

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 8:30 a.m., on Tuesday, June 1, 1971.

- Present at Meeting Those present at the meeting were: Bruce Osborn, Dale Remaly, Richard Donahue, Dan Ruth, John Garrott, Larry Clerget, Ken Raines and Gladys Ridder.
- Minutes Approved Upon motion made by Dale Remaly and seconded by Bruce Osborn, the minutes of the May 4th, 1971 meeting were approved as read.
- Ditch Referral Upon motion made by Dale Remaly and seconded by Bruce Osborn the Board referred the following ditches to the Engineer: Carl K. Crist ( Perry Twp.), Chris Fassnacht ( Perry Twp.), John McLaughlin ( Lauramie & Perry twps.), H. B. Wallace ( Jackson Twp.), H. F. Beutler ( Shelby and Wabash Twps.).
- Absalom Miller Ditch Hearing At 9:00 a.m., there was a hearing on the maintenance report for the Absalom Miller ditch. Mr. Spencer Congrum, William Nesbitt and P. L. Crouse attended this hearing. A remonstrance by Floyd Martin against the amount of acreage that he had in the water shed area was read and upon recommendation of the Engineer, the Board voted to change his acreage from 62.50A to 32.50A. (A private tile services the water in this area.) Upon motion by Dale Remaly and seconded by Bruce Osborn the Board declared the Absalom Miller maintenance fund established.
- James Parlon Ditch Hearing Mr. Lee Shirley and Mr. Homer Todd attended this hearing. They both expressed their approval of the .75 per acre assessment on the Parlon ditch but asked the Board to consider a correction on their acreage in this water shed area. Upon recommendation of the engineer, the Board changed Mr. Shirley's acreage from 12.13A to 8.13A and Mr. Todd's acreage from 40A to 18Acres. Upon motion by Dale Remaly and seconded by Bruce Osborn, the Board declared the maintenance fund on the James Parlon ditch, with correction in acreage, now established.
- Secretary's Note: If all hearings went as smoothly and with as much good humor as this one did, the Drainage Board's job would certainly be a pleasure!
- Julius Berlovitz Ditch Hearing At 11:00 a.m., the hearing on the maintenance report for the Julius Berlovitz ditch was heard. Fred Ritenour, Francis Albregts and Richard Shoemaker attended this hearing. Three changes on acreage in form of remonstrances were read.(F. C. Ritenour, Frances Rosanova and Mary L. Fassnacht constituted the three.) Upon recommendation of the Engineer, the Board declined the appeals. This hearing was set up originally with the information that this ditch would be reconstructed some time in the spring. Because this reconstruction has been postponed until

Minutes of the June 1, 1971 meeting continued.

possibly August, the Board decided to continue this maintenance hearing in their regular meeting in September. Upon motion by Dale Remaly and seconded by Bruce Osborn, the Board moved to continue this in the fall.

John A. McFarland Ditch Hearing At 1:00 p.m., the hearing on the maintenance report of the McFarland ditch was heard. Those attending this meeting were: Roland Halleck, Harold Reed, Cecil Turner, Mark Briar, Delmar Gard, Ralph Boes, Audley Oshier and Catherine Turner. Members attending were informed that because of a large branch of private ditch having been built and constructed so that it empties into the main branch of the McFarland ditch, it now must be made a part of the main branch of the McFarland ditch. Legal procedures to make it a part of this ditch are now in operation. Most landowners made mention of Little Pine Creek being so badly in need of cleaning as it was full of willow trees. A motion by Dale Remaly seconded by Bruce Osborn was to continue this hearing in the regular meeting on August 3, 1971.

Train Coe Informal hearing At 2:00 p.m., an informal meeting was called to see how the landowners in the Train Coe water shed area felt about reconstructing this drain. The Engineer reported that this ditch was in far too bad a shape to consider maintenance, that it either had to be reconstructed or abandoned. Those attending the meeting were Roy Smith, R. Leonard, F. R. Grimes, C. Merritt, Larry Summer, Martha Logan, Edith Skinner, Everett Hart, Vernie Hart, Ethel Hanger, James M. Davis, Icy Funkhouser, Mary Sherwin, Marshall Davis, Ione Davis, Dan Barker, Bob Macy, P.D. Kirkpatrick, William Sattler, and Mr. and Mrs. L. W. Crull. Those supporting reconstruction were Roy A. Smith (for Venrich property) F. R. Grimes and C. Merritt (for Purdue property) Mr. & Mrs. Marshall Davis, R. C. Leonard ( for F. Grimes property) Everett Hart and Ethel Hanger but some specified that they already have an open ditch on their farms and if a new open ditch was the final decision, they did not want the ditch relocated. Those in favor of abandonment were Mary Sherwin and Mr. & Mrs. L. W. Crull. The cost of both open and tile ditches was discussed but no definite answers could be given until more information was acquired. Mr. Dale Remaly moved and Mr. Bruce Osborn seconded the motion to hold another informal meeting before any definite steps would be taken.

Order and Findings & Certificates The Board then signed the Order and Findings and the Certificate of Assessments for the Absalom Miller and the James A. Parlon ditches.

Upon motion by Bruce Osborn and seconded by Dale Remaly the meeting was adjourned.

*Bruce Osborn*  
Bruce Osborn, Chairman

*Dale Remaly*  
Dale Remaly, Vice Chairman

*Edward J. Shaw*  
Edward Shaw, Board Member

ATTEST:

*[Handwritten signature]*

## MINUTES OF THE AUGUST 3, 1971 MEETING.

Minutes of the Regular Meeting of the Tippecanoe County Drainage Board held in the County Commissioners Room in the County Court House at 9:00 a.m., Tuesday, August 3, 1971.

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

**Minutes Approved** Upon motion made from Dale Remaly, seconded by Edward Shaw, the minutes of the July 6, 1971 meeting were approved as read.

**Ditches referred to Engineer** The Board referred the following ditches to the Engineer for a Maintenance Fund set up: Moses Baker, Lauramie township; Jacob Taylor, Jackson and Wayne townships; Hester B. Motsinger, Wabash township, Romney Stock Farm, Lauramie and Randolph townships.

**9:30 a.m. Herman Beutler Hearing** At 9:30 a.m., the Chairman of the Board opened the hearing on the Herman Beutler Ditch. Those attending this meeting were as follows: Arnold Burkhardt, Albert Albright, H. S. Congram, Robert L. Smith, Ralph Booher, and R. L. Leonard. There were no remonstrances filed on this ditch. Mr. Congram suggested a channel was needed to protect the main headwall from collapsing. Mr. Ruth said the Drainage Board would be glad to work with the SCS Office to help plan a new open drain. The Engineer recommended \$1.00 per acre assessment be placed on this ditch. Most of those present felt it was hardly enough and asked for the maximum. Therefore the maintenance fund was set at \$1.10 per acre.

**10:30 a.m. Crist & Fassnacht Hearing** At 10:30 a.m., the Board's Chairman opened the hearing on the Crist & Fassnacht Ditches. Those present at said hearing were: James L. Primmer for Percy McDill, Omer Murphy, Ada Lewis, Everett Berninger, Harry Smith, John Brown and Dale Brown. The Engineer read all remonstrances and his recommendations to the Board. George Berninger's acreage on his notice, should have read 55 acres instead of 80 acres. By Board action these two ditches were combined into one ditch now known as the Crist-Fassnacht Ditch. Although the Engineer felt 75¢ per acre was needed, all persons present were in favor of an assessment of 50¢ per acre. The Board agreed that the maintenance fund be established at 50¢ per acre.

**11:30 a.m. Fugate Hearing** At 11:30 a.m., the Engineer open the Fugate Ditch Hearing by reading of the maintenance report. There were no remonstrances filed. The following persons were present at said meeting: H.S. Congram, Roy A. Smith, Max DeVault, and Geneva DeVault and Mary Kitsmiller. Mr. Roy Smith stated that there were 70 rods of broken tile; one mile south of county line on Ralph Wise's property. During the discussion it was agreed that the repair of the 70 rods would not come under maintenance but would be a reconstruction project. The Engineer suggested that the Fugate and Kirkpatrick Ditches be combined but those present didn't agree. Because the Kirkpatrick Ditch was in better condition than the Fugate Ditch those people did not want their money to pay for maintenance on the Fugate Ditch. Therefore the ditches were not combined. All land owners attending were in favor of \$1.00 per acre maintenance fund. On motion made and carried the Board established the maintenance fund of \$1.00 per acre.

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

**1:30p.m. Frank Kirkpatrick** At 1:30 p.m., the Chairman of the Board opened the hearing on the Frank Kirkpatrick Ditch by reading of the maintenance report. Those attending the hearing were: Roy Smith, Mabel McDill Andrews and Mrs. Mary Kitsmiller. In discussing the pros and cons on both Fugate and Kirkpatrick Ditches, it was agreed not to combine them. Because of the condition of the Fugate Ditch it wasn't fair to take maintenance from the Kirkpatrick Ditch to fix the Fugate Ditch. All of the owners were in favor of the \$1.00 assessment. On motion made and carried the Board established the maintenance fund at \$1.00 per acre.

**2:30 p.m. McFarland and Oshier Branch Ditch** At 2:30 p.m., the Board's chairman opened the hearing of the McFarland and Oshier Branch Ditch. The maintenance report and remonstrances were read by the Drainage Engineer. Those attending said hearing were: Anna Boesch, Marshall Farms representative, Lynn Hawkins, Audley Oshier, and Mark Briar. The land owners on the Oshier Branch wanted to remain by themselves. Attorney Richard Donahue, suggested to continue the hearing until November 2, 1971.

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

  
Bruce Osborn, Chairman

  
Dale Remaly, Vice Chairman

  
Edward Shaw, Board Member

ATTEST:

  
Gladys Ridder, Secretary

The regular meeting of the Tippecanoe County Drainage Board met in the Community Meeting Room in the County Office Building at 9:30 a.m. with the following members present: William G. Vanderveen, Bruce Osborn, Martin L. Galema, Dan Ruth Jr., Michael J. Spencer, Kenneth Miller, Grady Jones, J. Frederick Hoffman and Ethel Kersey.

Minutes Approved

Upon motion of William G. Vanderveen, seconded by Bruce Osborn and made unanimous by Martin L. Galema the minutes of the October 4, 1978 meeting were approved as read.

The Chairman opened the vacation hearing of Sub-Branches 3 and 4 of Branch 2 of the Cuppy-McClure Ditch by reading the following remonstrance:

October 16, 1978

Vacate Sub-branches 3 & 4 of Branch 2 Cuppy-McClure Ditch

Tippecanoe County Drainage Board  
County Office Building  
20 North 3rd Street  
Lafayette, In 47902

Re: Vacating of Branches 3 and 4 of Branch No. 2 of the Cuppy/McClure ditch.  
Hearing set for 9:30 A. M. November 1, 1978.

Gentlemen:

We are of the opinion that Branches 3 and 4 of Branch No. 2 of the Cuppy/McClure ditch do perform the function for which they were designed and constructed, and that abandoning them at this time would be detrimental to the public welfare.

This letter is to place us on the hearing record as objecting to the proposed vacating at this time.

Very truly yours,

/S/ William H. Kashner  
William H. Kashner,  
City Engineer

Those attending the meeting were: D.J. Werderitsh, Craig Maddox, J. Robert Walker, J. R. Ross, Glen H. Sullivan, Hiram M. Shumway, Albert Dahre, P. T. Smith, Martha N. Smith, Beryl Fox, Imogene Stovall, Y. C. Wang and Larry O'Connell, Attorney for Petitioners. Mr. Spencer explained to those present that according to the records the Cuppy-McClure ditch was designed and built for the sole purpose of draining sub surface water in an area primarily used for agricultural purposes. Under present conditions the ditch is inadequate to properly drain all lands affected. The cost to reconstructed this ditch would outweigh the benefits to be derived therefrom. Mrs. D. J. Werderitsh asked if someone would show her just where this ditch is on a map. Mike then explained and show all of those present where sub-branches 3 and 4 of branch 2 of the ditch was located on the maps. It was also explained that in vacating a drain that the ditch would remain in it present condition but it would release the 150 feet easement that is required for a legal drain. Mr. Vanderveen asked if there were any objections from those present. There were no objections but Mrs. Werderitsh asked why Mr. Kashner objected. Dan Ruth stated that he had talked to Mr. Kashner and it was a misunderstanding where the branches were located.

Bruce Osborn made a motion that Sub-Branches 3 and 4 of Branch number two (2) of the Cuppy-McClure ditch be vacated as petitioned. Martin L. Galema seconded the motion and made unanimous by William G. Vanderveen. The petition read as follows:

BEFORE THE TIPPECANOE  
COUNTY DRAINAGE BOARD

IN THE MATTER OF THE VACATION )  
OF A PORTION OF THE )  
CUPPY-McCLURE DITCH. )  
(J.L. McCLURE DRAIN, PER )  
FRANK O. CUPPY, etal, PETITION )  
SUPERIOR COURT CASE 9017 )

PETITION TO VACATE DRAIN

The Petitioners, The Joseph R. Ross, Mayme L. Ross and John E. Smith, as President of John E. Smith & Company, Inc.; respectfully petition the Tippecanoe County Drainage Board and show the Board as follows:

1. The Petitioners request the Board to vacate that portion of the Cuppy-McClure Ditch described as follows:

Sub-branches number three (3) and four (4) of branch number two (2), lying North and East of Northwestern Avenue. Said branches are located in the Southwest quarter of Section seven (7), Township twenty-three (23), Range four (4), Tippecanoe County State of Indiana.

2. The Petitioners believe themselves to be the owners of at least ten percent of the real estate which would be directly affected by the vacation herein prayed for.

3. The above-described portion of said legal drain no longer performs the function for which it was designed and constructed. The drain was designed to drain water from land used for agricultural purposes. However, the use of a large portion of the property has been converted to intensive residential development and the balance is being held for proposed future residential development which the present drain is not designed or constructed to accommodate.

4. The expense of reconstructing the above-described portion of said legal drain to accommodate the present prospective uses outweighs the benefits to be derived therefrom.
5. The vacation and abandonment of the above-described part of said legal drain will not be detrimental to the public welfare.
6. Annexed hereto as Schedule A is a list of the names and addresses of the owners of the land which the Petitioners believe would be affected by said vacation.
7. The Petitioners request to have the date on which the matter will be referred to the surveyor for report advanced in accordance with I.C. 1971, S19-4-1-10 (g).
8. The attorneys who will represent the Petitioners in these proceedings are Lawrence B. O'Connell and the firm of Schultz, Ewan Burns, 73 Lafayette Bank & Trust Building, Lafayette, Indiana, 47902 (Phone: 317-742-8464).

WHEREFORE, the Petitioners pray that the Board:

- A. Serve notice of intention to vacate the above-described portion of the Cuppy-McClure Ditch on all owners of land affected by said vacation;
- B. Advance the date on which the matter will be referred to the surveyor for report;
- C. Fix a date for and hold a hearing on the proposed vacation; and
- D. Issue and order vacating the above-described portion of the Cuppy-McClure Ditch as a legal drain.

PETITIONERS

/S/ J R Ross  
Joe R. Ross

/S/ Mary A. Ross  
Mary A. Ross

/S/  
John E. Smith  
President of John E. Smith & Company, Inc.

SCHULTZ, EWAN AND BURNS  
73 Lafayette Bank & Trust Building  
Lafayette, Indiana. 47902  
Telephone: 317-742-8464

Attorneys for Petitioner

Transnational Motels Midland Nutual Life Ins.	Claremore S-D Lot 2	40-036-033
" " "	Pt SE SW SEC 7-23-4	40-036-034
" " "	Claremore S-D Lot 1	40-036-035
" " "	J.R. Ross S-D Lot 1	40-036-036
" " "	J.R. Ross S-D Lot 2	40-036-037
J. F. & H. F. Feldhusen	J. R. Ross S-D Lot 3	40-036-038
L. R. & D. L. McMullen	J. R. Ross S-D Lot 4	40-036-039
P. C. & D. M. Kenny	J. R. Ross S-D Lot 5	40-036-040
R. R. & N. Crawley	J. R. Ross S-D Lot 6	40-036-041
C. W. & F. E. Regek	J. R. Ross S-D Lot 7	40-036-042
R. E. & J. M. Ewalt	J. R. Ross S-D Lot 8	40-036-043
C. E. Bain	J. R. Ross S-D Lot 9	40-036-044
M. L. & L. P. Wilson	J. R. Ross S-D Lot 10	40-036-045
J. M. Howe	M. L. Clevett S-D Lot 16	40-036-046
D. Byrene	M. L. Clevett S-D Lot 17	40-036-047
N. & F. C. Bolin	Rausch Addt. Lot 5	40-036-054
M. E. Johnson	Rausch Addt Lot 5 Ex 10 X 80 Ft off	
R. C. & I. T. Bolin	E. Side Lot 4 Ex strip off W. Side	40-036-055
" "	Rausch Addt Lot 4	40-036-056
" "	Homestead S-D Lot 2	40-036-057
K. V. Stull	Homestead S-D Lot 3	40-036-058
C. G. & E. J. Ledford	Homestead S-D Lot 4	40-036-059
N. J. Patterson	M. L. Clevette S-D Lot 19	40-036-060
Ching Shung & K. I. Gong	M. L. Clevette S-D Lot 15	40-036-061
D. J. Wederitsh	J. R. Ross S-D Lot 11	40-036-062
" "	J. R. Ross S-D Lot 12	40-036-063
J. R. & M. L. Ross	J. R. Ross S-D Lot 13	40-036-064
" "	J. R. Ross S-D Lot 14	40-036-065
" "	J. R. Ross S-D Lot 15	40-036-066
" "	J. R. Ross S-D Lot 16	40-036-067
E. B. Brown	J. R. Ross S-D Lot 17	40-036-068
Y.C.J.S.T. Wang	J. R. Ross S-D Lot 18	40-036-069
J.R. & M.L. Ross	J. R. Ross S-D Lot 19	40-036-070
" "	J. R. Ross S-D Lot 20	40-036-071
" "	J. R. Ross S-D Lot 21	40-036-072
J. R. & M. L. Ross	J. R. Ross S-D Lot 22	40-036-073
J. E. Smith & Co. In.	Camelback S-D Pt SW SEC 7-23-4	40-036-074
" " "	" " "	40-036-075
" " "	" " "	40-036-076

## REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD NOVEMBER 1, 1978 (CONTINUED)

N.H. & L.A. Short	M. L. Clevette S-d Lot 5	40-036-077
R. E. Road	M. L. Clevette	40-036-078
P. Mattox	M. L. Clevette S-D Lot 7	40-036-079
D. F. & D. D. MacLeod	M. L. Clevette S-D Lot 8	40-036-080
R. E. & J. E. LaMay	M. L. Clevette S-D Lot 9	40-036-081
J. E. Smith	M. L. Clevette S-D Lot 10	40-036-082
R. & B. H. Walkee	M. L. Clevette S-D Lot 11	40-036-083
C. & L. Maddox	M. L. Clevette S-D Lot 12	40-036-084
R. E. & I. E. Christain	M. L. Clevette S-D Lot 14	40-036-085
M. L. Nolan	M. L. Clevette S-D Lot 20	40-036-086
R. W. & C. K. Boyd	M. L. Clevette S-D Lot 21	40-036-087
E. M. Tudor	M. L. Clevette Lot 22	40-036-088
M. M. Jones	M. L. Clevette S-D Lot 23	40-036-089
R. E. & T. J. McVey	M. L. Clevette S-D Lot 24	40-036-090
R. E. & M. A. Sinclair	M. L. Clevette S-D Lot 25	40-036-091
D. S. & M. Schuder	M. L. Clevette Lot 27	40-036-092
J. M. & M. <del>Tatlock</del> S-D Lot 12	M. L. Clevette S-D Lot 12	40-036-094
W.F. & M. K. Hentschel	Homestead S-D Lot 12	40-036-095
" "	Homestead S-D Lot 11	40-036-096
C. R. & C. F. Edwards	Homestead S-D Lot 10	40-036-097
E. M. Irish	Homestead S-D Lot 5 & 6	40-036-098
R. N. & B. W. Fox	Homestead S-D Lot 6 & 7	40-036-099
P. T. & M. N. Smith	Homestead S-D Lot 7	40-036-100
B. A. McDaniel	Homestead S-D Lot 9	40-036-101
J. A. & M. J. Marchand	Rausch Addt. lot 3	40-036-102
I. M. Evans	Rausch Addt Lot 2	40-036-103
N. & F. C. Bolin	Rausch Addt Lot 1	40-036-104

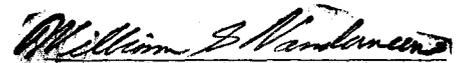
The Board signed the Order and Findings for the vacation of the Cuppy-McClure ditch.

Saltzman Ditch  
Mr. Earl Miller and Mr. Glenn Rodgers were not on the agenda but came before the Board to find out what was being done on the reconstruction of the Saltzman Ditch. They were informed that there were other ditches to be reconstructed and as soon as the other ditches ahead of the Saltzman ditch were taken care of, then we would work on their ditch. Would try by the first of next year to set up a meeting with those in the watershed.

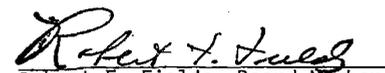
Drain Tile Bid  
Flora Tile Company and Construction Products Corporation (Lafayette Pipe) submitted Bids for supplies and materials for the use of the Tippecanoe County Drainage Department for a period beginning November 15, 1978 through December 31, 1978.

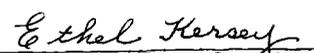
Gosma Ditch  
Dan Ruth, County Engineer reported on the meeting he attended with the White County Drainage Board on October 17, 1978, concerning the A. P. Gosma ditch which outlets into Burnett Creek in Tippecanoe County. After Mr. Ruth explained about the Parkinson Group Project the Tippecanoe County Drainage Board all agreed that they had no objection to the project. If it can not be done as a group project the Board would be happy to serve with White County on a Joint Drainage Board. Letter to be mailed to White County Drainage Board.

The business of the day completed, the Board so moved to adjourn.

  
William G. Vanderveen, Chairman

  
Bruce Osborn, Vice Chairman

  
Robert F. Fields, Board-Member

ATTEST:  
  
Ethel Kersey, Exec. Secretary

A special meeting of the Tippecanoe County Drainage Board for the Reconstruction of the Michael Binder ditch met in the Community Meeting Room in the County Office Building at 10:00a.m. with the following members present: William G. Vanderveen, Bruce Osborn, Martin L. Galema-special member, Dan Ruth, Frederick Hoffman, Michael Spencer-, Grady Jones and Ethel Kersey

Michael  
Binder

Ditch  
Reconstruct-  
ion

The Chairman, William Vanderveen read the three (3) remonstrances that wer filed. All three were objecting to the assessed acres not the project of the reconstruction of the Michael Binder Ditch. The Surveyor, Michael J. Spencer had corrected the acres to be assessed and the Chairman asked Eleanor B. Frost, Paul Ade and Raymond C. Bender if they were satisfied with their land assessments as corrected. All replied that they were satisfied with the changes.

The County Engineer, Dan Ruth explained to those present that we had taken a Notice to Constructors and Bidders to the Journal and Courier so we could get an ad in the paper on Friday. The reason for this was that it is so late in the fall and we didn't wantto waste any time, incase you property owners said go ahead and built the ditch. He also stated that the Drainage Board will buy the pipe in order to save money. Althought the

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD Held January 2, 1980

The Tippecanoe County Drainage Board met in the Community Meeting Room in the County Office Building at 9:30 a.m. on Wednesday, January 2, 1980, with the following members present: William G. Vanderveen, Bruce V. Osborn, Michael J. Spencer, and Marsha Tull.

Elverman Subdivision: Mr. Hitch was before the Drainage Board seeking Final Drainage approval for the above mentioned Subdivision. They discussed the possibility of erosion. Decided that there would be no problem. As far as Mr. Hitch knew, there would not be any home built in the near future. Elverman Subdivision

Bruce V. Osborn: Motion to approve the above proposal.

William G. Vanderveen: 2nd the Motion.

Bruce V. Osborn: Made the Motion to adjourn.

William G. Vanderveen: 2nd the Motion.

*William G. Vanderveen*  
William G. Vanderveen, Chairman

*Bruce V. Osborn*  
Bruce V. Osborn, Vice Chairman

*Robert F. Fields*  
Robert F. Fields, Board Member

ATTEST: *Marsha Tull*  
Marsha Tull, Executive Secretary

JOINT MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD & WHITE COUNTY Held November 27, 1980 1919

The Tippecanoe and White County Joint Drainage Board, composed of Tom Carter, William Vanderveen, Bruce Osborn, Beutler and Don Kremer, met at the County Building in Monticello, Indiana. Also present were James Milligan, White County Surveyor, acting Surveyor on the project and Michael J. Spencer, Tippecanoe County Surveyor. Beutler Ditch

Beutler Ditch and Gosma Ditch: The board reviewed the Surveyor's plans and specifications for the reconstruction of part of the Beutler Ditch in Tippecanoe County and the Gosma Ditch in Tippecanoe and White County. The plans were accepted by the board and the assessments were set on the benefitted lands. Gosma Ditch

The Surveyor will notify the board as to the date of the hearing.

Thomas Carter was elected chairman, William Vanderveen was elected vice-chairman and Donald Kremer and Bruce Osborn to serve as members.

James L. Milligan, White County Surveyor, was appointed Surveyor of the project. Michael Spencer, Tippecanoe County Surveyor was also present

Robert Christopher was appointed to serve as attorney for the board.

ATTEST: /S/ Sylvia L. Ward, Secretary  
Drainage Board

*William G. Vanderveen*  
William G. Vanderveen, Vice Chairman  
*Bruce Osborn*  
Bruce Osborn, Member

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

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

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

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

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

"We are talking about solving 2 problems:

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

Martin Grey Drain  
 Mike Spencer: "I would like to have the following put in the Drainage Board minutes. The Tippecanoe County Surveyor's Office has received a petition concerning the Martin Grey Drain. They want to establish a Maintenance Fund on this Drain. This drain involved Tippecanoe and Montgomery Counties. Don Maxwell will represent Montgomery County Drainage Board. Martin Grey Drain

Joe Booher  
 Joe Booher called March 4, 1980 and talked to Bruce Osborn concerning the Gosma Ditch. He requested to attend the Drainage Board meeting March 5, 1980. The County Commissioners, Mike Spencer, and Joe Booher discussed the matter. Mr. Booher claims he was not properly notified of the meeting or of his assessment, also that he did not know that open ditch was to be going through his land. Joe Booher

MOTION: William G. Vanderveen made the motion to adjourn.  
 Bruce Osborn: 2nd the motion.  
 Robert Fields: Unanimous.

*William G. Vanderveen*  
 William G. Vanderveen, Chairman

*Bruce V. Osborn*  
 Bruce V. Osborn, Vice Chairman

*Robert T. Fields*  
 Robert Fields, Board Member

ATTEST: *Marsha Tull*  
 Marsha Tull, Exec. Secretary

JOINT MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD & WHITE COUNTY Held March 4, 1980

Gosma & Beutler Ditch  
 The Tippecanoe-White County Joint Drainage Board met on March 4, 1980 at 9:30 a.m. with Thomas Carter, William Vanderveen, Bruce Osborn, Don Kremer, James Milligan, White County Surveyor; Robert Christopher, Attorney; and Mike Spencer, Tippecanoe County Surveyor present.

Landowners present were: Virgil Gosma, Jerome Clement, David Kesler, Clarence Martin, Arnold Burkhardt, Russell Morehouse, Don Morehouse, John Burkhardt, Ralph Booher, Joe Booher, Kenton Parkinson, William Parkinson, and Richard Sanbloom.

The hearing was taped and the tape is on file in the office of the White County Surveyor, Monticello, Indiana. The decision was made to lower David Kesler's assessment and Virgil Gosma's assessment. The ditch was declared established. The White County Surveyor was asked to start further down stream and get an okay by the Tippecanoe County Surveyor.

*William G. Vanderveen*  
 William G. Vanderveen, Chairman

*Bruce V. Osborn*  
 Bruce V. Osborn, Vice Chairman

ATTEST: */S/*  
 Sylvia Ward, Secretary  
 White County Drainage Board

JOINT MEETING OF THE TIPPECANOE AND WHITE COUNTY DRAINAGE BOARD Held April 1, 1980

Beutler and Gosma Ditches  
 The Joint Drainage Board of Tippecanoe and White County met in the Commissioners Meeting Room, in White County Court House at 9:00 a.m. on April 1, 1980, with the following members present: Robert Fields, Bruce Osborn, Mike Spencer-Tippecanoe County Surveyor, Tom Carter, Don Krammer, Robert Christopher-County Attorney, Jim Milligan-White County Surveyor, and Stan Smith.

Tom Carter explained the purpose of the meeting was the reconsideration of the vote to reconstruct a portion of the Beutler and Gosma Ditch. He turned the meeting over to Robert Christopher.

Mr. Christopher explained that on March 4, 1980 the Joint Drainage Board met and voted to approve the matter concerning the Beutler and Gosma Ditch. Shortly after that questions were raised about the procedure and whether or not certain legal procedures were followed correctly. Some of the issues raised were: A notice should have been published in a newspaper of general circulation in each county in which the land lies. The notice was published in the White County newspaper, but not in the Tippecanoe County paper. The statute does provide for this and should have been published in both counties.

Also, there was another issue raised about whether or not everyone was properly notified. This is the notice the assessments that are sent to each person affected by a drain. This involves just the people in the area. Several people reported that they did not get that notice.

Mr. Christopher advised the Joint Drainage Board to have a notice sent to all the people that there will be another meeting to reconsider, to determine whether or not we should approve the vote or rescind the vote and start again. This is the background information on the matter.

MOTION: Bruce Osborn made the motion that the vote on March 4, 1980 be rescinded and a new date set, that notices be published in newspapers of county circulation throughout both Tippecanoe and White County.

Robert Fields: 2nd the motion.

Tom Carter: Motion carried and Unanimous.

MOTION: Bruce Osborn made the motion for the next hearing to be on June 10, 1980 at 9:00a.m.

Robert Fields: 2nd the motion.

Tom Carter: Motion carried and Unanimous.

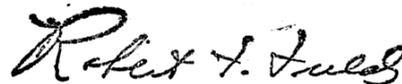
MOTION: Don Krammer made the motion to adjourn.

Robert Fields: 2nd the motion.

Bruce Osborn: Motion carried and Unanimous, meeting adjourned.



Bruce V. Osborn, Member



Robert F. Fields, Member

ATTEST: /S/

Sylvia L. Ward, Secretary  
Drainage Board

---

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD Held April 2, 1980

---

The Tippecanoe County Drainage Board met in the Community Meeting Room in the County Office Building, on April 2, 1980 at 9:30 a.m. with the following members present: Bruce V. Osborn, Robert F. Fields, Ed Shaw for William Vanderveen, Michael Spencer, Fred Hoffman, George Schulte, and Marsha Tull.

Crum Reality-Mountain Jacks: Brent Clary, attorney, explained that he was before the board concerning the Mountain Jacks tract of land. It is an 18.9 acre tract, located on the South side of Highway 26 adjacent to the Mountain Jacks Resturant area. They have a problem arranging a drainage system to serve the 6 tracts of land that are located in that area. This eventually flows into the Treece Meadows system. A design was put together to serve all 6 tracts.

Crum  
Reality  
Mountain  
Jacks

The before development runoff for the area is something in excess of 9.5 cfs. With the plan as presented, that rate drops to something less than .05 cfs. As far as controlling the runoff, this is a very excellent plan. It makes use of the natural flow in the area to the south, with natural swails and construction of the channel.

The system will connect over in the Southwest corner, to the Farrington Apartments system. There is an existing pipe there. To fit into the system, it does require a substantial reduced rate. All the calculations in regard to the system have already been presented to the Engineering office, and they have reviewed them completely.

There is no detention in that area at the present time. There is going to be just one retention pond. A constant water level of 6 feet will be in the pond. There will be a 12" outlet pipe with Orfice Plate. Mike Spencer mentioned that this will be a private system, and that they will need an adequate maintenance agreement that satisfies the County Drainage Board and the restrictions and covenants that will cover this.

The County Engineering Office has recommended approval of the plan with recommendations.

It was stated that one person owns everything except Mountain Jacks. Mountain Jacks has agreed to participate.

Mike Spencer: "One of the reasons that we requested it be built all at once is for existing conditions, as they are right now. Even if they are not built immediately, at least the pond will be there to take care of what water does drain off there now. Let's leave the condition concerning the 6 parcels of land in the recommendations, until you can come up with something that will tie it down tighter."

Brent Clary: "That is acceptable". He also mentioned that they do have commitments from the owners of the existing pipe to tie into it. There is a letter forthcoming. These people will be assessed on the Elliott Ditch and Treece Meadows Drain.

Robert Fields went over what the Drainage Board wanted concerning the proposal.

- a) A letter concerning the tile, stating that Farrington Apartments approves of the tie in.
- b) A Maintenance agreement.
- c) If you are going to build this in stages, then building permits must be tied with these different areas.

Fred Hoffman recommended that they complete this in one phase.

Brent Clary: "We will agree to that right now."

## REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD ----- Held February 3, 1982

The Tippecanoe County Drainage Board met in the Community Meeting Room on February 3, 1982 at 10:00 a.m. with the following members present: William G. Vanderveen, Bruce V. Osborn, Sue M. Reser, Fred Hoffman-Attorney, Mike Spencer-Surveyor, and Natalie Boyer-Secretary.

Tile Bids

Three bids were received from LCP Plastics, Stout Enterprises, Inc., d/b/a Maxwell Concrete Tile Company, and Banning-Barnard, Inc., d/b/a Economy Tile Company-Flora Tile Company.

The bid received from Maxwell Concrete Tile Company is not acceptable because neither a bid form nor a financial statement was submitted, just a bond.

The bid received from LCP Plastics submitted no bond and the financial statement was left blank and the bid form was not signed.

Tile  
Bids

The bid from Banning-Barnard, Inc., d/b/a Flora Tile Company was opened and approved by the attorney.

A recess was called in order for the surveyor to check over the bid from Flora Tile Company and make his recommendation.

The recommendation was to accept the bid from Flora Tile Company.

MOTION: Bruce Osborn made the motion to accept the bid from Flora Tile Company.

Sue Reser: Seconded the motion.

William Vanderveen: Unanimous.

Gosma Ditch

Joe Booher, a Shelby Township and Wabash Township landowner, was before the Board in concern with the reconstruction of the Gosma Ditch.

He explained to the board the decision made by Judge Carl Overbeck, of White County, on December 31, 1981. He stated that they will not accept Martin Galema's vote to represent Tippecanoe County, which made the final vote two in favor of and one against.

Gosma  
Ditch

Mr. Booher asked the Board what could legally be done to oppose Judge Overbeck's ruling of Martin Galema's vote.

Fred Hoffman-Attorney: "You would have to file a motion to correct errors and then you would have to take the appeal to the appellate court; it is going to cost you some money and I don't think you are going to upset it. Because when the lower court has ruled, the appellate court will upset it only if there is no evidence to support it, and I think you will find here there was evidence to support it. His position that Martin Galema was not properly appointed because there had not been an official meeting at which Bruce Osborn had resigned, and made the appointment and recommendation to have Martin Galema appointed by the Circuit Court Judge. That is what the statute said should have been done which was not done, and so as a result you will never upset that decision."

Bruce Osborn: "How long could it be delayed by court action?"

Fred Hoffman: "Oh, you might delay it a year or so, but it would cost at least \$3,000.00 maybe \$5,000.00."

William Vanderveen entertained a motion to correct errors.

MOTION: Bruce Osborn made the motion to instruct Fred Hoffman to proceed legally whatever is necessary in order to correct the mistake in our view.

Sue Reser: Seconded the motion.

William Vanderveen: Made the motion unanimous.

MOTION: Bruce Osborn made the motion that either the drainage board and/or the surveyor make contact with the DNR regarding the volume of water that would be put down there at a given time if this project would go through.

Sue Reser: Seconded the motion.

William Vanderveen: Made the motion unanimous.

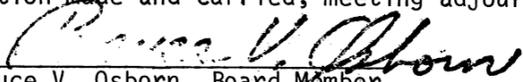
There is no account in the drainage board budget that will allow for these expenses. Therefore, the County will pay the expenses of the appeal and the legal fees from additional appropriations.

MOTION: Bruce Osborn made the motion to adjourn.

Sue Reser: Seconded the motion.

William Vanderveen: Made the motion unanimous.

Motion made and carried, meeting adjourned.

  
Bruce V. Osborn, Board Member

  
Sue M. Reser, Board Member

  
William G. Vanderveen, President

ATTEST:   
Natalie J. Boyer, Secretary

## REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD ---- Held January 5, 1983 (continued)

Eugene R. Moore made the motion to grant preliminary approval for Wakerobin.

Sue M. Reser: Second.

Bruce V. Osborn: Unanimous.

Wakerobin

Motion:

Eugene R. Moore made the motion to adjourn.

Sue M. Reser: Second.

Bruce V. Osborn: Unanimous.

Motion made and carried, meeting adjourned.

*Bruce V. Osborn* *Eugene R. Moore* *Sue M. Reser*  
 Bruce V. Osborn, Chairman      Eugene R. Moore, Boardmember      Sue M. Reser, Boardmember

ATTEST: *Natalie Cronin*  
 Natalie J. Cronin, Secretary

## REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD ---- February 2, 1983

The Tippecanoe County Drainage Board met on February 2, 1983 at 8:30 a.m. in the Community Meeting Room with the following members present: Bruce V. Osborn-Chairman, Eugene R. Moore-Boardmember, Fred Hoffman-Attorney, George Schulte-Engineer, Michael J. Spencer-Surveyor, and Natalie J. Cronin-Secretary.

Vacation of Drainage Easements in Wakerobin Subdivision

Robert Grove and G. Mark Smith were before the drainage board representing Tippecanoe Development Corporation.

Robert Grove presented a petition to the board regarding the vacation of drainage easements in Wakerobin Subdivision.

The petition reads as follows:

PETITION FOR VACATION OF DRAINAGE EASEMENTS

February 1, 1983

TO THE TIPPECANOE COUNTY DRAINAGE BOARD:

I respectfully request vacation of drainage easements platted in Wakerobin Estates Part II Section 1, recorded October 19, 1981 in Plat Cabinet C, Slide C-26, as shown on attached Exhibit A.

The proposed easement vacation is necessary to replat Wakerobin Estates Part II Section 1. The replat will revise the lot layout, provide an alternate storm water routing, and save most of the existing trees between Wakerobin Estates Part II and Sherwood Forest Subdivision.

TIPPECANOE DEVELOPMENT CORPORATION

/s/  
 John E. Smith, President

JWV/b1h  
 02/01/83

Motion:

Eugene R. Moore made the motion to approve the vacation of the existing drainage easements, with the understanding that Tippecanoe Development Corporation will be back for approval of the new easements.

Bruce V. Osborn made the motion unanimous.

Vacation of Drainage Easement in Willowood East Subdivision

Jack Boes appeared before the board requesting a vacation of a five foot easement running north and south on the west side of lot number 4 in Willowood East Part II Subdivision.

Harold H. Clegg, who owns the land south of lot number 4, submitted a letter to the drainage board stating that he does not object to the vacation of a five foot easement running north and south on the west side of lot number 4 in Willowood East Part II.

Motion:

Eugene R. Moore approved the request to vacate the five foot easement on the west side of lot number 4 in Willowood East Part II Subdivision.

Bruce V. Osborn made the motion unanimous.

Beutler Ditch Bids

Bids were received for maintenance work on the Herman Beutler Ditch. The bids were read as follows:

VanMeeter: \$26,415.00, W & W Contracting: \$17,475.00, Atlas Trucking: \$22,350.00, Keiser & Keiser: \$47,903.00  
 Jim Emmons: \$24,800.00, Wm. Noland: \$32,455.50. The engineer's estimate: \$29,625.00.

There will be a short drainage board meeting following the Commissioner's meeting on Monday, February 7, 1983 in order to award the contract.

Vacation  
 of  
 Drainage  
 Easements  
 in  
 Wakerobin  
 Subdivision

Vacation  
 of  
 Drainage  
 Easement  
 in  
 Willowood  
 East  
 Subdivision

Beutler  
 Ditch  
 Bids

E.W. Andrews Ditch

Max Sheets and Bob Kerkhove were before the board to discuss the drainage problem on the E.W. Andrews Ditch. They presented pictures to the board showing the water on their property. The tile outlets to C.R. 350 North.

There are 259 acres in the total watershed area. Max Sheets drains 35 acres into the ditch; Bob Kerkhove drains 41 acres into the ditch. The County drains 4 acres.

E.W.  
Andrews  
Ditch

The first concern was whether the repair would be termed a maintenance or a reconstruction.

Fred Hoffman: "It will be termed a reconstruction."

Michael Spencer had an estimate from a contractor. The estimate was approximately \$7,000.00 for 1300 feet of 12 inch tile.

Bruce Osborn explained to the gentlemen that the board does not have the money at this time to fund this reconstruction for the E.W. Andrews Ditch. However, they could be put on the waiting list. In addition, he suggested the County would pay for their four acres if Bob and Max would pay the additional cost for the repair.

At this time, no decision had been made as to future action.

American Legion Check

American  
Legion  
Check

Bruce V. Osborn: "Let the minutes show that the check received from the American Legion for the sum of \$299.99 be paid directly to VanMeeter Excavating on the American Legion project; thereby, eliminating the need to go before the Council to request that it be rebudgeted. The contract for VanMeeter will be lowered by the amount of \$299.99."

Motion:

Eugene R. Moore made the motion to adjourn.

Bruce V. Osborn: Unanimous.

Motion made and carried, meeting adjourned.

*Bruce Osborn*  
*Eugene R. Moore*

Eugene R. Moore, Boardmember

ATTEST: *Natalie J. Cronin*  
Natalie J. Cronin, Secretary

SPECIAL MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD ---- February 7, 1983

The Tippecanoe County Drainage Board met Monday, February 7, 1983 at 9:30 a.m. in the Community Meeting Room with the following members present: Bruce V. Osborn-Chairman, Eugene R. Moore, Boardmember, Sue M. Reser, Boardmember, Fred Hoffman-Attorney, Michael J. Spencer-Surveyor and Natalie J. Cronin-Secretary.

Acceptance of Contract for Maintenance Work on the Herman Beutler Ditch

Michael J. Spencer recommended to the board to accept the lowest bidder, W&M Contracting-\$17,475.00.

Sue Reser made the motion to accept the bid from W&M Contracting for maintenance work on the Herman Beutler Ditch. The bid was for \$17,475.00.

Eugene R. Moore seconded the motion.

Bruce V. Osborn made the motion unanimous.

Motion:

Sue Reser made the motion to adjourn.

Eugene R. Moore seconded the motion.

Bruce V. Osborn made the motion unanimous.

Motion made and carried, meeting adjourned.

*Bruce V. Osborn*  
*Eugene R. Moore*

Eugene R. Moore, Boardmember

*Sue M. Reser*

Sue M. Reser, Boardmember

ATTEST: *Natalie J. Cronin*  
Natalie J. Cronin, Secretary

The Tippecanoe County Drainage Board met in regular session in the Community Meeting Room of the Tippecanoe County Office Building on August 3, 1983 at 9:00 a.m.

In attendance: Bruce Osborn, Board Chairman; Eugene Moore, Boardmember; Sue Reser, Boardmember; Michael Spencer, Surveyor; and Frances Bates, Secretary.

I Gosma Drain - Mr. Tom Carter, White County Commissioner

Mr. Tom Carter, White County Commissioner, appeared before the Board to discuss future plans for the Gosma Drain which empties into the Herman Beutler ditch. He reported that White County landowners had discussed the future work on the Gosma to include the tile and outlet in White County, but not to involve the Beutler drain. The Gosma drains approximately 120 acres in Tippecanoe County and 1000 acres in White County, with over 80% of this ditch being in White County. Mr. Carter requested that the Board express their preference as to options, these options being:

1. Tippecanoe County to waive the right to be represented on a joint board and permit White County to do needed work on the Gosma.
2. Tippecanoe County and White County to form a joint board with work on the Gosma to be a joint project.

Mr. Carter noted that White County perceived the Gosma as a drainage problem in need of solution, but did not want to become involved in the Beutler drain due to objections voiced by White County landowners.

Mr. Osborn requested that Mr. Carter elaborate on the proposals that had been made and rejected.

Mr. Carter reported that the previous proposal had been to clean the Herman Beutler ditch from its beginning to the west line of Parkinson's property (property being previously owned by Gosma). The original proposal was to stay on property lines with an open ditch running north, ½ mile west of Morehouse Road. The new open ditch was to be approximately one mile long - ½ mile in Tippecanoe County and ½ mile in White County, to intersect the large tile and thus drain the area. The large tile to be further broken down with drainage into the open ditch. The tile to serve the remaining landowners, with the open ditch to serve landowners on the west. The watershed area noted to be approximately 1100 acres.

GOSMA

Due to the absence of legal counsel, Mr. Osborn requested that Mr. Carter submit in writing to the Board the White County position on the Gosma as expressed in these proceedings. Mr. Osborn reminded Mr. Carter that a considerable sum had already been spent by Tippecanoe County in defending the Board's position in previous proceedings. In fairness to landowners in both Tippecanoe and White Counties, Mr. Osborn stated that the written request submitted by White County would be considered and a decision rendered.

Mr. Carter restated the White County concern with only the drainage area to the north, and questioned if Tippecanoe County was considering work on the Beutler drain on the lower end.

Mr. Spencer stated that including the Beutler ditch lower end in the work would be a necessity.

Mr. Osborn noted the involvement of the Burnett's Creek problem; the solution to be the creation of a court drain. However, this solution to be a sizeable task with many legalities involved. Mr. Osborn stated the Board's position to cooperate as much as possible after receipt of the written request. Due to interested parties and problems involved, no decision of the Tippecanoe County Drainage Board on the Gosma drain could be given at this time.

Mr. Carter clarified that White County plans could not be made until Tippecanoe County had reached a decision due to 80% of the ditch being in White County only if the Beutler ditch was not included.

Mr. Spencer stated that Drainage Board's legal counsel had advised that the Gosma should be considered a branch of the Beutler, not a separate drain.

Mr. Carter asked if maintenance on the Beutler included the Gosma.

Mr. Spencer reported that when the maintenance fund was set up on the Beutler that it did not include that portion north and ½ mile west of Morehouse Road, however the legal description of the Beutler does include that portion past Morehouse Road. Mr. Spencer and Mr. Carter agreed that the Gosma was a branch of the Beutler. Mr. Spencer stated that branches had been reconstructed in the past without involving the entire ditch watershed. However, Mr. Spencer could not state whether Mr. Hoffman, Drainage Board legal counsel, would consider this entire area as one watershed area or not. Mr. Spencer could not state whether notification of hearings, etc., would involve the entire watershed or not.

Mr. Carter suggested that work done by surveyors and engineers on preliminaries be mutually agreeable before assessments were decided. The decision whether a portion (Gosma) or the entire ditch (Beutler) would need to be done to be decided by the Tippecanoe County Surveyor. Mr. Carter stated the need for clarification and organization before proceeding, and suggested the possibility that Tippecanoe County waive their rights on the Gosma and form a joint board with White County for work on the Beutler. He noted that there was no question that the entire ditch system needed work. He reported that White County set up maintenance funds based on benefits when possible, especially on a large watershed. A flat rate being easier to set up and used by White County on small watershed areas. However on large watersheds (this project included), White County would recommend assessment by benefits. Mr. Carter confirmed that a request concerning the tile portion to the north would be sent, with the decision as to further work on the Beutler to be negotiable. He noted that work on the bridge at the farm entrance on the Beutler may be extensive, but was needed to maintain the bridge.

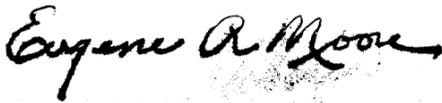
Mr. Kent Parkinson, property owner, declined comment.

Sue Reser made the motion to adjourn the Regular August Drainage Board Meeting. Eugene Moore seconded the motion.

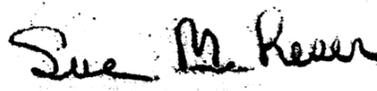
The Regular Drainage Board Meeting of August 3, 1983 was adjourned at 9:25 a.m.



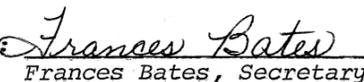
Bruce Osborn, Board Chairman



Eugene Moore, Boardmember



Sue Reser, Boardmember

ATTEST   
Frances Bates, Secretary

July 3, 1985 Regular Meeting Continued

Eugene Moore ask if the surveyor would consider dredging the ditch clear down to the head wall? Mr. Spencer answered, that he would like to take from open ditch to Wilson Branch and on up. Mr. Spencer wants some time. He ask would the potential developer support reconstruction and Mr. Fisher said, YES. Mr. Spencer said signed petitions would need to be presented to request reconstruction before reconstruction could begin. Mr. Fisher again stated that their request would be compatible with the existing ditch and that he was not requesting a decision, but wondered if the board feels that the consideration is reasonable. Board is receptive, but requested petitions be presented.

BEUTLER  
GOSMA  
DITCH

BEUTLER AND GOSMA DITCH

A letter was received from James L. Milligan, White County Surveyor requesting our Drainage Board to appoint two members to serve on joint drainage board for the H.F. Beutler ditch in Tippecanoe County and A.P. Gosma ditch in Tippecanoe County and White County. A meeting will be held Monday, July 29, 1985 at 9:00 A.M. in the Commissioner's Meeting Room, in the County Building at Monticello, Indiana. Eugene R. Moore and Sue W. Scholer were appointed to be Tippecanoe County representatives. Michael J. Spencer, Surveyor will attend.

There being no further business to come before the board the meeting was adjourned at 9:00 A.M.

*Bruce V. Osborn*  
CHAIRMAN

*Sue W. Scholer*  
BOARD MEMBER

ATTEST:

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

*Eugene R. Moore*  
BOARD MEMBER

TIPPECANOE COUNTY DRAINAGE BOARD MEETING  
August 7, 1985

The Tippecanoe County Drainage Board met Wednesday, August 7, 1985 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana for the regular meeting at 8:30 A.M.

Chairman Bruce V. Osborn called the meeting to order with the following in attendance: Bruce V. Osborn Chairman, Eugene R. Moore and Sue W. Scholer Board Members, Michael J. Spencer Surveyor, Fred Hoffman Attorney, George Schulte Drainage Engineer, and Maralyn D. Turner Executive Secretary. Others in attendance are on file.

Shawnee  
Creek

SHAWNEE CREEK

David Nesbitt property owner, presented pictures of Shawnee Creek in the area of which he has concern. Description of the area is Sec. 36, of Jackson Township extending to road 1300 South through Todd Farm to Nesbitt/Todd property line, a distance of 160 rod. Shawnee Creek from 1300 South through remainder of Tippecanoe County has been kept in good condition (Tippecanoe/Fountain County Line). This has been kept clean by the property owners along the Shawnee Creek. Area in question is the 160 rod. Mr. Nesbitt has tried to talk to the property owner and gets no place. Mr. Nesbitt wants to know what his options are to make this a county ditch. After finding his options he is willing to contact the other property owners to proceed in making Shawnee Creek a legal ditch. Discussion: Is Shawnee Creek a Legal Drain? Michael Spencer gave the following report. In 1947 a petition to reconstruct clear into Fountain County is on file, and in 1952 ended up in court, at that time some changes were made. There is no Maintenance Fund. Files do not state the facts. Question is it a legal drain or does it come under Natural Resources statue. A County tile empties into Shawnee Creek south of 1300 South. Mr. Spencer stated that this is a legal question as property owner won't let Mr. Nesbitt on his property to see what can be done. Mr. Nesbitt is willing to do work at his own expense. Mr. Hoffman will check Tippecanoe County Superior Court records of Cause #279-1948. He will then let Michael Spencer know his findings. If this is a legal stream the property owner does not have to let him on his property, but if it is a legal drain he can go on other property, If it is a stream, to make it a legal drain will have to contact the Natural Resources Department to get permission. Guessing that it was a legal drain, would there be more acres in another county (still need to find the facts). Michael Spencer feels that Tippecanoe County has more acres in the watershed area than Fountain County, there would be some drain into Montgomery County. Michael Spencer will let Mr. Nesbitt know the findings and what procedures he will have to do to proceed with this matter. Mr. Nesbitt is just interested in the 160 rods, no further.

Seasons  
Four  
Part II

SEASONS FOUR PART II

Alfred Buckley developer of property on South 18th Street, Summertime Trail, and 300 South along the Elliott ditch. Drainage Board had passed on 200 lots in 1979, builder allowed the preliminary plat to expire on parts, the developer is now going at it piece by piece, 19 lots have been developed, approval has been given for an additional 24 lots which drainage has been approved on in the past, a larger detention pond has been installed along Summertime Trail and South 18th Street (six years ago within the old ordinance). Approval had been given National Homes in 1973, all the developer is asking for at this time is reapproval for the 24 lots. John Fisher was engineer for the original and now Paul Coutts is the engineer for the project. Construction Plans are the same except two lots have been taken out making the lots bigger than what they originally had been, increasing the frontages by 10'. Changes are in the Construction Plans not the drainage plans, changes in construction plans decreases the run off. Michael Spencer and George Schulte stated all were in compliance with drainage ordinance. Sue W. Scholer moved that approval be given on the revised Construction Plans for Seasons Four Part II, seconded by Eugene R. Moore, Unanimous approval given.

Regular Drainage Board Meeting, October 2, 1985 Continued.

1980. Mr. Grove submitted Preliminary Plan. In two weeks he will submit Construction Plans Discussion again on the biggest problem is the ravine right behind the Flower Shop, there has to be a pipe to get the water away as there is no water standing. No good outlet. There is 6.5 Acres in the development with 17 single family lots, one which is to be used for a storm water detention basin. The runoff for a 10 year storm for the undeveloped condition is 7.5 cfs, for 100 year storm event is 16.21 cfs. The area of controlled runoff which is routed through the detention basin is 3.80 acres. The uncontrolled runoff is mostly lawn area and some street which is 5.37 cfs. The allowable discharge from the basin for 100 year runoff 5.37 cfs which leaves 2.13 cfs allowable discharge from the basin. The developer has agreed to give up a lot (triangle shape lot) at the top of the ravine for a detention basin. Development is not in the City. Question as to who would maintain. Mr. Grove stated that they were hoping the Developer and Commissioners could come to an agreement after approval, but Mr. Hoffman stated that the system would have to be a legal drain for the Commissioners to take it. George Schulte's main concern is the maintenance of the Detention Basin. A Legal Drain would take care of the problem, but where to stop is questionable. The Board accepted Preliminary Plans as presented.

PRAIRIE OAKS SUBDIVISION

Prairie  
Oaks  
Subdivis  
ion

John Fisher, engineer and developer David Lux of Prairie Oaks Subdivision next to McCutcheon Heights, the area is on top of the hill north of McCutcheon School overlooking Wea Creek Valley. Original plans were to have a detention area in the ravine, would like to change route of the surface water runoff down into the lower grounds, create an open swale along southern side of proposed lots of undeveloped portion of Prairie Oaks continue elongated storage area or expand the ditch section. Mr. Fisher has a drawing that he did not bring with him that shows the Flood Hazard elevation, if the basin is in the Flood Hazard area, only the storage above the 100 year flood elevation will be counted. There is no detention area at this time in Prairie Oaks. Like to make Legal Drain for maintenance. Mr. Fisher ask if it would be possible to create Legal Drain with Subdivision, there would be no control of outlet after it leaves the property. Mr. Hoffman stated they would have to hook into another legal drain. Mr. Fisher will get drawing to the surveyor's office for review and action will be taken at the next Drainage Board meeting.

FELBAUM BRANCH OF THE BERLOVITZ

Felbaum  
Branch of  
Berlovitz

Hearing will be October 16, 1985 for the Felbaum Branch of the Berlovitz ditch. Mr. Hoffman ask the board to get another attorney as he can not advise the board officially. The board ask the secretary to send a letter to Lawrence O'Connell asking him to set in on the hearing. Letter was sent October 2, 1985.

WADDELL BRANCH OF THE J.B.ANDERSON DITCH - TRAIN COE DITCH

Waddell  
Branch of  
Berlovitz  
Train  
Coe  
Ditch

Chairman Bruce Osborn read the following ditches as having no activity in the past two years. These ditches have gone through the five year collection period for reconstruction or construction, no activity for two years we should ask the Auditor to transfer funds to Drain Maintenance Account. Waddell Branch of the J.B. Anderson Ditch \$1,004.50 and Train Coe Ditch 2,531.61. Eugene R. Moore move to send a letter to the Auditor requesting the Auditor to transfer the money for the Waddell Branch of the J.B. Anderson ditch and the Train Coe ditch to Drain Maintenance of the respective ditches. Motion carried.

Ditches for the years of 1987 will be Michael Binder Ditch and 1988 John Saltzman Ditch . This is for the records.

HOFFMAN DITCH

Hoffman  
Ditch

Chairman Bruce V. Osborn ask the surveyor what has been done in regards to the Hoffman Ditch. Michael is waiting for the crops to be harvested and work will be done in digging holes for elevation findings.

GOSMA DITCH

Gosma  
Ditch

Mr. Hoffman ask what is happening on the Gosma Ditch? Michael stated two meetings have been attended. White County is working on assessments they will send them to Tippecanoe County before next hearing, to this date Michael has received no correspondence.

There being no further business to come before the board, the meeting was adjourned at 9:20 A.M.

  
Bruce V. Osborn, Chairman

Absent  
Sue W. Scholer, Board Member

  
Board Member

ATTEST:   
Maralyn D. Turner, Executive Secretary

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-  
MENTS1986 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.

WOODRIDGE  
SOUTHWOODRIDGE 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 pertaining to Subdivisions in their Drainage Ordinance, the board members agreed to study.

JAMES  
KIRPATRICK  
DITCHJAMES 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  
DITCHMCLAUGHLIN, 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.

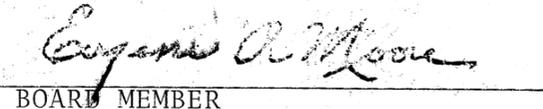
ELLIOTT  
DITCHELLIOTT DITCH

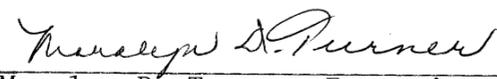
A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

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

  
CHAIRMAN

  
BOARD MEMBER

  
BOARD MEMBER

ATTEST:   
Maralyn D. Turner, Executive Secretary

REGULAR MEETING  
February 5, 1986

The Tippecanoe County Drainage Board met Wednesday, February 5, 1986 in the Tippecanoe County Office Building Community Meeting room, 20 North Third Street, Lafayette, Indiana 47901 at 8:30 A.M.

Chairman Bruce V. Osborn called the meeting to order with the following in attendance: Bruce V. Osborn Chairman, Eugene R. Moore and Sue W. Scholer, Board Members, Michael J. Spencer Surveyor, George Schulte Drainage Engineer, and Maralyn D. Turner Executive Secretary other in attendance are on file.

Chairman Bruce V. Osborn ask that for the records since the Drainage Board was not requesting tile bids for the year 1986, the Auditor's office has issued a check in the amount of \$1,000.00 to Reed's Quality Tile as they had ask for the remittance since there were no bids for the year 1986. Reed's Quality Tile had submitted a Certified check as his bid bond for the year 1985 in the amount of \$1,000.00.

SULHAMSTEAD  
SUBDIVISIONSULHAMSTEAD SUBDIVISION

Robert Grove engineer representing Gemini Land Development Corporation requested preliminary approval of drainage plan also, requested a special meeting in two (2) weeks for final approval and requested that the board waive the requirement of detention storage, reason for the request in regards to detention storage are: 1. Extremely steep topography-The proposed basin would be located at the outlet of a steep ravine system, feel that this system should not be disturbed. 2. Proximity to a major stomwater outlet, the ravine system in the development outlet directly to Wildcat Creek. 3. Configuration, the large lots and setbacks reduce the potential of increased run off. Any disturbance of ground cover in this

ravine system is sure to cause erosion problems which would be worse than a small increase

TIPPECANOE COUNTY DRAINAGE BOARD  
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

Mr. Hoffman read the Active Ditches for the year of 1988.

E.W. Andrews, Juluis Berlovitz, Herman Beutler, Michael Binder, John Blickenstaff, N.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. Cripe, 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. Sterrett, Wm A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohy, 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

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

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR Meeting January 3, 1990

The TIPPECANOE County Drainage Board met Wednesday, January 3, 1990 in the Community Meeting room of the TIPPECANOE County Office Building 20 North Third Street, Lafayette, Indiana.

Those present were Bruce V. Osborn and Sue W. Scholer, Board Members; Michael J. Spencer, Surveyor; Todd Frauhiger, Drainage Consultant; J. Frederick Hoffman, Drainage Attorney; and Maralyn D. Turner, Executive Secretary, others present are on file.

The meeting was called to order at 9:00 a.m. by Drainage Attorney J. Frederick Hoffman. Mr. Hoffman stated that it is time for election of officers for a new year.

Bruce V. Osborn nominated Sue W. Scholer for chairman of the board, seconded by Sue W. Scholer, motion carried, there being no other nominations from the floor Sue was elected Chairman of the Board.

Sue W. Scholer chairman continued the meeting asking for nomination for Vice Chairman, Sue W. Scholer nominated Bruce V. Osborn as Vice-Chairman, seconded by Bruce, motion carried, there being no other nominations from the floor Bruce was elected Vice-Chairman.

Bruce V. Osborn nominated Maralyn D. Turner as Secretary, seconded by Sue W. Scholer, there being no other nominations from the floor Maralyn was elected Executive Secretary.

Bruce V. Osborn moved to accept J. Frederick Hoffman's continued services as Drainage Attorney for the year 1990, seconded by Sue W. Scholer, motion carried.

Michael J. Spencer recommended to continue the services of the Chris Burke Engineering, LTD as Drainage Engineer Consultant for the year 1990. Bruce V. Osborn moved to accept Michael's recommendation, seconded by Sue W. Scholer, motion carried.

1990 DITCH ASSESSMENTS

Fred Hoffman read the following ditches to be made Active for assessments in May 1990. Jesse Anderson, A.P. Brown, Orrin Byers, John McFarland, Ann Montgomery, and the J. Kelly O'Neal.

Ditches that are In Active are: John Amstutz, Dempsey Baker, Nellie Ball, N.W. Box, Alfred Burkhalter, Floyd Coe, Grant, Cole, J. A. Cripe, Fannie Devault, Marion Dunkin, Jess Dickson, Martin V. Erwin, Crist/Fassnacht, Elijah Fugate, Rebecca Grimes, Harrison Meadows George Ilgenfritz, George Inskeep, Lewis Jakes, Jenkins, E. Eugene Johnson, F. S. Kerschner, Amanda Kirkpatrick, James Kirkpatrick, John A. Kuhns, Calvin Lesley, John McCoy, Mary McKinney, Absalm Miller, Lane Parker, James Parlon, Calvin Peters, Franklin Resor, Peter Rettereth, Arthur Richerd, Alexander Ross, James Shepherdson, John Saltzman, Ray Skinner, Joseph C. Sterrett, Wm A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohey, John VanNatta, Harrison Wallace, Sussana Walters, McDill Waples, J. & J. Wilson, Franklin Yoe, and Shawnee Creek.

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

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

COUNTRY CHARMS

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

TRASH TRANSFER

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

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

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

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

Sue W. Scholer stated there are two recommendations made.

1. The erosion control.
2. The calculations.

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

COUNTRY  
CHARMS

TRASH  
TRANSFER

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 D. Turner  
Maralyn D. 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 Kottlowski, Weitzel Engineering and Tom Stafford, Melody Homes presented their drainage plans for Pine View Farms to the Drainage Board.

Discussion followed.

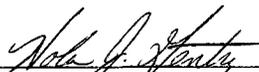
Mike Spencer recommended preliminary approval to the Board.

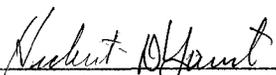
Nola moved to grant preliminary approval contingent on completion of restrictions and receipt of the recorded easements or agreements.

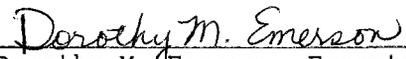
Hubert Yount, seconded. Motion carried.

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

  
Keith E. McMillin, Chairman

  
Nola J. Gentry, Member

  
Hubert D. Yount, Member

ATTEST:   
Dorothy M. Emerson, Executive Secretary

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

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

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

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

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

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

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

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

**Hire the Attorney**

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

**Active and Inactive Ditches for 1993**

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

**ACTIVE DITCHES**

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

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

INACTIVE DITCHES

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

**Storm Water Drainage Improvement Plan**

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.

  
William D. Haan, President

  
Nola Gentry, Vice President

  
Hubert Yount, Member

ATTES:   
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
JANUARY 5, 1994

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

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

ELECTION OF 1994 OFFICERS

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

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

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

-APPOINTMENTS-

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

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

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

-MEETING DATES FOR 1994-

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

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

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

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

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

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

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

#### HAWKS NEST SUBDIVISION, PHASE I

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

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

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

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

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

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

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

#### TRIPLE J POINTE SUBDIVISION

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

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

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

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

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

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

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

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

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

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

#### HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

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

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

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

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

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

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

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

ACTIVE DITCHES FOR 1994

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

INACTIVE DITCHES FOR 1994

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

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

OTHER BUSINESS

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

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

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

**GREAT LAKES CHEMICAL**

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

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

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

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

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD  
 REGULAR MEETING  
 FEBRUARY 1, 1995

The Tippecanoe County Drainage Board met Wednesday February 1, 1995 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney pro-tem David Luhman; and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held January 4, 1995. Commissioner Gentry moved to approve the minutes, Seconded by Commissioner Jones. Motion carried.

ACTIVE AND INACTIVE DITCH LIST 1995

Mr. Luhman read the active ditch list into the minutes.

Ditch No.	Ditch Name	Four Year Assessment	Balance Fund 94
2	Anderson, Jesse	15793.76	\$15745.45
3	Andrews, E.W.	2566.80	1385.41
4	Anson, Delphine	5122.56	1302.37
13	Brown, Andrew	8094.24	5365.93
14	Buck Creek (Carroll Co.)		
16	Byers, Orrin	5258.88	4453.68
18	Coe Train	3338.56	112.19
20	County Farm	1012.00	(724.45)
26	Darby, Wetherill (Benton Co.)		
27	Ellis, Thomas	1642.40	874.96
29	Fassnacht, Christ	2350.56	630.15
31	Gowen, Issac (White Co.)		
33	Grimes, Rebecca	3363.52	(5780.23)
35	Haywood, E.F.	7348.96	6405.57
37	Harrison Meadows	1532.56	399.99
42	Kellerman, James	1043.52	513.73
46	Kirkpatrick, James	16637.76	13804.40
48	Lesley, Calvin	3787.76	511.43
51	McFarland, John	7649.12	6823.11
52	McKinney, Mary	4287.52	2344.53
54	Marsh, Samuel (Montgomery Co)		
57	Morin, F.E.	1434.72	264.90
58	Motsinger, Hester	2000.00	184.36
59	O'Neal, J. Kelly	13848.00	9902.13
60	Oshier, Aduley	1624.88	429.56
64	Rayman, Emmett (White Co.)		
65	Reser, Franklin	3407.60	(1799.25)
71	Skinner, Ray	2713.60	2003.50
73	Southworth, Mary	558.08	470.62
74	Sterrett, Joseph C.	478.32	120.35
76	Swanson, Gustav	4965.28	(314.21)
87	Wilson, Nixon (Fountain Co.)		
89	Yeager, Simeon	615.36	515.63

91	Dickens, Jesse	288.00	93.96
93	Dismal Creek	25420.16	5408.64
94	Shawnee Creek	6639.28	1004.91
100	Elliott, S.W.	227772.24	95756.64
102	Brum, Sophia (Benton Co)		
103	Moore H.W. (Benton Co)		
104	Hadley Lake	65344.56	15588.62
105	Thomas, Mary (Carroll Co)		
106	Arbegust-Young (Clinton Co)		

Mr. Luhman read the inactive ditch list into the minutes

Ditch No.	Ditch Names	Four Year Assessment	Balance Fund 94
1	Amstutz, John	\$5008.00	\$5797.94
5	Baker, Dempsey	2374.24	2931.55
6	Baker, Newell	717.52	2100.45
7	Bell, Nellie	1329.12	2163.76
8	Berlowitz, Julius	8537.44	9835.71
10	Binder, Michael	4388.96	4844.52
11	Blickenstaff, John M.	7092.80	7352.92
12	Box, N.W.	11650.24	14523.89
15	Burkhalter, Alfred	5482.96	5661.22
17	Coe, Floyd	13617.84	19021.00
19	Cole Grant	4113.92	10353.24
21	Cripe, Jesse	911.28	1622.55
22	Daughtery, Charles	1883.12	2386.04
23	Devault, Fannie	3766.80	8086.91
25	Dunkin, Marion	9536.08	11422.15
28	Erwin, Martin	656.72	1141.16
30	Fugate, Elijah	3543.52	5326.70
32	Gray, Martin	6015.52	6440.23
34	Hafner, Fred	1263.44	1380.75
36	Haywood, Thomas	2133.12	2916.09
39	Inskeep, George	3123.84	7972.80
40	Jakes, Lewis	5164.24	5493.58
41	Johnson, E. Eugene	10745.28	13692.14
43	Kerschner, F.S.	1844.20	4165.28
44	Kirkpatrick, Amanda	2677.36	3239.28
45	Kirkpatrick, Frank	4226.80	4754.52
47	Kuhns, John	1226.96	1592.33
50	McCoy, John	2194.72	3185.39
53	Mahin, Wesley	3467.68	3878.12
55	Miller, Absalm	3236.00	5382.84
56	Montgomery, Ann	4614.56	5468.74
61	Parker Lane	2141.44	3276.36
63	Peters, Calvin	828.00	2423.73
66	Rettereth, Peter	1120.32	2057.43
67	Rickerd, Arthur	1064.80	1148.17
68	Ross, Alexander	1791.68	4057.08
69	Sheperdson, J.A.	1536.72	3759.44
70	Saltzman, John	5740.96	7207.47

72	Smith, Abe	1277.52	1430.16
75	Stewart, William	765.76	937.96
77	Taylor, Alonzo	1466.96	3591.02
78	Taylor, Jacob	4616.08	6759.96
79	Toohy, John	542.40	1113.90
81	Van Natta, John	1338.16	2827.20
82	Wallace, Harrison	5501.76	6195.61
83	Walters, Sussana	972.24	2146.65
84	Walters, William	8361.52	8906.49
85	Waples, McDill	5478.08	9569.95
86	Wilder, Lena	3365.60	5125.49
88	Wilson, J & J	736.96	5873.30
90	Yoe, Franklin	1605.44	2613.93
92	Jenkins	1689.24	2655.25
95	Butler-Gosma	19002.24	20988.51
96	Kirkpatrick One	6832.16	11653.93
97	McLaughlin, John		
101	Hoffman, John	72105.03	55880.51

Mr. Spencer stated the John Hoffman Ditch is on a three year assessment which started in 1991 with a ten dollar an acre assessment. It is now necessary for the Board to schedule a meeting between Clinton, Carroll and Tippecanoe Counties to reduce the assessment.

Commissioner Haan appointed himself and Commissioner Gentry to serve on the Tri County Board.

#### CHRISTOPHER B. BURKE ENGINEERING CONTRACT

Mr. Luhman stated after reviewing the original contract from Christopher B. Burke Engineering a few items were discussed and changes were made. The contract was revised with one exception on page 6 paragraph 24. The suggested revision was if a contractor was doing work based upon the Engineers plans the contractor would indemnify Burke for any damages to Burke because of the contractors negligence. Also suggested was to include Burke as a named insured on the insurance policy. Mr. Luhman explained the main reason for the suggestion was so the County and Christopher B. Burke Engineering would not be held liable.

Commissioner Gentry moved to approve the contract with Christopher B. Burke Engineering, LTD., and authorize the President of the Board to sign the contract, seconded by Commissioner Jones. Motion carried.

#### OTHER BUSINESS

Mr. Spencer presented the Board with the reforestation proposal for the Cuppy-McClure Drain, which will comply with the DNR requirements for a 2 to 1 mitigation on tree removal. The Parks Department for the City of West Lafayette suggested sites for the trees replacement. Mr. Spencer explained he wanted the Board to be aware of the progress and that Mr. Ditzler of J.F. New will submit the plan to Dan Ernst of the Indiana Department of Natural Resources.

Being no further business, Commissioner Gentry moved to adjourn until March 1, 1995, seconded by Commissioner Jones. Meeting adjourned.

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
DECEMBER 6, 1995

The Tippecanoe County Drainage Board met Wednesday, December 6, 1995 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; Engineering Consultant Dave Eichelberger and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the meeting held November 8, 1995. Commissioner Gentry moved to approve the minutes, seconded by Commissioner Jones. Motion carried.

AGGREGATE EQUIPMENT & SUPPLY

Allen Jacobsen with C & S Engineering, recalled at the November 8, 1995 Drainage Board Meeting, conceptual approval was granted for the temporary drainage of Aggregate Equipment. Mr. Jacobsen was back to ask for preliminary approval of the drainage plan.

Mr. Spencer and Mr. Eichelberger recommended granting preliminary approval.

Commissioner Gentry moved to grant preliminary approval of the interim drainage plan for Aggregate Equipment and Supply, seconded by Commissioner Jones. Motion carried.

HUNTINGTON SUBDIVISION

Andy Slavens and Pat Cunningham of Vester & Associates, presented the development plans for Huntington Subdivision. Mr. Slavens asked for preliminary approval of the development which is located north of State Road 26 West, just west of Green Meadows Subdivision.

Mr. Kenneth Collins, 1631 N 400 W, expressed his concern of flooding in the farm field at the outlet of the proposed development.

Mr. Slavens stated the detention pond would serve as a control to release the water from the pond through a thirty one inch pipe at the south west corner of the pond outletting into a thirty six inch culvert under State Road 26 West.

Mr. Cunningham stated the pond will improve the site because the water naturally drains to the same culvert, the pond will decrease the rate at which the water will reach the culvert.

Mr. Hoffman asked if the State granted permission for the discharge into the culvert under State Road 26 West?

Mr. Slavens stated they will get the permission in the permit.

Mr. Lee Brand, 3890 State Road 26 West, asked how much more water will be caused by the street and roof coverage? Mr. Brand would rather the developer tile the water to the outlet, not release over his property.

Mr. Cunningham stated row cropping is the type of farming being done on the proposed site, with the development of streets and houses will not cause much increase in the runoff.

Mr. Spencer stated Vester and Associates needs to determine the total amount of acres that drains to the culvert before preliminary approval is granted. The Huntington development can use their share of the culvert capacity, but no all of the capacity.

Commissioner Gentry moved to continue Huntington Subdivision until the January 3rd Drainage Board meeting, seconded by Commissioner Jones. Motion carried.

#### OTHER BUSINESS

##### OSCO DRUG STORE

Commissioner Gentry stated after discussing the drainage system for Osco Drug store with professors in hydrology from Purdue University, she has some questions. Where does the subsurface water drain and what is the water quality going to be like from a parking lot?

Mr. Slavens stated they have received a letter from the Environmental Protection Agency (EPA) and the pond is designed to include a filtration system.

Mr. Spencer suggested the Board obtain a copy of the letter from the EPA.

Commissioner Haan requested Vester and Associates to submit a copy of the letter from the EPA showing they approve of the drainage system for Osco Drug store.

##### CUPPY MCCLURE - update

Mr. Hoffman stated the letter from the Department of Labor states that the use of the money has to comply with all Federal, State, and local laws.

Commissioner Gentry moved to set the reconstruction hearing for Feb 7, 1996, during the regular Drainage Board meeting, seconded by Commissioner Jones. Motion carried.

Commissioner Gentry stated there is some question on West Lafayette agreement to pay a portion of the Cuppy McClure project. She asked Mr. Spencer to get her any letters or minutes from the City to the County concerning this project.

Being no further business Commissioner Gentry moved to adjourn until January 3, 1996, seconded by Commissioner Jones. Motion carried. + , -

> N O W \_ DRAINAGE BOARD MINUTES DECEMBER 6, 1995 REGULAR  
MEETING 01/26/9611/24/95

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 PER ACRE	TOTAL ASSESSMENT 4 YEAR	1996 BALANCE YEAR END
AA				
1	Amstutz, John	\$3.00	\$5,008.00	\$5,709.97
2	Anderson, Jesse	\$1.00	\$15,793.76	\$21,291.57
3	Andrews, E.W.	\$2.50	\$2,566.80	\$2,847.14
5	Baker, Dempsey	\$1.00	\$2,374.24	\$3,270.71
6	Baker, Newell	\$1.00	\$717.52	\$2,343.45
7	Ball, Nellie	\$1.00	\$1,329.12	\$2,414.08
10	Binder, Michael	\$1.00	\$4,388.96	\$5,244.63
11	Blickenstaff, John	\$1.00	\$7,092.80	\$8,094.49
12	Box, NW	\$0.75	\$11,650.24	\$15,935.84
16	Byers, Orrin	\$0.75	\$5,258.88	\$5,266.89
17	Coe, Floyd	\$1.75	\$13,617.84	\$19,495.56
19	Cole, Grant	\$1.00	\$4,113.92	\$9,688.52
21	Cripe, Jesse	\$0.50	\$911.28	\$1,810.25
22	Daughtery, Charles	\$1.00	\$1,883.12	\$2,662.08

23	Devault, Fannie	\$1.00	\$3,766.80	\$8,650.12
28	Erwin, Martin V	\$1.00	\$656.72	\$1,273.19
30	Fugate, Elijah		\$1.00 \$3,543.52	\$6,272.90
32	Gray, Martin		\$1.00 \$6,015.52	\$7,478.52
34	Hafner, Fred		\$1.00 \$1,263.44	\$1,336.75
36	Haywood, Thomas	\$1.00	\$2,133.12	\$3,253.45
39	Inskeep, George	\$1.00	\$3,123.84	\$8,267.68
40	Jakes, Lewis		\$1.00 \$5,164.24	\$6,039.76
46	Kirkpatrick, James		\$1.00 \$16,637.76	\$21,244.63
47	Kuhns, John A		\$0.75 \$1,226.96	\$1,467.00
50	McCoy, John	\$1.00	\$2,194.72	\$3,009.24
52	McKinny, Mary		\$1.00 \$4,287.52	\$4,326.98
53	Mahin, Wesley		\$3.00 \$3,467.68	\$4,346.05
56	Montgomery, Ann	\$1.00	\$4,614.56	\$4,717.40
61	Parker, Lane		\$1.00 \$2,141.44	\$3,658.56
63	Peters, Calvin		\$1.00 \$828.00	\$2,704.13
66	Rettereth, Peter	\$0.75	\$1,120.32	\$1,511.11
67	Rickerd, Aurthur	\$3.00	\$1,064.80	\$1,281.00
68	Ross, Alexander	\$0.75	\$1,791.68	\$4,348.39
69	Sheperdson, James	\$0.75	\$1,536.72	\$4,194.37
70	Saltzman, John		\$2.00 \$5,740.96	\$6,867.50
71	Skinner, Ray		\$1.00 \$2,713.60	\$2,961.68
72	Smith, Abe	\$1.00	\$1,277.52	\$1,595.63
73	Southworth, Mary	\$0.30	\$558.08	\$677.23
75	Stewart, William	\$1.00	\$765.76	\$1,046.47
77	Taylor, Alonzo		\$1.00 \$1,466.96	\$4,006.46
78	Taylor, Jacob		\$0.75 \$4,616.08	\$5,066.61
79	Toohy, John		\$1.00 \$542.40	\$1,207.75
81	VanNatta, John		\$0.35 \$1,338.16	\$3,089.01
83	Walters, Sussana	\$0.75	\$972.24	\$2,395.01
85	Waples, McDill		\$1.00 \$5,478.08	\$9,781.97
86	Wilder, Lena		\$1.00 \$3,365.60	\$5,718.48
88	Wilson, J & J		\$0.50 \$736.96	\$6,552.77
90	Yoe, Franklin		\$1.00 \$1,605.44	\$2,916.35
92	Jenkins		\$1.00 \$1,689.24	\$3,014.50
96	Kirkpatrick One	\$0.00	\$6,832.16	\$13,956.64
97	McLaughlin, John	\$0.00	\$0.00	\$0.00
101	Hoffman, John		\$1.00 \$72,105.03	\$3,502.62

Commissioner Jones moved to approve the active and inactive ditches for 1997, seconded by Commissioner Hudson. Motion carried.

#### 1997 CONTRACTS

##### ENGINEERING CONTRACT

Mr. Gerde stated he commends the contract written for Christopher B. Burke Engineering, Limited, but some verbiage was changed to better protect the County's interest.

Mr. Eichelberger stated the changes will be made and the contract ready for signature at the March meeting.

##### ATTORNEY CONTRACT

Mr. Gerde stated the contract for Drainage Board Attorney is ready for approval and the signature of the Drainage Board. The contract is the same format as Mr. Hoffman's contract with a few changes; date, name and hourly rate changed to \$140.00 per hour also, the last paragraph was added to the contract.

Commissioner Hudson read the paragraph that was added:

"All parties hereto agree not to discriminate against any employee or applicant for employment with respect to his hire tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of his race, religion, color, sex, disability, handicap, national origin or ancestry. Breach of this convenient may be regarded as a material breach of the contract."

Commissioner Jones moved to approve the contract for Drainage Board Attorney, seconded by Commissioner Hudson. Motion carried. The entire contract is on file in the County Surveyor's Office.

#### **JAMES N. KIRKPATRICK DITCH**

Mr. Spencer asked that the **James N. Kirkpatrick Ditch** proposal discussion be continued until the March meeting allowing time to fill the vacancy of the third Drainage Board member.

Commissioner Hudson moved to continue the discussion of the James N. Kirkpatrick Ditch proposals until the March Drainage Board Meeting, seconded by Commissioner Jones. Motion carried

#### **OBSTRUCTION OF DRAINS**

Mr. Spencer referred to the following "PETITION TO TIPPECANOE COUNTY DRAINAGE BOARD TO REMOVE OBSTRUCTION IN MUTUAL DRAIN OF MUTUAL SURFACE WATERCOURSE" the "DRAINAGE BOARDS POWER EXTENDED TO PRIVATE DRAINS" article in "Indiana Prairie Farmer" and Indiana Code amendment act No. 1277. All of these documents are on file in the County Surveyor's Office. Mr. Spencer wanted the Commissioners to be aware of and have a discussion on this issue. Mr. Spencer felt this law was to protect against man-made obstructions and asked Mr. Gerde to examine the possibility of the law including natural obstructions.

Mr. Gerde gave an example of where this law could be taken into effect. The first being on North 9th Street Road, north of Burnetts Road, the current condition causes water to travel across the road producing a hazardous condition. The reason for the water across the road is due to drainage problems outside the County Road Right-of-Way.

Mr. Steve Murray, Executive Director, Tippecanoe County Highway Department, stated another persistent problem is 200 South, east of the South fork of the Wildcat Creek. Mr. Murray explained no actual source of funding is available to work on obstruction of drains which do not have a maintenance fund. Mr. Murray asked the Drainage Board to consider creating a fund which would help the Surveyor's Office and the Highway Department to determine what action could be taken. Mr. Murray stated when a problem becomes severe enough the County Highway Department will clean out an obstruction that is off county road right-of-way to protect the road way, but the funds used for the clean-up are funds that could be used elsewhere.

Commissioner Jones stated Steve Wettschurack told him that FEMA was going to help out with the situation on North 9th Street.

Mr. Murray pointed out with the older residential subdivision the storm water system were allowed to outlet into privately owned ravines, there is no funding available to help with maintenance on these situations. If the storm water system becomes plugged or breaks down causing the streets to flood the County Highway Department has repaired the problem, using funds that were not intended for that type of repair.

Mr. Gerde's understanding is that in the majority of those situation the County does not have an easement, which cause a legal problem for the County.

Mr. Spencer stated in all cases where the County has worked out side the easement a complaint was filed therefore the landowners are willing to grant entry onto their land.

#### MARCH DRAINAGE BOARD MEETING DATE

Mr. Spencer explained the March 1997 Drainage Board meeting date needs to be changed, if possible. Mr. Gerde is going to be out of town on the scheduled meeting date of March 5, 1997.

Discussion of the next Drainage Board Meeting, after an agreed date and time, Commissioner Hudson stated the next Drainage Board meeting will be Tuesday, March 11, 1997 at 9:00 a.m.

Being no further business Commissioner Hudson moved to adjourn until Tuesday, March 11, 1997 at 9:00 a.m., seconded by Commissioner Jones. Meeting adjourned.

# TIPPECANOE COUNTY DRAINAGE BOARD

February 4, 1998

regular meeting

## **Those present were:**

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

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

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

## **MIKE MADRID COMPANY**

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

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

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

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

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

## **DRAINAGE BOARD 1998 CONTRACTS**

### **Attorney**

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

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

**Engineering Consultant**

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

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

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

**1998 ACTIVE AND INACTIVE DITCH LIST**

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

**ACTIVE DITCH LIST**

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

**INACTIVE DITCH LIST**

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

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

**OTHER BUSINESS**

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

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

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

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

**MINUTE BOOK**

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

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

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

---

Ruth Shedd, President

---

---

Shelli Muller, Secretary

---

Kathleen Hudson, Vice President

---

John Knochel, Member



# TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

**Those present were:**

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

The Tippecanoe County Drainage Board met Wednesday, February 3, 1999, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda is to approve the 1999 Active and Inactive Ditch Assessment List. Mr. Luhman read the list.

ACTIVE

Delphine Anson Brown	Julius Berlowitz	Michael Binder	A.P.
Buck Creek Wetherhill	Train Coe	County Farm	Darby
Christ Fassnacht Hafner	Issac Gowen	Rebecca Grimes	Fred
E.F. Haywood Kirkpatrick	Harrison Meadows	Floyd Kerschner	Amanda
Frank Kirkpatrick McKinny	Calvin Lesley	John McFarland	Mary
Samuel Marsh Aduley Oshier Rickerd	F.E. Morin Emmett Rayman	Hester Motsinger Franklin Reser	J.Kelly O'Neal Aurthur
Joseph Sterrett Walters	Gustav Swanson	Jacob Taylor	William
Wilson Nixon Creek	Simeon Yeager	Jesse Dickens	Dismal
Kirkpatrick One Lateral	John Hoffman	Sophia Brum	HW Moore
Mary Thomas	Arbegust-Young	Jesse Anderson	

INACTIVE

John Amstutz	James Shepardson	E.W. Andrew	
Dempsey Baker			
Newell Baker	Nellie Ball	John Blickenstaff	NW Box
Alfred Burkhalter	Orrin Byers	Floyd Coe	Grant
Cole			
Jesse Cripe	Charles Daughtery	Frannie Devault	Marion
Dunkin			
Thomas Ellis	Martin Erwin	Elijah Fugate	Martin
Gray			
Thomas Haywood Johnson	George Inskeep	Lewis Jakes	Eugene
James Kellerman	James Kirkpatrick	John Kuhns	John
McCoy			
Wesley Mahin	Absalm Miller	Ann Montgomery	Parker
Lane			

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

Commissioner Knochel moved to approve the list of Active and Inactive Ditch Assessment for the year 1999, seconded by Commissioner Shedd. Motion carried.

**WATKINS GLEN SUBDIVISION, PHASE 4, PART 3**

Tim Beyer of Vester and Associates, asked the Board for preliminary approval of Watkins Glen Subdivision, Phase 4, Part 3 located off County Road 400 East. The proposed subdivision consists of 9 lot on a 5 acre site. Mr. Beyer asked for a variance from the Drainage Ordinance that requires on-site detention. The majority of the proposed plan drains to an existing pipe and then to an existing detention facility for Watkins Glen South, Part V. The facility has the capacity to handle the additional runoff of Phase 4, Part 2.

Mr. Spencer recommended granting the variance for no on-site detention and preliminary approval of the drainage plan for Watkins Glen, Phase 4, Part 3.

Commissioner Knochel moved to grant preliminary approval of Watkins Glen, Phase 4, Part 3 and to grant the variance allowing no on-site detention, seconded by Commissioner Shedd. Motion carried.

**SEASONS FOUR SUBDIVISION, PHASE III**

Roger Fine, of John E. Fisher and Associates, asked the Board for approval of the outlet pipe for Seasons Four Subdivision, Phase III. The City of Lafayette requires the project to receive approval from the Tippecanoe County Drainage Board because of the outlet pipe into the **Elliott Ditch**. Mr. Fine informed the Board a DNR permit is pending for work in the floodway.

Mr. Spencer recommended approval of the outlet pipe, subject to the project receiving the DNR permit.

Commissioner Knochel moved to approve the outlet pipe into **the Elliott Ditch** for Seasons Four Subdivision, Phase III, subject to the approval of the DNR permit, seconded by Commissioner Shedd. Motion carried.

Being no further business, Commissioner Knochel moved to adjourn until March 3, 1999 at 10:00 a.m., seconded by Commissioner Shedd. Motion carried.

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

\_\_\_\_\_  
Shelli Muller, Secretary

\_\_\_\_\_  
Kathleen Hudson, Vice President

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

# TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

**Those present were:**

Tippecanoe County Commissioners Kathleen Hudson, John Knochel and Ruth Shedd, County Surveyor Stephen Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Doris Myers.

The Tippecanoe County Drainage Board met Wednesday, February 9, 2000, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana with Commissioner Kathleen Hudson calling the meeting to order.

The first item on the agenda is to approve the minutes from the January 12, 2000, Regular Drainage Board Meeting and minutes from the January 21, 2000, Special Drainage Board Meeting. Commissioner Knochel moved to approve the minutes of January 12, 2000, Regular Drainage Board Meeting and January 21, 2000, Special Drainage Board Meeting, seconded by Commissioner Shedd. Motion carried.

Commissioner Hudson welcomed Stephen Murray, as new County Surveyor, to his first meeting with the Drainage Board.

**CROSSPOINTE APARTMENTS SUBDIVISION**

Wm. R. Davis with Hawkins Environmental gave presentation for Crosspointe Apartments Subdivision. This site is located east of Creasy Lane, south of Weston Woods Subdivision and east of the **Treعه Meadows Relief Drain**. The applicant proposes to construct apartments and associated parking. The stormwater management plan for this area was the subject of previous studies conducted as part of the Amelia Avenue extension over the **Treعه Meadows Relief Drain**. Two issues from C.B. Burke Engineering report to be discussed. First issue is ponding of waters on project. The parking lot plans were intended to pond 7" of water. Second issue concerning previously discharge channel that has been schematic approved for the drainage of this site. Their intention is to use this channel for draining this site. If not approved as is a modification can be brought before the board.

Commissioner Hudson asked Dave Eichelberger to explain about the wet bottom ponds.

Dave Eichelberger, Drainage Board Engineering Consultant, stated the previous stormwater management plan indicated that portions of this development would drain to proposed wet-bottom ponds prior to discharging to the **Treعه Meadows Relief Drain**. However, it does not appear these ponds are proposed as part of this subject development on their plans. Are these ponds already in place, are they going to be constructed as part of this project or are they going to have some interim outlet to the **Treعه Meadow Relief Drain** between now and then? If are wanting final approval may need to have condition that proposed ponds are constructed or proposed outlet is approved.

Steve Murray asked Wm. R. Davis what was their intent.

Wm R. Davis commented there is another project that has risen to this area. The project is not moving very rapidly. They want to get these projects temporarily constructed as did in schematic approval of wet-bottom channel as part of this project.

Commissioner Hudson asked if these outlets would be the ones carrying water over parking lot. Answer was no.

Commissioner Hudson asked what was going to be done about the water ponding over the parking lot area.

Steve Murray stated 7" water ponding over parking lot is allowable by ordinance. This is backwater from 100-year flood as composed to conventional ponding for storage in the lot.

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

Commissioner Knochel moved to grant final approval to Crossepoint Apartments Subdivision subject to the outlets being constructed as part of this project, seconded by Commissioner Shedd. Motion carried.

#### **WABASH NATIONAL SITE DETENTION**

Wm. R. Davis with Hawkins Environmental gave presentation for Wabash National Site Detention. This is a 340-acre site located north of C.R. 350 South, between Concord Road and U.S. 52. This is a schematic design for Wabash National and is the second time for reviewing this site. We are trying to come up with an overall plan for final development of Wabash National property. They are not placing structures, etc, but are determining the amount of improved surface they can have, what areas need to be stoned, types of drainage, etc. Currently there is a tile branch of **Elliott Ditch** traversing this property. At present a lot of water stands on this property. We are proposing how to move this water in a developed condition. Will be stoning parts of the property after constructing diversion ditches. Will be removing tile in the **Elliott Ditch** Branch and make open drain. The present detention pond is adequate for future use. Wm. R. Davis is asking for approval of schematic design for Wabash National Site Detention.

Dave Eichelberger suggests preliminary approval of the ditch network and final approval of the continued use of the existing detention pond.

Commissioner Knochel moved to grant preliminary approval of the ditch design for the Wabash National Site Detention and final approval for the drainage pond, seconded Commissioner Shedd. Motion carried.

#### **WILLIAMS COMMUNICATIONS – FIBER OPTIC CABLE**

Harold Elliott with Williams Communications gave presentation to install fiber optic cable communication system. This cable will stretch from Atlanta, Cincinnati, Indianapolis and through Chicago. Part of this system will go through a portion of Tippecanoe County. Have received permits for the road crossings. Had been working with Mike Spencer for permits on drainage ditches. They had sent a letter earlier, recommended by Mike Spencer, explaining what they were going to do. Mr. Elliott stated he thinks they should have a permit due to all the bonding, etc. Mr. Elliott's purpose for being here today is to go over project, find out for sure what they do want, and get bond, etc. ready for the next meeting.

Commissioner Hudson asked Mr. Elliott if he received Dave Luhman's letter.

Mr. Elliott's comment was yes. Mr. Elliott stated they have included what Mr. Luhman asked for. Mr. Elliott had a question on drawing for each ditch. Can they use what we use as a typical ditch crossing with it put to the ditch we are crossing? Instead of a complete profile of each ditch.

Dave Luhman asked if it would be similar to what is used on highways. If so, that would be adequate. Mr. Elliott commented yes. Williams Communications will furnish drainage board with a complete list of where line is as built.

Steve Murray stated he would like Mr. Elliott to give as much information possible to the contractor, so they can narrow down their area to start being aware that there may be a legal drain there.

Mr. Elliott commented there would be a crew out to survey each of the legal drains so contractor knows exactly where they start and will be. They are running a minimum of 42" below ground. Some of the survey work is being done now.

Steve Murray asked if they would trench or plow the lines.

Mr. Elliott stated the plan was to plow. When you go across ditches we know you can't plow. So we will be trenching these lines.

Steve Murray stated they would want the cable trenched not plowed. When you trench you can see turned up broken tiles. When you plow there is no visible evidence of broken tiles. May be 3 to 5 years before drain collapses and backs up. A lot of counties have gone too only allowing trenching now days as opposed to plowing.

Commissioner Knochel stated his concern was when turning up some private tiles who will repair. They want someone who is knowledgeable to do the field tile repair.

Mr. Elliott commented he had talked with Mike and would like for the drainage board to hire someone in our county to act as an inspector to find the legal drains and bill Williams Communications for that service.

Steve Murray commented his concern is finding an inspector. It doesn't matter if the drainage board hires or if Williams Communications hires. Stephen thinks it would be better if drainage board hired the inspector.

Mr. Elliott asked about a pay scale agreement. This can all be worked out when I come back for the next meeting.

Steve Murray asked what is your construction schedule.

Mr. Elliott stated this year, this spring. It depends on all the permits coming in and all the easements that are being required one way or the other.

Steve Murray felt comfortable with this if they are willing to work under the drainage board conditions.

Mr. Elliott suggested the \$5,000 bond might not be large enough. There is more potential damage than \$5,000.

Dave Luhman recommends \$25,000.00 bond. Wait on final draft at the March 1, 2000 meeting for details.

Mr. Elliott will return for the March 1, 2000, meeting with final draft and details.

## **2000 ACTIVE AND INACTIVE DITCH ASSESSMENTS**

Mr. Luhman read the 2000 active and inactive ditch list

### ACTIVE

Jesse Anderson	Delphine Anson	Julius Berlovitz	Michael Binder
A.P.Brown	Buck Creek	Orrin Byers	Train Coe
County Farm	Thomas Ellis	Christ Fassnacht	Issac Gowen
Rebecca Grimes	Fred Hafner	E.F. Haywood	Harrison Meadows
James Kellerman	Floyd Kerschner	Amanda Kirkpatrick	Frank Kirkpatrick
Calvin Lesley	John McFarland	Mary McKinny	Samuel Marsh
Ann Montgomery	F.E. Morin	Hester Motsinger	J.Kelly O'Neal
Aduley Oshier	Emmett Rayman	Franklin Resor	Aurthur Rickerd
Joseph C. Sterrett	Gustav Swanson	Nixon Wilson	Simeon Yeager
Jesse Dickens	Dismal Creek	<b>Shawnee Creek</b>	Kirkpatrick One
John Hoffman	Sarah Brum	HW Moore Lateral	Mary Thomas
Arbegust-Young	High Gap Road	Romney Stock Farm	Darby Wetherill Ext 2
Darby Wetherill Reconstruction			

INACTIVE

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

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

**OTHER BUSINESS**

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

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

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

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

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

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

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

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

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

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

**CHICAGO TITLE INSURANCE COMPANY**

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

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

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

---

Kathleen Hudson, President

---

Doris Myers, Secretary

---

John Knochel, Vice President

---

Ruth Shedd, Member

## TIPPECANOE COUNTY DRAINAGE BOARD

April 4, 2001  
Regular Meeting

### Those present were:

Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Tippecanoe County Highway Department Executive Director Mark Albers, Drainage Board Engineering Consultant Dave Eichelberger, Drainage Board Acting Secretary Robert Evans.

The Tippecanoe County Drainage Board met Wednesday April 4, 2001 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel, calling the meeting to order.

### Approval of Minutes

KD Benson makes a motion to approve the minutes from the Special March 1, 2001 Drainage Board Meeting and the March 7, 2001 regular Drainage Board Meeting. Ruth Shedd seconds the motion and the motion carries.

### Gosma Ditch Cleaning

Miles Biery not yet being present, the board heard first from Mike Parkinson representing his father to introduce a petition to the board for moving up the cleaning of Gosma Ditch due to significant clogging and breakdown of the ditch itself. The County Surveyor currently has no maintenance schedule for the ditch, and a request was made to clarify the technicality, and to begin work immediately.

Included in the petitioner's exhibits are two sections. Section A consists of annotated photographs taken 4-3-01 of the ditch and drainage tiles with standing water, along with a photo of the acreage which is currently affected by standing water after flooding. Section B includes two photographs of the acreage during a flood in spring of 2000, a map of the area in question, a copy of the relevant state statutes, and the petition submitted.

Mr. Parkinson gives a history of the ditch, which was constructed approximately 15 years ago to drain approximately 30 acres of lowland onto which water flows from several property owners. After construction, the problem was taken care of. The design specified regular maintenance, which has not taken place. About three years ago, tenant Don Morehouse who farms the land started seeing real problems, and the result has been crops damaged by water standing for long periods of time. Last year the problem became critical. Mr. Parkinson states this board has the authority to go in and remove obstructions, but that the more economical solution for the long term is to approve a thorough cleaning of the ditch.

Don Morehouse, to whom the Parkinsons have a contractual obligation to see that the land is in good condition, describes the photographs in the petitioner's exhibits. He agrees that there were no such problems before the ditch became so clogged. He also states that downstream impact of cleaning the ditch will be controlled by a 42-inch tile, a control mechanism feature of the original design. He then describes details of the water flow, retention, and problems.

Mr. Parkinson references original discussion of this board during the planning of this ditch, and expert testimony on engineering and the relative altitude of the low area in comparison to the crest level of the ditch, which demonstrated that the ditch would not create flooding problems downstream. He requests that the old testimony and records be entered into the record so that the current board members have access to them. The records are accepted into the record.

John Knochel asks if there are any other public comments on this ditch. A.J. Booher agrees with petitioner that the problem with the ditch is clogging. But he refers to Beutler Ditch, built c. 1913, which empties into Burnett's Creek. He states that for decades there was no problem with the creek going out of its banks at times of peak flow. He says 14 years ago when the Gosma ditch went in, the creek began to flood. He says there isn't more water, but that it flows faster into the creek, driving it out of its banks. With the Gosma ditch clogged up, there is a small waterway through a field during peak flow. He is concerned that if Gosma ditch is cleaned, 20 acres of their farmland might be flooded at peak flow. He says that getting rid of a 13-acre pond in White County would create a 20-acre washout in Tippecanoe County. He says that the creek should be dredged, prior to cleaning Gosma ditch. Without that, he thinks that within a few years after cleaning, it will be in the same condition it is now.

Mike Godby speaks for the Shepherd family, owners of land on C.R. 850 North, which the flooding has impacted. Their concern is that action on the ditch will only move the problem downstream affecting their farm and the tenant, A.J. Booher. He says he respects the people on the board and trusts their judgment and he just hopes the board proves him right.

Landowner Ralph Booher says he favored the original ditch project, if there was a good outlet. He says they have spent thousands of dollars to no benefit, but actual damage to his farm. He requests maintenance funds be used to work on Beutler Ditch and Burnett's Creek. He shows pictures of flooding on Morehouse Road before and after the ditch was put in.

County Surveyor Steve Murray states that he had to go back and examine the file on the ditch, which was dug before he was involved with the Surveyor's office. At that time, the maintenance funds of Gosma and Beutler ditches were combined. There was a study done for the board, and this was and is a joint drain. The majority of the acreage is in Tippecanoe County, and so this county holds the funds. The original hearings were joint drainage board hearings between this county and White County. The study did state that a 42-inch tile would act as a control structure, not releasing water in any greater volume or rate than was previously released by the drainage tile. There was discussion of effects on Burnett's Creek downstream of Morehouse Rd. The regulated drain portion of Beutler Ditch stopped just east of Morehouse Rd. At some point in the 1970's, a maintenance fund was established which stops just west of Morehouse Rd.

Steve reports that silt has now filled part of the ditch and that the banks have sloughed in and were possibly dug a little too steeply. The blockage is about 30 inches deep in the ditch, and the culvert under North County Line Road is about 1/3<sup>rd</sup> plugged. He says this is because when the water backs up, there is sufficient pressure to clean out some of the clog. The maintenance account has \$25,673.29 in it. A quote from a contractor to perform the necessary cutting and dredging set the cost at about \$26,000. He agrees the ditch needs to be cleaned, and identified two questions. The first is whether the board acts to maintain the ditch to function as it was designed. The second and larger issue is what can be done east of Morehouse Road with the upper reaches of Burnett's Creek. There is no maintenance fund because it is not a regulated drain, and the maintenance of that facility in that area is the responsibility of the private landowners. It is functioning but could stand to be cleaned out, dredged, straightened, and have some trees removed.

KD Benson asks about maintenance work on roadside ditches on County Road 850 N. Steve reports that this was done by the Highway Dept. a few years ago.

A.J. Booher asks how much of the combined fund is to be expended on the Gosma ditch. Steve says that if the entire Gosma ditch were fixed, the fund would be expended and about \$1000.00 would have to be borrowed from the general drain fund. A.J. asks if that means there would be nothing left for Beutler Ditch. Steve says there wouldn't be anything in that fund, but they could still borrow from the general drain fund. It was established for that purpose to allow monies to be spent and paid back as taxes from the area of the maintenance fund are collected. A.J. asked if a fund could be started for the maintenance of Burnett's Creek. John Knochel answers yes, that it is a lengthy process, and that Steve and the County Attorney can lead him through it. A.J. says that would be a best case scenario. Ruth asks if the county would have to work with the Indiana Department of Natural Resources, and Steve replies that it is a large enough watershed that DNR and Indiana Department of Environmental Management involvement would be necessary as part of the process. John agrees that maintenance in the area is needed. Steve reports that he examined the rest of Beutler Ditch, listing problems including some tile holes, a bank blowout, and a couple of beaver dams that need to be removed. Additionally, the stretch west of C.R. 550 West is near the point that it will need to be cleaned out.

KD asks what conditions were on the Shepherd property before the ditch was put in. A. J. reports that there was no flooding before the ditch, and as soon as it was dug, flooding began which has abated now that it is clogged. Steve described details of the process of making the creek a regulated drain. KD asked about the projected length of the process. Steve and Dave Luhman agree that it would be at least two years, perhaps as long as five, and also pointed out potential resistance of other landowners and a remonstrance process that could be initiated and add additional time.

A.J. says the Gosma project should be delayed until the Burnett's project is done.

John states the issue before the board regards Gosma Ditch, and they have been asked to vote on expending the funds on its maintenance. Mr. Luhman states that the Surveyor is obligated to perform the work on the regulated drain if it's obstructed, and the board is authorized to expend the funds to do so if requested by the Surveyor. He states that it's a matter of the board making a determination that it's necessary to maintain the ditch and to expend the funds, using funds from the general drain fund if necessary. Ruth asks the cost per acre of this fund. Steve doesn't have that figure with him, but reports that the yearly accumulation of funds is about \$5000.00. He says that there are about 600 acres drained by the ditch.

Ruth Shedd moves that the board move forward on this, expending the existing account, and borrowing from the general fund as necessary to complete the work. KD asks if there is a timeliness the board has to adhere to. Dave Luhman answers no. KD seconds the motion, John Knochel asks if there are any further comments. There being none, the motion is carried unanimously.

John then invites A.J. to meet with Steve and Dave Luhman to begin working on the process to regulate Burnett's Creek. Steve adds to the record that the Beutler Ditch watershed is about 8 square miles, or 5000 acres. He adds that the Gosma Ditch watershed is 1.3 square miles, or 848 acres.

Mr. Parkinson adds that they have no standing regarding the creek project, but raise no objection. He adds regarding discussion of downstream impact of the Gosma Ditch project that according to engineers, it's impossible that the ditch causes flooding. He moves to put the petitioners exhibits part of the records, and Dave Luhman states that they have been.

### **Wake Robin Estates II, Phase II**

Tim Beyer of Vester and Associates requests final approval of Wake Robin Estates II, Phase II. He shows a detailed plan of the project to the board. It involves 33 lots on 10.7 acres. They propose to put in a temporary detention pond. The reason for this is that it sits on the location for Phase III. The plan for Phase III calls for a permanent pond in a wetland to serve both phases. There are a number of steps to take in order to use that as a storage facility. Calculations have been submitted to Steve and Drainage Board consultant Dave Eichelberger of Burke Engineering, and they placed two conditions on final approval in a memo dated April 3, 2001. One is an easement for a swale to carry the water from the storm drain to the pond. Vester and Associates ask that rather than have that easement a condition for approval of the plan, to instead have it as a condition for acceptance of the plan. This is because if the timing of the permanent detention facilities allows them to, the temporary pond will not even be constructed.

Steve comments that the first condition is minor, a regrading of a swale behind the lots to ensure positive flow to the pond. He asks Tim what the downside is to an easement. Tim responds the time of doing so if it's not needed. KD asks if they are in discussions with DNR regarding the permanent facility, which they are. Dave Eichelberger asks when the last phase was done, and when the next one is expected to be done. The previous phase was in 1999. Dave states that the reason they put in that condition was that it might be a couple of years until the next phase, especially with some of the difficulties with wetlands. Steve still recommends they establish an easement, whether or not it goes with the plat. In the past there have been problems with developments and in case this weren't finished for whatever reason, the county would have no right to go in and take care of any problems. Dave adds that the easement could also be vacated before the final plat.

KD moves for final approval with standard conditions and the two special conditions according to the memo of April 3. The motion is seconded and carried.

### **Old Romney Road/Buckingham Estates Outlet**

Miles Biery having arrived, the board now hears from him. Miles provides the board with copies of a letter he sent to County Commissioners in 2000 which details his complaint. He states that with the construction of Buckingham Estates, a new and larger culvert was installed for the development in the roadside ditch, but nothing was done for landowners downstream. In periods of heavy rain, water backs up at the Biery culvert, washing out the drive, and passing by both sides of a neighbor's house. He shows a detailed diagram and also a photograph and describes the size of the culverts involved. He states there has been increased flow at peak times with no work to increase capacity downstream. There is also flooding occurring on parcels intended for building that he owns. He says that no action followed his contact last year, so he has returned.

Ruth asks if a new culvert would solve the problem entirely. Miles replies that it would be unlikely to do so. KD asks when the land will be parceled, and it already has been. KD asks if there is a drainage plan. There is none, that not being required for parcelization, just for a building permit.

John states that this issue is why Mark Albers, executive director of the County Highway Department has been asked to attend this meeting. Mark states that upsizing the culvert may not solve the problem if there are obstructions downstream. Water will overflow the ditch, and will be out of drainage control. He also states that some maintenance was done to ease the flow of the water. Miles states that the ditch is plenty wide, and if it were cleaned and maybe straightened, it could handle the water. John asks if there are any more culverts on the ditch before it empties into Wea Creek. There is one under Romney Road at the intersection with C.R. 400 South. There is water coming down along 400, which passes through two small tiles to the ditch. Miles states that the water pools near the road culvert. Steve says this is not by design, just due to topography.

Mark says the original engineering was such that flow overtops those drives. Miles says that the larger culvert will keep the water off his property. Steve states that increasing the culvert size will not prevent flooding in every storm event, but it will help in most of them. Dave Eichelberger agrees from what he saw on a video provided in 2000. Miles says that there has only been flooding twice in four years. John asks whose responsibility it would be to install a culvert. Dave Luhman asks if this is a regulated drain. Steve replies that it is not, it is just a side ditch for Old Romney Road. Dave Luhman asks if the obligations of Buckingham Estates were met. Steve replies that no drainage plan is perfect, but that the obligations were met. Dave asks what the effect on the highway is. Steve replies virtually none. To Dave's question about C.R. 400, Steve says there is no effect because the water will arrive there no matter what path it takes upstream. KD asks what the conditions were like before Buckingham Estates was developed. Steve Murray doesn't recall anything specific, assumes there was occasional flooding, and that the problem is worse now.

Dave Luhman states that the board has no authority to spend funds on new culverts at these sites. Cost would be the responsibility of the County Highway Department or landowners. KD asks if he needs to come before the County Commissioners. Dave Luhman says the question to decide whether the Highway Department can expend funds on this is; whether the Highway Department would be doing work there in which there would be no significant additional cost, or whether there would be benefit to the roadway from larger culverts. John asks what the wishes of the board are. KD Benson moves that the drainage board request the Commissioners to ask the Highway Department to investigate the problem on Old Romney Road as it relates to drainage from Buckingham Estates Outlet. Ruth Shedd seconds, and the motion carries.

John suggests Miles get in contact with Mark Albers to find out when the investigation has been completed so he can attend the Commission meeting where the findings will be presented. Mark clarifies that he is investigating the roadway conditions and the proper drainage to see that the road is not being damaged by current conditions, as well as considering any plans for future projects and maintenance. KD asks if the Biery parcels will need driveways, and Miles answers no, that they will use the existing drive.

#### **Brindon Commercial Subdivision, Lot 1**

Tim Beyer from Vester and Associates requests final approval of plans for Brindon Plaza on Brindon Commercial Subdivision, Lot 1. He displays a detailed plan for the project, and points out a detention pond sized for the entire development. The storm sewer on the plan is also designed for the entire development. Lot 1 will have 10 stores, 76 parking places, and a service drive in back of the stores. He describes the drainage plan, and points out that the Brindon Apartments Phase II will include changes to an existing swale.

Steve recommends final approval with standard conditions and one special condition as specified in a memo dated April 3, 2001.

Ruth Shedd moves to grant final approval as recommended by Steve, KD seconds, and the motion carries.

#### **Wallace Apartments**

Robert Grove represents Ron Wallace to request final approval for Wallace Apartments and refers to a memo from the board's drainage consultant recommending approval. He describes the plan and the property, including the owner's removal of a trailer park. KD asks for clarification of the plan, two buildings with a parking lot between. Robert states that there will be no change in the current drainage pattern. KD asks if there will be much less grass to slow runoff, and the answer is no.

Steve states that the project meets requirements, and recommends approval with the standard conditions specified in a memo dated March 23, 2001. Ruth Shedd moves to grant final approval, KD Benson seconds, and the motion carries.

#### **Other Business**

KD Benson opens a discussion of the timeliness of information packets reaching the board members relative to the board meetings. Steve indicates that the way to get packets produced and circulated is to have earlier cutoff times for project reviews. On discussion, the board considers a request that the Surveyor's office set a cutoff time sufficient to provide packets to board members 48 hours prior to the board meeting. Ruth Shedd moves that the board make such a request, KD Benson seconds, and the motion carries.

There being no further business, Ruth Shedd moves to adjourn the meeting, KD seconds, and the motion carries.

---

John Knochel, President

---

KD Benson, Vice President

---

Robert Evans, Secretary

---

Ruth E. Shedd, Member

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

**Those present were:**

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

**Classification of Drains (Partial)**

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

He reviewed his report with the Board as follows:

1.) Drains in need of Reconstruction

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

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

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

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

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

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

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

1. F-Lake Detention Facility

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

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

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

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

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

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

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

2.) Hearing and rates established in 2005

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

---

KD Benson, President

---

John Knochel, Vice President

---

Brenda Garrison, Secretary

---

Ruth Shedd, Member



**TIPPECANOE COUNTY DRAINAGE BOARD**  
**December 5, 2017**  
**Drainage Board Meeting Minutes**

**Those present were:**

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

**Approval of Minutes**

David Byers made a motion to approve the November 1, 2017 Regular minutes, the November 1, 2017 J.B. Anderson #02 Drain Maintenance Hearing minutes and the November 1, 2017 John Hengst #117 Drain Maintenance Hearing minutes as written. Tracy Brown seconded the motion. Motion carried.

**Contracts:**

**Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids**

President Thomas Murtaugh referred to the Attorney to read the submitted bids for the Beutler Gosma #95 Regulated Drain Dredging project. Attorney Masson read the Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids into the record as follows: Huey Excavating Inc. total quote of \$33,334.00/ total quote of Garriott Trades \$31,938.00. President Thomas Murtaugh stated the bids would be taken under advisement and awarded at the end of today's meeting.

**Copper Moon Building Expansion**

Faluso Alofe from American Structurepoint Inc. approached the Board to present the Copper Moon Expansion project for approval. The expansion project consisted of approximately 1.8 acres located within the City of Lafayette, more specifically at 1503 Veterans Memorial Parkway East. The Board's review today was for the site's stormwater quality and quantity purposes only. The site outlet to the Berlowitz Regulated Drain via an infiltrated basin. The site's drainage was included within the previously approved J.B. Berlowitz Regional Detention System Master Drainage Plan. The developer would be required to pay the Berlowitz Regional Detention Facility storage fee for 0.11 acre-feet of storage. Mr. Alofe requested approval for the expansion. The Surveyor reviewed the site for the Board. He stated the Board was approving discharge into the Berlowitz regulated drain only. He recommended construction approval for the Copper Moon Expansion with the conditions as stated on the November 21, 2017 Burke memo. Tracy Brown made a motion to grant construction approval for the Copper Moon Expansion project with the conditions as stated on the November 21, 2017 Burke memo. David Byers seconded the motion. Motion carried.

**Foxfire at Valley Lakes Phase 2**

As there was no representative to present the Foxfire at Valley Lakes Phase 2, the project was postponed until the January 2018 meeting of the Board.

**Tippecanoe Crematory and Memory Garden**

Kyle Betz from Fisher and Associates appeared before the Board to present the Tippecanoe Crematory and Memory Garden project for approval. The project's site consisted of approximately 4 acres located on the northeast corner of Co. Rd. 350 North and Morehouse Road- north of the existing mausoleum building. Kyle stated the site outlet into Hadley Lake via the Baker Dempsey#05 Regulated Drain. A new wet detention basin was to be constructed on the eastern portion of the site. He noted there would be no flow rate increase into the tile. He stated they reduced the discharge rate from the current condition and requested approval at that time. The Surveyor utilizing G.I.S., reviewed the site for the Board. He stated the design complied with the Indian Creek Drainage Impact area restricted release rates and as such there would be no negative impact to the Baker Dempsey County Regulated Drain. He noted a Petition to Encroach on the drain required action by the Board as well. He recommended approval with the conditions as stated on the November 29, 2017 Burke memo. David Byers made a motion to approve the Petition to Encroach on the Baker Dempsey Regulated Drain. Tracy Brown seconded the motion. Motion carried. David Byers made a motion to grant construction approval with the conditions on the the November 29, 2017 Burke memo. Tracy Brown seconded the motion. Motion carried.

**Clarks Hill Convenience Mart**

President Thomas Murtaugh informed the developer asked to remove the Clarks Hill Convenience Mart project from today's Agenda. The project would not be considered by the Board at today's meeting.

**Zach Beasley**

**Petitions:**

The Surveyor presented a Petition to Encroach on the Crist Fassnacht Regulated Drain submitted by James Todd and Kimberly Westin for approval by the Board. He stated he had reviewed the document recommended approval by the Board. Tracy Brown made a motion to grant approval of the Petition to Encroach on the Crist Fassnacht Regulated Drain as recommended by the Surveyor. David Byers seconded the motion. Motion carried.

**Bonds:**

The Surveyor presented Maintenance Bond#106805768, dated November 17, 2017 regarding the Auburn Meadows Section 1 project and submitted by Fairfield Contractors in the amount of \$48,480 for approval. Tracy Brown made a motion to approve the Maintenance Bond as presented by the Surveyor. David Byers seconded the motion. Motion carried.

**Contracts:**

**Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids**

David Byers made a motion to accept the Garriott Trades Bid of \$31,938 for the Beutler Gosma #97 Regulated Drain 2017 Dredging project. Tracy Brown seconded the motion. Motion carried. President Murtaugh and Zach Beasley thanked the contractors for their bids.

**Miscellaneous**

The Surveyor presented a presented a list for the 2018 Drainage Board meeting dates. Tracy Brown made a motion to approve the 2018 Drainage Board meeting dates as presented by the Surveyor. David Byers seconded the motion. Motion carried. The dates would be posted for public viewing.

**Julius Berlowitz#08 Regulated Drain Maintenance Hearing Reschedule**

The Surveyor requested the Julius Berlowitz #08 Regulated Drain Maintenance Hearing be postponed until February 7, 2018 to follow the regular scheduled meeting that morning. David Byers made a motion to reschedule the J. Berlowitz Regulated Drain #08 Maintenance Hearing to February 7, 2018 immediately following the regular Drainage Board meeting that morning. Tracy Brown seconded the motion. Motion carried.

**Petition to Reconstruct Mary McBeth Regulated Drain**

The Surveyor presented a Petition to Reconstruct on the Mary McBeth Regulated Drain to the Board. The Petition was submitted to his office by landowner Chuck Shelby and had approximately 12% of the benefited landowners within the watershed signatures. He recommended the Board accept the Petition and refer to him for a report per I.C. Tracy Brown made a motion to accept the Petition to Reconstruct the Mary McBeth Regulated Drain and direct the Surveyor to prepare his report to the Board. David Byers seconded the motion. Motion carried.

**Joint County Membership payments**

David Byers stated Commissioners who are appointed to a joint drainage board should be compensated for their time as other counties do and the Indiana Code allows. Attorney Masson stated he would review the code and make a recommendation at the next Drainage Board meeting.

**Public Comment**

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



Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary

## TIPPECANOE COUNTY DRAINAGE BOARD

April 4, 2018

### Drainage Board Meeting Minutes

#### Those present were:

Tippecanoe County Drainage Board President David Byers, Vice President Tracy Brown, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, 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. Drainage Board Executive Administrator Brenda Garrison was absent.

#### Approval of Minutes

Tracy Brown made a motion to approve the March 14, 2018 Drainage Board Minutes. Thomas Murtaugh seconded the motion. Motion carried.

#### Dismal Creek #93 Regulated Drain Clearing Project Contract/Bid Opening

David Byers referred to Attorney Masson for the opening of the bids submitted for the Dismal Creek #93 Regulated Drain Clearing Project. Attorney Masson read the bids as follows: Monroe LLC-\$149,970.00, R&W Contracting-\$255,000.00, Rinehart Exc.-\$148,766.66, Tony Garriott-\$60,780.50, MTM Ent. -\$108,760.00, B&D All Terrain-\$79,224.20, Huey Exc.- \$129,846.50. David Byers stated the bids would be taken under advisement and awarded by the end of the meeting. He thanked all those who submitted a bid for this project.

#### Resolution 2018-03-DB Approving Amendment of Uniform Fee Schedule

Surveyor Beasley presented a Resolution numbered 2018-03-DB regarding approving the Amendment of the Uniform Fee Schedule for the Drainage Board and Surveyor's Department. He stated the Board of Commissioners approved the 2018-11-CM Amending the Uniform Fee Schedule for Tippecanoe County Drainage Board and Surveyor's Department on Monday April 2, 2018. He informed the Board the Drainage Board Resolution regarded the aforementioned Ordinance which included the new Engineer Review fees and schedule brought before the Board in February. He noted the changes included the approval of two companies to review project submittals for compliance and the base fees for the review process. The engineer reviews base fee covered three reviews. If more reviews were warranted the cost would be increased. He stated it also set a strict guideline (30 days from date of submittal) for all reviews and assisted with public transparency. The revised Drainage Board's engineer review information documents were included within the Tippecanoe County Website on the Drainage Board and Surveyor's pages. Technical Advisory Committee (TAC) meetings related to the project were also available to the consulting company within the thirty-day window of review if needed. He recommended approval of Resolution 2018-03-DB Approving the Amendment of Uniform Fee Schedule Ordinance as presented to the Board. There was no public comment.

Tracy Brown made a motion to approve Resolution 2018-03-DB Approving the Amendment of Uniform Fee Schedule as presented to the Board. Thomas Murtaugh seconded the motion. Motion carried.

#### Petition to Reconstruct the Beutler Gosma Regulated Drain #95

The Surveyor presented a Petition to Reconstruct Beutler Gosma Regulated Drain #95 to the Board. He noted Phil Kerkhoff submitted a petition to reconstruct a portion of the Beutler Gosma County Regulated Drain to his office. The portion of the drain requested to be reconstructed were the following three (3) branches: the north branch, the west branch and the southwest branch, generally located in the northwest part of the county north of Montmorenci on US 231 and roughly CR.800/850 North in Shelby Township. He requested the Board accept the Petition as presented and refer it back to his office for a reconstruction report. There was no public comment.

Thomas Murtaugh made a motion to accept the Petition as presented by the Surveyor and refer this Petition back to him for a Reconstruction Report. Tracy Brown seconded the motion. Motion carried.

**F-Lake Storage Agreement**

Attorney Masson stated in 2002 Raintree LLC planned to develop 47.5 acres. The F-Lake Storm Water Detention Facility had not yet been developed. It was agreed in 2002 the Raintree LLC tract's storm water would discharge into it. An agreement between Raintree LLC and the Tippecanoe County Drainage Board had recently been drafted reflecting the agreement in 2002, as a formal agreement had never been completed. Over the years, some pieces of the parcel had been developed and it was now a tract of 31.94 acres. In the meantime, F-Lake Storm Water Detention Facility was developed and a discharge fee of \$15,000 per acre foot was set by the Board. The Raintree LLC remaining tract of 31.94 acres would take 5.25-acre feet of storage. This would calculate to \$78,750.00. The agreement prepared by the Attorney would state a firm amount and when developed, that amount would have to be paid. The Attorney noted he sent the prepared agreement to Raintree LLC and had not received it back to date. He recommended the Board authorize the members to execute the agreement upon receipt of the agreement signed by the developer Raintree LLC. There was no public comment.

Thomas Murtaugh made a motion to sign the F-Lake Storage Agreement once returned by the developer to the Surveyor. Tracy Brown seconded the motion. Motion carried.

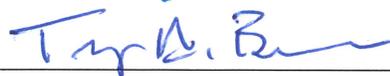
**Dismal Creek #93 Regulated Drain Clearing Project Contract/Bid Award**

Project Manager James Butcher confirmed all documents were in order. Tony Garriott was the low bidder for the Dismal Creek #93 Regulated Drain Clearing Project Contract. Thomas Murtaugh made a motion to award the Dismal Creek Regulated Drain #93 Clearing Project to Tony Garriott as low bidder. Tracy Brown seconded the motion. Motion carried.

**Public Comment**

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

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

  
\_\_\_\_\_  
Tracy A. Brown, Vice President

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

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