Those present were:
Tippecanoe County Drainage Board President Tracy A. Brown, Vice President Thomas P. Murtaugh, member David S. Byers, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Engineering Consultants, Drainage Board Executive Administrator Brenda Garrison and James Butcher, Surveyor Office Project Manager. Engineers Dave Eichelberger from Christopher B. Burke Engineering LLC and Machelle Watts from Butler Fairman and Siefert were absent.

Approval April 10, 2019 Regular Meeting Minutes
Thomas Murtaugh made a motion to approve the April 10, 2019 Regular Meeting Minutes as written. David Byers seconded the motion. Motion carried.

Zach Beasley / Other Business
Marion Dunkin #25 Reconstruction
The Surveyor presented two Marion Dunkin Regulated Drain #25 Reconstruction Financial Assistance Contracts for approval by the Board. The first Reconstruction Financial Assistance Contract was submitted to his office by Kenneth Byers for two tracts located within the Marion Dunkin Regulated Drain #25 watershed. Those parcel numbers were #79-09-36-300-001-000-028 and parcel #79-09-35-400-002-000-028 totaling $21,845.65. The second Marion Dunkin Regulated Drain #25 Reconstruction Financial Assistance Contract was submitted to his office by RDG Properties for the following parcels numbered: #79-09-35-400-001-000-000-028, #79-09-36-300-002-000-028, #79-09-36-300-003-000-028, #79-13-02-200-001-000-006, #79-13-02-200-002-000-006 for a total of $51,637.65. The contract template was previously drafted by the Attorney and approved by the Board. Thomas Murtaugh made a motion to approve the contracts for Reconstruction Financing Assistance from Kenneth Byers and RDG Properties as submitted. David Byers noted he was not related to Kenneth Byers. David Byers seconded the motion. Motion carried.

All State Fastener Maintenance Bond
The Surveyor presented Maintenance Bond #30026704 in the amount of $111,689 submitted by ASF Holding Company to his office for the All State Fastener project for approval by the Board. David Byers made a motion to grant approval for Maintenance Bond #30026704 in the amount of $111,689 submitted by ASF Holding Company as presented. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Encroach / Lewis Jakes #40 Regulated Drain
The Surveyor presented a Petition to Reconstruct on the Lewis Jakes Regulated Drain #40 submitted to his office by Dcug Morehouse. While he expected more benefitted landowners to sign the Petition, it currently reflected over 10% of the benefitted landowners’ signatures. Mr. Morehouse indicated he wanted to submit so it would be added to the future Drain Reconstruction (s) list. The Surveyor noted currently there were 13 regulated drains on the list for reconstruction. He stated in 2006-07, a lower portion of the Lewis Jakes drain was reconstructed (1/3 to 1/2) as phase 1. This would be phase 2 of the reconstruction. (Due to the funds balance in 2006-07, it was determined to complete the reconstruction in phases.) Responding to David Byers inquiry, the Surveyor noted the open ditch was part of the annual spray program conducted by his office. The Surveyor recommend acceptance from the Board. David Byers made a motion to accept the Petition as submitted and refer it to the Surveyor for his report. Thomas Murtaugh seconded the motion. Motion carried.

Upper J. Berlowitz Regional Detention Project/Memorandum of Understanding
The Surveyor stated a “Memorandum of Understanding” (MOU) between the Drainage Board and Franciscan Alliance Inc. was received in his office regarding the Berlowitz Regulated Drain Regional Detention project. He referred to the Attorney.

The Attorney reminded the Board the MOU was necessary to complete the Berlowitz Regulated Drain Reconstruction (re: M.O.U. document proceeds May 2019 Drainage Board’s official minutes). He recommended the Board’s President sign the document upon receipt. He stated he did not have the original document on hand, as it was in transit. The Secretary would record the M.O.U once signed. Franciscan Alliance will pay $391,500 to the Drainage Board for the additional costs in phase 1 due to costs related to the revisions made. Franciscan Alliance Inc. would donate approximately 15.6 acres to be used in phase 2 of this project. The Attorney noted Franciscan Alliance stated they did not want the excavated dirt from phase 2 of the project; therefore, it would be relocated offsite. He referred back to the Surveyor. The Surveyor recommended approval of the M.O.U. between the Tippecanoe County Drainage Board and Franciscan Alliance Inc. as written. Thomas Murtaugh

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made a motion Commissioner Tracy Brown; Drainage Board President sign the M.O.U. as written- upon receipt. David Byers seconded the motion. Motion carried.

**Alexander Ross Outlet Improvement Project Status update**
The Surveyor updated the Board on the Alexander Ross Outlet Improvement Project. He noted the portion of the project which involved the Meijer pond (north end of pond routing north under Meijer Court up to SR.26) was complete. The Easement Agreement regarding the portion of land on the East side of SR 26 and owned by Mike Patel had been recently signed. He stated, due to the weather and the pending agreement, the jack and bore under SR26 had been delayed. Now that the Agreement was signed, hopefully the weather would cooperate, and work could be completed soon. He stated the project was basically 1/3 complete. Responding to Thomas Murtaugh’s inquiry, the Surveyor noted the trash around the area’s pond was- in his opinion- due to business trash can lids left open. The Attorney stated if the drain itself was impaired by the trash then the Drainage Board would have the authority to clean it up. The Surveyor stated this has occurred once in the past and was addressed by his office. The Surveyor noted the pond itself had been placed on the annual regulated drain spray/mow maintenance program list. The Attorney noted the Board was not obligated to pick up the trash. There was an issue one time with obstruction from the trash in the pond that which the Drainage Board addressed. The Surveyor noted he had not received any calls relating to this matter to date this year.

**Public Comment**
Mike Spencer Assistant Executive Director Tippecanoe County Highway Department approached the Board. He stated there have been issues brought to his attention which require determination on how to proceed. He stated several drainage complaints had come to light concerning his department with non-regulated drains. Typically, these issues involve culverts located alongside private tiles under County Roads as well as side ditch depths and locations. Several landowners have brought to attention safety issues with the depths and locations of some of the side ditches along the County Roads. One particular issue was a culvert located alongside a private tile, both were located under South Ninth Street. The culvert was replaced in 2008 under the road. (Landowners state they called after this time to report issues with the drainage in this area and could not get a response-Fe stated he could not substantiate the calls.) In this particular case the Highway Department has approximately an acre and half within the 1000+ acre watershed and does not have the funds to replace the tile under the road. He stated since the culvert was located under the road, landowners think the Highway dept. should fix the drainage issue. He noted he felt the problem was the tile - most likely undersized and obstructed - not the culvert. Often, there were no means to pay for these types of drainage issues. Due to proximity to County highways, landowners felt the issues should be taken care of by the County Highway Department. He reiterated his office would like to work with the Board and Surveyor office to find a way of resolving the issues. He reviewed several problem locations in the county where a culvert is located under the road near a problem tile or problem side ditch. The Attorney reviewed the steps to convert a private drain into a regulated drain and obstruction in a private drain which would allocate the cost of repair across the entire watershed. The Surveyor stated Mr. Greg Gilbert called his office several days ago and spoke to him about the drainage issue on South Ninth Street Mike Spencer stated he thought the drain tile and culvert were located parallel of each other but very nearly on top of each other. The Surveyor stated if a Petition of Obstruction was filed; and during the investigation the tile was found to be obstructed- the cost of repair would be shared among all the benefited landowners. He noted he considered this a short-term solution, as the size of the watershed (1000+ acres) warranted the tile be converted from private to county maintained. Responding to the Surveyor’s inquiry, Mr. Spencer stated the size of the tile under South Ninth St. was thought to be 8” or 10”. The Surveyor offered to sit down with Mr. Spencer and review any drainage issues and options that could be taken. Mr. Spencer thanked the Board and Surveyor for their time. He noted the wet spring has exacerbated the issues. The Surveyor noted particularly wet springs were forecasted out of the Earth and Atmospheric Science School at Purdue University in the coming years and noted these issues would not go away. He stated he strongly felt they needed to be proactive regarding finding a solution for the taxpayers.

David Byers made a motion to adjourn. The meeting was adjourned.

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Tracy A. Brown, President

Thomas P. Murtaugh, Vice President

David S. Byers, Member

Brenda Garrison, Executive Administrator

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