The Caterpillar area when it is developed it will come south instead of going east. Technically it is going to help, it is not going to create any additional problems. Mr. Hoffman asked if this storage will help on the storage problem at Elliott ditch that has been talked about at Ivy Tech? Michael stated at this time it won't make a difference.

Hubert asked how big of pipe is it that is coming out of there going to Wilson ditch?  
Answer - 48 inch.

Stewart Kline stated at this time the outfall will be reduced. The pipe that outfalls to the Wilson is capable of discharging 108 cfs. What happens now that there is like road way flooding on surface. Water isn't taken into the tile and spills out over land and kind of floods the properties along Creasey and gets into the Wilson. This is an additional 100 cfs plus the will be integrated into the system and stopped. Won't have that surface flow condition that you have now, everything will be held and the release will be held to the capacity of the existing tile. It will still be the 48 inch pipe with 108 cfs. They will eliminate the run around that happens now where all the surface flow seeps and eventually gets down to the Wilson, that will all be trapped by the LUR development and the roadway. This will bring it into the pond and still hold the water way to the 108 cfs, this should be improved with the downstream.

Michael Spencer stated when Caterpillar develops it will be rerouted and the water will come south instead of going east into Treece.

Mr. Hoffmans asked if this required Core of Engineer approval. Answer - No.

Don Sooby, City Engineer stated this is the project the City has been working quite some time. They are getting close to right of way acquisition and hope to complete getting those by the end of 1991. Hopefully in 1992 get the project program for Federal funds for construction work to begin. They have worked with Caterpillar and LUR in developing this regional detention pond to the benefit of the whole drainage area. On behalf of the city he encourage the drainage board approval at the earliest opportunity on this project.

Stewart Kline stated the project has been reviewed the county drainage consultant. The pond itself and the watershed analysis and there is no problem with the water construction capacity. The consultant is wanting at this point is that this being a fairly large shed and the master model that is being developed by Burke and Associates for the Elliott system. They want to be able to bring this into their master model since it is significant.

Ilene Dailey, drainage consultant stated that would help answer some of the questions in regards of what affect this would have on other basins. Stewart Kline stated it will increase the accuracy of the model we are looking at a 2 hour storm event and they are looking at a 24 hour storm event. That controls for the Elliott as a whole, but does not control for us, so what we have to do to provide for them or work with them in some manner in updating their report as to convert this model to the 24 for the master. He thinks as far as the design for this, there is a consensus that this is where it stands, and this is what is good for the Kepner ditch watershed.

Hubert Yount asked at Navco and Farbee problem does it all go into this watershed? Yes.

Discussion and presentation continued.

Jim Shook representing LUR recommended approval at the right time.

Michael stated this project will be on the agenda of the February, 1991 meeting.

Mr. Hoffman asked if notices had been mailed to property owners? Per Kline notices had been sent stating this would be presented at todays meeting, but no action would be taken, copies of these letters are in the file.

Michael stated that basically the same pipes are being used that are there now, not changing, and there is no assessments.

#### WETLANDS - 1990 USDA

Michael Spencer presented copies of information on Wetlands - 1990 USDA. Discussion of Wetlands. Michael asked Mr. Hoffman how this affects the drainage board in regards to Maintenance and Reconstruction. Mr. Hoffman will check into this and brush burning. He has written legislatures in regards to brush burning, and he will check on Michaels concern in regards to the reconstruction schedules. Mr. Hoffman stated we all should write our legislatures in regards to these two subjects. He will make a report to the board as soon as he has an answer.

There being no further business, Hubert Yount moved to adjourn the meeting at 10:05 A.M.

Nola J. Gentry  
Nola J. Gentry, Chairman

Keith E. McMillin  
Keith E. McMillin, Board Member

Hubert D. Yount  
Hubert D. Yount

Attest: Maralyn O. Turner  
Maralyn O. Turner, Executive Secretary

#### ACTIVE AND INACTIVE DITCHES

Mr. Hoffman read the following ditches to be made active for the year 1991 J. A. Kuhns, Ray Skinner, Gustav Swanson, Charles E. Daugherty, John Hoffman and Shawnee Creek. A letter from White County Surveyor was read to collect maintenance assessments on the Emmet Rayman ditch for 1991. Keith E. McMillin moved to make these ditches active for assessment in the year 1991, seconded by Hubert D. Yount, unanimously approved.

The following ditches were made Inactive for the year 1991 John Blickenstaff, O. J. Byers and Beutler/Gosma, Keith E. McMillin moved to make these ditches inactive, seconded by Hubert D. Yount, unanimously approved.

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

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

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

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

**CARROLL COUNTY JOINT DRAIN**

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

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

Hubert Yount, seconded. Motion carried.

**DRAINAGE BOARD ATTORNEY CONTRACT**

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

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

Nola J. Gentry, seconded. Motion carried.

**ACTIVE AND INACTIVE DITCHES**

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

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

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

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

#### DISCUSSION ON TILE BIDS

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

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

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

#### JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

#### TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

**HADLEY LAKE DRAIN**

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

**PINE VIEW FARMS**

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

Discussion followed.

Mike Spencer recommended preliminary approval to the Board.

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

Hubert Yount, seconded. Motion carried.

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

Keith E. McMillin  
Keith E. McMillin, Chairman

Nola J. Gentry  
Nola J. Gentry, Member

Hubert D. Yount  
Hubert D. Yount, Member

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

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

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

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

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

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

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

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

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

**Hire the Attorney**

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

**Active and Inactive Ditches for 1993**

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

**ACTIVE DITCHES**

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

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

INACTIVE DITCHES

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

**Storm Water Drainage Improvement Plan**

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.

  
William D. Haan, President

  
Nola Gentry, Vice President

  
Hubert Yount, Member

ATTES:   
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
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.

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. Motioned 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 MOTTSINGER, J. KELLY O'NEAL, AUDLEY OSHIER, FRANKLIN RESER, SKINNER RAY, JOSEPH STERRETT, GUSTAV SWANSON, JACOB TAYLOR, JESSE DICKENS, DISMAL CREEK, SHAWNEE CREEK, SAMUEL ELLIOTT, JOHN HOFFMAN, BUCK CREEK, DARBY-WETHERHILL, ISSAC GOWEN, SAMUEL MARSH, EMMETT RAYMAN, WILSON-NIXON, SOPHIA BRUMM, H.W. MOORE, MARY THOMAS, ARBEGUST-YOUNG

INACTIVE

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

Commissioner Gentry mentioned the ditches that are in red:

COUNTY FARM, REBECCA GRIMES, FRANKLIN RESER, GUSTAV SWANSON

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

"December 29, 1995

Nola J. Gentry, President  
Board of Commissioners

Michael J. Spencer  
County Surveyor

Re: Interest on Drainage Funds

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

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

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

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

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

Sincerely,

Betty J. Michael"

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

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

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

#### APPROVAL OF MINUTES

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

#### BRENTWOOD COMMUNITY

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

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

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

#### SOUTHERN MEADOWS

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

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

Mr. Spencer explained the site drains to the pond.

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

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

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

#### VILLAGE PANTRY #564R

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

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

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

#### PETITION TO ESTABLISH O'FERRALL LEGAL DRAIN

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

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

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

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

#### ALEXANDER ROSS DITCH EASEMENT REDUCTION

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

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

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

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

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

#### SANWIN APARTMENTS

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

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

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

Cuppy-McClure - update

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

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

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

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

DRAINAGE BOARD MINUTES      JANUARY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD  
 REGULAR MEETING  
 FEBRUARY 5, 1997

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

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

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

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

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

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

ACTIVE DITCH LIST 1997

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

54	Marsh, Samuel		\$0.00		\$0.00
55	Miller, Absalm		\$0.75	\$3,236.00	\$2,221.92
57	Morin, F.E.	\$1.00	\$1,434.72		(\$1,130.43)
58	Motsinger, Hester	\$0.75	\$2,000.00		(\$348.42)
59	O'Neal, J. Kelly	\$1.50	\$13,848.00		(\$1,975.03)
60	Oshier, Aduley		\$0.50	\$1,624.88	\$1,048.80
64	Rayman, Emmett	\$0.00			\$326.57
65	Resor, Franklin	\$1.00	\$3,407.60		(\$2,025.96)
74	Sterrett, Joseph	\$0.35	\$478.32		\$276.65
76	Swanson, Gustav	\$1.00	\$4,965.28		\$1,351.62
82	Wallace, Harrison		\$0.75	\$5,501.76	\$5,408.79
84	Walters, William	\$0.00	\$8,361.52		\$7,999.20
87	Wilson, Nixon		\$1.00		\$158.62
89	Yeager, Simeon		\$1.00	\$615.36	(\$523.86)
91	Dickens, Jesse		\$0.30	\$288.00	\$206.26
93	Dismal Creek		\$1.00	\$25,420.16	\$8,652.86
<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

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Shelli Muller, Secretary

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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

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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.

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Kathleen Hudson, President

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Doris Myers, Secretary

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John Knochel, Vice President

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Ruth Shedd, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**April 23, 2003**  
**Moses Baker Regulated Drain**  
**Special Hearing**

**Those present were:**

Tippecanoe County Drainage Board President Ruth Shedd, John Knochel Vice President, and KD Benson member, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, GIS Technician Shelli Muller and Drainage Board Executive Secretary Brenda Garrison.

Ruth Shedd called the Special Hearing to order and referred to the Surveyor Steve Murray.

The Surveyor thanked those in attendance and began his presentation by stating the hearing was called in response to a landowners petition submitted to his office on February 18, 1998 requesting a maintenance fund be established for the Moses Baker Regulated Drain located in Lauramie Township, Tippecanoe County and northwest of the Town of Stockwell. The Drainage Board referred the petition to the Surveyor for follow-up. The petition was signed by approximately fifty-five percent (55%) of the owners of the acreage located within the watershed. He stated the statute required ten percent (10%). A maintenance report had been completed and filed, along with the assessment list of those landowners within the watershed. The estimated cost for maintenance and repair was spread among those landowners within the watershed.

The Moses Baker Drain was originally established in Tippecanoe County Circuit Court, Case Number 2878 in 1883, rebuilt and extended to and through the E.M. Platt Ditch in County Commissioner's Court 1938, Commissioners Record 38 Page 471 et seq. Specifically in Sections five (5) through ten (10), fifteen (15) through eighteen (18), twenty-one (21) and twenty-two (22), T21N, R3W and Sections twelve (12) and thirteen (13), T21N, R4W.

Hearings were held on November 3, 1971 and January 3, 1973 to establish a maintenance fund. The conclusion of the first hearing was landowners would pool their own money and improve the ditch after which they would refer back to Board for review again. On January 3, 1973 a second meeting was held. Due to a balance in the private fund of approximately \$2000.00, the Board informed the landowners once the monies were depleted, a hearing would be held to establish county maintenance and assessment. At that time the assessment proposed was \$1.00 per acre. He then stated for whatever reason, it had fell through the cracks. Thus the reason for today's hearing.

Two different proposals were prepared for the hearing. The proposed rates were \$3.00 per acre over an eight-year period, or \$6.00 per acre over a four-year period. The statute allowed for an eight-year accumulative total before the fund would go inactive. To date most of the landowners preferred the eight-year proposed rate of \$3.00 per acre that generated approximately \$75,000.00 for the fund. The Surveyor's estimate of approximately \$75,200.00 would take care of the cleaning and brushing, repair some private tile, outfalls and bank erosion work. He felt the ditch was in fair condition, but would require some maintenance work in isolated spots.

The total watershed acres were 4685 acres that included two sub-watersheds. The Ray Skinner Drain and the Gustav Swanson Drain were the sub-watersheds within the overall watershed of Moses Baker Ditch. During the hearings of the seventies, the general consensus was to keep the two watershed assessments separate from the overall watershed assessment. After discussion with owners within the overall watershed, it was determined to keep the sub-watershed assessments separate and only include the acreage outside the sub-watersheds for this assessment. Therefore the total acreage for the Moses Baker Ditch Assessment excluding the sub-watershed assessments was 3130.058 acres.

Three laterals were included in the maintenance report and the estimate by the Surveyor. The Headwall Tile Branch contained approximately 3484 feet of tile and was located in Section 15 and 16, Township 21N and Range 3W. The Osborn Tile Branch contained 2400 feet of tile and was located in Section 13, Township 21N and Range 4W. The South Branch contained approximately 3800 feet of tile and was located in Sections 21 and 22, Township 21N and Range 3W. The ditch ultimately ran into a branch of Wea Creek.

A slide show was prepared to better inform the Board and attendees of the Ditch's condition at present. The pictures presented represented a normal flow of water. Several of the slides showed areas of grass bars, settlement deposits and erosion of the outer banks. The flow of the channel had made its way around grass bars and sediment deposits, causing erosion of the outer banks. Slides showed the outlet of the Swanson Drain partially obstructed and the Skinner Ditch outlet to be partially submerged. There were some older bridges that could be taken out, to increase the function of the ditch, if the landowners were favorable. Due to sever bank erosion approximately 1000 feet upstream of 500E, landowners had dumped stone and debris in the ditch to help stabilize it. At the completion of the presentation the Surveyor invited comments from the Board and the attendees. Commissioner Benson asked if INDOT would be involved with the maintenance of the culvert at State Road 28. Steve stated not necessarily as the maintenance actually needed done was on the tile not the culvert under the State Road. Commissioner Benson stated the culverts appeared to be oversized due to the water table at that time. The Surveyor asked Mr. Osborn if he had ever seen the ditch to be half to three quarters full. Mr. Osborn responded he felt the culverts were adequate for a normal rainfall and had at times ran full. Ruth Shedd then opened the hearing up for comments from the attendees.

John Mandeville representing the Margaret Sears Trust approached the Board and asked how far back from the eroded ditch banks would the County repair? The Surveyor explained private outlet pipes would be repaired and riprap would be used to assist in stabilizing the banks. The bank's medium to worse spots would be repaired. A phase-in program would be utilized that would assist in decreased damage to the banks. Rock chutes would be installed just below the top of the banks back twenty-fifty feet. The purpose of the assessment was to take the burden off of one or two property owners and spread the cost over all the benefited landowners. Mr. Mandeville asked for assurance the assessments on the two sub-watersheds would remain separate and the landowners would not be assessed within this assessment. The Surveyor assured Mr. Mandeville the assessments to be filed with the Auditor would not include the landowners within the sub-watersheds. He stated as representative for the Margaret Sears Trust, the \$3.00 per acre for eight years was the preferred option.

Mr. Tom Osborne informed the Board he had reviewed the ditch with the previous Surveyor and carried the petition to the landowners himself. In the past landowners got together and pooled their monies to maintain the drains, however those times were gone and the drain was in need of maintenance. He stated most of those landowners he had spoke with were in favor of the eight-year option of \$3.00 per acre. Commissioner Shedd asked if a fund was in existence and the Surveyor replied there was not a fund at present. Mr. Osborne expressed concern for the large headwalls in poor condition and Steve assured him they would be repaired as previously stated in his report.

Mrs. Skinner representing the John Skinner Trust stated she preferred the eight-year \$3.00 per acre option also. At that time Commissioner Shedd asked for any other comments.

The Surveyor stated his office received no objections before this hearing. He stated by letter or verbally forty four percent (44%) of the acreage within the watershed had been confirmed to be in favor of said assessment. He reiterated the Board had, in 1973, concluded once the private funds were depleted, the landowners were to approach the Board again for an established maintenance fund. Due to the increased costs of construction, the \$1.00 per acre recommended in the past hearings would not be sufficient. He felt there was well over fifty percent (50%) in favor of establishing a maintenance fund. He strongly recommended the Board to adopt the \$3.00 per acre for eight years, which would allow accumulation of funds. The maintenance would be phased over a period of four to six years. He stated there were no returned notices by landowners within the watershed. At that time the Surveyor turned the hearing over to the Board's attorney.

Mr. Luhman stated he felt that due to the delay in taxes this year, the assessment could possibly start in May of 2003. The Board agreed. He then read the Findings and Order of the Tippecanoe County Drainage Board.

## **BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD**

### **IN THE MATTER OF THE MOSES BAKER:**

#### **FINDINGS AND ORDER (ANNUAL MAINTENANCE)**

This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on March 21, 2003.

Certificates of mailing of notice of the time and place of the hearing, to all affected landowners, were filed. Notices of publication of the time and place of the hearing, in the Journal & Courier and the Lafayette Leader, were filed.

Remonstrances were not 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 maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on March 21, 2003.
- (2) Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
- (3) Notice of the time and place of this hearing was given by publication in the Journal & Courier and the Lafayette Leader, newspapers of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
- (4) The legal drain consists of approximately 25,300 feet of open ditch and approximately 9684 feet of tile branches.
- (5) The present condition of the ditch and tile branches are in need of repair as described in (6).
- (6) The ditch needs the following maintenance at present: The open ditch requires general brushing, cleaning and excavation of the channel, bank repair and stabilization, and tile outlet repair. The tile branches need spot repairs and replacements.
- (7) There is now \$0.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch and tile branches covered by this Findings and Order drain 3130.058 acres. The overall Moses Baker watershed contains 4685.346 acres, and 3130.058 acres remain after deducting the G. Swanson and the R. Skinner drains, which are currently under assessment.
- (9) Estimated total cost of maintenance is \$75,200.00. The annual cost of maintenance is \$9,400.00.
- (10) Estimated annual benefits to the land drained exceed the repair and maintenance costs.
- (11) A fund for annual maintenance should be established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre benefited should be: \$3.00 per acre for eight years.
- (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 2003 taxes.

**FINDINGS AND ORDER (ANNUAL MAINTENANCE) CONT:**

**NOW, THEREFORE, IT IS ORDERED THAT:**

- (1) A maintenance fund be established for the Moses Baker ditch at the annual rate of \$3.00 per acre.
- (2) The Schedule of Assessments filed herewith are adopted and made a part thereof.
- (3) The first annual assessment shall be collected with the 2003 taxes.

**DATED** at Lafayette, Indiana this 23<sup>rd</sup> day of April 2003.

**COUNTY DRAINAGE BOARD:**

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

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

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

**ATTEST:**

\_\_\_\_\_  
Brenda Garrison  
Tippecanoe County Drainage Board

At that time, Dave requested a motion to adopt the Findings and Order Statement as read with amendments. Commissioner Benson made the motion to adopt the Findings and Order Statement as read with the amendments and Commissioner Knochel seconded the motion. The Findings and Order Statement by the Board was adopted.

The next order of business was to authorize the secretary to the Board to certify to the Auditor the annual assessments; subject to the condition no appeals were filed within the twenty-day waiting period following public notification. Commissioner Knochel made the motion as stated. Commissioner Benson seconded the motion and the motion carried. The Moses Baker Drain Assessment of \$3.00 per acre for eight years was adopted.

Commissioner Knochel moved to adjourn the meeting and the meeting was adjourned.

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

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

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

\_\_\_\_\_  
Brenda Garrison  
Tippecanoe County Drainage Board

**Tippecanoe County Drainage Board**  
**June 3, 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 Mathew Salsbery, 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. Attorney Doug Masson was absent.

**Approval of Minutes**

Thomas Murtaugh made a motion to approve the May 6, 2015 regular minutes as written. Tracy Brown seconded the motion. Motion carried.

**Clymer Norris #122 Regulated Drain Tile Reconstruction**

The President referred to Attorney Mathew Salsbery to open the Clymer Norris #122 Regulated Drain Reconstruction Contractor Bids submitted to the Drainage Board for consideration. Attorney Salsbery noted there were four bids submitted regarding the Clymer Norris #122 Regulated Drain Reconstruction. The first bid opened was submitted by Bedino Construction Company- Terre Haute Indiana in the amount of \$126,838.00; the second bid submitted by Maxwell Farm Drainage LLC-Crawfordsville Indiana in the amount of \$76,745.00; the third bid submitted by Central Indiana Drainage-West Lafayette Indiana in the amount of \$83,939.50; the fourth and last bid submitted was by Atlas Excavating- West Lafayette Indiana in the amount of \$194,309.00. Comm. Murtaugh made a motion to take all bids under advisement. Comm. Brown seconded the motion. Motion carried. The President thanked the Contractors for the submissions and noted the bids would be reviewed for compliance and awarded at end of this meeting.

**Auburn Meadows**

Jim Pence from Schneider Corporation appeared before the Board to present the Auburn Meadows project for approval. The site was located on the east side of Co. Rd. 50 West (aka Salsbury Road) south of Co. Rd. 500 North and consisted of approximately 85 acres. He stated he had received the May 29, 2015 Burke Review Memo and was in the process of addressing the conditions as stated on the memo. He noted they had received Department of Natural Resources Approval (DNR) for the planned outlet into the unnamed tributary of the Grant Cole #19 County Regulated Drain. He stated they were staying out of the area on the site designated as floodplain. Planned for the overall subdivision were 222 lots. This phase of the overall project would be known as Section 1 and would involve 78 lots. He then requested conditional approval for the Master Plan and Section 1 of said plan. The Surveyor stated the presentation today regarded approval of the project's Master Plan in addition to specifically Section 1 only of the overall Master Plan. He noted a variance was requested regarding Chapter 8: Channel Protection Volume and Water Quality Volume. He recommended the requested variance and conditional approval as stated on the May 29, 2015 Burke memo. Comm. Murtaugh made a motion to grant conditional approval as stated on the May 29, 2015 Burke memo for the overall site's Master Plan. Comm. Brown seconded the motion. Motion carried. Comm. Murtaugh made a motion to grant a variance as noted on the May 29, 2015 Burke memo. Comm. Brown seconded the motion. Motion carried. Comm. Murtaugh made a motion to grant conditional approval for Section 1 of the overall Master Plan as stated on the May 29, 2015 Burke memo. Comm. Brown seconded the motion. Motion carried. There was no public comment.

**Greater Lafayette Chinese Alliance Church**

Kyle Betz of Fisher and Associates appeared before the Board to present the Greater Lafayette Chinese Alliance Church project for approval. The site was located on the south side of Co. Rd. 250 North west of Klondike Road and consisted of approximately 4 acres. Mr. Betz noted the site was specifically located at the northwest corner of Lindbergh Village Subdivision. The site plan was designed with two parts in mind, first part as a primary construction site and a second part for the future 2<sup>nd</sup> phase construction (currently the phase 2 timeline was undetermined). An approximate third of the site drained to the northwest -into a portion of the Indian Creek Drainage Impact Area; however the runoff's cfs impact would be reduced from the current amount draining into the impact area. The remainder of the site (approximate 2/3) drained into Lindberg Village Subdivision's existing drainage infrastructure. Rear yard inlets adjoining the project site and located within the

Lindberg Village Subdivision would route the project's runoff throughout the Lindberg Village Subdivision infrastructure. He noted due to this, owners, contractors and Lindberg Village Home Owners Association met and discussed the drainage plan for the church project. He noted a couple of the Lindberg Village lot owners whose rear lots were affected by this plan met with the owner and contractors to discuss the developer's planned drainage. He stated he thought the landowner's concerns were addressed adequately. He would submit document verification by the parties affected. At that time Mr. Betz requested approval from the Board.

The Surveyor stated under the "Stormwater Quantity" portion of the May 29, 2015 Burke memo- "Items #1 and #2"- must be addressed prior to his signature on plans. As a public safety issue, he would not move forward until the items were addressed. Mr. Betz noted the owner was aware of the requirement and currently working on submitting the documents for future reference if needed. Mr. Betz stated the emergency routing verification would be provided. The Surveyor interjected and stated he felt it would be necessary for the area to be surveyed to insure no modifications have been made since the "As Built Plans" for Lindberg Village were recorded. The Surveyor stated the portion of the site which drained into the Indian Creek Impact Area was an insignificant amount. He directed Mr. Betz to discuss the site's entrance with Tippecanoe County Highway Department to eliminate any concerns they may currently have. Mr. Betz agreed to discuss as soon as possible with the Highway Department. The Surveyor recommended approval with conditions as stated on the May 29, 2015 Burke memo in addition to the added condition of surveying the emergency routing area to insure no modifications had been made since recording of the adjoining development's plans, Lindberg Village. Comm. Brown made a motion to grant conditional approval as stated in the May 29, 2015 Burke memo in addition to the Surveyor's condition of the emergency routing area to be surveyed. Comm. Murtaugh seconded the motion. Motion carried.

Comm. Byers asked for public comment. Kristin Perkis 2460 Hopkins Drive West Lafayette approached the Board. She stated her lot was one of the lots (third lot from intersection) with an existing inlet which runoff from the Greater Lafayette Chinese Church project site would outlet into. She stated her husband and she was in the process of building a fence in their rear yard and had met with the developer and contractor concerning the issue. They were told the fence project would not interfere with the infrastructure/outlet plans. She noted she had written a letter to the Drainage Board addressing concerns and submitted the aforementioned letter for the official record. (The letter will be added to the minutes at end of this transcript and scanned into the digital project file) She provided a copy of the letter to Mr. Betz of Fisher and Associates as well. The Surveyor informed Mrs. Perkis that he took these issues very seriously and would not sign off on the final plans until he was satisfied the developer met all the conditions as safety was of the utmost importance to him. He assured her he would not compromise with public safety as he took this very seriously. He thanked her for her comments. She thanked the Board for their time.

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

#### **New East Branch Tippecanoe County Library/Petition to Encroach & Maintenance Agreement/Berlowitz Regulated Drain #08**

The Surveyor presented a Petition to Encroach and Maintenance Agreement regarding the Berlowitz Regulated Drain and the New East Branch Tippecanoe County Library project, submitted by Schneider Corporation. He stated his office had reviewed both documents and recommended approval. Tom Murtaugh made a motion to approve the Petition to Encroach for the Berlowitz Regulated Drain #08 as submitted. Tracy Brown seconded the motion. Motion carried. Tom Murtaugh made a motion to approve the Maintenance Agreement on the Berlowitz Regulated Drain as submitted. Tracy Brown seconded the motion. Motion carried.

#### **Bob Rohrman Auto Group Expansion/Petition to Encroach and Reduction in Easement/Wilson Br. S.W. Elliott Regulated Drain #100**

The Surveyor presented A Petition to Encroach and Reduction in Easement on the Wilson Branch of the S.W. Elliott Regulated Drain #100 for the Bob Rohrman Auto Group project submitted to his office by Bunnell Land Survey and Engineering for approval by the Board. Tracy Brown made a motion to approve the Petition to Encroach and the Reduction in Easement regarding the Wilson Branch of the S.W. Elliott Regulated Drain #100 as presented. Tom Murtaugh seconded the motion. Motion carried.

#### **G.E. Aviation/Petition to Encroach J.N. Kirkpatrick Regulated Drain #46**

The Surveyor presented a Petition to Encroach on the upper end of the J.N. Kirkpatrick Regulated Drain #46 to the Board which was submitted for approval by Schneider Engineering on behalf of Wintek. He noted he reviewed the document and

recommended approval by the Board. Tom Murtaugh made a motion to grant approval of the Petition to Encroach on the upper end of the J.N. Kirkpatrick Regulated Drain #46 as presented. Tracy Brown seconded the motion. Motion carried.

#### **Clymer Norris Regulated Drain #122 Reconstruction Project Bid Award**

The President referred to the Attorney for announcing the Clymer Norris Regulated Drain #122 Reconstruction Project lowest bid. Atty. Salsbery stated Maxwell Farm Drainage Inc. submitted the low bid in the amount of \$76,745.00. He noted the Bid was in compliance with the contract as written. Tom Murtaugh made a motion to award the Clymer Norris Regulated Drain #122 Reconstruction Project to Maxwell Farm Drainage Inc. in the amount of \$76,745.00. Tracy Brown seconded the motion. Motion carried.

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

The Surveyor asked the Board to set dates for three Public Landowner Hearings regarding the regulated drains. He requested the following: The Peter Rettereth Regulated Drain #66 Reconstruction for August 5<sup>th</sup> 2015, Ann Montgomery Regulated Drain #56 Maintenance Increase for September 2, 2015 and Gustav Swanson #76 Regulated Drain Maintenance Increase for October 7, 2015 and each hearing to immediately follow the scheduled regular meetings on these dates. Tom Murtaugh made a motion to set dates for the Peter Rettereth Regulated Drain #66 Reconstruction on August 5<sup>th</sup> 2015, Ann Montgomery Regulated Drain #56 Maintenance Increase on September 2, 2015 and Gustav Swanson #76 Regulated Drain Maintenance Increase on October 7, 2015 and that the hearings were to immediately follow the scheduled regular meetings on said dates. Tracy Brown seconded the motion. Motion Carried.

#### **Moses Baker Regulated Drain #114**

The Surveyor presented a slide show of the dredging, clearing maintenance work recently completed on the Moses Baker Regulated Drain. The location of the slides was Co. Rd. 1000 South and Co. Rd. 500 East. The pictures were taken from the Bridge on Co. Rd. 500 East just north of Co. Rd. 1000 South. He stated the ditch would function much better now that it had been cleared of the trees in that area.

#### **Alonzo Taylor#77 Regulated Drain Reconstruction**

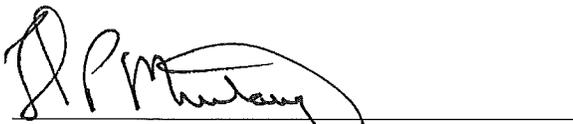
The Surveyor informed the Board the Alonzo Taylor#77 Regulated Drain Reconstruction project would begin at the first of the upcoming week with tile replacement.

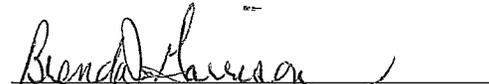
#### **Public Comment**

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

  
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David S. Byers, President

  
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Tracy Brown, Vice President

  
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Thomas P. Murtaugh, Member

  
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Brenda Garfison, Secretary

**Tippecanoe County Drainage Board**  
**Gustav Swanson #76, 2015**  
**Maintenance Increase Hearing**  
**October 7, 2015**  
**Minutes**

**Those present were:**

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

The Surveyor read the following report to the Board: Maintenance Report Gustav Swanson #76 Regulated Drain Tippecanoe County Drainage Board June 30, 2015. The Gustave Swanson was originally established by the Tippecanoe County Superior Court, Case No. 823 in 1915. The drain and its watershed are located in Sections 7, 16, 17, 18, 19, 20 and 21 of Township 21 North and Range 3 West in the political township of Lauramie, Tippecanoe County, Indiana. The Gustave Swanson maintenance fund was first established by the Tippecanoe County Drainage Board on July 6, 1971. There are approximately 46,250 lineal feet of tile in this system, and no open ditch associated with or maintained by this maintenance fund. The tile outlets into the Moses Baker County Regulated Drain and maintained open ditch. The watershed contains 1253.18 acres. It is the judgement of the Tippecanoe County Surveyor that a sum of \$66,000.00 is needed to maintain and improve the existing tile system. An assessment of \$6.00 per acre and a \$20.00 minimum over an eight (8) year period is recommended. This will generate \$61,453.63 over an eight (8) year period. It is the professional opinion of the Tippecanoe County Surveyor this rate increase will allow for the much needed tile maintenance work and ensure that monies will be generated for future maintenance on this system. Respectfully submitted by; Zachariah E. Beasley The Surveyor then utilized G.I.S. to review the drain route and watershed for the Board as requested by David Byers. Responding to David Byers inquiry, the Surveyor noted the known private tile would be hooked up to the reconstructed tile during the project. He stated if a landowner contacts him to include a private tile within the maintenance of the regulated drain and the Board agrees then that private tile would be included in the maintenance of the regulated drain. However no landowner contacted him with this request on this particular drain project. The President called for Public Comment.

Tom Osborn 8536 East 1000 South Clarks Hill Indiana 47930 approached the Board and stated he was in favor of the rate increase for this regulated drain. He stated the tile system was overloaded and the tile needed to be upgraded. He sated the maintenance costs have increased through the years and the drain's assessment needs to be raised to keep up with the current costs. He reiterated he was in favor of the increase. The Surveyor stated the first order of priority was to replace the tile from 1000 South to the Moses Baker Open Ditch where it outlets to. The tile would be increased to 30". There is over 4000 feet of tile to maintain and upkeep. David Byers noted an email from James Moxley 6557 SR. 28 East Lafayette Indiana 47909 was received in favor of the increase. The Surveyor stated Mr. Alan Wilhoite 1025 East 375North Lebanon Indiana 46052 (representing Wilhoite Land Company) visited the Surveyor's office and was in favor of the rate increase. The President then referred to the Attorney to read the Findings and Order of the Board as follows: Before the Tippecanoe County Drainage Board IN THE MATTER OF THE GUSTAV SWANSON #76 REGULATED DRAIN: FINDINGS AND ORDER (ANNUAL MAINTENANCE) This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on June 30, 2015. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana were filed. Remonstrances were not filed. Evidence was presented by the Tippecanoe County Surveyor and one landowner affected was present. A list of those present is filed herewith. After consideration of all the evidence, the Board does now FIND THAT:

- (1) The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on June 30, 2015.
- (2) Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
- (3) Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
- (4) The legal drain consists of 0 feet of open ditch.

- (5) The present condition of the ditch is in need of repair.
- (6) The ditch needs the following maintenance at present:  
Main Tile Replacement from CR.1000 South to Headwall.
- (7) There is now \$0.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 1253.18 acres total.
- (9) Estimated annual cost of maintenance is \$8,250.00.
- (10) Estimated annual benefits the land drained exceeds repair and maintenance costs.
- (11) A fund for annual maintenance should be re-established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre and minimum benefited should be: \$6.00 per acre with a \$20.00 minimum collected over an 8year period.
- (13) The assessment list filed herewith should not be amended.
- (14) The assessment list filed herewith is fair and equitable and should be adopted.
- (15) The assessment should be collected with the May 10, 2016 taxes.

NOW, THEREFORE, IT IS ORDERED THAT:

- (1) A maintenance fund be re- established for the Gustav Swanson #76 Regulated Drain at the annual rate of \$6.00 per acre and \$20.00 minimum benefited.
- (2) The Schedule of Assessments filed herewith are adopted and made a part thereof.
- (3) The first annual assessment shall be collected with the May 10, 2016 taxes.

Responding to David Byers, the Surveyor stated he felt the assessment was a reasonable amount (with tile sizes in mind) which could be replaced annually. Tracy Brown made a motion to approve the Gustav Swanson #76 Regulated Drain Maintenance Findings and Orders by the Board as read into the record by the Attorney. Thomas Murtaugh seconded the motion. Motion carried.

Thomas Murtaugh made a motion to adjourn. The meeting was adjourned.

  
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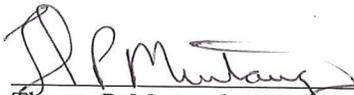
David S. Byers, President

  
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Tracy Brown, Vice President

  
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Brenda Garrison, Secretary

  
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Thomas P. Murtaugh, Member

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

**Those present were:**

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

**Approval of Minutes**

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

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

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

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

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

**Drainage Board 2017 Professional Engineering Assistance Contract**

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

**Lafayette YMCA**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Classification of Drains**

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

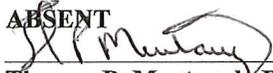
**February 2017**

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

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

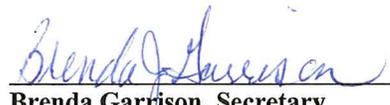
- r. Ray Skinner (#71)
  - s. Abe Smith (#72)
  - t. William Stewart (#75)
  - u. John Toohey (#79)
- 7.) Drain Assessments recommended to be raised 25% starting May 2015  
No Maintained Regulated Drains Applicable in 2017
  - 8.) Petition for New Regulated Drain referred to Surveyor
    - a. Huffman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

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

**ABSENT**  
  
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**Thomas P. Murtaugh, President**

  
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**David S. Byers, Vice President**

  
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**Tracy Brown, Member**

  
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**Brenda Garrison, Secretary**

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

**Those present were:**

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

**Approval of Minutes**

David Byers made a motion to approve the February 1, 2017 Drainage Board regular meeting minutes as written. Thomas Murtaugh seconded the motion. Motion carried.

**Klondike and Lindberg Road Widening and Reconstruction**

Jeremy Brodhacker of Strand Associates Inc. appeared before the Board to request approval of the Klondike and Lindberg Roads project. The Klondike Road reconstruction portion began at Lindberg Road and then north 1.5 miles to US 52. The Lindbergh road reconstruction portion began at Klondike road then east approximately 0.75 mile and east of Wakerobin Drive. The existing culverts were undersized; therefore they would be upsized to accommodate the current and additional stormwater conveyance reconstruction. Mr. Brodhacker stated INDOT's methodology was used to provide the hydraulically adequate structures for both the Klondike and Lindberg Road projects. He stated stormwater quality was provided per the Tippecanoe County Stormwater Ordinance. In total there were six (6) culverts which would be upsized and improved. Analysis of the downstream conveyance was provided within a report to the Surveyors office. He requested approval by the Board at that time. The Surveyor noted there was an existing concrete pipe which drained the trailer park area on Klondike Road just north of the Fire Station, in the Venetian Blinds area. He asked Mr. Brodhacker how this was dealt with during the design. Mr. Brodhacker confirmed a concrete pipe was located on the east side of Klondike Road immediately north of the Wabash Fire Station and routed along the west side of said road north to US 52 and discharged in the roadside ditch. Responding to David Byers inquiry, Mr. Brodhacker stated this pipe would be replaced and reconnected as part of this project. Mr. Brodhacker confirmed with the Surveyor that the storm sewer pipe within the road right of way at the Dollar General site was included to be upsized and would accommodate the additional storage capacity.

The Surveyor recommended conditional approval as stated on the February 22, 2017 Burke memo. There was no public comment. David Byers made a motion to grant approval with the conditions as stated on the February 22, 2017 Burke memo for the Klondike and Lindberg Road Widening and Reconstruction project. Thomas Murtaugh seconded the motion. Motion carried.

**Lindberg Point Apartments**

Andy Mix of Vester and Associates appeared before the Board to request approval of the Lindberg Point Apartments project. The site consisted of approximately 2.375 acres and was located on the northwest corner at the intersection of Klondike and Lindberg Roads. Mr. Mix noted, this was the last section of the overall Lindberg Village Development which was started in the late 1990s early 2000's. Due to the change in zoning for this tract, the curve number was lower than the assumed curve number in the overall original master plan. He noted the tract would direct release to an existing 30" storm sewer located along the north side of Lindberg Road. He stated there was a Duke Energy utility 75 feet easement located on the tract that restricted the design. Responding to Thomas Murtaugh's inquiry, Mr. Mix stated the site's access would be off Lindberg Road. Responding to David Byers inquiry, Mr. Mix stated the plans would not in any way impede the future roundabout planned at the aforementioned intersection. Mr. Mix stated during the design process, he worked with the County's consultant specifically regarding this issue. He asked for approval at that time. The Surveyor stated he would be meeting with Mr. Mix later today and would iron out most of the conditions on the Feb. 24, 2017 Burke memo. There were no variances requested and this project was part of the overall Lindberg Village Master Plan. The Surveyor recommended approval with the conditions as stated on the Feb. 24, 2017 Burke memo.

There was no public comment. David Byers made a motion to grant approval with conditions as stated on the February 24, 2017 Burke memo for the Lindberg Point Apartments. Thomas Murtaugh seconded the motion. Motion carried.

## **Staybridge Suites Hotel**

Pete Gensic from Gensic Engineering Inc. appeared before the Board to request approval for the Staybridge Suites Hotel project. The site was located on lots 26 and 27 within the 26 Crossing Subdivision east of the interchange of SR26 and I 65 and totaled 2.44 acres overall. Mr. Gensic stated the project was located within the City of Lafayette as such the presentation to the Drainage Board was to obtain permission to outlet into the Alexander Ross Regulated Drain system. Stormwater quality (Sediment trap inlets) measures were taken throughout the site prior to outletting into the Alexander Ross Regional Detention Facility. Mr. Gensic stated the owner was aware of the stormwater storage fees associated with stormwater detention storage use of the Alexander Ross Regional Detention Facility and agreed to pay the fees associated with it. The Surveyor requested the emergency routing be reviewed as designed so a portion could possibly be routed to the street and a portion possibly to I65 for public safety reasons. Mr. Gensic agreed to review this.

The Surveyor then recommended approval for the Staybridge Suites Hotel site's discharge to the Alexander Ross Regional Detention Facility with the conditions as listed on the February 21, 2017 Burke memo. David Byers made a motion to grant approval with the conditions as stated on the February 21, 2017 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

## **Zach Beasley / Other Business**

### **Drain Maintenance/General Drain Improvement Funds Interest**

The Surveyor stated historically the drain maintenance funds have earned interest. The individual drain fund totals are pooled together into one fund titled Drain Maintenance Fund and that fund earns interest monthly. As one lump sum, the General Drain Improvement fund earns monthly interest as well. However interest earned by the Drain Maintenance Fund should be broken down into each individual fund within that account so that the individual fund is credited with its own earned interest. The last few years this has not taken place. He stated the following: Quote: " IC 36-9-27-113 Investment of funds; consolidation; credit of interest earned- Sec. 113 (a) For the purpose of investment, the county treasurer may consolidate part or all of the money in any fund established under this chapter with the money in any other fund established under this chapter or other money held by the county treasurer. (b) Unless the invested money is from a maintenance fund established under section 44 of this chapter, the county treasurer shall credit interest from an investment of a fund created under this chapter to that fund. (c) The county treasurer may credit interest earned from an investment of a maintenance fund established under section 44 of this chapter into the general drainage improvement fund established under section 73 of this chapter. (d) Within an account, the county treasurer may credit interest to particular drainage accounts in any fair and rational manner. "Unquote The Surveyor stated while the interest is being earned, it had not been divided between the individual drain maintenance funds in the last few years and he feels this should be done. He stated he did not care what office did the work; he felt the individual funds should get the interest the individual fund total permits. Discussion was held between the Board members and the Surveyor regarding the issue. Interest would be split up proportionately by the balances in the individual drain maintenance funds.

The Surveyor requested official action be directed by the Board. David Byers made a motion that the Surveyor's office takes care of proportioning out the interest as collected monthly between the individual drain maintenance funds. Thomas Murtaugh seconded the motion. Motion carried.

## **F.E. Morin #57 Regulated Drain**

The Surveyor requested a Hearing date of May 3, 2017 for the Reconstruction Hearing of the F.E. Morin #57 Regulated Drain. David Byers made a motion to set a date of May 3, 2017 and immediately after the Regular Drainage Board Meeting to hold a Landowner Reconstruction Hearing for the F.E. Morin #57 Regulated Drain. Responding to David Byers, the Surveyor confirmed there was a Tri-County Drainage Board meeting that day already scheduled for the John McLaughlin Regulated Tri-County Drain. He requested the F.E. Morin Reconstruction Hearing be held after the Drainage Board Regular meeting and before the Tri-County landowner meeting.

David Byers made a motion to hold a F.E. Morin Reconstruction Hearing on May 3, 2017 after the Drainage Board Regular meeting and before the Tri-County landowner meeting previously scheduled. Thomas Murtaugh seconded the motion. Motion carried.

## **Grant Cole #19 and Moses Baker#114 Regulated Drains**

The Surveyor requested a Maintenance Hearing for June 7, 2017 regarding the Grant Cole #19 and Moses Baker #114 Regulated Drains to be held immediately after the regular scheduled meeting that day. David Byers made a motion to hold Maintenance Hearings on June 7, 2017 immediately after the regular scheduled meeting for the Grant Cole #19 and Moses Baker #114 Regulated Drains. Motion carried.

**F. Yoe #90 and G. Swanson #76 Regulated Drains Maintenance Work Update**

The Surveyor stated the contractor A.D.I. was finishing up the maintenance work on the F. Yoe Regulated Drain and would be moving on to the G. Swanson Regulated Drain thereafter.

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



Thomas P. Murtaugh, President



David S. Byers, Vice President



Brenda Garrison, Secretary



Tracy Brown, Member