

Minutes of the Special Meeting of the Tippecanoe County Drainage Board January 6, 1971.

Synopsis of

Minutes of the Special Meeting of the Tippecanoe County Drainage Board held in the Commissioner's Room, Tippecanoe County Court House at 9:30 a.m., on January 6, 1971.

Present at Meeting Those present at the meeting were Bruce Osborn, Dale Remaly, Edward Shaw G. Richard Donahue and Gladys Ridder.

Election of Officers Bruce Osborn was elected Chairman of the Board, Dale Remaly was elected Vice-Chairman of the Board and G. Richard Donahue as attorney for the Board. Also Gladys Ridder was appointed Secretary to the Board.

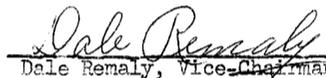
Time and place of future meetings Upon motion made by Bruce Osborn, Seconded by Dale Remaly and made unanimous by Edward Shaw, the Board found the Surveyor's office inadequate and voted to use the County Council Room for future meetings. In the same motion the first Tuesday in the month at 9:00 a.m., was chosen for regular meetings.

Ditches for consideration The Board took under advisement several ditches submitted by the Surveyor for their consideration. The ditches included the following: J. B. Anderson, Hattie Arbegust, Dempsey Baker, James Kirkpatrick, Nellie Ball, Anson-Delphine, Andrew P. Brown, Absalom Miller, E. W. Andrews and Floyd S. Kerschner ditches. All of the above were requests for maintenance.

Visit to Tipton It was called to the Board's attention that Tipton, Indiana had an efficient Drainage Board that had been in operation since 1966 and that a trip to that office on their regular meeting day would be of great assistance to one just getting organized.

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


Bruce Osborn, Chairman


Dale Remaly, Vice-Chairman


Edward Shaw, Member

ATTEST:


Gladys Ridder, Sec'y.

SYNOPSIS OF

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

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

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

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

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

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May 4th, 1971 Meeting (continued)

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

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

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

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

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

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

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

ATTEST:

Gladys Ridder
Gladys Ridder, Secretary

Bruce Osborn
Bruce Osborn, Chairman

Dale Remaly
Dale Remaly, Vice Chairman

Edward J. Shaw
Edward Shaw, Board Member

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

Notice to Adjoining Counties

SYNOPSIS OF-

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

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

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

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

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

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

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

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

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

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

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

R. Warwick Easement Re-duced

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

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

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD SEPTEMBER 7, 1971.

The minutes of the regular meeting of the Tippecanoe County Drainage Board held in the Commissioners Room in the Court House at 9:00 a.m., on Tuesday, September 7, 1971.

- Present at Meeting Those present at the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, Dan Ruth, Dick Donahue, John Garrott, Larry Clerget, Byron Parvis, Gladys Ridder and Ruth Schneider.
- Minutes Approved Upon motion by Bruce Osborn seconded by Dale Remaly the minutes of the August 3, 1971 meeting were approved as read.
- Ditches Referred to Engineer Upon motion by Dale Remaly seconded by Edward Shaw the Board referred the following ditches to the Engineer to prepare for a maintenance report. Floyd Coe (Lauramie Township), Marian Dunkin (Jackson and Wayne Townships), John McCoy (Wea Township).
- Kepner Industrial Tract Mr. Ruth, Drainage Board Engineer, stated on August 5, 1971, Mr. Paul Hamman was in the office with regards to the Kepner property east of town. At that time Mr. Ruth stated, he told Mr. Hamman that a 60 inch pipe would be adequate in the area of the Kepner land if the other recommendations of Dr. Spooner's report were followed.
- Engineers Request Mr. Ruth suggested to the Board that one month we have a meeting but no public hearings. This was done so that we might catch up on uncompleted work. He preferred the month of December. The Board agreed to the suggestion and gave approval.
- John Dooley Maintenance Hearing 1:30 Those present for the maintenance hearing of the John Dooley Ditch were: H. Spencer Congram, Lawrence Treece, William P. Martin, Charles Brown, Iness L. Brown, Chester W. Dill, and Mr. and Mr. Keith McMillin. The engineer opened the hearing by reading the Engineer's report. Mrs. Keith McMillin and Larry Treece were the main objectors and spoke for the rest. They asked the Board not to establish a maintenance fund but to grant them a continuance without date.
- Replacement of Board Member Dale Remaly havein previously disqualified himself to serve in the proceedings concerning the Elmer E. Thomas Ditch and said fact having been duly certified to the judge of the Tippecanoe Circuit Court by Gladys Ridder, Board's Executive Secretary and Warren B. Thompson, Judge Tippecanoe Circuit Court having duly appointed Claude Acheson to serve as a special member of the Board in all proceedings concerning the Elmer E. Thomas Drain. The certification and order of appointment being shown in Judges Journal 138, at page 17, in the records of the Tippecanoe Circuit Court. Claude Acheson appearing is sworn and undertakes his duties and obligations as a member of the Tippecanoe County Drainage Board in the proceedings concerning the Elmer E. Thomas Ditch.
- Elmer E. Thomas Maintenance and Reconstruction Hearing 10:30 The engineer opened the hearing on the reconstruction report by explaining the plans and leaving the meeting open to a question and answer period. Those in attendance were: Dale Remaly, Roy Smith, Robert Gross, Dave E. Gross, Charles Scowden, Katherine and B. Norman DeBoy, Hazel Holmes Gephart, Lawrence Krug, C. Jeanette Dodson, Francis E. Ziegler, Marjorie A. Connolly, Nancy J. Keller, Floyd Lamb, Lucille Banes Williams, Patty W. Garrott, Chester S. Yerkes, R. J. Baker, E. E. Franklin, R. D. Franklin, E. L. Bryant, C. E. Floyd and R. D. Sterrett, of the State Department of Natural Resources, Robert Gross said if the engineer would promise him that the area would be drained and that it would take care of the spring water (that area has several springs) that he would definitely before it. Both Mr. Ruth and Mr. Martin assured them the plans were designed to take care of surface water and it would be up to the individual to see that his own spring water found its way to the drain. Floyd Lamb asked the Board to take his land out of the drainage area for he was sure none of his ground drained that way. The Engineer said he would check it and then inform him of his findings. After lengthy pro's and con's the Board decided to continue this hearing upon motion of Bruce Osborn, Seconded by Ed Shaw, they moved to continue this hearing at 9:30 a.m., on December 7, 1971. Mr. Remaly said if this area was not drained now he felt the situation would continue to get worse and eventually be a health hazard. Mr. Barnett felt if this land was properly drained it could be very valuable.
- Harrison B. Wallace 11:30 At 11:30 a.m. the engineer opened the hearing on the Harrison B. Wallace ditch by reading his report on the condition of this drain. Those in attendance were: Fred B. Pell, Lloyd Howey, representative of Home Investment Company, Inc.; Mrs. C. L. McCorkley, Mr. and Mrs. Harold Freed, and Roy A. Smith. Both the Howey's and the Pell's felt their acreage was in error and that they were double assessed, so the Engineer said we would check the records to see if this were true and notify them later. It was noted that some had taken beautiful care of their ditch while others had done nothing and that it wasn't quite fair to have to charge them all the same with the ditch in such good condition in some parts. The Board agreed to lower the assessment from \$1.00 to \$.75. Upon motion by Bruce Osborn, Seconded by Ed Shaw the maintenance fund was established.
- Mr. William K. Schroeder came to the Board with a personal problem between he and his neighbor and the Board took no action for this was not under their jurisdiction.
- The engineer opened the hearing on the Waples-McDill Drain at 1:30 p.m. by reading to the Board his recommendation. Mr. Floyd Wilcox came in prior to the hearing and ask the Engineer to check his acreage. In

Waples-McDill 1:30 doing so Mr. Ruth corrected the acreage in Section 16 from 120 acres to 40 acres due to a private ditch that drains the balance. Those attending were: Floyd Wilcox, Orville J. Parvis, Gladden Skinner, Ken Rauch, and Velma Brown. No objections had been filed so by motion of Bruce Osborn, seconded by Dale Remaly and made unanimous by Ed Shaw the sum of \$1.00 per acre was established.

Informal Meeting The engineer opened the informal hearing of the Train Coe Ditch by informing the Board that he felt the Train Coe Ditch could be reconstructed for not more than \$17.50 per acre.

Mr. *Cruik* informed the engineer that he had talked to Mr. Barton Maxwell and as he had quoted a good price for the installation of tile ask that a tile ditch be considered rather than an open ditch. He was informed that if there was any indication that a tile drain might be economical it would be given ever consideration.

The engineer told those in attendance and the Board that he would prepare plans and specifications and hold a public hearing; said hearing be perhaps early spring.

Upon motion be Bruce Osborn, seconded by Dale Remaly the Board adjourned.

Bruce Osborn
Bruce Osborn, Chairman

Dale Remaly
Dale Remaly, Vice Chairman

Edward J. Shaw
Edward Shaw, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD OCTOBER 4, 1972.

The Tippecanoe County Drainage Board held it's regular meeting on October 4, 1972, at 9:00 o'clock a.m., with the following members present: Bruce Osborn, Dale Remaly, Edward Shaw, Dan Ruth, Fred Hoffman and Gladys Ridder.

Minutes Approved Upon motion of Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, the minutes of the September 6, 1972 meeting were approved as read.

Other business of the Board The Engineer reported to the Board his findings in Clarks Hill with reference to the J. B. Anderson ditch. Mr. Ruth said he would see that the legal drain would be repaired in all locations where there is any possibility of an obstruction. He also stated that he felt sure that the Anderson Ditch could not possibly solve the storm water problem in Clarks Hill. It was his opinion that the ditch was never intended as a storm drain for the town.

The problems in the J. & J. Subdivision were discussed. It was decided that maintenance money could not be used to repair the driveways that were in need.

9:30 a.m. Charles E. Daugherty Ditch Hearing The engineer opened the hearing on the Charles E. Daugherty ditch by reading his report and making his recommendations to the Board. There were no remonstrances and only one person attended the hearing. Mr. Eber Eugene Johnson, who attended, was very much in favor of a maintenance fund being established and because he owned 38% of the ditch he felt he had every reason to speak. Upon motion by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, a \$1.00 per acre assessment was established.

10:30 a.m. Hearing on the Clyde W. Richards Ditch The engineer opened the hearing on the Clyde W. Richards ditch by reading his report to the Board and read a letter from all the landowners in the area asking the Board to vacate the ditch and let them take care of it themselves. With all in agreement, Mr. Osborn so moved to vacate the C. W. Richards ditch. The only person in attendance was Boyle D. Moore who had carried the letter.

"BE IT RESOLVED by the Tippecanoe County Drainage Board that the Clyde W. Richards Ditch, located in Lauramie Township, Tippecanoe County, Indiana, be, and the same hereby is vacated."

11:30 a.m. Hearing on the S. K. Richards Ditch The Engineer opened the hearing on the S.K. Richards ditch by reading his report and making his recommendations to the Board. No one from the drainage area attended and Mr. Ruth read a letter from all the landowners in the watershed area asking the Board to vacate this ditch. Mr. Osborn so moved, Mr. Remaly seconded and Mr. Shaw made it unanimous to grant their request and vacated the ditch. "BE IT RESOLVED by the Tippecanoe County Drainage Board that the S. K. Richards Ditch, located in Lauramie Township, Tippecanoe County, Indiana, be, and the same hereby is vacated."

1:30 p.m. William J Walters Ditch Hearing The engineer opened the hearing on the William J. Walters ditch by reading his revised report with the changes in acreage from the original 4996.32 A. to 2112.24 acres. Mr. John Nagle was the only one in the watershed area that appeared. His acreage was subject to change as Mr. Ruth had gone out prior to the hearing and said only 27 Acres of Mr. Nagle's 50 acres that were assessed to the Walters ditch were also assessed on the Stewart ditch in White County and the Engineer said he felt it would be fair to let her acreage be assessed on the Stewart Ditch. Upon motion by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, a \$1.00 per acre assessment was established.

Ditches Referred The Board referred the following ditches to the Engineer for preparing a schedule of assessments for a maintenance fund: James Vanderkleed, Wabash Twp., Elliott Pearson, Washington Twp., Calvin Peters, Perry Twp., Luther Lucas, Sheffield Twp., Arthur E. Richard, Perry Twp., James L. McClure, Wabash Twp.

Order & Finding and Certificates of Assessment Upon the establishment of a maintenance fund for the Charles E. Daugherty and the William J. Walters ditches, the Board then signed the Order and Findings and the certificates of assessment.

Assessment Upon motion made and carried the meeting adjourned.

Bruce Osborn
Bruce Osborn, Chairman

Dale Remaly
Dale Remaly, Vice Chairman

Edward J. Shaw
Edward Shaw, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Exec. Secretary

The regular monthly meeting of the Tippecanoe County Drainage Board was held in the County Council Room in the Tippecanoe County Court House with the following members present: Bruce Osborn, Robert F. Fields, Edward Shaw, A. Dan Ruth, Jr. Fred Hoffman and Gladys Ridder.

MINUTES SIGNED

The secretary read the minutes of the May 5th, 1974 meeting and upon motion of Robert Fields, seconded by Bruce Osborn and made unanimous by Edward Shaw, the minutes were approved as read.

WADDELL BRANCH
of
ANDERSON DITCH

Mr. Arthur Waddell came before the Board asking them if it was possible to reconstruct a branch of the J. B. Anderson ditch without assessing all of the people on the ditch. The Attorney said that that branch could be reconstructed by only the property owners in the watershed being involved. The Board asked the Surveyor to begin reconstruction plans and plan to hold a reconstruction hearing when the engineering was complete. Mr. Waddell reported that a neighbor had built a dam and stopped the natural flow of the water. The attorney said any individual could be sued for doing this and the order to remove it would come from the judge.

ELMER THOMAS

The Surveyor told the Board that again he was being approached to get the Elmer Thomas reconstruction hearing ready for advertising. The Engineer was asked to determine a new cost and re-compute the assessments and advertise for a new hearing.

MCLAUGHLIN DITCH

Mr. Osborn reported that he consulted with the property owners in the area of the McLaughlin ditch and they were considering improving the ditch. An open ditch in the place of broken tile.

PETITION FOR RECONSTRUCT

Mr. Isaac Voss presented the Board with petitions for reconstruction of the Frank Kirkpatrick ditch and the Elijah Fugate ditch. The Board asked the Surveyor to prepare the necessary engineering and assessments for same and to set up a reconstruction hearing.

9:30 a.m.
MAINTENANCE HEARING ON
REBECCA GRIMES DITCH

The Surveyor opened the hearing on the Rebecca Grimes ditch by reading his report and making his recommendations to the Board. Two people attended this hearing and they were: Isaac Hoss and Arthur Waddell. Mr. Hoss said a Mr. Kirkhoff had put new tile in on his farm and paid his own bill. He also said that he needed 50 rods of 16 inch tile on his farm. After a discussion as to the benefits received from having a maintenance fund, it was decided to establish a one dollar (\$1.00) per acre assessment. Up on motion of Edward Shaw, seconded by Bruce Osborn and made unanimous by Robert Fields, a \$1.00 per acre assessment was established.

10:00 a.m.
MAINTENANCE HEARING ON
J. KELLY O'NEALL

The Engineer opened the maintenance hearing on the J. Kelly O'Neill ditch by reading his report and making his recommendations to the Board. He explained that this was the third hearing on this ditch because to add to the ditch the law requires a new hearing and that two new branches had been added by request. The Board agreed and made them a part of the Legal drain. Those in attendance were: Edward J. Purdy, Walter Holtman, R. Stanley St. John and Ruby G. St. John. All were in agreement that a maintenance fund was needed so upon motion of Bruce Osborn, seconded by Robert Fields and made unanimous by Edward Shaw, a \$1.00 per acre assessment was established.

ORDER & FINDINGS
AND
CERTIFICATES OF
ASSESSMENTS

Upon the establishment of the two ditches, namely J. Kelly O'Neill and the Rebecca Grimes, the Board signed the order and findings and the certificate of assessments. On motion made and carried the meeting adjourned.

Robert F. Fields
Robert F. Fields, Chairman

Bruce Osborn
Bruce Osborn, Vice Chairman

Edward J. Shaw
Edward J. Shaw, Member

ATTEST:
Gladys Ridder
Gladys Ridder, Exec. Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD SEPTEMBER 18, 1974

The regular meeting of the Tippecanoe County Drainage Board was held in the County Commissioner's Room in the Tippecanoe County Court House at 9:00 a.m., on September 18th, 1974. The following members were present: Robert F. Fields, Bruce Osborn, Edward Shaw, A. D. Ruth, Jr., Fred Hoffman, and Gladys Ridder.

Signing of Minutes

Upon the reading of the minutes of the July 3, 1974 drainage board meeting (there was no meeting in August) Robert Fields moved to accept the minutes as read. The motion was seconded by Bruce Osborn and made unanimous by Edward Shaw.

9:00 a.m. Maintenance-Ann Montgomery ditch

At 9:00 a.m., the Engineer opened the maintenance hearing on the Ann Montgomery Legal drain by reading his report and making his recommendations to the Board. In attendance were: Robert Stradling, Neal Simison, Robert L. Plaster, Larry Treece, Lucille Banes Williams, Keith McMillin, Nyle Royce, Harley W. Rust and Ralph H. Crowder. Robert Stradling said he had overlaps with other ditches. Mr. Ruth assured him after receiving Mr. Stradling's letter to that affect, the acreage in the Ann Montgomery ditch had been deleted. Mr. Ralph Crowder had been in the Surveyor's office seeking assistance in correcting the amount of acreage assessed against his land and upon recommendation of the Engineer, the Board his total acres assessed as fifty (50) instead of the original eighty five (85). Mr. Ruth reported that he had had complaints from the officers of the Little Wea Conservancy District that the Ann Montgomery ditch was dumping mud deposits into the Little Wea and causing problems. Larry Treece wanted the Board to assure him that before any monies were spent on the repair of this ditch that the Engineer check the cause for the needed repair and if it was a man made error of negligence in keeping the ditch clean, not to use any of this money to correct the problem. The Board told him that it was not easy to determine the cause but that they would instruct the Engineer to check as best he could. With most of those present in favor of establishing a maintenance fund Robert Fields moved to establish a \$ 1.00 per acre assessment maintenance fund. The motion was seconded by Bruce Osborn and made unanimous by Edward Shaw.

9:30 a.m. Informal hearing E. Branch of J.McFarland ditch

At 9:30 a.m., the Board held an informal hearing on the reconstruction of the East branch of the John McFarland ditch. Mr. Charles Vaughan had asked the Engineer to do some ground work and give them an estimate of what it would cost to reconstruct the East branch of the John McFarland legal drain. Those in attendance were: Gene L. Rooze, Russell Slayton, Ralph Manier, O. C. Greives, Chas. R. Vaughan and H. Franklin Dunwoody. Mr. Ruth told them that a figure of \$ 20.00 per acre was a pretty good estimate of the cost of reconstruction for that branch. Some were in favor but others felt that constructing an open ditch would give them no relief. One said that Pine Creek, the outlet for the McFarland ditch, was so in need of dredging that no matter what was done to increase the flow of water without an outlet no relief would be given. A waterway with possible financial help from the SCS office was suggested but Mr. Vaughan felt that although it would probably benefit him, it would only dump more water onto his neighbor. The Engineer felt there was need of more time to study the problem further. Upon motion of Bruce Osborn, seconded by Robert Fields and made unanimous by Edward Shaw to continue this meeting for ninety days.

10:00 a.m. Elmer Thomas Reconstruction hearing

The Engineer opened the reconstruction hearing on the Elmer Thomas ditch by reading his report and making his recommendations to the Board. He pointed out the difference in price since his first estimate. Because of building costs, materials, etc. the original figure was no longer valid. Those in attendance were: Mr. & Mrs. Lyle Loomis, E. E. & Robert Franklin, Dale Remaly, Earl Ziegler, Mr. & Mrs. Robert Buker, Gordon DeBoy, Mr. Floyd. Mr. Lyle Loomis said after Mr. Gib Connelly had cleared his wooded area the swamp became decidedly worse. His one time beautiful home and garden were no longer beautiful for the garden was now swamp. He felt it could be drained and when he retired he could again have his lovely home. No amount of money to drain the area would seem too high. Mr. Floyd said he was in the exact same position as Mr. Loomis as he, too, had lost his garden and would surely be in favor of reconstruction of the Elmer Thomas ditch if it would bring he and his neighbors relief. Mr. Buker said he had purchased the Connelly property and had need of tilling the soil but with a swamp he could not farm his land. Mr. Osborn asked Mr. Buker since he would no doubt benefit more than others would he be willing to accept more of the cost. Mr. Buker said he certainly would. And Mr. Osborn said "how much" and Mr. Buker said "double". Gordon DeBoy said his acreage was in error that 43 acres couldn't drain this way and the Board asked the Surveyor if he would take elevations and determine the correct assessment. Mr. Ruth told all those present that he wanted it understood that even if the swamp was drained, the land was in the flood plane and could not be used for building. ** Mr. E. E. Franklin and his son Robert both explained that their dam did not hold back any of the water that was now so controversial. At one time there was a dam in their area and being very poorly constructed was taken out by a flood, but after it was out the problem of the swampy area was still there. Mr. Williams and Mr. Ziegler spoke out against the reconstruction and felt some were carrying the blunt of the assessment while others were benefitting with a lesser assessment. After hearing all the pros and cons, Mr. Bruce Osborn said he could not possibly vote for the reconstruction as the assessment role is now set up. He asked the Engineer to re-allot the amount of money to build the ditch according to the individual benefits. Then a new hearing would be held. The entire Board felt this would be more fair so the hearing was continued. ** Mr. Dale Remaly said there were some fallen logs and quite a baracade of brush on the John Garrott property and asked the Engineer to check it out for he felt those logs surely were causing some of the problems. Dale said his portion of the assessment was well over four thousand dollars and he doubted if he could ever benefit to that extent but he knew how much it would help others and he'd like to feel when he left this world he would have left it a little better than when he came into it, so he would vote for the reconstruction.

11:00 a.m. Maintenance hearing-E. F. Haywood ditch

The Engineer opened the maintenance hearing on the E. F. Haywood ditch by reading the minutes of the 1972 and 1973 hearings on this ditch. In those minutes the people present had said they would take care of their own ditch and would bring it up into good repair. When asked what had been done in the last two years, Mr. Joe Rund said, " Nothing, only more mud has piled up." Mr. James Kellerman said he was in favor of a maintenance fund because all farmers know that if there's no drainage there's no farming. As in the two years before the Moore's and the Kirkpatrick's were much opposed to any maintenance assessment. Mr. Moore asked the attorney for a copy of the law that instructed this Board to set up a maintenance fund and Mr. Hoffman, the County Attorney, provided him with same. Mr. Joe Ratcliff attacked the Board by saying, " I talked to a fellow who said he'd paid money into the county for a ditch but when he came in to ask for help on his ditch, he was told there wasn't any money. What did you fellas do with the money?" "Spend it on Welfare."

Those in attendance were: Robert W. and Keltie Kirkpatrick, Robert and Jane Moore, Joe Ratcliff, Frank Royer, John Kerkhoff, Joe Rund, James S. Kellerman.

Mr. Ruth explained the need for a dollar per acre assessment. In cases where there's been a lesser assessment it has not proven adequate.

With those against the assessment (or ever having a maintenance fund established) so vehement in their demands, the Board moved to set this ditch up for vacation, with the exception of Robert Fields. The Secretary was instructed to notify all persons on the ditch of a hearing to vacate. The Attorney advised the Secretary to set up the hearing as to vacate or establish a maintenance fund.

Mr. R. M. Stoepfelwerth, John Gams and Thomas Schubert came before the Board with their request to empty treated wastewater into the J. B. Anderson ditch.

11:45 a.m.
Meeting with
Clarks Hill
Disposal Plant
Board

September 16, 1974

Mr. Dan Ruth
Tippecanoe County Surveyor
Court House
Lafayette, Indiana 47902

RE: Clarks Hill Wastewater Treatment Plant
Effluent Discharge to Anderson Ditch

Mr. Ruth:

You will find enclosed for your use a location and site plan for the above referenced facility. We have also enclosed the plan and profile of the effluent sewer connection to Anderson Ditch.

The 12-inch effluent sewer from the wastewater treatment plant is proposed to discharge into the existing 30-inch pipe approximately 1100 feet from the existing outfall on Anderson Ditch. We propose to discharge approximately 75,000 gallons per day (0.116cfs) of treated wastewater within the first year after the plant is completed. When the plant is at maximum capacity which is estimated to take approximately 20 years the discharge will be 150,000 gallons per day (0.232 cfs).

The water discharged from the plant is to be better than 98 per cent pure. The plant is designed to produce an effluent containing a effluent biochemical oxygen demand (BOD) of 5 mg/l and suspended solids (SS) of 8 mg/l. The plant meets all requirements of the Environmental Protection Agency and the Indiana Stream Pollution Control Board.

If you have any questions regarding the proposal to discharge the effluent to Anderson Ditch, please feel free to contact us at any time.

Very truly yours,

STOEPPELWERTH AND ASSOCIATES

S/ Thomas M. Schubert, P.E.

TMS/srn

1:30 p.m.
Alvin Pilotte

Attorney Thomas Brooks representing Alvin Pilotte appeared before the Board along with Mr. Pilotte and Robert Lahman. Mr. Pilotte's complaint was with the Board's having made a waterway through his farm a part of the Ilgenfritz legal drain. The Board had done so because of a petition drawn up by the majority of the neighbors in that area. Mr. Pilotte said he was in Florida when it was done and objected strenuously. The Board listened to his side of the story and then suggested that he bring a petition with the signatures of the proper amount of acreage involved and again the Board would consider removing the addition.

Gary Williby
2:30 p.m.-drainage
study

Professor Spooner from the School of Civil Engineering at Purdue University came before the Board and presented a young student by the name of Gary Williby who had been working for several months on a project involving the ground North of West Lafayette and it's drainage problems. This work was done in response to a request made by Mr. Ruth for a drainage study in this area. Copies of the study were left for the Surveyor's office use. It was beautifully presented and quite an involved study. Professor Spooner also did a presentation on soils and gave the possibilities of future studies on the types of soils etc. He also said all he needed was another student like Gary.

John Fisher
J.Kirkpatrick drain

Mr. John Fisher made a presentation of the philosophy of drainage in the James N. Kirkpatrick Legal drain watershed. He asked the Board only to listen and consider all the possibilities of long range planning-no decisions would be asked of them.

Order & Findings
and
Certificate of
Assessments

Upon the establishment of a maintenance fund on the Ann Montgomery Ditch, the Board signed the Order and Findings and the Certificate of Assessments. The meeting had lasted until 4:00 p.m., and they gladly adjourned.

The regular meeting of the Tippecanoe County Drainage Board met in the County Council Room in the Tippecanoe County Court House at 9:30 a.m., o'clock with the following members present: Bruce Osborn, Robert Fields, Edward Shaw, Fred Hoffman, A. D. Ruth, Jr. and Gladys Ridder.

Minutes Approved Upon motion of Mr. Osborn, seconded by Mr. Fields and made unanimous by Edward Shaw, the Board moved to accept the minutes of the September 18th, 1974 meeting as read.

OCTOBER 2, 1974 MEETING CONTINUED.

Clarks Hill
Disposal System

In the September 18th drainage board meeting the Clarks Hill Disposal Consulting Engineer met with the Board requesting permission to empty the effluent from the disposal system into the East branch of the J. B. Anderson legal drain. At this time the Board said they would not answer for those people on the J. B. Anderson drain and instructed the Secretary to notify these people of a hearing and let them make the decision. Those responding to the notice were: Gregory J. Donat, A. B. Coyner, Glenn Heaton, Eugene Johnson, Joy Anderson, Dan Waddell, Don Maxwell, Ralph Anglin and Jack Wisley. The Engineer opened the hearing by asking the engineer for the Disposal System to explain the proposal to dump the effluent into the 33" tile of the J. B. Anderson ditch. Questions were asked as he finished the explanation. Jack Wisley said one teacup of water more, in his opinion, would be too much to put into this already overloaded ditch. Mr. A. D. Waddell said he had a twenty acre pond because the tile carried his water away so slowly. Eugene Johnson said he felt if the Engineers designing the system had studied the history of this ditch, they wouldn't even consider putting more water into it and said he felt the best solution they had was to build their own tile ditch. The Board took a vote and five out of eight people present voted against letting the J. B. Anderson ditch be used for the effluence. The Board then voted unanimously not to permit the Anderson legal drain to be used to carry the effluent of the Clarks Hill Disposal Plant. Mr. Joy Anderson asked the engineer for help on the West leg of the J. B. Anderson legal drain. Mr. Ruth said he would be out to look the situation over and take whatever steps necessary to determine the cause of the problem.

Montgomery Ward
Warehouse

The Board members discussed the six thousand (6,000.00) dollar check being held for the payment of re-routing the branch of the Elliott ditch where the Montgomery Ward warehouse stands and their disposition of it. Mr. Osborn said he was in favor of having the Davis Construction Co. open the ditch that was re-routed so that it could be inspected as per instruction. The Engineer was instructed to call Davis and get the job done. Mr. Osborn put it in motion form and Robert Fields seconded the motion with Edward Shaw making it unanimous.

ALL IN ALL THE BOARD HAS APPROVED THE MINUTES OF THE MEETING HELD ON OCTOBER 2, 1974.

ATTEST:

Gladys Ridder
Gladys Ridder, Executive Secretary

Robert F. Fields
Robert F. Fields, Chairman

Bruce Osborn
Bruce Osborn, Vice Chairman

Edward J. Shaw
Edward Shaw, Board Member

Signature
here for
last two
meetings

The regular meeting of the Tippecanoe County Drainage Board met in the County Commissioners Room at 9:30 a.m. o'clock on February 5th, 1975 with the following members present: Robert F. Fields, Bruce Osborn, William Vanderveen, Fred Hoffman, Robert L. Martin and A. D. Ruth, Jr.

Minutes
Approved

Upon the reading of the minutes of the January 15th, 1975 meeting, Robert Fields so moved to accept the minutes as read, seconded by Bruce Osborn and made unanimous by William Vanderveen.

Mr. Robert L. Martin, newly appointed Surveyor, asked the Board to pretty well spell out for him what they hoped for him to accomplish in the year 1975. The following are their suggestions:

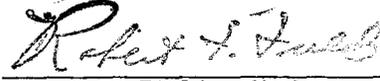
- (1) Notify Mr. Arthur Waddell what and how to petition for a reconstruction of a branch of the J. B. Anderson ditch.
- (2) Explore and make necessary repairs on the S. W. Elliott ditch.
- (3) Start maintenance on the Ilgenfritz ditch and start at the outlet.
- (4) Determine the necessary repairs on the John McLaughlin ditch.
- (5) Continue the reconstruction figures for the Elmer Thomas ditch according to benefits and damages.
- (6) Mr. Martin's question to the Board of whether he could decrease the amount of acres in an established watershed without a hearing and the Board referred the question to the Attorney. Mr. Hoffman said he would research the question and find the answer for them.

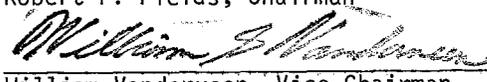
The meeting adjourned at 11:45 a.m.

ATTEST;


Robert L. Martin for Gladys Ridder, Secretary


Bruce Osborn, Board Member


Robert F. Fields, Chairman


William Vanderveen, Vice Chairman

The regular meeting of the Tippecanoe County Drainage Board was held on December 10, 1975 with the following members present: Robert F. Fields, Bruce Osborn, William Vanderveen, Robert L. Martin, Fred Hoffman and Gladys Ridder. Also joining our Board was Carroll Beeson, Don Yount and Sam Boots from the Montgomery County Surveyor's office and Drainage Board.

Upon the reading of the minutes of the November 26th, 1975 called meeting, Robert F. Fields moved to accept the minutes as read. Bruce Osborn seconded that motion and William Vanderveen made it unanimous.

Minutes Approved

Robert Fields opened the maintenance hearing on the John Lofland ditch (including Miller and McBeth branches) and asked the Surveyor for his report and recommendation. Don Smith, tenant for Elizabeth Steele, reported the McBeth branch was in need of reconstruction. The attorney explained to him that that would be a new hearing. Mr. Martin felt we should start at the outlet and work on the other branches as time would allow. The Kellerman-Leaming watershed that is the outlet for many branches such as Romney Stock Farm, Lofland, Fugate, Kirkpatrick, Morin, etc., needs to be dredged first and then as the outlet is made operational then take care of the branches according to those most in need.

9:30 a.m.

Those in attendance were: Isaac Bercovitz, Jack DeVault, Don Smith and Larry Bennett.

Maintenance hearing

J. Lofland ditch

All in attendance had one thing in common and that was to get something started in the area before things got any worse. In the years past nothing had been done and all felt the time to do something was now!

The Drainage Board instructed the Surveyor to get the necessary engineering work done and hold a hearing for reconstruction as soon as the figures are available.

Richard Donahue, Attorney for Robert Gurnick, came before the Board and asked the Board to remove a dam on the right-of-way of the S. W. Elliott ditch. The "dam" had been caused by Maurice House's tenant plowing too close to the ditch.

Richard Donahue for

R. Gurnick

The Drainage Board said they had taken the advice of the County Attorney inasmuch as this was a legal problem and not one of the Drainage Board. The S. W. Elliott ditch had not been damaged in any way, only the run-off water could not get to it because of the earthen dam.

E. Eugene Johnson came before the Board with a request to replace approximately 1000 feet of tile on the Chas. Daugherty ditch and replace it in a new location close to the legal drain but in a place where the coverage would be better. It was discussed as to whether Mr. Johnson would take it upon himself with the hope of collecting from the others involved or ask the Surveyor to set up a reconstruction hearing. To relocate the ditch to acquire greater fall and coverage, as was suggested by the SCS office, was also discussed and the Board said that could be done at the reconstruction hearing.

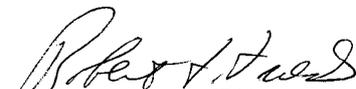
Eugene Johnson for Daugherty ditch

Mr. Martin said he would meet with Mr. Jack Wisley and Mr. Johnson at 2:30 p.m. on Thursday so they could discuss it further.

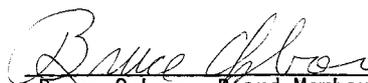
Arthur Waddell on Anderson branch

Mr. Arthur Waddell came before the Board and said a year ago he had carried a petition to reconstruct a branch of the Jesse B. Anderson ditch and the Board had instructed the former surveyor to do the necessary engineering. The Board reiterated that request to the new surveyor and when the work is done and estimates ready to hold a reconstruction hearing according to benefits and damages.

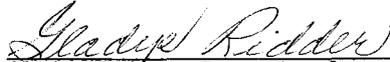
Upon the motion of Robert Fields, seconded by Bruce Osborn and made unanimous by William Vanderveen the Board adjourned.


Robert F. Fields, Chairman


William Vanderveen, Vice Chairman


Bruce Osborn, Board Member

ATTEST:


Gladys Ridder, Executive Secretary

The Tippecanoe County Drainage Board met in the County Council Room on September 1, 1976 at 9:00 a.m., with the following members present: William Vanderveen, Bruce Osborn, Fred Hoffman, Robert L. Martin and Gladys Ridder. Michael Spencer also sat in on the meeting.

Upon motion of Bruce Osborn and seconded by William Vanderveen the minutes of the July 19th, 1976 meeting Minutes were approved as read. Approved

Since the establishment of a maintenance fund on two ditches, namely the Ray Skinner and the Anson-Delphine, it has been brought to the attention of the surveyor that an error exists in those watersheds. Upon examination of same the surveyor recommended to the Board the following corrections:

On Anson-Delphine	PT SE SEC 17 TWP 24 R 4 40Acres PT SE SEC 17 TWP 24 R 4 40Acres	40Acres Assessed 6.05Acres Assessed	change to:	
				Acreage Changes
On Ray Skinner	Chizum's S.D. Block 3 Lots 1 thru 12 Chizum's S.D. Block 3 Take out all 12 lots (They now go into Moses Baker ditch)		change to:	

With the surveyor's recommendation, the Board moved to correct where necessary and the Attorney instructed the Secretary to notify all in the watershed of both ditches these corrections.

William Vanderveen, serving as chairman in the absence of Robert Fields, opened the hearing on the reconstruction of the Waddell Branch of the Jesse B. Anderson ditch. He asked the surveyor for his comments and the surveyor said he honestly felt it shouldn't be built. Then he asked Mr. Waddell how he felt about the design of the ditch and Mr. Waddell said he could not approve the plan as it is drawn for the plans now stop the tile at the road and that would not do him any good at all. He was also very unhappy with the benefits and damages figures for he was charged with 65% of the total cost and E. Eugene Johnson the other 35%. He also said he felt J. L. Hodgen should surely benefit on at least 20 acres. Mr. Hodgen had written the following letter of disapproval: Waddell Br. of

Tippecanoe County Drainage Board
Dear Sirs:

Clarks Hill, Indiana
Aug. 5, 1976

J. B. Anderson
ditch

In regard to the Waddell Branch of the J. B. Anderson Ditch.

I am opposed to the reconstruction of said ditch as it is now drawn up. Would like to make a suggestion for a grass waterway all the way to the open ditch on Mr. Anglin -North of Highway 28.

I believe the tile ditch where Mr. Waddell wants to hook up has more than it can handle now.

Sincerely yours,
J. L. Hodgen

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD SEPTEMBER 1, 1976 (Continued)

In attendance were: Arthur Waddell, William Waddell and Eugene Johnson. The arguments became rather heated and after some time Mr. Osborn ask the Waddells to meet again with just the Board on Friday, September 10, 1976 at 9:00 a.m., when they could discuss the problem privately. Mr. Waddell said he did not want the SCS office when it was suggested to bring them into the case.

John Fisher, Joseph Bumbleburg, and Lynn Treece appeared before the Board to get their approval on the drainage in Treece Meadows Section 2 Part 1. The Area Plan will not give final approval on this section until the drainage has the approval of the surveyor and the Board.

Mr. Osborn said he felt the Board had been most patient, for it has been almost two years since the first hearing on the Treece Meadows Legal Drain and it still isn't completed. This magnifies their calls with many complaints as to the problems out there that never would have existed if the drain had have been completed as it should have been.

Treece Meadows drain

Mr. Fisher said he knew this was truly a trial run for all involved for it was the first Urban Drain to ask for a maintenance fund and that he was sure all had learned much and profitted from those mistakes. Mr. Osborn said the next time someone came before this Board asking for an urban drain be accepted before it was completed they would find it difficult to get an affirmative answer.

Because the situation is as it is and because they need to sell the lots to finish paying for the construction of the drain, the Board will consider an approval. Mr. Osborn said he would not do so, however, without the President of this Board being present. Mr. Osborn told Mr. Treece his answer would be given to him on Friday of this week.

Mr. Fisher said Davis Construction will re-shape, place in new pipe and have the drain completed by fall. Someone asked if a performance bond, that Davis no doubt has, would cover the drain and Mr. Bumbleburg said it did not.

Mr. Vanderveen said he felt the Board had a pretty good size club to use in case the promises of finishing the drain are not kept, for when they come before the Board again seeking approval for another Section, the Board would surely turn them down.

J & J Wilson drain

Mr. Charles Redmon had asked the Board to be put on the agenda for 10:00 a.m. He did not show.

The maintenance hearing on the "Buck Creek Open Drain" was opened by the Acting Chairman, Mr. Wm Vanderveen. He asked the surveyor for a report on his findings as to the condition of this ditch and his recommendations as to what needs to be done in the future to keep it in good repair. Mr. Martin said he had walked the ditch and found parts of it in good condition with the banks most clean, but other parts in need of willows, etc., be removed. He said he also noted in places much silt had washed into the ditch.

Those in attendance were: George DeLong, Carl Wise, Charles Campbell, Fred Wise, Robert Wise, Francis Humberger, Dwayne Ward, John B. McCormick, John Wesley Sheppard, Carol Felix, Melvin Miller, Orville Shultheis, Russell Rinehart, D. O. Rinehart, Charles Skiles, Carol Flora, Paul Humberd, Kelly Day, Cable Ball and Jim Murtaugh.

Mr. Vanderveen read a petition that had been filed on August 26, 1976 in the surveyor's office against establishing a maintenance fund. There were twenty names on the petition and all of them living in Carroll County. Kelly Day asked the extent of maintenance to be done for he said he felt sure that his current sprays would be discontinued and taken off the market.

Mr. Mullin asked why a blanket charge of \$1.00 per acre was set when he had to handle the water from the upper end and yet his per acre basis was the same. The surveyor and the county attorney explained why they both felt this was the best and fairest way to assess a ditch. A constant argument of who really benefitted or were damaged most would ensue if the assessments were based on that method of assessing. All felt there was no completely fair way but at least this affected the majority equally.

Kelly Day asked what he could do with his ditch and the attorney read parts of the drainage law stating no permanent structures could be placed on the easement and that the individual took his own risk in planting crops too close to the ditch.

After a question and answer period Mr. Vanderveen asked for a show of hands of those in favor of a maintenance fund for the ditch and only Kelly Day's hand showed. Mr. Vanderveen said if no more of those people in the watershed were interested in the ditch fund than that, the Board would dismiss the meeting and wait until they were interested. Mark Porter, County Commissioner from Carroll County, who served as the only member from their Board to this joint meeting, said in Carroll County, on his land, a ditch maintenance fund had been established and it had proven very helpful. He said, "whenever there's a broken tile, I call the surveyor's office and immediately it's taken care of." Then added "when drainage is so necessary to all farmers, I can't see why anyone would be against a maintenance fund."

Mr. Robert Shively then asked the Board if those in attendance who had signed the petition could have a recess and discuss it among themselves. Recess was permitted.

When the meeting resumed, Mr. Vanderveen asked what conclusions they had come to and who was the spokesman for the group. John McCormick said he would speak for them. He made a motion that they would accept a maintenance fund. Kelly Day seconded that motion. Then John said what they really would prefer was a reconstruction and then a maintenance fund. The county attorney said this hearing was called to either establish or not establish a maintenance fund and that was the only vote that could be counted at this hearing and that vote could only be made by the joint Boards. He said if all insisted on a reconstruction, then a new hearing would have to be called with all of the preparatory work of profiles, field work, cost of reconstruction, etc. As they talked among themselves most agreed it would be better to have some money to fix broken tile and clean banks than to wait however long it would take to get a reconstruction program going. Bob Shively asked the Chairman to ask for another show of hands and as Mr. Vanderveen asked who was in favor of establishing a maintenance fund, most of the hands went up in favor of the establishment of a fund. The group ask the Chairman to appoint a committee of three who would walk the ditch once a year and report back to the two surveyors when there was a need for maintenance.

Mr. Vanderveen then appointed Mr. John McCormick, Mr. Robert Shively and Kelly Day to serve on that committee. Mr. Shively asked the attorney if his neighbor does not maintain his tile (private) how to force him to do so. The attorney said as long as it was on his own property the Drainage Board could not interfere and the only answer would be to sue him. The attorney said the surveyor can not make him put in new tiles but if the outlet pipe that goes directly into the legal drain needs repair, the surveyor would consider it maintenance and repair it.

The question of how and who would handle the money collected arose. The attorney answered that in a joint effort such as this, Carroll County would collect, administer their own collections and repairs and Tippecanoe County would do the same. If at any time there is a need for joint repairs the two Boards would get together and make the necessary decisions.

With most of the problems ironed out, Mr. Vanderveen moved to establish a \$1.00 per acre maintenance fund and Mr. Osborn seconded the motion.

With the establishment of a maintenance fund of \$1.00 per acre on the Buck Creek Open Drain the Board signed the Order and Findings and the Certificate of Assessments.

Mr. Norbert Korty had asked for time to come before the Board and bring a petition to have the Kepner Storm Drain made into a legal drain. Those in attendance were: Jim Murtaugh, Norbert Korty, Paul Hammon, Cable Ball, and James Shook. Because Mr. Korty did not have the petition, there was nothing for the Board to act upon.

10:30 a.m.
Joint
Meeting with
Carroll Co.
on
"Buck Creek
Open Drain"

Order and
Findings &
Certificate
of
Assessments

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REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD SEPTEMBER 1, 1976 (Continued)

With all of the business at hand attended to, Mr. Bruce Osborn moved to adjourn. The motion was seconded by William Vanderveen.

ATTEST:

Gladys Ridder
Gladys Ridder, Exec. Secretary

/absent/

Robert F. Fields, Chairman

William Vanderveen

William Vanderveen, Vice Chairman

Bruce Osborn

Bruce V. Osborn, Board Member

Mark Porter, Carroll Board Member
Serving on Buck Creek Open Ditch Hearing

SPECIAL MEETING OF THE DRAINAGE BOARD HELD SEPTEMBER 10, 1976

The Tippecanoe County Drainage Board met in a special meeting on September 10, 1976 at 9:00 a.m., in the Auditor's office with the following members present: Robert F. Fields, William Vanderveen, Bruce V. Osborn, Robert L. Martin, Fred Hoffman and Michael Spencer.

The meeting was called to iron out problems on the Waddell Branch of the Jesse B. Anderson Ditch. This branch was set up for a reconstruction. Those in attendance were: Arthur Waddell, William Waddell, and Roger Miller.

Waddell
Branch
of

Mr. William Waddell brought slides of a two inch rainfall which showed how the water run-off from the neighboring farms came across his land. Mr. Waddell's point was to show why he felt they should be on the J.B. Anderson assessment role, too. Mr. Waddell also wanted the new tile to come across the road. Robert Martin said that was no problem. The Board agreed.

Mr. Waddell said the old tile was fifty to seventy years old and undoubtedly was cracked and weakened. He felt it was a matter of time until it goes bad. He said the tile never runs full and takes so long to drain.

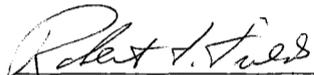
The Waddells felt the property of John Loveless and Jimmie Hodgen should be included in the assessments of the new tile ditch.

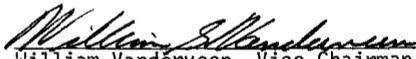
The old tile is a 12 inch tile and it will be replaced with a new 12 inch tile but at a deeper depth. The new tile will be placed in the same location as the present tile making it easier to connect the laterals.

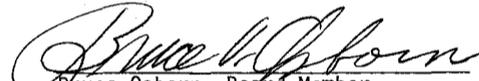
The suggestion of assessments by benefits were as follows:

Thompson Investments, Inc.	0 %	\$ 0.00
Jimmie Hodgen	20%	\$1400.00
Arthur Waddell	40%	\$2800.00
John Loveless	7%	\$ 490.00
Eugene Johnson	30%	\$2100.00
Board of Commissioners	<u>3%</u>	<u>\$ 210.00</u>
	100%	\$7000.00

Upon motion of Bruce Osborn, seconded by William Vanderveen and made unanimous by Robert Fields, the Board adjourned.


Robert F. Fields, Chairman


William Vanderveen, Vice Chairman


Bruce Osborn, Board Member

ATTEST:


Michael Spencer, Acting Secretary

The regular meeting of the Tippecanoe County Drainage Board met in the Surveyor's Office at 9:00 a.m. with the following members present: Robert F. Fields, Bruce Osborn, William Vanderveen, Robert L. Martin, Fred Hoffman and Gladys Ridder.

Minutes
Approved

Upon the reading of the minutes of the October 6, 1976 meeting, a motion was made by William Vanderveen-
Seconded by Bruce Osborn and made unanimous by Robert Fields to accept the minutes as read.

Jerry Schlossberg appeared before the Board on matters pertaining to the Tippecanoe County Sanitary Landfill. Jerry said the main problem was not an immediate one but if the dumping into the old canal bed or "wide water" area was not stopped that in a few years that area that the landfill uses for it's seepage would no longer suffice. He said Concrete Ready Mix dumps into it and will in a few years seal the bottom so the area will drain nothing. He asked if the Commissioners would write a letter to each of the offenders asking them, please, not to use the area for their dumping.

Sanitary
Landfill

Mr. Vanderveen said it was a natural waterway (the old canal bed) and the Board actually did not have jurisdiction over it.
The County Attorney said he would dictate a letter to the Secretary and mail a copy to all of the landowners involved.
Mr. Schlossberg said he had accomplished many of his aims of straightening out the mess that was there when he took over, gotten the permit from the State Board of Health, converted to a model landfill and changed the lease into a simple one.
Bruce suggested the Board get the names of the landowners and write each one a letter and also send a copy to Dr. Robert Vermilya. Then if the letter does not bring the proper results, turn the matter over to the State Board of Health.

The letter reads:

November 3rd, 1976

Dear

We have been informed that there is dumping taking place in the Wide Water area which is in the rear of your premises.

This not only violates the laws of the State of Indiana but interferes with natural drainage in the area.

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD NOVEMBER 3, 1976

The regular meeting of the Tippecanoe County Drainage Board met in the Surveyor's Office at 9:00 a.m. with the following members present: Robert F. Fields, Bruce Osborn, William Vanderveen, Robert L. Martin, Fred Hoffman and Gladys Ridder.

Minutes
Approved

Upon the reading of the minutes of the October 6, 1976 meeting, a motion was made by William Vanderveen-
Seconded by Bruce Osborn and made unanimous by Robert Fields to accept the minutes as read.

Jerry Schlossberg appeared before the Board on matters pertaining to the Tippecanoe County Sanitary Landfill. Jerry said the main problem was not an immediate one but if the dumping into the old canal bed or "wide water" area was not stopped that in a few years that area that the landfill uses for it's seepage would no longer suffice. He said Concrete Ready Mix dumps into it and will in a few years seal the bottom so the area will drain nothing. He asked if the Commissioners would write a letter to each of the offenders asking them, please, not to use the area for their dumping.

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The letter reads:

November 3rd, 1976

Dear

We have been informed that there is dumping taking place in the Wide Water area which is in the rear of your premises.

This not only violates the laws of the State of Indiana but interferes with natural drainage in the area.

REGULAR MEETING OF NOVEMBER 3, 1976 CONTINUED

letter continued

Unless such dumping ceases we will have to turn the matter over to the necessary policing authorities and Prosecuting Attorney.

Very truly yours,

/s/
Robert F. Fields, Chairman
Tippecanoe County Drainage Board

The Chairman opened the reconstruction hearing on the Waddell Branch of the Jesse B. Anderson ditch. He asked the Surveyor for his report and plans for this branch.

Mr. Martin said the plans and profiles were ready that the next thing was to advertise for bids. Mr. Waddell wanted a catch basin to be included in the plans and Mr. Martin said the catch basin would be on the plans when advertised for bids.

Mr. Waddell wanted to know if the old tile could be left where they were and place the new ditch a few feet from the old one. A lengthy discussion followed with the attorney saying they should vacate the old tile and put in new or take it out completely. The county surveyor said he felt it would be foolish to leave the old tile there. All felt it was an engineering decision and left it up to the county surveyor.

Those in attendance were: Arthur and William Waddell, E. Eugene Johnson and Rober Miller, Attorney for the Waddells.

William Vanderveen moved to build the new branch according to the Surveyor's plans. The motion was seconded by Bruce Osborn and made unanimous by Robert Fields. The next step was to advertise for bids.

10:00 a.m.
Reconstruc-
tion hearin
for
Waddell Br.
of
J.B. Ander-
son ditch.

E. Eugene Johnson had petitioned for a reconstruction of the open part of the Floyd Coe ditch. Bob Hodgen had given a price of #3800 for the tile from the Halstead ditch to the Floyd Coe ditch and \$5600. for the Coe tile outlet to the Headwall of the Johnson ditch. Robert Fields said the preliminary work had already been done, to set it up for a reconstruction hearing.

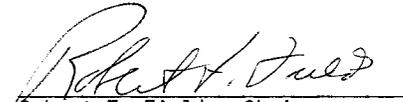
F. Coe
ditch

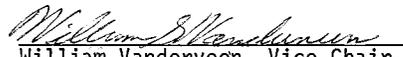
Robert Fields asked the Surveyor what had been done towards the Nellie Ball ditch for the petition had been brought before the Board in October of 1975. The surveyor said nothing had been done as yet but he would get it into operation.

Nellie Ball
ditch

With the reconstruction under way for the Waddell Branch of the Jesse B. Anderson ditch the Board signed the Order and Findings for same

Bruce Osborn moved for adjournment. William Vanderveen seconded the motion and Robert Fields made it unanimous.


Robert F. Fields, Chairman


William Vanderveen, Vice Chair.


Bruce Osborn, Board Member

ATTEST:


Gladys Ridder, Exec. Secretary

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

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

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

Minutes
Approved

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

Isfalt
ditch

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

Waddell Br.
of the

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

ditch

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

Eugene
Johnson
Ditch

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

Michael
Binder
ditch

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Part of
Michael
Layden
Branch of the
Elliott
ditch

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

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

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

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

RECESS

Board adjourned until 1:45 p.m.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Norman Skoog, Chairman of the Joint Board

William J. Vanderveen
William Vanderveen, Chairman

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

Robert F. Fields
Robert F. Fields, Vice Chairman

Bruce V. Osborn
Bruce V. Osborn, Board Member

Bruce Osborn
Bruce V. Osborn, Board Member

Wayne Anderson, Board Member

ATTEST:

Dave Baxter, Board Member

Gladys Ridder
Gladys Ridder, Exec. Secretary

COMBINED MEETING WITH COMMISSIONERS TO OPEN BIDS HELD MAY 2, 1977

At the regular meeting of the County Commissioner's meeting held on May 2, 1977 with the following members present: Bruce Osborn, Robert F. Fields, Wm Vanderveen, Robert L. Martin, Kenneth Miller and Mike Spencer, the Board opened sealed bids for the reconstruction of the following ditches:

Waddell Branch of the J. B. Anderson

Bidders were: Darrell Birge	\$ 15,040.00
Willard Merkel	11,000.00
Snyder, Ridenour & Davis	10,737.00

Michael Binder ditch

Bidders were:		Bids
Snyder, Ridenour & Davis	59,986.00	
Darrell Birge	83,475.60	

E. Eugene Johnson ditch

Bidders were: Willard Merkel	9,500.00
Robert Hodgen	11,860.00

All bids were tabled to be continued in the afternoon session.

When the Board met in the afternoon (Mr. Fields absent in p.m.) a motion was made by William Vanderveen and seconded by Bruce Osborn to accept the Snyder, Ridenour and Davis bid on Waddell Branch of the J. B. Anderson and Willard Merkel's bid on the E. Eugene Johnson ditch.

THE REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD AUGUST 3, 1977

The regular meeting of the Tippecanoe County Drainage Board met in the Commissioner's Room in the County Office Building with the following members present: William Vanderveen, Bruce Osborn, Robert L. Martin, Kenneth A. Miller, Fred Hoffman and Gladys Ridder.

Upon the reading of the minutes of the July 6, 1977 meeting, Bruce Osborn moved to accept the minutes as read. That motion was seconded by William Vanderveen. Minutes Approved

William Vanderveen opened the new maintenance hearing on the Wesley Mahin ditch by asking for the remonstrances filed. One from Dale E. Workman was read. No one appeared in favor of, or in objection to, the increase in per acre assessment as suggested by the Board.

With no one appearing the Board assumed all but Mr. Workman were in favor of the increase. With the total acreage so small and the indebtedness so great, Mr. Osborn moved to establish a \$3.00 per acre assessment for maintenance of the Wesley Mahin ditch. Wesley Mahin Ditch

With the establishment of a new maintenance fund assessment, the Board signed the Order and Findings and the Certificate of Assessments.

After the action was taken, Mr. Bruce Conrad, from the Indiana State Highway Commission appeared in behalf of the State for both ditch hearings to be held on August 3, 1977.

William Vanderveen opened the new hearing on the Jesse B. Anderson ditch by reading the remonstrance filed by John W. & Hester D. Marks.

Those in attendance were: Bruce Conrad, Glenn D. Heaton, Florence K. Moore, Eugene Johnson, James Thompson, and Joy Anderson.

Joy Anderson said he knew inflation made expenses much higher than were anticipated when the original fifty cent assessment was placed on the ditch, but that his greatest complaint was that on his branch to the west only one hundred twenty six dollars had been spent while several thousand had been spent elsewhere. Mr. Anderson also asked the Board if they intended to fix his problem at the Railroad and explained that his tile slopes uphill and are full of silt for at least sixty feet, and maybe more, that those tile need pressure to clean them out. He said the railroad blocks the force of water as it comes down so it can not clean out those tile. J. B. Anderson ditch

Mr. Osborn instructed the Surveyor and Kenneth Miller to take whatever equipment needed and take care of the problem. The Surveyor had been to the site a year ago and knew of the situation.

Mr. Osborn asked those present how they felt about a one dollar assessment. Joy Anderson said he thought it would be fine with him but he imagined in a year or so, they would have to come back for another increase. Others in attendance felt they would rather see how the one dollar assessment would do the job and if it was not adequate come back for another hearing.

Bruce Osborn so moved to establish a \$1.00 per acre assessment on the Jesse B. Anderson ditch. That motion was seconded by William Vanderveen. Floyd Wilcox

With a one dollar per acre maintenance assessment established, the Board signed the Order and Findings and the Certificate of Assessments. for pond

Mr. Floyd Wilcox came before the Board in connection with a letter from the SCS Service and their proposal for a wildlife habitat on the John Gamba property. Mr. Wilcox said he wasn't against the project but he felt several points needed to come to the attention of the Board. One was in connection with the overflow of the proposed pond onto road 1000S that was under water at times anyway. Also it involved the Waples-McDill ditch Gamba land and a branch of the legal ditch would have to be vacated.

The Board thanked Mr. Wilcox for bringing these things to their attention and assured him they would stay abreast of the conditions in that area.

In the afternoon session there were many people from the Old Romney Heights Subdivision in to attend a meeting between the Tippecanoe County Drainage Board and Jim Bailey, developer of Old Romney Heights SD. Most of those in attendance were angry and felt they had been pushed around. Too many promises had been made but not kept and they were ready for action.

Mr. Vanderveen told Mr. Bailey that the performance bond of \$80,000.00 had already been defaulted. Mr. Vanderveen said the seeding had not been done, the grading had not been done and when the Board stopped granting building permits they had a promise from Mr. Bailey that if they would allow building permits, the work would be completed promptly. He said at the present time the work is still undone.

Mr. Bailey said his contractor said this was not the time of year to seed anything and that that job would be done when the weather permits. Also Mr. Bailey said his contractor had far too many jobs going at the same time and did not get the work done. He also said when the Board shut down building permits, it slowed down the work that could be done. Old Romney Heights SD

Standing water and a drainage problem was discussed by Paul Coates from the John E. Fisher Office. Mr. Coates said a storm water study had been done and his suggestion was not to lower the existing tile but to use a grass waterway over the tile for storm water run-off.

Those in attendance said they had been there a year and still did not have sidewalks as promised. Mr. Bailey said eight new sidewalks had been installed this year. The response was, "Yes, down in front of the show homes!" Mr. Vanderveen said "That makes the show homes look better."

Al McClure, Attorney for Mr. Bailey asked the Board to consider a ninety day extension. Mr. Vanderveen informed Mr. James Bailey, developer of the Old Romney Heights SubDivision that he would require either Mr. John E. Fisher or Mr. James Bailey to report each Monday at the Board of Commissioner's Meeting to the Tippecanoe County Board of Commissioners of the progress being made in the Old Romney Heights SD. He also assured Mr. Bailey that if no progress had been made by September 1, 1977 that the Board would recall the \$80,000.00 bond on file.

Paul Coates presented the Board with the plans for Timber Ridge Estates. He told the Board he had checked the drainage with the Surveyor and now wanted to present it to them. The Board agreed to study the plans and give their approval at a later date. Timber Ridge Est.

With their business completed, Bruce Osborn moved to adjourn. That motion was seconded by William Vanderveen.

William Vanderveen

William Vanderveen, Chairman

/absent/

Robert F. Fisher

Robert F. Fisher, Vice Chairman

Bruce Osborn

Bruce V. Osborn, Board Member

ATTEST:

Gladys A. Ridder

Gladys A. Ridder, Exec. Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JANUARY 4, 1978

The regular meeting of the Tippecanoe County Drainage Board met in the Community Meeting Room in the County Office Building at 9:15 a.m. with the following members present: William Vanderveen, Bruce Osborn, David W. Luhman, Robert L. Martin, Mike Spencer, Kenneth Miller and Ethel Kersey.

Upon the motion of William Vanderveen seconded by Bruce Osborn the minutes of the November 2, 1977 meeting were approved as read. The December 7, 1977 meeting was continued until January 4, 1978 because of the weather conditions in the vicinity of the Tippecanoe County Office Building.

Because Section 105 of the Indiana Drainage Code states that the members of each drainage board shall organize Election of at the board's first meeting, and each January there-after shall elect one chairman, one secretary and appoint Officers the attorney for the year. The officers for 1978 are: William Vanderveen, Chairman, Bruce Osborn, Vice Chairman, Ethel Kersey, Secretary and J. Frederick Hoffman as attorney.

The Chairman opened the new maintenance hearing on the J. Kelly O'Neall ditch by explaining to those present the reason for bringing them in for a new hearing. He said they were currently in the red \$1,472.60 and asked if the new assessment was agreeable to those present. There was no remonstrances filed.

Those present were: Floyd Wilcox for Pearl Posey, Walter Holtman, Paul J. Vaughan and Edward F. Snouwaert.

J. Kelly
O'Neall
Ditch

Floyd Wilcox said he had no objection to the raise in assessment but was objecting to the drainage on part of the Pearl Posey property. He would like for someone to come and check the drainage on this property, it is his opinion that part of the property drain to the J. Kelly O'Neall ditch and the other part of the property drain the other way. Robert Martin was asked if he would check on the Posey's drainage, he stated that he would.

After the pros and cons, William Vanderveen suggested that the Drainage Board pick out a committee of three(3) people on this ditch to act as an advisory board for the ditch. They would help to approve or disapprove of the work, also if the advisory committee would prefer one contractor over another they could so state. This would help to release some of the pressures on the Drainage Board and the Surveyor. Walter Holtman, said he would go along with something like this, was a good idea. William Vanderveen suggested that it would be nice if several of the people from that ditch could suggest people for the committee and send in some names to serve on the committee.

Bruce Osborn made a motion for the new assessment to be \$1.50 per acre. William Vanderveen seconded the motion.

The meeting was opened on the New Battle Ground Junior High School. Mr. Lindy Moriarty was the spokesman, asking permission to take the drainage to Harrison Creek. Mr. Moriarty represented the firm of Fanning and Howey, Architects.

Those in attendance were: L. C. Moriarty, R. H. Anderson, Robert G. Gross, Crustis Vanderkleed, Francis Zeigler, Dale Remaly, Doyle L. Newton, Richard W. Harlow, Lloyd Mikesell, Anne H. DeCamp, Donald D. McKee, John M. Howkins, P. E., Ted Kowalski, TSC Supt., Janet M. Buker, Gerald Risk, Richard A. Boehning, Robert Franklin and Dr. Robert Buker.

Battle
Ground
Junior
High
School

Mr. Moriarty had sketches of the suggested drainage, and explaining the reason for asking permission to go to Harrison Creek rather than going to Burnett Creek. The price to go to Harrison Creek was between \$30,000.00 to \$35,000.00 in comparison to \$130,000.00 to \$135,000.00 to go to Burnett Creek. A saving of \$100,000.00 to \$105,000.00 to the Tippecanoe School Corporation.

Harrison
Creek

Mr. Moriarty also reminding the Drainage Board that they already had the Certificate of Approval of Construction in a Floodway from the Department of Natural Resources.

After one hour of discussing the pros and cons of the drainage in the vicinity of the new Battle Ground Junior High School, and all those present knowing the concern and responsibility of the Drainage Board the meeting was adjourned leaving the solution of the drainage problem in that the Tippecanoe School Corporation is to arrive at an agreement with the affected property owners on the Harrison Creek and Elmer Thomas ditch in co-operation with the County Surveyor and present this agreement for approval of the Drainage Board.

The Chairman opened the informal reconstruction hearing on the James a. Shepherdson ditch by asked those present if there were any comments.

Those present were: Mary A. Spitznagle, Bernard Spitznagle, Phyllis Bolyard, Floyd Bolyard Jr., Sarah B. Ayers, Howard Ayers Sr., Morris Gochenour, Margaret Cornell and John E. Haan.

Informal
Reconstruct
ion
Hearing
James A.
Shepherdson
Ditch

Howard Ayers Sr. said, at the last meeting there was some question on his property if there would be an open ditch or a tile ditch, they have decided that it makes no difference to them if it an open or a tile ditch across their property. He did request that if it was an open ditch that the soil from the ditch be disposed of so that it would not interfere with the surface drainage.

Bernard Spitznagle asked what are the procedure on reconstructing a ditch, and would there be another meeting? The answers to these questions are: the surveyor shall determine and set forth in his report the best and cheapest method of reconstructing the drain so that it will adequately drain all lands affected. The surveyor shall make such surveys, maps profiles, and plans and specifications as are necessary and he shall estimate the costs and expenses of the proposed improvement and he shall include therein all construction costs, notices and advertising, and he shall also estimate the annual cost of periodically maintaining the proposed improvement. The surveyor shall include in his report the name and address of each owner, if known, and the legal description of the land of each owner as shown by the tax duplicate in his opinion to be affected by the proposed improvement. He shall set forth the dollars and cents amount of each owner's assessment based on the total estimated cost of the improvement. When this is completed there will be another hearing on the reconstruction of the James A. Shepherdson ditch. At which time all property owners will be notified of the date, time and place for the hearing.

Robert Martin said that there could be an estimate giving on both an open ditch and a tile ditch. John E. Haan stated as far as he was concern that there was no estimate needed for an open ditch. That there was no open ditch going across his property. It was reported that the only part of the ditch to be an open drain was on Howard Ayers Sr. property.

The informal reconstruction hearing on the Jesse B. Anderson ditch was opened by the Chairman by reading the following request giving to the Board by Arthur Waddell.

Date: December 1, 1977

To: Tippecanoe County Drainage Board
Re: Waddell Branch of the J. B. Anderson Ditch Reconstruction

Gentlemen:

The undersigned property owners involved with the cost and drainage area of the proposed reconstruction of said tile hereby request the Tippecanoe County Drainage Board the following:

1. That the existing 12" tile to be allowed to remain but be abandoned as legal drain.
2. That the new 14" tile be installed a sufficient distance from and parallel with the existing 12" tile and be made a part of the legal drainage system.
3. That any lateral tile cut by the installation of the new 14" tile shall be connected to the new 14" tile and the downstream side be blocked to stop any erosion.

Signed: /S/ Thompson Investments, Inc. By James C. Thompson

/S/ Eugene Johnson

/S/ Arthur Waddell

This request is hereby approved / denied by the Tippecanoe County Drainage Board Members.

Dated this _____ day of _____ 1977

William Vanderveen asked if there were any objection to this request. This is changing the specification. Mr. Hodgen did not sign this request and is objecting to the request but was not present for the hearing. The contractor didn't have any objection. David W. Luhman, the Board attorney for this day, will review the legal procedure on this request.

The Drainage Board said they would try and have an answer for this request by Friday, January 6, 1978.

Those in attendance were: James C. Thompson, Douglas Ridenour, Perry N. Davis and Arthur Waddell.

The Chairman opened the informal reconstruction hearing on the Calvin Peters ditch by reading the following two letters.

November 17, 1977

Mr. Robert Maring
Tippecanoe County Surveyor
Lafayette, In. 47902

Dear Mr. Martin:

On May 18, 1977 Miss Fay Hoffman and I met with the Tippecanoe County Board of Commissioners and asked that the Calvin Peters Ditch be referred to the reconstruction phase. They at that time asked that the County Surveyor work toward reconstruction of the public tile.

In April of this last year Mr. Miller supervised the inspection of several feet of the 12 inch tile main and found the tile non-repairable. Miss. Hoffman would like the drainage problem solved. Mr. Roscoe Mills and Mr. James Remaly have also shown concern over the drainage of the Peters Ditch. We would like to see this problem solved as soon as possible. We would be happy to provide assistance to speed reconstruction of this ditch.

Sincerely yours,

/S/ Ralph E. Jackson

Ralph E. Jackson
Vice President
Agent for Miss. Fay Hoffman

December 1, 1977

Mr. Robert Martin
Tippecanoe County Surveyor
Lafayette, Indiana 47902

Dear Mr. Martin:

I would like to express my interest and concern over the Peters Ditch through which much of the drainage on my farm is dependent. Through investigation we found the tile should be reconstructed. I very much support the project of installing a new tile. I am willing to help with the project if needed. Hopefully this reconstruction can be completed this spring before crops are planted.

Your truly,
/S/ Roscoe Mills
Roscoe Mills

Informal
Hearing
Jesse B.
Anderson
Ditch

Informal
hearing
Calvin
Peters
Ditch

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JANUARY 4, 1978 (continued)

There were no objections to these letters, and the Board was asked to have the Calvin Peters ditch reconstructed as soon as possible.

Those present were: Roscoe E. Mills, Lois M. Ulrich, Steven M. Ulrich, Jerry L. Moss, Fay Hoffman and Dan B. Swezey.

Robert Martin was instructed by the Drainage Board to go ahead and prepare an estimate and any other necessary procedure, and there will be another public hearing on this ditch in March or April.

John Fisher, surveyor, appeared before the Board to review five (5) subdivisions drainage plans. These subdivisions were: Potter Hollow South, Nine Hills, Harrison Meadows, Westland and Fink Meadows Pt 2. Fisher said, the reason for this meeting was if there were any questions or corrections that the Board might have that they could be taken care of before the next meeting. There was a short discussion on each subdivision. The attorney is to check on all the legal procedure.

John Fisher

Fisher also asked for a letter that he could give to the Tippecanoe County Area Plan Commission stating that the Drainage Board approved the proposed drainage system for all these subdivisions. The Board asked, Fisher if he could print this letter like he would like it to read and the Board would approve or disapprove.

After establishing a new rate of assessment on the J. Kelly O'Neill ditch the Board signed the "Order and Findings" and the "Certificate of Assessments".

With the days business completed, Bruce Osborn moved to adjourn. That motion was seconded by William Vanderveen.

William V. Vanderveen

William Vanderveen, Chairman

Bruce V. Osborn

Bruce V. Osborn, Vice Chairman

/asbent/

Robert F. Fields, Board Member

ATTEST: *Ethel Kersey*

Ethel Kersey, Exec. Secretary

REGULAR MEETING OF TIPPECANOE COUNTY DRAINAGE BOARD
March 6, 1985

The Tippecanoe County Drainage Board met, Wednesday, March 6, 1985 at 8:30 A.M. for regular meeting in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

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

WILLOWOOD PART 3 - Hugh Galema Developer

Hugh Galema appeared before the board asking for final approval for Willowood Part 3 Drainage Plans. Much discussion, the board advised the developer that a bond is required for all public improvements, pipes will be included in bond. Eugene Moore made motion the plan will be approved when they have been corrected to satisfaction of the surveyor, such improvements will show there are two pipes 64" wide and 43" high at the entrance similar to the pipes that are planned for the existing entrance, and also the plan will provide a 6' bottom ditch with the distance from the road way similar to normal cross section. Motion seconded by Sue W. Scholer, Bruce V. Osborn making motion unanimous.

1985 TILE BIDS

Tile Bids for the Tippecanoe County Drainage Board for the 1985 were opened by attorney, Fred Hoffman for Concrete Tile and Plastic Drainage Tubing, bids were received from Banning-Barnard, Inc. DBA Economy Tile Company, Flora Tile Company P.O.Box 157, Economy, Indiana 47339 and Reed's Quality Tile, 10 West Hoop, Flora, Indiana 46929. Michael J. Spencer recommended that both bids be accepted. Sue W. Scholer moved to accept both tile bids as submitted, seconded by Eugene R. Moore. Unanimously approved by the board.

JOHN AND TERIL JOHNSON ENCROACHMENT AGREEMENT

To record or not record the Encroachment Agreement between the Johnson's and Tippecanoe County Drainage Board had not been decided at February 6, 1985 meeting. Fred Hoffman, attorney advised the board to record this agreement. This agreement will show on a new owners abstract. Sue W. Scholer moved that the agreement with John and Teri Johnson be recorded, seconded by Eugene R. Moore, Bruce V. Osborn making it unanimous.

CLARKS HILL FmHA

Paul Coutts, engineer representing Bill Long, developer for Clarks Hill FmHA project property is along 975 East and 1200 South, in the area of J.B. Anderson ditch. Mr. Coutts is asking for a reduction in the 75' easement that goes with the tile, they want to reduce the easement on the east side to 25' so that they can utilize the ground, which has been annexed to the Town of Clarks Hill. The development will not be running any water into the tile. Michael J. Spencer requested calculations be presented to the board to make sure it meets the Drainage Ordinance. Question on annexation? Board decided to continue request till Friday, March 8, 1985 at 8:30 A.M. Mr. Coutts is to bring calculations for the run off and check on the annexation.

BLACKBIRD POND - IRON HORSE PHASE 2 and 3

Board recessed for Blackbird Pond as George Schulte drainage engineer and Robert Grove had gone to the site. Robert Grove, engineer representing the developer stated they were back to request preliminary approval of drainage plans, board had recessed for engineer to study and bring back to the board the possibility of rerouting the ditch. Much discussion on rerouting and cleaning channel etc. Mr. Leitner is still concerned about the water capacity of his land. Bruce V. Osborn ask Mr. Leitner if he understood that he had given permission to the cleaning out of the channel. His reply: he understands that he gave them permission to the cleaning, but he wants no excessive flood water and he does not agree with the letter. Mr. Hoffman ask Mr. Grove if he was testifying that if the plans were approved, that it will not put any more water on Mr. Leitner at any greater rate than is going on his land at the present time with a 100 year rain and criteria of Drainage Ordinance. Mr. Grove - answered yes, from run off is correct and pipe being cleaned under the road. Mr. Hoffman continued to ask Mr. Grove the following questions. QUOTE: Fred Hoffman and Robert Grove If this is done, what effect on the west side of the road is this going to result in any increase of the amount of water going onto the west side of the road. Bob - question, than goes there now? Fred- Right as it exists, if it were cleaned out. Bob - No, not if it is cleaned out.

Regular Drainage Board Meeting of March 6, 1985 Continued.

Fred - Is it going to increase the speed with which it will go. on the west side of the road from the condition that exist now if the pipe was cleaned out?

Bob - No, it won't.

Fred - On the east side of the road, if this goes in is it going to increase the amount of land of Mr. Leitner's that's going to be flooded.

Bob - As it exists now, no it won't because it comes up and runs over the road now, as it is being controled to the point for the 100 year storm event keeping it from running across the road, therefore, they are not increasing it.

Fred - so it is not going to increase the area of Mr. Leitner's that would be flooded?

Bob- Correct.

Fred - Is it going to increase the length of time that his land on the east side of road would be flooded?

Bob - No, it shouldn't affect at all, it should remain as it is now.

Fred - Is it going to have any affect on his land on the east side of the road on the amount of water?

Bob- Personally thinks that by cutting the ditch all the way to the railroad will be an improvement and help channelize the water that comes through.

Fred - So he won't have any more water on the east side of the road than he has now, and he won't have any more water in any greater length of time?

Bob - If you are looking as if the culverts were in workable condition, this is correct.

Fred, meant as the culvert was originally installed, cleaned out etc.

Bob - Correct.

Fred - How long has the culvert been in?

Mr. Leitner said there has always been a culvert, no change in size,

Bruce V. Osborn ask if they plan to maintain at a constant level during the dry months as nearly as they can?

Bob answered, that is correct, have proposed to put in a well with a flow system. Elevation of the water is set based on the structure as close as they can in normal conditions. Bruce in that normal condition, Mr. Leitner would still have water on his side of the fence? Correct, plans have not be changed any in depth.

Fred - Is the water on the east side of the fence going to affect the present useage of Mr. Leitner's land in any adverse fashion?

Bob - No.

Fred - Is it going to affect the useage of his land on the west side road in a manner in adverse fashion?

Bob - Should be the same as he has now, with improvements down stream.

Bruce Osborn ask if Mr. Smith would be willing to put in crossing before the development started, (Clean out downstream) Mr. Smith, if weather conditions permit, (he doesn't want to tear up fields,) starting at the railroad track. Hopefully in 30 days.

Sue W. Scholer moved that preliminary plans to Iron Horse Phase 2 and 3 be accepted. Seconded by Eugene R. Moore, Bruce V. Osborn making motion unanimous.

MOSS CREEK

MOSSCREEK
SUBDIVISION

Robert Grove, engineer representing CME Builders presented preliminary drainage plans for Moss Creek Subdivision 22 lots on 16 acres, asking for preliminary approval. Property is located on County Road 400 West in Wabash Township. Development is part of a 120 acre watershed which outlets into Indian Creek. The watershed is mostly undeveloped with the exception of Blackforest, a development directly south of the proposed site. The site contains an existing pond which the developer is proposing to use for storm water retention. Water drains into Indian Creek. Developer is proposing to leave the site as natural as possible by minimizing lot grading and tree removal. This will alleviate erosion associated with development. It is not feasible to grade the site to route more storm water through the proposed storm water retention basin. Since the 100 year, after-development direct runoff nearly equals the 10 year pre-develop runoff, they are requesting the Drainage Board to approve a 2 cfs increased discharge to allow the design of a workable discharge structure. It is not practical to pipe the direct runoff to the basin or to grade these areas to drain to the basin. The 2 cfs additional discharge is not a significant amount for the overall watershed and will allow a controlled discharge.

Fred Hoffman ask if this was going to put water into the Indian Creek at a more rapid rate? Bob - NO.

Michael Spencer stated the biggest problem with Indian Creek was the structure under the railroad. Bruce ask who was going to maintain? Bob stated that they would like to turn that over to the drainage board. Legal drain, would have to make the entire Indian Creek legal drain.

George Schulte recommended approval of preliminary plans. This is benefitting Indian Creek as they are storing water from the upper watershed into the pond and the 2 cfs asking is 10 year storm event differential, really decreasing water going into Indian Creek.

Eugene R. Moore moved to give Preliminary approval to the Drainage Plans submitted for Moss Creek Development, seconded by Sue W. Scholer, Bruce Osborn making motion unanimous.

Meeting adjourned at 11:05 A.M. to Friday, March 8, 1985 at 8:30 A.M. for reconvened meeting for Clarks Hill FmHA project.

March 8, 1985 RECONVENED MEETING FOR CLARKS HILL FmHA

Clarks Hill
FmHA

Paul Coutts representing Clarks Hill FmHA project, Bill Long owner, presented the Board a recorded copy of the Annexation of Clarks Hill FmHA to the Town of Clarks Hill, Indiana, description of property is: Part of the Southeast Quarter of the Southeast Quarter of Section 23, Township 21 North, Range 3 West, Lauramie Township, Tippecanoe County, Indiana. Bruce V. Osborn ask what was annexed on the South side. There are 2 acres annexed on the south side. 975 East road will be Town of Clarks Hill. Calculations are on file with the surveyor. Mr. Hoffman ask if storage area is Detention or Retention, the answer is Detention. A 60' - 12" corrugated metal pipe will be under the driveway in the existing side ditch. Bruce had talked with John Gambs, attorney for the Town of Clarks Hill in regards to the project, he noted that Mr. Gambs had ask the Drainage Board to make sure about the drainage as this was the towns primary concern. Michael J. Spencer, surveyor recommended to keep 75' easement, that would give 35' easement. 35' is sufficient, but the board requested that the developer stay off the easement. Building wall would be easement line. Paul Coutts stated he will present a description on the easement after the developer has staked the building and the foundations are in. Michael Spencer requested construction plans showing the cross sections through the pond.

MAINTENANCE - The board requested that it be understood that the maintenance of the project be the responsibility of Mr. Bill Long, the property owner or his successor of the property. It was pointed out that this is not a subdivision it is a rental project.

Mr. Long needs Building Permit from the Town of Clarks Hill before starting project, they are waiting for a representative for the Town of Clarks Hill to make his report on the drainage.

Sue W. Scholer moved to grant reduction on the 75' easement to go around Building # 3 and resubmit the description of drainage easement showing cross section reflecting the storage area. Seconded by Eugene R. Moore, Bruce V. Osborn making motion unanimous.

Meeting Adjourned at 8:55 A.M.

Those in attendance were: Bruce V. Osborn, Chairman, Eugene R. Moore and Sue W. Scholer, Board Members, Michael J. Spencer, surveyor, George Schulte, drainage engineer, Fred Hoffman, attorney, and Maralyn D. Turner, Executive Secretary, Paul Coutts, engineer for Clarks Hill FmHA and Bill Long property owner-developer.

BRUCE V. OSBORN, CHAIRMAN EUGENE R. MOORE, BOARD MEMBER SUE W. SCHOLER, BOARD MEMBER

ATTEST: Maralyn D. Turner
MARALYN D. TURNER, EXECUTIVE SECRETARY

TIPPECANOE COUNTY DRAINAGE BOARD
Regular Meeting
October 2, 1985

The Tippecanoe County Drainage Board met Wednesday, October 2, 1985 at 8:30 A.M. in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana. Chairman Bruce V. Osborn called the meeting to order with the following present and others are on file. Chairman Bruce V. Osborn, Eugene R. Moore, Board Member, Michael J. Spencer Surveyor, George Schulte, Drainage Engineer and Maralyn D. Turner Executive Secretary.

BUCKRIDGE SUBDIVISION

Buckridge
Subdivision Robert Grove engineer for the developer and David Kovich developer presented as built plans. The board accepted the as built plans for review, after reviewing the surveyor will submit a letter to Area Plan, Highway Department, and the Board of Health.

CROXTON WOODS

Croxton
Woods Robert Grove engineer representing developer stated that at last months meeting it was discussed to revise over all drainage plans for the Croxton Woods, the plan was approved in

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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
Subdivision

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

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

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

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

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

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January 8, 1986 Regular Meeting Continued

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

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SSESS-
ENTS

1986 ASSESSMENTS:

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

ODRIDGE
UTH

WOODRIDGE SOUTH

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

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

JAMES
KIRPATRICK
DITCH

JAMES KIRPATRICK DITCH

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

MCLAUGHLIN
DITCH

MCLAUGHLIN, JOHN DITCH

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

ELLIOTT
DITCH

ELLIOTT DITCH

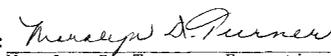
A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

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


CHAIRMAN


BOARD MEMBER


BOARD MEMBER

ATTEST: 
Maralyn D. Turner, Executive Secretary

February 4, 1987

February 4, 1987
Tippecanoe County Drainage Board

The Tippecanoe County Drainage Board met Wednesday February 4, 1987 at 8:30 A.M. in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Chairman Bruce V. Osborn calling the meeting to order.

Those present were: Chairman Bruce V. Osborn, Board Member Sue W. Scholer, Surveyor Michael J. Spencer, Drainage Attorney J. Frederick Hoffman, and Executive Secretary Maralyn D. Turner. Others present are on file.

BRAMPTON APARTMENTSBRAMPTON
APRTMENTS

Dennis Grump engineer of Schneider Engineering representing Cardinal Industries, Inc. project Brampton Apartments. Mr. Grump turned the meeting over to Richard Bovey attorney as he is the counsel for Cardinal Industries, Inc. Mr. Grump also introduced Jack Cogley Land Representative, Bill Martin District Representative, and Don Thomas from Cardinal Industries, Inc.. Jack Southerland Director of Engineering Services and Bruce Nicholson Registered Professional Engineer from Schneider Engineering Corporation.

Richard Bovey attorney representing Cardinal Industries, Inc. the developer of Brampton Apartments Phase I. They are requesting the board to fulfill its commitment to the developer to issue final approval of the plans for the drainage for Phase I. The records of the hearings held June 1986, through December 1986, and January 7, and January 12, 1987 reflects that the board has basically committed upon one final condition to issue clearance for the development of Phase I provided the developer submit a petition to reconstruct the legal drain namely Branch 13. The developer has met these conditions, it did retain counsel, it did cause a petition for reconstruction to be drafted prepared to be duly signed and notarized by one of the effected landowners involved. Mrs. Janet Lanie, Trustee of Krick Land Trust who owns more than 10% of the land involved that petition was submitted and filed on January 29, 1987 in the surveyor's office at 3:50 P.M. They are now requesting final clearance from the board. The developer is very anxious to get along with the construction of Phase I. Phase I has approximately 4 acres. There are not other Phases being developed at this time.

Bob Gross from H. Stewart Kline Associates reviewed the storm calculations for the area, he had prepared a drainage map and stated that it is close to what Dennis Grump had presented. Mr. Grump agreed, however area 5, they had more area going back to the basin. Mr. Gross stated he used the rational method to get the predeveloped condition, came up with a Q 10 of 4.8 cfs. Mr. Gross stated that post development uncontrolled runoff would be 1.8 cfs, therefore the post development release rate would be 4.8 cfs minus 1.8 cfs uncontrolled leaving 3 cfs as their post development release rate from the basin. Mr. Grump's calculations showed 2.2, this was less than the 3. Storage volume would be 1.33 acre feet. Using that storage volume the depth would be about elevation 42.5. Dennis Grump stated that their invert where the water flows out was elevation of 40 and storing (about) to elevation 42.05, storing about 2 feet in the detention area. Mr. Gross said the only problem is with the out flow control device with that much head of 42.5 you are pushing down over the capacity of the tile. The way he arrived the capacity was from the ACS tile drain. Mr. Grump ask what he arrived at for the tile capacity? For a new tile capacity between 1.6 and 2.5. Mr. Grump stated that they were indicating under manning's equation for that type of material they were indicating a 2.58. Mr. Gross's concern is the amount of acreage draining into the tile, the minimum drainage coefficient is $\frac{1}{4}$ per 24 hours and the maximum area that will drain into the tile at full capacity would be around 200 acres. if he were to design a tile for 200 acres he would use $\frac{1}{2}$ " drainage code efficient which would put it into an 18" tile. The present tile is a 14". Question was does it drain more than 200 acres, the answer is yes Michael doesn't think there is 200 acres upstream from the development as the tile goes down stream it is obviously larger, 18" at the outlet. Mr. Osborn ask Judith Hammon how many acres she had in her development, she has 90 acres. Michael stated that what Mr. Gross has told us the predevelopment run offs are fine, after development are fine, detention basin is sized right, release rate is alright except what they have on the plans. Dennis Grump again stated the fact all understand that this is an agricultural tile and this is why Cardinal is committed to spearhead the petition in order to get something done. The area is beginning to develop and the drain will not be adequate for an urbanized situation. He doesn't disagree about the large amount of water in the area. Judith Hammon ask question. Not only is the area inadequate for development as she understands it if they are putting that much water into the tile in their holding pond, the acreage above that tile that uses the tile won't be able to do so. The development would be hurt from the first tile down flow, but the agricultural tile will have to hold water longer than what it usually does. Therefore it isn't only urbanization that is being the problem. Agricultural land is hurt too. Mr. Grump agreed to some degree with Judith Hammon, but it is important to look at the time frame with which the different areas contribute to the tile. Subsurface drains that the tile provides to the agricultural area typically the maximum capacity of that pipe is achieved approximately a day after the rain because the water is absorbed through the ground. In their situation they get a detention area and a direct link to the tile. In a matter of 4-6 hours are contributing and then it begins to decrease long before the agricultural drain or agricultural requirement is achieved. Bruce V. Osborn asked about reconstruction? Michael Spencer stated a petition has been received that is more than 10% of the watershed area. A hearing will have to be set, notify all landowners which will take 30-40 days, have the hearing, this could be 6 months to a year by the time engineering is completed and physically have the construction done. Judith Hammon ask if all the overland came to this pipe through Branch 13? She stated right now predeveloped all is overland water which flows onto her land. Schneider Engineering personnel stated not necessarily does the overland water go onto her land, just as it exists now. Judith stated they are getting overland water off of Haggerty Lane into her property. Will this tile system take care of the overland water? Answer was it was not designed to when it was installed. Surface drainage and subsurface drainage water can't get into the tile unless it seeps through the ground or has an open inlet. Judith ask what the development overland water was going to do with this system. The overland water in two basin would flow into inlets which does come back to an overland situation, but it is the same water that she is getting now. They will be solving the area in building the experience would be no worse that what it has been. The condition that is happening now is preventing Maple Enterprises from developing, this is a constant battle. Question is: This isn't a natural drainage course. It is a common drainage procedure handle offsite water.

Mr. Grump stated he was not saying that there would not be any overland water he is saying that the rate that it goes to Judith's land will be no worse than it is now. This has been explained above. Some of the area does go into the culvert therefore some is headed off and routing it back through the Brampton Apartment system. Sue W. Scholer ask how long it would take to drain their detention area? Take between 6-10- hours from beginning of rainfall. Judith Hammon is concerned about the overload on the branch. Until the branch is reconstructed this is a potential situation. Bruce Osborn ask if Ms. Hammon's land was on the west side of Ross. Property is on both sides of Ross. The thin narrow line between Ross Road and 38, then 70 acres on the other side to 52. Branch 13 and Wilson Branch of the Elliott ditch converge on her property. She is dealing with two watersheds. Judith explained that the overland water from the area in question goes under a 12' culvert under 38 and then spews openly onto a 13 acre strip between 38 and Ross Rd, at the present time it is agricultural, it either stands or eventually drains through Branch 13. Sue W. Scholer ask what total acreage was in the watershed? Michael is not sure how many acres are above 38 or below 38.

Mr. Hoffman stated that Mr. Bumbleburg is going to take his name off the petition for reconstruction and Richard Bovey's name as attorney will appear, a letter to that fact was attached to the petition. With these changes Mr. Hoffman found the petitions to be in order.

Sue W. Scholer stated the board is obligated to go on with Phase I, the board can not allow any more Phases to be developed until reconstruction of Branch 13 is underway. The board is addressing additional problems that are associated with development as it moves farther into the watershed area. Mr. Hoffman ask the total number of acres on the petition. Michael Spencer stated that the property owners who signed have more than 10%.

Sue W. Scholer ask about additional right of way was dedicated she wanted to know if it was 50' from the center line. Correct. There is a 100' total right of way for road reconstruction, at least 50' on their side. Mr. Cogley stated his engineers have told him they are going to allow for four lanes with ample room to construct. He stated they are a very short distance from road that merges with State Road 38 if there is an issue of necessary or increased roadway beyond project after preliminary approval he doesn't feel this is another issue that will affect their development. Mr. Osborn just wanted everybody to understand so if something happens later you can't come back and say we did not tell you.

Michael Spencer stated the only comment he might have which could be a personal one is: He would still like to see Cardinal petition even though they do not have 10%. Representative of Cardinal stated Cardinal Industries, Inc. filed the petition in the Recorders office 2/3/87. Michael J. Spencer's recommendation is that Cardinal Industries, Inc. not be allowed to outlet into the tile. Their surface run off and their release rate is less than their 10 year before development run off.

Dennis Grump commented that he had discussed this with Michael Spencer surveyor and George Schulte who at that time was with H. Stewart Kline and Associates about using the tile understanding that they had an agricultural tile and the detention would have to be provided. This discussion was back in 1986, it was decided to proceed that way. Drainage Board gave preliminary approval at that point they proceeded to use the tile and want to continue to do so.

Mr. Bovey ask to make a few brief comments. It is Cardinal's understanding after a fairly long process of going through repeated hearings that after the last hearing January 12, 1987 the only condition would be the submission of the petition for reconstruction of legal drain Branch 13. No other conditions. That condition has been filled and on file. They are willing to place it on record, Cardinal's signature. He felt it improper and certainly beyond commitment they do consider it to be a binding commitment made at the January 12, 1987 meeting with Cardinal Industries, Inc. and any new conditions be added with respect to final approval of drainage plan for Brampton Apartments Phase I. This was the only issue properly before the board today.

Mr. Osborn ask if he wasn't going to have problems with Michael Spencer's statement? Mr. Bovey said there was some mention that they couldn't use the outlet. If that new condition is thrown in now it will cause a whole new scheme. They don't feel this is appropriate or proper. Mr. Osborn stated, drainage isn't an ordinary element. You have to live together and give. Mr. Bovey stated Cardinal has been a very responsible developer. They have in good faith complied, but if conditions continue to be added to final conditions they will never get out of a never ending battle. This has gone too long and the developer is anxious to be a good neighbor. They are not out to hurt anybody down or up stream. It is obvious that there is an inadequate situation with respect to the existing legal drain. They are willing to cooperate and work with all people involved after a cost benefits study is done by the County Surveyor, they will do their fair share. They feel their 4 acres which is less than 1% will not create adverse impact upon any one.

Mr. Hoffman wanted to make sure that petitions had been signed. Cardinal Industries, Inc. has signed and there's was recorded the petition signed by Mrs. Janet Lanie has not been recorded, it is in the surveyors office.

Judith Hammon stated that 200 acres southeast of Lafayette are creating alot of drainage problems. A Task Force has been developed to address the problems in 1600 acres. Extensive research has been done. She isn't trying to stop the project, she is asking for a sense of responsibility. Mr. Cogley and a witness sat in her office as she tried to explain the problems. Mr. Cogley stated he didn't have the time nor did he care. She cares about the community and the development. It was her understanding and she will check with George Schulte as she understands he always advised against the use of agricultural tile for urban development. If thats how it is used a year before reconstruction there will be alot of problems. She feels the problems can be worked out, but the kind of cooperation from Mr. Cogley hasn't been satisfactory. She feels that we can't have 12 acres cause so many problems in a large area and act like no one else is around. She was ask in what way does she want cooperation?

Sue W. Scholer made the statement that everybody has to realize that there are many problems facing the board in the drainage area and they will have to be looked at differently. she feels that what Ms. Hammon is asking and the board would ask as well that once the approval is given your concerns and interest remain at the same level.

Sue W. Scholer moved to give final approval to Brampton Apartments Phase I drainage plans as submitted and petitions for reconstruction of legal drain Branch 13 be in and recorded.

Mr. Osborn apologized to Cardinal Industries, Inc., mistakes have been we are all human, it was an effort to stop Cardinal Industries to keep it in proper context only to save them money. After this statement Unanimous approval was given to the motion.

TWYCKENHAM

TWYCKENHAM
M

Robert Grove engineer representing Twyckenham Building Company requested Preliminary approval for drainage plans in residential area in the South portion of Twyckenham Estates. Northern portion contains Twyckenham Apartments is no longer in Twyckenham Building Company. It is held by the Lafayette Bank and Trust Company bank. Back in 1981 the whole design process with approval of all calculations at that time John Smith felt he would continue into the residential area with economy the project sat. The area is in the City as well as in the County. This will complicate things in some ways. Three basins are planned, one at the outlet point which is to the Ortman Legal drain across Ortman Lane it is an open ditch. They are reducing their flow down to 52 cfs through the detention system. Aslo picking three points up stream (offsite) for 10 yeare predevelopment flow conditions, they are not detaining, roughly a 100 cfs from offsite runs through the system. When they develop they have to detain and cut their flow down. when this was done it was based on a Master Plan instead of trying to piece meal. There is R-3 and R-1 even though it is in the County the potentials are there for the development. Main concern at this point is the process of vacating the Ortman legal drain. An area of main drain has been vacated, but the Ortman drain has not. Mr. Grove stated they are asking for preliminary approval of everything. Later they will come in and ask for final approval of Construction Plans on the first three sections at that time once work is completed they would like to have the drain vacated with surveyor inspecting, making sure that the tiles are tied back into the system properly. Nextion section would work same, eventually the entire drain would be vacated upon completion of the project. Michael Spencer stated there would be a problem of vacating a piece out in the middle of a legal drain or vacating an outlet of a legal drain and leaving it a leagl drain upstream. He has a problem with the stroage area on the plan, he realizes it will be in the City, but still a problem. He prefers one large basin down by the outlet structure at Ortman Lane. Like to see something done south of 300 south. In other words let's see something that shows the open channel on the south side of 300 sourth, this will handle the proposed runoff. Ortman drain is legal and has had no maintenance done. John Smith ask to make comment concerning the existing drain. The existing drain is not working very well it is full of dirt (for more). When they put in the new pipe with manhole so you can see in and be able to clean out with whats there now this can't be done. Sue W. Scholer stated that Michael is recognizing that system. They are going to have to study what will be happening later. Michael doesn't want something something happening down stream because of new flow and new pipe. He wants to make sure the downstream will be able to handle the flow that the developer will be putting in. Michael has not walked the drain. Mr. Smith stated it had plenty of flow line.

Mr. Hoffman stated he did not like the fact that they were going to have a ditch without a positive outlet. Control is a concern where there isn't a legal drain, it is Mr. Hoffmans recommendation that there be a legal drain through the entire area or vacate the whole thing. Mr. Smith ask since they were going to take the storm drain to County Road 50 East, the pipe being 36" they would be intercepting the two existing tiles with one being 10" and the other 8" run into 36" the people upstream should not object. The last time the developer came before the board they did not want to vacate the drain, this is the reason they were proceeding with the present system. Michael stated that all should be vacated. A petition to vacate will have to be presented and a hearing, this process will take approximately 2-4 months. They feel that there are only 3 property owners involved. Mr. Grove feels that there will be no problems this will help their drainage system later. Mr. Smith stated he really did not want to run a large pipe over to the ditch, but he has no choice.

Michael ask how the City felt in regards to the problem? Mr. Grove has gone through all the calculations with Mr. Callahan City Engineer, his comments were that he had no problems. His only concern was that the developer make sure they bring in South 9th Street at Ortman Lane (the storm water into the system). The way it is now it runs down side ditch. A letter was to have been sent to the Drainage Board from Mr. Callahan. The letter was basically to say they accept the plans and the concerns. Michael stated the plan does meet the Drainage Ordinance as far as run off and providing outlet upstream the only question City acceptance of plan and vacation of the legal drain, Ortman.

Sue W. Scholer moved to give preliminary approval on Twykenham Drainage Plans with the condition that the petition to vacate Ortman drain be filed and granted, and a letter be received from the City of Lafayette accepting the plan, unanimous approval was given.

ACTIVE DRAINS AND INACTIVE LEGAL DRAINS

ACTIVE
INACTIVE
LEGAL
DRAINS

Mr. Hoffman ask Sue W. Scholer to read the letter to the County Auditor in regards to ditch assessments for 1987. A list is compiled and on file in the surveyors office. Those ditches made active for 1987 assessment were: Train Coe, Thomas Ellis, Hester Motsinger, Audley Oshier, and Shawnee Creek. Ditches made inactive for 1987 were: Jesse Anderson, A.P. Brown, James Kirkpatrick, and John Saltzman.

Sue W. Scholer moved to send this notification to the auditor, motion carried.

ELLIOTT DITCH

ELLIOTT
DITCH

Mr. Hoffman presented a petition received from the Lafayette City Controller requesting the Auditor, Assessor and Treasurer of Tippecanoe County to petition the State Board of Tax Commissioners for Cancellation of Certain taxes on City property, a copy is on file. Mr. Hoffman stated this was on the streets and a couple pieces of property. Mr. Hoffman stated that the laws stated that the County Highway has to pay, therefore there are no exceptions for the City. His recommendation was that the petition be denied. Sue W. Scholer moved that based on the research done by Mr. Hoffman Drainage Attorney, not finding any legal reason to grant the petition the board deny the City's petition for removing real estate from the ditch assessments, unanimous approval was given. A letter should be sent to the City of Lafayette in regards to the denial.

VALLEY FORGE BOND

VALLEY
FORGE

Sue W. Scholer read and presented letter and bond for Valley Forge Phase II, Sec. I. This is for the addition of 14 lots. The board agreed to this only if they secured

a Construction Bond and petitioned for a legal drain, this has been done. A hearing will be set soon in regards to the petition. Bons is post for half the total cost on the detention basin.

Sue W. Scholer moved to accept the Construction Bond secured by Depoist from Tippecanoe Development Corporation for Vally Forge Phase II, Sec. I as submitted, unanimous approval was given. Mr. Hoffman ask that the board have the bond recorded and present it to the Auditor.

After discussion in regards to a form for Secured Deposit Bonds the board ask Mr. Hoffman and Mr. Joseph Bumbleburg to work together in forming a Standard Form for Secured Deposit Bonds.

ELLOITT
DITCH
TASK
FORCE

ELLIOTT DITCH TASK FORCE

Sue W. Scholer announced that the next meeting would be March 9, 1987 at 9:00 A.M.. They would like to set the week of March 16, 1987 for a hearing, with Michael setting the final date and use the Fairgrounds. Sue had a rough cover letter to send with the Notice of Hearing. They will present slides at the hearing as the video they are preparing will not be completed at that time. The rough cover letter was sent by Sue's request to some members of the Task Force on Wednesday, February 4, 1987, a copy is on file.

The board discussed the presence of George Schulte County Engineer, in the Drainage Board meetings. They feel that since he is most familiar with the Drainage Ordinance and his involvement with the County Highway he should receive the agenda and attend the meetings.

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

Bruce V. Osborn
Bruce V. Osborn, Chairman

Sue W. Scholer
Sue W. Scholer, Board Member

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

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

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

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

Many questions need to be answered before action is taken.

VALLEY FORGE

Valley Forge

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

MEETING TIME CHANGE

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

JOHN HOFFMAN DITCH

JOHN HOFFMAN DITCH

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

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

Mr. Hoffman conducted election of officers.

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

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

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

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

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

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

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

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

Mr. Spencer asked for questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Moore asked the feeling of the property owner.

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

Malcomb Miller supports Mr. Frey's statement.

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

Michael stated they would be maintaining what there is now.

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

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

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

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

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

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

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

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

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

Michael stated the grade can be checked.

Mr. Barr would agree to keep the water going.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Bruce V. Osborn

Bruce V. Osborn, Chairman

Sue W. Scholer

Sue W. Scholer, Boardmember

Eugene R. Moore

Eugene R. Moore, Boardmember

ATTEST:

Maralyn D. Turner

Maralyn D. Turner
Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 4, 1989

The Tippecanoe County Drainage Board met in regular session Wednesday, January 4, 1989 at 9:00 A.M. in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

The meeting was called to order by J. Frederick Hoffman, County Attorney for the reorganization of the Drainage Board for 1989. Those present were: Bruce V. Osborn, Eugene R. Moore, Sue W. Scholer, Michael J. Spencer, J. Frederick Hoffman, and Maralyn D. Turner, others in attendance are on file.

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

Mr. Hoffman asked the newly elected Chairman Eugene R. Moore to preside over the meeting.

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

Eugene R. Moore asked for nominations for Secretary, Bruce V. Osborn nominated Maralyn D. Turner as Secretary, seconded by Eugene R. Moore, no further nominations from the floor for secretary Maralyn D. Turner was elected.

Bruce V. Osborn moved to appoint J. Frederick Hoffman as Drainage Attorney for the year 1989, seconded by Sue W. Scholer, unanimous approval.

Mr. Hoffman read the Ditch Assessments for Active and Inactive ditches. The following ditches being Inactive for 1989 are: John Amstutz, Jesse Anderson, Dempsey Baker Newell Baker, Nellie Ball, A.P. Brown, Orrin Byers, Floyd Coe, Grant Cole, J.A. Cripe, Fannie DeVault, Jess Dickens, Martin V. Erwin, Elijah Fugate, Rebecca Grimes, Geo Ilgenfritz,

George Inskeep, Lewis Jakes, E.Eugene Johnson, F.S. Kerschner, Amanda Kirkpatrick, John A. Kuhns, Calvin Lesley, Luther Lucas, John McCoy, John McFarland, Absalm Miller, Ann Montgomery, J. Kelly O'Neal, Lane Parker, James Parlon, Calvin Peters, Franklin Resor, Peter Rettereth, Alexander Ross, James Sheperdson, John Saltzman, Ray Skinner, Joseph C. Sterrett, Wm. A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohey, John VanNatta, Harrison Wallace, Sussana Walters, McDill Waples, Lena Wilder, J&J Wilson, Franklin Yoe.

The following ditches read are Active Ditches: E.W. Andrews, Delphine Anson, Juluis Berlovitz, Herman Beutler, Michael Binder, John Blickenstaff, N.W. Box, Buck Creek(Carroll County), Train Coe, County Farm, Darby Wetherill(Benton County), Marion Dunkin, Crist/Fassnacht, Issac Gowen(White County), Martin Gray, E. F. Haywood, Thomas Haywood, Harrison Meadows, Jenkins, James Kellerman, Frank Kirkpatrick, Mary McKinney, Wesley Mahin, Samuel Marsh(Montgomery County), Hester Motsinger, Aduley Oshier, Emmett Raymon(White County), Arthur Richerd, Abe Smith, Mary Southworth, Gustavel Swanson, Treece meadows, Wilson-Nixon(Fountain County), Simeon Yeager, S.W. Elliott, Dismal Creek, Shawnee Creek.

The following ditches read were made Active for 1989: Alfred Burkhalter(Clinton County), Charles Daugherty, Thomas Ellis, Fred Hafner, James Kirkpatrick, F. E. Morin, William Walters, and Kirkpatrick One. Michael Spencer wanted the Martin Gray to be included in the Active, it had been read as active, but for the records read in the Make Active. Sue W. Scholer moved to activate the ditches as read, seconded by Bruce V. Osborn, unanimous approval.

Alfred Burkhalter ditch joint with our County the Board secretary should send a letter to the Tippecanoe County Auditor and the Clinton County Auditor.

Michael stated in June 1987 a hearing was held to combine the Treece Meadows branch with S. W. Elliott ditch. These maintenance funds need to be combined and treated as the S.W. Elliott ditch. Sue W. Scholer moved to combine the maintenance funds on the Treece Meadows with the S. W. Elliott ditch treat them all as one, seconded by Bruce V. Osborn, unanimous approval.

J. Frederick Hoffman asked if the Treece Meadows was considered designated branch under the S. W. Elliott ditch? Michael answered it is; Treece Meadows has a beginning point and ending point.

Michael Spencer received a letter signed by two property owners, Malcomb Miller and Jerry Frey on the John Hoffman requesting that the board set up a maintenance fund. A hearing was held in 1988 for reconstruction, this did not go too well. Some were going to try to contact the downstream property owners to make it a legal drain all the way down to Coffee Run. Hearing nothing these property owners are requesting a maintenance fund.

Mr. Hoffman stated this is the ditch that does not have a positive outlet. Correct. They hope to make a positive outlet with the maintenance funds.

Michael will have to make a maintenance report before a hearing can be held. Discussion continued.

Jim Strother property owner 3876 Kensington Drive concerned about drainage of the Orchard Park Subdivision. Michael told Mr. Strother he had received Preliminary submittal that was requested from the engineer to supply with more information, but that

HOFFMAN
DITCH

information has not been received. Michael will notify Mr. Strother when he receives the information and when the project comes before the board.

Sue W. Scholer asked Don Sooby, of the Lafayette City Engineer office where are we on McCarty Lane, is it progressing. Mr. Sooby stated a public hearing will be held January 26, 1989, no other meeting has been set up.

There being no further business the meeting adjourned at 9:25 A.M. Next meeting will be February 1, 1989.

Eugene R. Moore

Eugene R. Moore, Chairman

Bruce V. Osborn

Bruce V. Osborn, Board Member

Sue W. Scholer

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR Meeting January 3, 1990

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

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

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

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

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

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

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

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

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

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

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

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

COUNTRY CHARMS

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

TRASH TRANSFER

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

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

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

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

Sue W. Scholer stated there are two recommendations made.

1. The erosion control. 2. The calculations.

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

COUNTRY
CHARMS

TRASH
TRANSFER

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

✓
DIMMENSION

DIMENSION CABLE

CABLE

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

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

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

George stated they are asking for final drainage approval.

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

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

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

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

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

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

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

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

WAL-MART

WAL- MART

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

WAL-MART CONTINUED
JANUARY 3, 1990 DRAINAGE BOARD MEETING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE ROAD

STATE ROAD 38 PROJECT AGREEMENT

38 PROJECT AGREEMENT

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

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

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

ORCHARD PARK

ORCHARD PARK

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

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

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

The services that were included are:

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

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

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

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

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

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

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

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

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

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

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

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

CARROLL COUNTY JOINT DRAIN

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

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

Hubert Yount, seconded. Motion carried.

DRAINAGE BOARD ATTORNEY CONTRACT

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

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

Nola J. Gentry, seconded. Motion carried.

ACTIVE AND INACTIVE DITCHES

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

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

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

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

DISCUSSION ON TILE BIDS

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

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

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

JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

HADLEY LAKE DRAIN

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

PINE VIEW FARMS

Roger 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
Keith E. McMillin, Chairman

Nola J. Gentry
Nola J. Gentry, Member

Hubert D. Yount
Hubert D. Yount, Member

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

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

The Tippecanoe County Drainage Board met in regular session held on Wednesday, August 5, 1992 at 8:30 AM 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, Jon Stoltz, Chris Burke Consulting Engineers, Tom Busch, Attorney Pro Tem, and Dorothy M. Emerson, Executive Secretary Drainage Board.

The first item on the agenda was to approve the minutes of the meeting for the last Drainage Board meeting on July 8, 1992. Nola Gentry moved to approve the minutes, seconded by Hubert Yount. Unanimously approved.

PINE MEADOWS SUBDIVISION

Paul Coutts from C & S Engineering presented the drainage plans for the Pine Meadows Subdivision.

Discussion followed.

Nola Gentry, County Commissioner expressed concern about the waterway and the Jordan Creek being cleaned out.

Mike Spencer, County Surveyor stated that the waterway along the South property line needed to be cleaned out.

Discussion followed.

Commissioner Gentry asked about the private streets.

Surveyor Spencer stated that there is still a question on whether the original street is a county maintained street, that is a requirement of Area Plan that all the subdivisions have a public street. I do not know if that has been solved yet.

William Fleischauer, Fleischauer Homes Developer stated that it was being researched. The County has been maintaining it for 25 years but, there was an original agreement 35 years ago that no one has been able to locate.

Surveyor Spencer stated that they could not find a record indicating that it is a County maintained street.

Surveyor Spencer also expressed concerns about the West Lafayette Sanitary Sewer being available. The last letter received from the West Lafayette Engineer stated they would not allow anymore hookups into the sanitary sewer until some infiltration problems were corrected.

Discussion followed.

Commissioner Gentry expressed concerns for not having a rescue exit for the pond. Is there an easement if the pond needs to be serviced?

Mr. Coutts stated there is a 20 foot easement.

Discussion followed.

Surveyor Spencer asked if there should be an easement around the pond just for maintenance?

Discussion followed.

Commissioner Yount stated that an easement is needed that is kept clear of fences to get back there in cases of emergency, to get a boat back there or whatever is needed for rescue.

Discussion followed.

Commissioner McMillin asked if there were anyone in the audience who had any questions or comments.

George F. Hartje, Homeowner expressed his concerns about the new development.

Discussion followed.

Commissioner Yount moved to approve the Pine Meadows Subdivision drainage plans subject to the following conditions: a waiver of the 6 foot chain link fence along with the customary warning sign not be required, the deletion of the requirement for a maintenance ledge 12 to 18 inches above the front of the waterline, a safety ramp having no fence on it so there is clear access at all times, also the Homeowners Association language should be approved by our attorney and since we are deleting the safety ledge there needs to be a 10 foot easement around the entire pond.

Commissioner Gentry, Seconded. Motion carried.

RED OAKS SUBDIVISION

Paul Coutts, C & S Engineering asked for a continuance for the Red Oak Subdivision. Commissioner Gentry moved to continue. Seconded by Commissioner Yount. Motion carried.

OTHER BUSINESS

CREASY LANE

Jon Stoltz, Christopher Burke Engineering stated to the Board that the draft for Creasy Lane should be arriving soon.

DRAINAGE ORDINANCE CHANGES

Surveyor Spencer requested permission to get on the Commissioners Agenda with the proposed Drainage Ordinance changes that are recommended by our engineer for approval by the Commissioners at their next regular meeting and then we will bring it to the Drainage Board for their approval.

CLARKS HILL

Ed Nemeth, Attorney for Clarks Hill and Carol McGirt, President of the Town Board for Clarks Hill presented the Drainage Board with their concerns about standing water in the Town of Clarks Hill and the resulting potential health hazard and to explore a way to solve this problem.

Discussion followed.

Surveyor Spencer stated that the town is served by the J. B. Anderson Drain which was built in the early 1900's as an agricultural drainage system.

Discussion followed.

Surveyor Spencer stated to fix this problem a petition to the Drainage Board for a reconstruction of the J. B. Anderson Drain is the first step.

Commissioner Gentry asked if this was an active ditch.

Surveyor Spencer said yes.

Discussion followed.

Surveyor Spencer stated that this drain was designed and installed as an agricultural drain many years ago and it is not designed to carry these kind of rainfall events. A petition is in order to reconstruct it and classify it as an urban drain and design it to carry larger storm events.

Discussion followed.

Being no further business Commissioner Yount moved to adjourn the meeting. Commissioner Gentry, seconded. Motion carried.

The next regular Drainage Board meeting will be Wednesday, September 2, 1992 at 8:30 AM.

Keith E. McMillin
Keith E. McMillin, Chairman

Nola J. Gentry
Nola J. Gentry, Member

Hubert D. Yount
Hubert D. Yount, Member

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

**TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
September 2, 1992**

The Tippecanoe County Drainage Board met in regular session held on Wednesday, September 2, 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, David Lührman, Attorney Pro-Tem, and Dorothy M. Emerson, Executive Secretary Drainage Board.

The first item on the agenda was to approve the minutes of the meeting for the last Drainage Board meeting on August 5, 1992. Commissioner Gentry moved to approve the minutes, seconded by Commissioner Yount. Unanimously approved.

DRAINAGE ORDINANCE CHANGES

Mike Spencer, County Surveyor asked the Board to accept the changes to the Drainage Ordinance so they could be passed to the Commissioners for their approval.

The Drainage Ordinance changes are as follows:

ORDINANCE NO.	CM
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WHEREAS, the members of the Board of Commissioners of the County of Tippecanoe, in the State of Indiana are also members of the Tippecanoe County Drainage Board; and

WHEREAS, the members of the Board of Commissioners of the County of Tippecanoe, State of Indiana, did on the 7th day of November, 1988 adopt Ordinance No. 88-40 CM which established "Tippecanoe County, Indiana, A General Ordinance Establishing Storm Drainage and Sediment Control", commonly known as the "Tippecanoe County Drainage Code", and

WHEREAS, such ordinance was adopted and approved by the Tippecanoe County Drainage Board on the 7th day of November, 1988; and

WHEREAS, problems have arisen which have delayed the permit review process provided for by said Tippecanoe County Drainage Code because of widely varying methods and information being submitted by the design engineers for the projects, which methods and information do not reflect the current state of the art in hydraulics and hydrology; and

WHEREAS, the Engineer, employed by the Tippecanoe County Drainage Board, has recommended that certain updated requirements be adopted by such Drainage Board for permit applications; and

WHEREAS, it is the opinion of the Tippecanoe County Surveyor and the Tippecanoe County Drainage Board that the adoption of updated requirements which supersede those now required by the Tippecanoe County Drainage Board will expedite the review process and provide for more rapid approval of applications filed with the Tippecanoe County Drainage Board.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the County of Tippecanoe, State of Indiana and the Tippecanoe County Drainage Board that:

- A. The following updated requirements be used and submitted with all applications filed for approval with the Tippecanoe County Drainage Board:

1. **TIME-OF-CONCENTRATION:** All stormwater management projects within Tippecanoe County must be done using the time-of-concentration methodology outlined in the SCS TR-55 Manual.
The TR-55 methodology examines the factors which affect time of concentration which include surface roughness, channel shape and flow patterns along with watershed slope. Through the examination of sheet, shallow, concentrated and open channel flows, a more refined time of concentration may be determined. The methodology represents the best attempt of a Federal Agency to standardize times of concentration procedures.
2. **STORM SEWER:** Storm sewer design should utilize the ILLUDAS or ILUDRAIN computer programs. The design should use the Huff First Quartile (50%) rainfall distribution with no greater than a 1-hour storm duration. The Huff First Quartile (50%) rainfall distribution is the default distribution for the computer models and is included in the user manuals.
The Rational Method will still be acceptable for storm sewer design, as long as the TR-55 time-of-concentration methodology is used. Determination of hydraulic capacity for storm sewers sized by Rational Method analysis should continue to be done using Manning's Equation. A minimum drop of 0.1 foot through manholes should be provided.
3. **INLETS:** Inlet design and spacing may be done using the Rational Method. Use of the HEC-12 computer program is also an acceptable method. Gutter spread on continuous grades may be determined using the modified Manning's equation, or by using the attached Figure 1.
4. **DETENTION STORAGE:** All detention storage calculations for sites ≥ 5 acres and for sites with existing depressional storage must be done using the SCS TR-20 computer program. The SCS TR-55 time-of-concentration and curve number calculation methodologies must be used, along with the Huff Third Quartile (50%) rainfall distribution. The Huff Third Quartile (50%) rainfall distribution is listed in the attached Table 1. Various storm durations, up to and including the 24-hour duration must be used to determine the duration which gives the highest storage volume.
The Rational Method as described in Paragraph 5 "Stormwater Control Policy", Paragraph 7 "Determination of Runoff Quantities", Section a, and Paragraph 14 "Storm Water Detention", Section e(1) of Ordinance No. 88-40 CM is an acceptable method of determining detention storage volume only for sites of less than 5 acres of commonly owned contiguous property, where no depressional storage exists on the site. Use of the SCS TR-55 computer model and/or the POND-2 computer model is not recommended, since only the SCS Type II distribution can be used. The ILLUDAS computer model, while preferred for storm sewer design, also is no longer acceptable for determining detention storage volume.
5. **RELEASE RATE:** The SCS TR-20 computer model with the SCS TR-55 time-of-concentration and curve number calculation methodologies, and Huff Third Quartile (50%) rainfall distribution must be used to determine the 10-year return period predevelopment release rate for sites ≥ 5 acres and for sites with existing depressional storage.

The Rational Method may be used to determine the 10-year return period pre-development release rate for sites of less than 5 acres of commonly owned contiguous property where no depressional storage exists.

6. **DEPRESSIONAL STORAGE:** For sites where depressional storage exists and the pre-development release rate is less than the maximum allowable pre-development release rate, the allowable after development, release rate and corresponding site runoff storage volume shall be based on the existing pre-development release rate for the site.

B. The requirements set forth herein in Section A above, supersede the requirements of Ordinance No. 88-40 CM.

C. Three copies of each submittal, including written report, appendices, and construction plans, are required. Two copies must be submitted to the Tippecanoe County Surveyor, and the third copy must be submitted to the Tippecanoe County Highway Department.

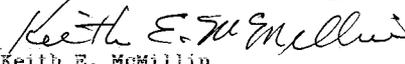
D. No application shall be considered by the Tippecanoe County Drainage Board or the Tippecanoe County Surveyor until it meets the requirements listed in Sections A and C above of this Ordinance.

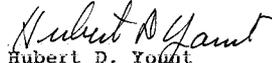
E. This Ordinance shall become effective after its final passage, approval and publication as required by law.

Enacted at Lafayette, Indiana on this _____ day of _____, 19__.

BOARD OF COMMISSIONERS
OF THE COUNTY OF TIPPECANOE,
STATE OF INDIANA,


Nola J. Gentry, President


Keith E. McMillin


Hubert D. Yount

ATTEST: _____

Commissioner Gentry moved to approve the Drainage Ordinance changes and then pass them on to the County Commissioners for their September 8, 1992 meeting.

Commissioner Yount seconded. Motion carried.

HADLEY MOORS SUBDIVISION

Dale Koons of John E. Fisher, Inc. requested final approval on Hadley Moors Subdivision Phase I.

Discussion followed.

Surveyor Spencer stated that they would need a variance for the maximum depth of the detention basin, it exceeds the four foot level. His depth is about 10 feet.

Discussion followed.

Everett Albrecht, homeowner at Kimberly Estates, requested that the homeowners be informed on the drainage.

Discussion followed.

Commissioner Yount suggested that Dale Koons and John Fisher meet with the affected homeowners.

Discussion followed.

Ilene Dailey, Christopher Burke Engineering stated that they are only asking for final approval of Phase I.

Discussion followed

Commissioner Yount moved to approve Phase I of the Hadley Moors Subdivision Subject to the variance for the depth of their regional basin and subject to the completion of their offsite easements.

Commissioner Gentry, seconded. Motion carried.

OTHER BUSINESS

CREASY LANE

Tom Borck, Hawkins Environmental presented the Christopher Burke Engineering report on Creasy Lane Phase I Reconstruction for their approval.

Mr. Borck stated that they are starting the process on the next phase of Creasy Lane and will be presenting that data as it is acquired.

CLARKS HILL

Commissioner Gentry asked Surveyor Spencer if he had been to Clarks Hill.

Surveyor Spencer stated that he had been to Clarks Hill several times and has talked with their attorney several times.

Surveyor Spencer informed the Board that the residents of Clarks Hill are in the process of getting their petition in order for reconstruction of the J. B. Anderson Ditch. They did not have it done by today's meeting but they did want the Board to know that they are working on it and are pursuing reconstruction.

Commissioner Gentry asked if the water was gone.

Surveyor Spencer stated that water is gone. He also informed the Board that he is working with the City of Lafayette in renting their TV camera to run through the tile to check the conditions in town. The other alternative is to dig up streets, yards, etc.

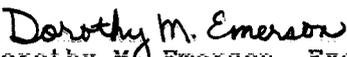
Being no further business Commissioner Yount moved to adjourn the meeting. Seconded by Commissioner Gentry. Motion carried.

The next scheduled Drainage Board meeting is Wednesday, October 7, 1992.


Keith E. McMillin, Chairman


Nola J. Gentry, Member


Hubert D. Yount, Member

ATTEST: 
Dorothy M. Emerson, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
DECEMBER 2, 1992

The Tippecanoe County Drainage Board met in regular session held on Wednesday, December 2, 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, J. Frederick Hoffman, Drainage Board Attorney, Paul Coutts, Bill Long, Tom McCully, Attorney representing Bill Long, Tom Borch, Hawkins Environmental, Jon Stolz, Christopher Burke Engineering, & Shelli Hoffine, 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 November 4, 1992. Commissioner Gentry moved to approve the minutes, Seconded by Commissioner Yount, Unanimously Approved.

Red Oaks Subdivision

Mr. Paul Coutts presented the Red Oaks Subdivision Drainage update. The concept had not changed, since the July 8, 1992 Drainage Board Regular Meeting. Mr. Coutts handed out a letter asking for variances from the Tippecanoe County Drainage Ordinance requirements for a wet bottom detention storage.

Discussion Followed.

Mr. Hoffman asked if that would create an illegal diversion of water running on someone else's property?

Mr. Coutts response, we've done a lot of studying, even going to the extent of going out there when it rains to try to figure out where the water really flows.

Discussion Followed.

Mr. Spencer stated that there is not a defined channel to a outlet.

Mr. Hoffman asked if there would be any adverse affect on Dr. Clayton from the present situation?

Mr. Coutts replied as to the current situation, there will be no change. The water will still drain to the same place.

Discussion Followed.

Commissioner McMillin asked if the whole pond would remain wet?

Mr. Spencer answered Yes

Discussion Followed.

Commissioner McMillin asked how much space will there be between the pond and the street?

Mr. Coutts said there will be 150 feet to 175 feet.

Mr. Hoffman asked how often are the residents going to have water in their back yards?

Mr. Coutts said it was sized for the 100 year storm.

Mr. Hoffman asked is this a permanent storage?

Mr. Coutts said Yes.

Mr. Hoffman asked if there was going to be a fence around the pond?

Mr. Coutts said they are asking for 3 variances.

- 1) A six foot (6') chain link fence with the customary warning sign not be required.
- 2) Deletion of the requirement for a maintenance ledge 12 to 18 inches above the permanent water line.
- 3) No requirement for a safety ramp exit.

Mr. Hoffman asked how deep is the pool?

Mr. Coutts said four foot (4') to six foot (6') deep.

Discussion Followed.

Commissioner Gentry moved that the variances be granted. A six foot (6') chain link fence on the front storage pond, but require screening & land landscaping to buffer it from the Ninth Street Road and the Deletion of the requirement for a maintenance ledge 12 to 18 inches above the permanent water line and the safety ramp requirement.

Commissioner Yount seconded the motion. Motion carried.

Commissioner Gentry asked what concerns do we have from Steve?

Mr. Spencer and Steve Murray, Highway Engineer met with Paul yesterday afternoon and went over our consultant's, Jon Stolz, list of concerns and Steve's concerns from the Highway Department and we discussed all the different items. We have come to an agreement on all the items of concern which will be included in a revised set of construction plans.

Commissioner Gentry asked does this fall under the new rule 5 permit?

Mr. Spencer said I believe it does.

Commissioner Gentry asked Mr. Coutts if he filed for that permit.

Mr. Coutts said not yet, but we intend to file for a permit.

Discussion Followed.

Mr. Hoffman asked if they have to have a County Highway permit?

Mr. Spencer said they had a permit.

Commissioner Yount moved to approve the plan as submitted with the variances as granted. Seconded by Commissioner Gentry. Motion carried.

Improvements to Creasy Lane and State Road 26

Mr. Tom Borck of Hawkins Environmental went over the proposed improvements to Creasy Lane North of State Road 26 up to the intersection of Kensington and Creasy Lane. He wanted to get an idea on how to proceed with a conceptual agreement before he finished all the drainage calculations. He said there will be a five lane roadway from State Road 26 to Union Street, then from Union Street a transition from five lanes to four lanes.

Discussion Followed.

Mr. Hoffman asked if the water will affect Mr. Dibbles house.

Mr. Borck said yes it will be in his neighborhood.

Mr. Spencer said the water will run past his house like it does today.

Mr. Hoffman asked what about the ravine that runs at the back of the house, will it have any affect on that?

Mr. Borck said not any more affect then after a rain today.

Commissioner Gentry asked what kind of structure would you put at the end of the ravine.

Mr. Borck said there are a number of structures they could put up.

Proposal for Harrison Meadows

Mr. Spencer stated that proposals were received two weeks ago for maintenance work in the Harrison Meadows Subdivision. He recommended that the Board accept the proposal of F & K Construction, to do the work at Harrison Meadows.

Discussion Followed.

Commissioner Yount moved to accept the proposal from F & K Construction. Commissioner Gentry seconded the motion. Motion carried.

Maintenance on JB Anderson Ditch

Mr. Spencer had a proposal from Thompson Construction of Indianapolis for the root removal and chemical treatment of 387 Feet of 24" Tile in the JB Anderson Ditch in the Town of Clarks Hill for \$3,916.44
He recommended the Board accept the proposal.

Discussion Followed.

Commissioner Yount moved to accept the proposal from Thompson Construction Company. Commissioner Gentry Seconded the motion. Motion carried.

Other

Mr. Spencer said the specifications for the first 4,000 feet of the tile replacement in the Elliott Ditch, main tile portion are prepared. They are almost ready for signatures by the Board on the Notice to Bidders and on the Specification. By motion could I get the Boards signature on that or do we need to reconvene the meeting.

Mr. Hoffman said he didn't see why the Board couldn't go ahead and sign the Notice to Bidders and the Specifications.

Commissioner Gentry moved to authorize Mr. Spencer to go ahead with the preparation and the Notice to Bidders. Commissioner Yount seconded the motion. Motion carried.

Commissioner Gentry moved to approve Shelli Hoffine as the Executive Secretary to the Drainage Board. Commissioner Yount seconded the Motion. Motion carried.

With no other business to discuss Commissioner Yount moved to adjourn. Commissioner Gentry seconded the Motion. Motion carried.

The next regular scheduled Drainage Board Meeting will be January 6, 1992 at 8:30 AM.

Keith E. McMillin, Chairman

Nola J. Gentry, Member

Attest: _____
Shelli L. Hoffine, Executive
Secretary Drainage Board

Hubert D. Yount, Member

drainage board meeting 12/3/92

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

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

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

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

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

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

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

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

Hire the Attorney

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

Active and Inactive Ditches for 1993

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

ACTIVE DITCHES

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

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

INACTIVE DITCHES

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

Storm Water Drainage Improvement Plan

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.


William D. Haan, President


Nola Gentry, Vice President


Hubert Yount, Member

ATTES: 
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 5, 1994

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

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

ELECTION OF 1994 OFFICERS

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

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

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

-APPOINTMENTS-

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

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

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

-MEETING DATES FOR 1994-

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

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

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

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

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

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

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

HAWKS NEST SUBDIVISION, PHASE I

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

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

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

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

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

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

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

TRIPLE J POINTE SUBDIVISION

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

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

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

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

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

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

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

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

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

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

HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

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

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

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

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

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

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

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

ACTIVE DITCHES FOR 1994

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

INACTIVE DITCHES FOR 1994

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

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

OTHER BUSINESS

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

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

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

GREAT LAKES CHEMICAL

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

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

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

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

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD
 REGULAR MEETING
 FEBRUARY 1, 1995

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

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

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

ACTIVE AND INACTIVE DITCH LIST 1995

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

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

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

Mr. Luhman read the inactive ditch list into the minutes

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

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

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

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

CHRISTOPHER B. BURKE ENGINEERING CONTRACT

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

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

OTHER BUSINESS

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

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 3, 1996

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

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

ELECTION OF OFFICERS

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

Mr. Hoffman opened the floor to nominations for President.

Commissioner Haan nominated Commissioner Gentry.

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

Mr. Hoffman turned the meeting over to the President.

Commissioner Gentry asked for nominations for Vice President.

Commissioner Haan nominated Commissioner Jones for Vice President.

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

APPOINTMENTS TO THE BOARD

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

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

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

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

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

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

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

1996 ACTIVE/INACTIVE DITCH LIST

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

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

1996 - ACTIVE/INACTIVE DITCH LIST

ACTIVE

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

INACTIVE

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

Commissioner Gentry mentioned the ditches that are in red:

COUNTY FARM, REBECCA GRIMES, FRANKLIN RESER, GUSTAV SWANSON

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

"December 29, 1995

Nola J. Gentry, President
Board of Commissioners

Michael J. Spencer
County Surveyor

Re: Interest on Drainage Funds

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

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

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

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

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

Sincerely,

Betty J. Michael"

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

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

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

APPROVAL OF MINUTES

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

BRENTWOOD COMMUNITY

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

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

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

SOUTHERN MEADOWS

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

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

Mr. Spencer explained the site drains to the pond.

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

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

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

VILLAGE PANTRY #564R

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

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

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

PETITION TO ESTABLISH O'FERRALL LEGAL DRAIN

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

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

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

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

ALEXANDER ROSS DITCH EASEMENT REDUCTION

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

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

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

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

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

SANWIN APARTMENTS

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

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

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

Cuppy-McClure - update

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

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

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

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

DRAINAGE BOARD MINUTES JANUARY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
 REGULAR MEETING
 FEBRUARY 5, 1997

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

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

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

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

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

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

ACTIVE DITCH LIST 1997

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

54	Marsh, Samuel		\$0.00		\$0.00
55	Miller, Absalm		\$0.75	\$3,236.00	\$2,221.92
57	Morin, F.E.	\$1.00	\$1,434.72	(\$1,130.43)	
58	Motsinger, Hester	\$0.75	\$2,000.00	(\$348.42)	
59	O'Neal, J. Kelly	\$1.50	\$13,848.00	(\$1,975.03)	
60	Oshier, Aduley		\$0.50	\$1,624.88	\$1,048.80
64	Rayman, Emmett	\$0.00			\$326.57
65	Resor, Franklin	\$1.00	\$3,407.60	(\$2,025.96)	
74	Sterrett, Joseph	\$0.35	\$478.32		\$276.65
76	Swanson, Gustav	\$1.00	\$4,965.28		\$1,351.62
82	Wallace, Harrison		\$0.75	\$5,501.76	\$5,408.79
84	Walters, William	\$0.00	\$8,361.52		\$7,999.20
87	Wilson, Nixon		\$1.00		\$158.62
89	Yeager, Simeon		\$1.00	\$615.36	(\$523.86)
91	Dickens, Jesse		\$0.30	\$288.00	\$206.26
93	Dismal Creek		\$1.00	\$25,420.16	\$8,652.86
94	Shawnee Creek		\$1.00	\$6,639.28	\$3,411.51
95	Buetler/Gosma		\$1.10	\$19,002.24	\$9,981.77
100	S.W.Elliott	\$0.75	\$227,772.24	\$174,474.74	
102	Brum, Sarah		\$1.00		
103	H W Moore Lateral				
104	Hadley Lake Drain	\$0.00			\$38,550.17
105	Thomas, Mary		\$0.00		
106	Arbegust-Young	\$0.00			
108	High Gap Road	\$13.72			0.00
109	Romney Stock Farm	\$12.13			0.00

INACTIVE DITCH LIST 1997

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

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

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

1997 CONTRACTS

ENGINEERING CONTRACT

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

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

ATTORNEY CONTRACT

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

Commissioner Hudson read the paragraph that was added:

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

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

JAMES N. KIRKPATRICK DITCH

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

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

OBSTRUCTION OF DRAINS

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

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

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

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

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

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

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

MARCH DRAINAGE BOARD MEETING DATE

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD

February 4, 1998

regular meeting

Those present were:

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

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

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

MIKE MADRID COMPANY

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

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

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

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

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

DRAINAGE BOARD 1998 CONTRACTS

Attorney

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

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

Engineering Consultant

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

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

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

1998 ACTIVE AND INACTIVE DITCH LIST

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

ACTIVE DITCH LIST

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

INACTIVE DITCH LIST

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

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

OTHER BUSINESS

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

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

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

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

MINUTE BOOK

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

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

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

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

July 1, 1998

Regular Meeting

Those present were:

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

The Tippecanoe County Drainage Board met Wednesday, July 1, 1998, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda was to approve the minutes from the June 3, 1998, regular Drainage Board meeting. Commissioner Hudson moved to approve the minutes, seconded by Commissioner Knochel. Motion carried.

JESSE B. ANDERSON DITCH PETITION

Mike Spencer presented John Gambs, representing Edward Nemeth the Town of Clarks Hill Attorney a petition for the reconstruction of the Jesse B. Anderson Ditch. Mr. Spencer explained signatures on the petition will need to make up more than 51% of the total acreage in the Jesse B. Anderson Ditch watershed. Mr. Spencer also presented Mr. Gambs with the Jesse B. Anderson Ditch list that includes the names, addresses, legal descriptions, and acres benefited in the watershed area and a map depicting the watershed area.

Joseph Carter, PO Box 139, 9521 Borrow Street, Clarks Hill, Indiana, approached the Board asking for financial help concerning the fuel bill that the town incurred while pumping floodwaters out of the town. The total of the invoices is \$1,680.00. (the Commissioners kept a copy of the invoices)

Commissioner Shedd asked if anyone from the town had heard from the Federal or State to know weather or not the town will get any assistance?

Mr. Carter replied there has not been any response from the Federal or State.

Commissioner Hudson asked if anyone from the town has spoken with the Township Trustee in regards to financial help for the fuel bill?

Mr. Carter stated yes, the town has asked the Trustee for help and he is supposedly going to help pay the bill, but the Trustee said it will be hard to determine how much he can help?

Mr. Gambs stated his firm has been representing the Town of Clarks Hill sense the 1970, and it seems that every seven to ten years the town has a flood. Mr. Gambs believes the Jesse B. Anderson is inadequate. Mr. Gambs mentioned an idea Mr. Spencer suggested to him, which is using Hudson Drive in the Town of Clarks Hill as a collector to route the water to the ditch. Also, constructing a grass swale along the farm fields to direct the water to the Jesse B. Anderson Ditch.

Mr. Spencer stated in the 1992 Drainage Board minutes indicated a situation similar to this one happened and a petition circulated, but never filed with the County Drainage Board.

Mr. Spencer stated he walked from the headwall along the route of the ditch to the south side of Clarks Hill and found seven tile holes, three north of State Road 28 and four in Mr. Stevenson's field. Mr. Spencer stated they have all occurred recently due to the tremendous back up pressure. Repair cost for the tile holes will be paid with the money that is in the Jesse B. Anderson Ditch maintenance fund. Another trouble spot is on the south side of the railroad, east of town there is a dam that is in the right-of-way fence causing it to restrict the flow through the railroad structure.

Michele Phebus, 1191 Division Street, Clarks Hill, explained her husband Tony Phebus, spent 18 hours working for the town, helping them with the floodwater. Since that time he has broken out with a chemical rash caused from the farm runoff and ponding in the town. Mrs. Phebus is asking the Board to help pay for his medical bills that were incurred trying to find out what caused the rash and the medicine being taken to treat the rash.

Commissioner Hudson asked if Mrs. Phebus had insurance to cover the expense.

Mrs. Phebus answered yes, but why should their insurance be responsible when her husband was out helping the town. Mrs. Phebus went on to explain the water has laid under her mobile home for several days and were advised to evacuate the property, but she had no where to go with four children, seven pets and four fish. Mr. Phebus stated her child is breaking out in the same kind of rash, which she is taking to the doctor to find out if it is caused by the chemicals or the fuel that is ponded in her yard. Mr. Phebus has had someone from Purdue and the County Board of Health test the water to find out what chemicals are in the water. Mrs. Phebus concluded by asking the Board for any type help they could provide.

Commissioner Shedd asked what the next step will be for the town to do with the petition?

Mr. Spencer stated the next step is for the town to designate someone to carry the petition and gather all the signature possible on the list of landowners in the watershed area.

Mr. Luhman, stated the Drainage Board has no other option to take, it is the responsibility of the landowners in the watershed area to carry the petition and file it with the Drainage Board. Then the Drainage Board can do the investigation into the cost benefit of the reconstruction.

Mrs. Phebus reported she spoke with Steve Wettschurack on the status of whether or not the state was going to offer any assistance. Mr. Wettschurack told her that the Governor was looking into the state of Indiana as being determined as a disasters area.

SADDLEBROOK ESTATES, PHASE 3 SUBDIVISION

David Ayala and Mark Phillips of Hawkins Environmental, presented the Board with final drainage plans of Saddlebrook Estates, Phase 3 Subdivision located west of County Road 550 East and east of Saddlebrook Estates Subdivision. The entire site will drain to the regional retention facility for the Berlovitz Ditch.

Mr. Spencer stated the Berlovitz retention facility has been constructed and they do comply with the drainage ordinance.

Commissioner Hudson moved grant final approval of Saddlebrook Estates Subdivision, Phase 3, seconded by Commissioner Knochel. Motion carried.

QUALITY STORES, INC.

Roger Fine of John E. Fisher and Associates, presented the board with drainage plans for the new Quality Store located at the same site as the existing Quality Store, 4841 State Road 38 East, west of I-65. Mr. Fine stated the existing building will continue to operate while the new building is being constructed and once it is finished the old building will be torn down and turned into parking space.

Mr. Eichelberger explained the site will drain to the Elliott Ditch regional retention facility that is currently under design. The developers that drain into the facility figure the amount of storage the site will need and pay into the construction fund for the Elliott regional retention facility.

Mr. Fine stated construction plans are in review with the County Highway Department, which include an additional truck entrance in back of the site.

Steve Murray, Executive Director of the County Highway Department, asked Mr. Fine to explain the increased discharge into the county road right-of-way and assure the runoff will not jeopardize the county road in any way.

Mr. Fine replied that with the 24 inch pipe in the county road right-of-way will drain effectively and not cause damage to the county road.

Mr. Eichelberger stated the reason for the comment in the memo regarding the county road right-of-way is so the Highway Department can determine the effect of the development on the county maintained road.

Mr. Murray asked Mr. Eichelberger to evaluate the effect, if any, on the county road.

Mr. Eichelberger stated he would evaluate the situation as if the entire area had been developed to see what the discharge could be and if the existing pipes could handle the runoff.

Mr. Spencer recommending granting preliminary approval until the capacity of the pipe can be evaluated.

Commissioner Hudson moved to grant preliminary approval of Quality Stores, Inc. with the conditions of the June 19, 1998 memorandum from Christopher B. Burke Engineering and with the concern the County Highway has in regards to the capacity of the pipe under the county road, seconded by Commissioner Knochel. Motion carried.

ATLAS EXCAVATING BUILDING SITE

Craig Rodarmel of R.W. Gross & Associates, Inc., presented the Board with proposed drainage plans for Atlas Excavating building site. The site is located off Swisher Road north of the rail road and south of the I-65 crossing. Mr. Rodarmel state currently one 18 inch outlet pipe exist for the site, so the site is being designed to detain the onsite and let the offsite water release through the 18 inch pipe. A 12 inch pipe for the onsite detention will be installed to restrict the flow of water until after the offsite water has gone through.

Mr. Murray's concern is this project not increase the amount of water through the culvert in the road-right-of way.

Mr. Spencer recommended approval with the conditions stated in the memo from Christopher B. Burke Engineering, which includes approval from the Highway Department.

Commissioner Hudson moved to grant final approval of Atlas Excavating Building site with conditions, seconded by Commissioner Knochel. Motion carried.

TIPPECANOE COUNTY WORK RELEASE CENTER

Craig Rodarmel of R.W. Gross & Associates, Inc. presented the Board with final drainage plans of Tippecanoe County Work Release Center located of North Ninth Street. Mr. Rodarmel stated the design of the drainage system was to utilize the existing drainage pond for the Trash Transfer facility. The runoff from the site will be captured in the parking lot and directed to the pond by grass swales.

Mr. Spencer stated the large detention facility was built as part of the Trash Transfer site with drainage board approval. The detention facility has the available storage for the County Work Release Center runoff. Mr. Spencer stated there are four conditions that need to be met. Number four of the memo from Christopher B. Burke Engineering dated June 25, 1998 was of most concern.

4. The applicant has provided a detailed study of the storm water runoff contribution from the subject site and the impact of this runoff to the existing detention basin at the Trash Transfer and Recycling Center. This study was conducted by utilizing previous analyses completed by a different consulting firm approximately 8 years ago. There are several questions/concerns regarding the previous analysis and the actual as-built conditions of the existing detention basin. CBBEL believes that these issues can be worked out with the applicant in the near future, by conducting a meeting and potential modeling revisions.

Mr. Eichelberger stated he believes the four conditions will be worked out in a future meeting. Talking with R.W. Gross they expressed the same concerns/difficulties working on this project. Mr. Eichelberger and Mr. Spencer agree the concept and the modeling they have used to evaluate the two projects together has worked out well.

Commissioner Hudson moved to grant final approval of the Tippecanoe County Work Release Center subject to the four conditions listed in Christopher B. Burke Engineering memo dated June 25, 1998, seconded by Commissioner Knochel. Motion carried.

HICKORY HILL SUBDIVISION, PHASE I

Mr. Spencer stated on behalf of Hickory Hills Subdivision, Phase I, he asked for continuance until the next regularly scheduled meeting.

Commissioner Hudson moved to continue Hickory Hills Subdivision until the next Drainage Board Meeting, seconded by Commissioner Knochel. Motion carried.

BENCYN SUBDIVISION

Mr. Spencer stated on behalf of Bencyn Subdivision he asked for continuance until the next regularly scheduled meeting.

Commissioner Hudson moved to continue Bencyn Subdivision until the next Drainage Board meeting, seconded by Commissioner Knochel. Motion carried.

Being no further business, Commissioner Hudson moved to adjourn until August 5, 1998 at 9:00 a.m., seconded by Commissioner Knochel. Meeting adjourned.

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice
President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

August 5, 1998

Regular Meeting

Those present were:

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

The Tippecanoe County Drainage Board met Wednesday, August 5, 1998, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Hudson calling the meeting to order.

OTHER BUSINESS

Mike Spencer up-dated the Board on the status of the J.B. Anderson Ditch located near Clarks Hill. Mr. Spencer reported he met with Tom Osborn of Lauramie Excavating to show him the location of the tile holes, Mr. Osborn has began repair of the tile. Mr. Spencer noted there is a meeting scheduled between himself, the County Attorney Dave Luhman and the Clarks Hill Attorney Ed Nemeth, on Friday, August 7, 1998, to discuss the drainage situation in Clarks Hill.

BENCYN INDUSTRIAL SUBDIVISION

Paul Coutts of C & S Engineering presented the Board with final drainage plans for Bencyn Industrial Subdivision located off 460 East. Mr. Coutts explained Bencyn is building a new facility at County Road 350 South and County Road 460 East. As part of that project they bought a large piece of ground that they want to develop as a Subdivision. The storm water runoff for the site will be collected by swales and routed to an onsite detention storage facility. The storage facility will be a dry bottom detention basin with concrete gutter and outlet at the eastern end of the detention basin to a 30" corrugated metal pipe under County Road 350 South. The flow will continue northeasterly in the County Road side ditch to the southern end of the open Elliott Ditch.

Mr. Spencer stated the review of this subdivision was complete and final approval is recommended.

Commissioner Hudson asked if the runoff directed to the dry detention basin is going to be an open ditch?

Mr. Coutts explained it will be an open channel with an earth berm to help guide the water and a concrete gutter to help direct the flow to the detention basin.

Commissioner Knochel moved to grant final approval of Bencyn Industrial Subdivision, seconded by Commissioner Hudson. Motion carried.

KINGDOM HALL

Mike Carson presented the Board with drainage plans for Kingdom Hall located off Soldiers Home Road between Soldiers Home and Schumann Landscaping business. Mr. Carson explained a portion of the site flows through a swale to the road side ditch and the rest of the site drains to the north onto an adjoining field to the river. A detention facility will be constructed to collect the runoff from the parking lot and the building. The detention facility will outlet into an existing swale and continue as it currently flows.

Mr. Spencer stated the only item of concern is the notification of the downstream landowner from the outlet to the river. Mr. Spencer understood after discussion this with Mr. Carson the downstream landowner has been notified via certified mail. Mr. Spencer asked for a copy of the returned receipt of the certified mailing.

Mr. Carson stated the downstream landowner, Mr. Henderson, received the letter two weeks prior to this hearing and has had no response from Mr. Henderson.

Mr. Spencer stated with the downstream landowner notification addressed, he recommended final approval.

Commissioner Knochel moved to grant final drainage approval of Kingdom Hall Church, seconded by Commissioner Hudson. Motion carried.

HEARTLAND CO-OP

Brian Moench of Moench Engineering presented the Board with a drainage design for Heartland Co-op located south of Brady Lane and west of U.S. 52, on the existing Heartland Co-op site. The existing site drains from the Northwest to the Southeast collected into a road side culvert under U.S. 52. Mr. Moench stated an agreement with A.E. Staley to do some realignment to the drive to Staley is being discussed, along with constructing a convenience store, which will utilize the drive. The drainage pattern will stay the same, storm water will be collected in a dry bottom detention basin and an orifice will limit outflow into the existing 24 inch reinforced concrete pipe.

Mr. Spencer stated with discussions regarding this site for the past thirty day, the applicant has met the requirements of the drainage ordinance and he recommended final approval.

Commissioner Knochel moved to grant final drainage approval of Heartland Co-op site, seconded by Commissioner Hudson. Motion carried.

Being no further business, Commissioner Knochel moved to adjourn until September 2, 1998 at 9:00 a.m., seconded by Commissioner Hudson. Meeting adjourned.

Ruth Shedd, President

Kathleen Hudson, Vice President

John Knochel, Member

Shelli Muller, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD

September 2, 1998

Regular Meeting

Those present were:

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

The Tippecanoe County Drainage Board met Wednesday, September 2, 1998, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

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

ASSISTED LIVING, Wea-Ton Subdivision

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

CARRINGTON ESTATES SUBDIVISION, PHASE 2

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

WINDING CREEK SUBDIVISION

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

HAROLD KLINKHAMER WATERWAY

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

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

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

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

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

Surveyor's Office in the Andrew Brown Ditch file.

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

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

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

Mr. Klinkhamer submitted a petition to the Board.

(start quote)August 17, 1998

PETITION TO TIPPECANOE COUNTY DRAINAGE BOARD

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

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

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

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

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

SIGNED BY:

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

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

(start quote)Tippecanoe County Highway Department

Citizen Complaint

Date: September 2, 1998

Phone Conversation: XXX
Office Visit:

Citizen's Name: Harold Klinkhammer

Address:

Phone Number: 564-2730

Complaint Location: 100 West at culvert #699

Subdivision: N/A

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

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

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

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

Signed by: Tim Wells, Tippecanoe County Highway Department.

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

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

Mr. Spencer responded the maintenance of the tile ditch.

Commissioner Shedd asked when the maintenance fund was established?

Mr. Spencer stated he believed it was 1973.

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

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

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

Mr. Spencer stated, no.

Mr. Klinkhamer stated since 1939 the waterway has not been farmed because they were told by the County they couldn't farm it.

Mr. Spencer asked if that request from the County was in writing telling him he could not farm the land?

Mr. Klinkhamer stated, no, but if Mr. Spencer were to tell him he could farm it than they'll start.

Mr. Spencer stated farmers plow through waterways all the time. Mr. Spencer stated he has no problem with Mr. Klinkhamer plowing through the waterway, but he thinks it will cause a severe erosion problem, which has happened on east of Mr. Klinkhamer's property towards the open channel.

Mr. Luhman stated to determine what the maintenance funds are to be used for, the County will have to go back to documents that created the legal drain. If the maintenance funds were created to maintain the tile drain than that is what the fund is to be used for and can not be used for incidental surface projects that are within the watershed. If the tile is not adequate to handle the water than a reconstruction can be done on the ditch and the surface drain added to the maintenance fund if the landowners in the watershed agree. Mr. Luhman referred to the word "ditch" it is not a legal term anymore, they should be referred to as a drain. That is the reason the tax receipt does not determine what type drain is included. The common word is "ditch", but what the tax receipt is referring to is a regulated drain, which is a tile drain or an open drain.

Mr. Klinkhamer feels that it would be a lot less for the County to dredge the waterway than to do a reconstruction. If that does not work, a six inch tile on the west side of the road needs to be improved and another 12 inch needs improvement.

Commissioner Hudson moved to accept all the information that was presented to the Board and take the information under advisement and further investigate the situation by the Surveyor until the next regular scheduled meeting, seconded by Commissioner Knochel. Motion carried.

ASSISTED LIVING, Wea-Ton Subdivision

Tracy Trimpe and Richard Hoover of American Consulting Engineers, presented the Board with drainage plans of Wea-Ton Subdivision, lot 4b , which the Assisted Living Building will be constructed. Ms. Trimpe stated she received the review comments from Christopher B. Burke Engineering and the plans have been revised to address the comments. Ms. Trimpe presented the Board with a revised copy of the drainage plans. Ms. Trimpe asked for preliminary approval of the project.

Commissioner Hudson moved to grant preliminary approval of Wea-Ton Subdivision Assisted Living project with the conditions of the memorandum from Christopher B. Burke Engineering and further review for final approval of the revised plan, seconded by Commissioner Knochel. Motion carried.

OTHER BUSINESS

Brindon Woods Subdivision

Mr. Spencer presented the Board with a Release of Easement in Brindon Wood Subdivision. Mr. Spencer explained a drainage and utility easement was platted in the County Road Right-of-Way, this is not the desired way of plotting an easement. Mr. Spencer informed the Board the utilities are located outside the right-of-way therefore he asked the Board to release the easement so it can be corrected and recorded in the County Recorder's Office.

Commissioner Hudson moved to Release the Easement described in the plat of Brindon Woods Subdivision with the President of the Drainage Board's signature, seconded by Commissioner Knochel. Motion carried.

Thomas Ellis Ditch

Mr. Spencer presented the Board with an easement reduction from Michael Barnes on the Thomas Ellis Ditch. Mr. Barnes address is 4512 State Road 28 East, parcel #120-04300-0221. The tile has been found and plotted by Bob Gross of R.W. Gross & Associates, showing the location of the tile on Mr. Barnes property. Mr. Spencer recommended the reduction of easement from 75 feet either side of the center of tile to 25 feet either side of the center of tile.

Commissioner Hudson moved to approve the easement reduction as located on the plot of Mr. Barnes property, key number 120-04300-0221, seconded by Commissioner Knochel. Motion carried.

J.B. Anderson Ditch

Mr. Spencer requested the Board reclassify the J.B. Anderson Ditch from a drain in need of maintenance to a drain in need of reconstruction.

Commissioner Hudson moved to reclassify the J.B. Anderson Ditch from a drain in need of maintenance to a drain in need of reconstruction, seconded by Commissioner Knochel. Motion carried.

Darby Wetherhill Ditch

Mr. Spencer asked the Board to appoint two members of the Board to serve on a Joint Board with Benton County regarding the Darby Wetherhill lateral #2 Ditch.

Commissioner Knochel moved to appoint Ruth Shedd and Kathleen Hudson to serve on the Joint Board with Benton County considering their districts are closer to Benton County than his, seconded by Commissioner Hudson. Motion carried.

Being no further business Commissioner Hudson moved to adjourn until Wednesday, October 7, 1998 at 10:30 a.m., seconded by Commissioner Shedd. Meeting adjourned.

Ruth Shedd, President

Kathleen Hudson, Vice President

John Knochel, Member

Shelli Muller, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
December 18, 1998
Special Meeting

Those present were:

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

The Tippecanoe County Drainage Board met Friday, December 18, 1998, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda was to approve the minutes from the October 14, 1998 and November 4, 1998 regular Drainage Board Meetings. Commissioner Hudson moved to approve the minutes of October 14, 1998 and November 4, 1998 regular Drainage Board Meetings, seconded by Commissioner Shedd. Motion carried.

The second item on the agenda was to approve the 1999 Drainage Board Schedule of meeting dates. Commissioner Hudson moved to approve the 1999 Drainage Board Schedule as submitted, seconded by Commissioner Shedd. Motion carried. The list of dates is available in the Surveyor's Office and is posted in the display case next to the Tippecanoe Room. These dates will also be distributed to local media.

WINDING CREEK SUBDIVISION

Chris Badger of The Schneider Corporation, presented the Board with revised set of construction plans of Winding Creek Subdivision. The utilities have been approved, except for the sanitary and water. Water Utility is waiting for an easement. Sanitary is waiting for the IDEM permit, which Scott Lods, of American Suburban Utility is providing IDEM with the additional information they requested. The County Highway Department provided The Schneider Corporation with additional comments regarding this project. The comments from the Highway Department have been addressed and plans resubmitted for further review. Mr. Badger asked the Board for preliminary approval conditional upon the floodway permit from DNR. The Technical reviewer for DNR is scheduled to visit the site next week. Mr. Badger asked for final approval of section one, which includes 79 lots located off County Road 500 North near Harrison High School, between County Road 75 East and 50 West.

Mr. Spencer stated Mr. Badger was issued a memorandum on December 14, 1998, stating the items that needed to be addressed before final approval is granted. It appears, reviewing what was just submitted, it looks as if he has addressed the issues of the memo, but until further review is done, he cannot recommend granting final approval.

Mr. Spencer recommended preliminary approval of Coyote Crossing Golf Course and Winding Creek Subdivision; final approval of Section One of Winding Creek Subdivision with the conditions of the memo dated December 14, 1998 and subject to receiving the permit from DNR.

Commissioner Hudson moved to grant preliminary approval of Coyote Crossing Golf Course and Winding Creek Subdivision and grant final approval of Section one of Winding Creek Subdivision subject to the issues of the December 14, 1998 memo and subject to the project receiving the permit for construction in a floodway from the DNR, both motions seconded by Commissioner Shedd. Motions carried.

OTHER BUSINESS

Mr. Spencer reported to the Board he has received a petition for the **J.B. Anderson Ditch** reconstruction. Mr. Spencer stated he has done a quick analysis of the number of signatures on the petition, compared to the number of acres in the watershed of the J.B. Anderson Legal Drain. As of now there are approximately 60% of the lots in the Town of Clarks Hill and 8% of the total acreage in the watershed. Mr. Spencer would like to discuss this petition with the County Attorney and the Attorney representing Clarks Hill.

Being no further discussion, Commissioner Hudson moved to adjourn until January 6, 1999 regular scheduled Drainage Board Meeting, seconded by Commissioner Shedd. Meeting adjourned.

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

January 25, 1999

Regular Meeting

Those present were:

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

The Tippecanoe County Drainage Board met Monday, January 25, 1999, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda is to approve the minutes from the December 8, and December 18, 1998 Drainage Board Meetings. Commissioner Hudson moved to approve the minutes of December 8, and December 18, 1998 Drainage Board Meetings, seconded by Commissioner Knochel. Motion carried.

Commissioner Shedd asked for a discussion on changing the time of the regular scheduled meeting from 9:00 a.m. to 10:00 a.m.

The Board agreed to change the meeting time to 10:00 a.m. on the first Wednesday of the month.

ELECTION OF OFFICERS

Mr. Dave Luhman asked for nominations for President of the Drainage Board.

Commissioner Knochel moved to retain the same officers for 1999 as they were in 1998 for President and Vice President of the Drainage Board, leaving Ruth Shedd, President of the Board and Kathleen Hudson, Vice President of the Board, seconded by Commissioner Hudson. Motion carried.

APPOINTMENTS

Attorney

Mr. Spencer submitted a contract for Legal services for the Board. The proposed 1999 contract from Hoffman, Luhman and Busch, has the same verbiage as the 1998 contract with \$135.00 per hour rate for legal services rendered.

Commissioner Hudson moved to approve the 1999 contract for \$135.00 per hour rate with Hoffman, Luhman and Busch for legal services to the Drainage Board, seconded by Commissioner Knochel. Motion carried.

Commissioner Shedd asked if the Board could have an ongoing contract with Hoffman, Luhman and Busch, until further notice. Instead of renewing the contract every year.

Mr. Luhman stated the contract needs to be approved annually. The Board can not spend money that is not appropriated, the Board can not enter into a contract without appropriation. Since the appropriation is on a per calendar year the contract needs to be on a calendar year.

Engineering Contract

Mr. Spencer submitted a contract for Engineering Consulting to the Board. A contract from Christopher B. Burke Engineering was submitted with the same verbiage as the 1998 contract including the same pay scale.

Commissioner Hudson moved to approve the 1999 contract with Christopher B. Burke Engineering for Engineering services to the Drainage Board, seconded by Commissioner Knochel. Motion carried.

Secretary

Mike Spencer recommended appointing Shelli Muller as Executive Secretary to the Drainage Board.

Commissioner Hudson moved to appoint Shelli Muller as Executive Secretary to the Drainage Board, seconded by Commissioner Knochel. Motion carried.

OTHER BUSINESS

Andrew and Mary Thomas Drain

Mr. Spencer recalled a joint meeting being held in 1997 for the Andrew and Mary Thomas Drain. Ruth Shedd and John Knochel are the Drainage Board representatives for the Joint Board with Carroll County. Carroll County has requested another meeting be held for February 16, 1999 at 9:30 a.m. Having no conflict with the date and time Commissioner Shedd and Commissioner Knochel will attend the Andrew and Mary Thomas Drain Joint Board meeting.

Otterbein Ditch Discussion

Mr. Spencer briefed the Board on a meeting that was held in Benton County to discuss the Otterbein Ditch. Mr. Spencer explained the main discussion of the meeting was to inform the Board about the fact the treatment plant in Otterbein has their outlet into a county regulated drain tile. The tile length is approximately 1600 feet and there is some concern of the capacity of the tile and 600 acres of farmland plus the Town of Otterbein draining into the ditch. Jack Steele is going to discuss these concerns with the Town of Otterbein and see about the possibility an alternate route for the treatment plant water.

INDOT and Drainage Board Agreement

Mr. Spencer presented an agreement between the Indiana Department of Transportation and the Drainage Board, which was previously discussed at the October 14, 1998 Drainage Board Meeting. Mr. Luhman requested a change in section five of the agreement. INDOT rewrote the agreement to change the verbiage of section five to Mr. Luhman request. The agreement is for INDOT to reimburse the County up to an amount of \$300,000.00 for the expense of the installation of the culvert replacement under I-65 for the improvement of McCarty Lane and the reconstruction of Berlowitz Ditch.

Mr. Luhman stated the change in section five was where the State of Indiana said that Tippecanoe County would indemnify the State for any negligence for their own people. INDOT did delete the verbiage and the agreement is ready for signature.

Commissioner Knochel moved to approve the agreement between INDOT and the Tippecanoe County Drainage Board for reimbursement of the expense for the culvert replacement under I-65, seconded by Commissioner Hudson. Motion carried.

J.B. Anderson Ditch petition

Mr. Spencer presented the Board with the petition for reconstruction and advancement in classification for the J.B. Anderson Drain submitted by the Towns people of Clarks Hill. 60% of the lots in the Town of Clarks Hill and 8% of the acreage in the outline area. Mr. Spencer explained there was some question in the December, 1998 meeting as to whether or not those percentage are enough to continue with the petition. After discussion with Mr. Luhman it was decided that the petition does have enough signatures.

Mr. Luhman stated the requirement is 10% of the total landowners in the watershed, not the acreage. The petition has met that requirement. The next step is for the Board to refer this petition to the County Surveyor so he can prepare a report. At a hearing the report should include a recommendation as to were the project stands, compared to the other Surveyor's ditch projects. The Board will vote on the recommendation presented by the Surveyor.

Commissioner Hudson moved to accept the petition filed for the Jesse B. Anderson Ditch and refer the petition to the Surveyor for his report, seconded by Commissioner Knochel. Motion carried.

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

Ruth Shedd, President

Kathleen Hudson, Vice President

John Knochel, Member

Shelli Muller, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

Those present were:

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

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

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

ACTIVE

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

INACTIVE

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

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

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

WATKINS GLEN SUBDIVISION, PHASE 4, PART 3

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

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

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

SEASONS FOUR SUBDIVISION, PHASE III

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

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

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

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

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

Those present were:

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

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

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

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

CROSSPOINTE APARTMENTS SUBDIVISION

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

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

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

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

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

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

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

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

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

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

WABASH NATIONAL SITE DETENTION

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

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

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

WILLIAMS COMMUNICATIONS – FIBER OPTIC CABLE

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

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

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

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

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

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

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

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

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

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

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

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

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

Steve Murray asked what is your construction schedule.

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

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

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

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

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

2000 ACTIVE AND INACTIVE DITCH ASSESSMENTS

Mr. Luhman read the 2000 active and inactive ditch list

ACTIVE

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

INACTIVE

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

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

OTHER BUSINESS

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

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

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

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

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

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

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

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

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

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

CHICAGO TITLE INSURANCE COMPANY

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

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

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

Kathleen Hudson, President

Doris Myers, Secretary

John Knochel, Vice President

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
August 7, 2002
Regular Meeting

Those present were:

Tippecanoe County Drainage Board KD Benson President, Ruth Shedd Vice President, and John Knochel member, County Surveyor Steve Murray, Drainage Board Attorney Doug Masson, Drainage Board Engineering Consultant Kerry Daily from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Brenda Garrison.

Approval of July 3 Minutes

Ruth Shedd made the motion to approve the July 3, 2002 minutes, with John Knochel seconding. The being no objections, the motion carried and the minutes were approved.

Butler Meadows Subdivision

Mr. Robert Gross with Gross & Associates appeared before the Board to present Butler Meadows Subdivision for final approval with conditions. The site consisted of approximately 35 acres and was located on the south side of County Road 500 South, approximately 0.25 mile east of the intersection of old US 231 and County Road 500 South in Wea Township. Existing drainage from the site discharged in several directions. The majority drained to an existing 30-inch diameter CMP under County Road 500 South, then followed an established drainage pattern and outlet into the Little Wea Creek. Drainage would be collected in swales and storm sewers routed to a detention basin south of the culvert under County Road 500 South. The plans showed a wetland in the southeastern portion of the site which drained a small portion and would be routed through an outlet to a detention pond. The headwall of a private drain would be lowered in order to allow for drainage of the detention pond. Grading and new culverts for the ditch along County Road 500 South were planned. The majority of the ditch slopes would be 6 to 1; while in the County Road Right Of Way the slopes would be 3 to 1. City utilities would be installed in phases. The Surveyor recommended final approval with conditions as stated on the August 2, 2002 Burke memo.

Ruth Shedd moved to grant final approval with conditions listed on the August 2, 2002 Burke memo. John Knochel seconded and the motion carried.

Lexington Farms - Phase 3

Pat Sheehan with Schneider Corporation presented the Board with plans for the Lexington Farms Phase 3 project. The proposed development was located east of County Road 500 East and north of 50 South. Phases 1 and 2 of Lexington Farms had previously been constructed. There was temporary detention on the site for the two developments. Phase 3 consisted of 82 lots on approximately 15.14 acres of the 61.8 acre overall development. Stormwater would be discharged directly into the Berlovitz Regulated Drain. As part of this development, the Berlovitz Drain would be reconstructed from County Road 550 South for the extent of the property, approximately 1000 feet. Along with the request for approval and due to the reconstruction of the Drain, he requested a waiver of the standard stormwater detention for Phase 3. This would allow direct discharge into the Drain. The Surveyor recommended to the Board waiving of the stormwater detention requirements.

Ruth Shedd made the motion to waive the standard stormwater detention requirements and John Knochel seconded the motion. With no objections stated, the motion carried.

At that time the Surveyor clarified condition one of the August 2, 2002 Burke memo. The statement "The location of the reconstructed open channel should be closely coordinated with the Tippecanoe County Surveyor and revised plans submitted for review", should read, " The location of the reconstructed open channel must be approved by the Tippecanoe County Surveyor and revised plans submitted for review". Therefore the Surveyor recommended approval with conditions as stated on the August 2, 2002 memo, which included the amendment noted.

Ruth Shedd moved to grant final approval for Lexington Farms Phase 3 with conditions stated on the August 2, 2002 Burke memo with the amendment of condition one. John Knochel seconded the motion and the motion carried.

Raineybrook Subdivision - Part 2

Mr. Bill Davis with T-Bird Design presented the Board with plans for Raineybrook Subdivision Part 2, located north of County Road 500 South and west of US 231 in Wea Township. Part 2 of the development was located west of Raineybrook Estates and The Reserve at Raineybrook and was approximately 76 acres. He requested conceptual approval of the discharge

system. The site area drained was approximately 163 acres, however after diverting approximately 45 acres from other watersheds, the total area drained through this development would be approximately 200 acres. After completion of the development, the discharge rate to the Little Wea Creek would be approximately the same amount as currently being discharged. The 36-inch pipes located in the bottom or near the bottom of the swales would carry the low flow. The swales were designed to carry the 100-year storm event directly through the subdivision to the Little Wea Creek. Stormwater emergency routing was also included in the plans. All direct discharge would be routed through a sump catch basin before outletting into the Creek. Modelling information showed drainage for each phase individually and compiled to provide a better study. Mr. Davis referred to the system as a "Piggyback" system, which was the combination of swales and pipes. He informed the Board he had discussed the system with County Highway Engineer Tim Wells. Mr. Davis stated the homeowners association would maintain the offsite system, other than those portions in the Right of Way. As part of the conceptual approval, he requested a waiver of the standard stormwater detention requirement.

Tim Wells addressed the Board regarding the drainage plan. He began by formally thanking the Surveyor for keeping his office informed of projects submitted. He stated the "Piggyback" system used in the design was acceptable to his office.

Steve stated for the record the ordinance did not prevent the use of the combination of swales and storm sewer systems. Also the planned swales were well defined and large enough that he felt future landowners would not fill them in. He stated Raineybrook had one of the best homeowner associations in regard to resolving drainage issues. Steve discussed the provision of easements in strategic locations in order to facilitate the future Phase II Stormwater Quality measures if required. This would be addressed in the final plans.

Ruth Shedd moved for conceptual approval with conditions stated on the July 23, 2002 Burke memo for Raineybrook Subdivision Part 2. John Knochel seconded the motion. There being no objections, the motion carried.

Raintree Apartments Subdivision - Phase 1

Pat Jarboe with T-Bird Design appeared before the Board and requested final approval for Raintree Apartments Subdivision Phase 1. As the project would be constructed in phases, Pat was requesting approval for phase 1 only. The site was located on a 47.5-acre tract on the north side of County Road 200 South, just east of Windemere Drive.

The site's watershed was designed to outlet into the proposed F-Lake detention area. Portions of the site were located within the Berlovitz Regulated Drain and the Elliott Ditch watersheds. However, due to broken or plugged tiles it could not be determined that existing surface water flowed into the Berlovitz Drain tile. The capacity of the tile system design allowed for pass-through of surface water from any future offsite development. The proposed culvert and tile system directed the offsite surface water into the Berlovitz drain. Calculations of the system allowed for the 100-year condition. A 12-inch tile in the northern portion of the site outletted into the Elliott Ditch and would be dedicated for offsite drainage only.

Due to the site location, the Surveyor reviewed the modeling of the site. As stated previously, the site was located within two watershed areas, which contributed to complications with the design process. Steve stated he was prepared to recommend final approval with conditions as stated in the August 2, 2002 Burke memo. He also stated a waiver for the stormwater detention requirements would be necessary. In regard to condition two of the August 2, 2002 Burke memo, the Surveyor stated he would negotiate a fee to be paid to the County for use of storage in F-Lake. Condition three, concerning the relocation or vacation of Branch 13 would be addressed. A format for a written agreement regarding the fee (or compensation) had been worked up.

Ruth Shedd moved for a waiver of the stormwater detention requirements and John Knochel seconded. There being no objections, the motion carried. Ruth then moved for final approval on Raintree Apartments Subdivision Phase 1 with the exceptions of the conditions as stated by the Surveyor and in the August 2 Burke memo. John Knochel seconded the motion and the motion carried.

American Freightways

Tim Beyer of Vester & Associates appeared before the Board and requested final approval with conditions for American Freightways. The site was located along the east side of Concord Road and north of Brady Lane within the City of Lafayette. The Surveyor while the project was located within the city limits of Lafayette, the Board's review was for the effect on the Elliott Ditch. This was a small trucking facility and the request regarded paving an existing gravel parking lot surrounding the building. A drainage analysis plan of the site was prepared for review. At the direction of the City of Lafayette, the runoff was directed to an existing roadside ditch along Concord Road and drained south into Elliott Ditch. Tim requested final approval with a waiver of detention requirements for American Freightways. The Surveyor stated he had conferred with the City Engineer's office and the effect on the Elliott Ditch was nominal. The Surveyor was prepared to recommend a

waiver of stormwater detention requirements. KD asked if this would require Phase II, Steve stated this was mentioned in the memo. Tim stated there was an existing 30-foot Right of Way at the site.

Ruth Shedd moved to waive the stormwater detention requirements for American Freightways, and John Knochel seconded the motion. Ruth Shedd made the motion for final approval with the conditions listed on the July 31, 2002 Burke memo, and John Knochel seconded. As there were no objections, the motion carried.

General Drainage Ordinance #2002-24-CM

Steve conferred with the Drainage Board Attorney regarding a maintenance bond amendment to the Ordinance. Due to the fact the amendment had been added at the last minute, the attorney thought it prudent for the Board to acknowledge it at this time and approve the Ordinance as amended.

Ruth Shedd made the motion to approve the amendment to the Drainage Ordinance as written. John Knochel seconded the motion. Let it be known the Drainage board has approved the amended Drainage Ordinance #2002-24-CM as written.

Petitions for Encroachment

Paramount Development LLC for Paramount Lakeshore Subdivision presented the Surveyor with a Petition for Encroachment. The site was located on State Road 52 West of Morehouse Road. The Drainage Plan for the site was approved at the July meeting. The site crossed the Cuppy-McClure's 48 inch reinforced concrete tile. Steve stated the Petitioner was requesting an encroachment within the regulated drain easement. Regardless of a grant of encroachment, it was understood the County had the overall right of easement. However, the petition form itself would be edited for precise wording to that effect. The Surveyor would confer with the Drainage Board Attorney on this issue. In stating this, the Surveyor recommended the Board approve the Petition for Encroachment submitted by Paramount Development LLC. Ruth Shedd moved to grant approval of the Petition for Encroachment from Paramount Development LLC, and John Knochel seconded the motion. The motion carried.

RBT Development LLC for Paramount Lakeshore Subdivision also presented a Petition for Encroachment to the Surveyor. The petition was submitted for the installation of a 12-inch storm sewer and manhole structure which would drain the east pond of the subdivision. The Surveyor recommended the Board approve the Petition. Ruth Shedd moved to grant the Petition for Encroachment submitted by RBT Development LLC and John Knochel seconded the motion. There being no objections stated, the motion carried.

Colony Pines LLC for Sagamore Point Subdivision presented the Surveyor with a Petition for Encroachment. The site consisted of 24 acres and was located on Morehouse Road. The petition was to cross the 50 and 75-foot utility and drainage easement as well as a 50-foot Dempsey-Baker Regulated Drain Easement near Lot 58. American Suburban Utilities would install the sanitary sewer in the easement. Steve stated A.S.U. understood if during the reconstruction or maintenance of the Dempsey-Baker Regulated Drain it was necessary for their facilities to be moved or the ditch rebuilt to the previous condition, it would be at their expense. This was also stated in the Colony Pines LLC petition presented to the Surveyor. Due to the location of the sanitary sewer at roughly ten feet below the bottom of the ditch, the Surveyor felt it probably would not be an issue. With this stated, the Surveyor recommended the Board approve the Petition for Encroachment as presented. Ruth Shedd moved to approve the Petition for Encroachment by Colony Pines LLC, and John Knochel seconded the motion. The motion carried.

Other Business

Kirkpatrick Ditch Regional Detention Pond

Steve reviewed a proposal for professional Engineering Services from Christopher Burke Engineering for the Kirkpatrick Ditch Regional Detention Pond and Channel Extension. The estimated fee was \$20,000.00. This amount was largely due to the fact the engineering company did the design and the hydraulic studies previously on the ditch. This proposal was for a conceptual design on the channel reconstruction upstream of Concord Road, as well as determining the most productive site for the pond which serves the L.U.R. (Lafayette Union Railway) site and the area slated for industrial development. The Surveyor recommended the execution of the contract for services stated. He added there was a business which had looked at an eighty-acre site for development, and he felt there should be a plan in place for the future. KD stated she would encourage action to be taken at this meeting regarding the contract. In response to a question from Ruth Shedd regarding the contract, Steve stated the contract was in a standard format. The engineering firm would charge hourly and, the estimated fee was not to exceed \$20,000.00. Due to the hourly charge, the fee could come to less than the \$20,000.00 stated. He stated the monies were available from the Edit fund previously allocated for this project.

Ruth Shedd made the motion to approve the contract from Christopher Burke Engineering for the Kirkpatrick Ditch Regional Drainage upstream of Concord Road, not to exceed \$20,000.00. John Knochel seconded the motion, and the motion carried.

J.B. Anderson

This drain served the stormwater drainage of Clarks Hill. The Surveyor received a contract for a project scope by Christopher Burke Engineering. He encouraged the Board to review copies which he gave them at that time. The contract covered the history and overall problem associated with the ditch. This ditch was put in on the EDIT request. The Surveyor stated he would encourage and hoped to see participation with the study from the Town of Clarks Hill.

At that time KD asked for any public comments. As there were no comments, Ruth Shedd made the motion to adjourn. John Knochel seconded the motion and the meeting was adjourned.

KD Benson, President

Ruth E. Shedd, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
February 5, 2003
Regular Meeting

Those present were:

Tippecanoe County Drainage Board Ruth Shedd President, John Knochel Vice President, and KD Benson member, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Brenda Garrison.

The Tippecanoe County Drainage Board met February 5th, 2003 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, Ruth Shedd, calling the meeting to order.

Approval of January 8, 2003 Minutes

John Knochel made the motion to approve the January 8th minutes with K.D. Benson seconding. As there were no objections the motion carried and the minutes were approved.

Appointment of Secretary to Drainage Board

K.D. Benson moved to appoint Brenda Garrison to serve as Drainage Board Executive Secretary for the calendar year of 2003. John Knochel seconded the motion and the motion carried.

Request to Modify Drainage Easement

Mr. Doug Mennen approached the Board to request a modification of a part of a Drainage Easement to an open ditch known as the **Stoddard Ditch**. The reduction request was located in a part of Section 31 Township 21North and Range 4W. While the ditch was a court drain, it did not have an assessment on it. He requested the Easement from the top of the bank on the east side to be modified from 75 feet to 35 feet on the property as shown on the drawing. (While the request stated 30 feet, the drawing indicated 35 feet.) The Surveyor's office did not foresee a problem with the reduction and recommended approval. John Knochel made a motion to approve the request to modify the Drainage Easement as requested from 75 feet on the east side of the Stoddard Open Ditch to 35 feet on the east side of the Stoddard Open Ditch. KD Benson seconded the motion and the motion carried.

Petition to Vacate a Portion of Platted Easement/ Lot 7 Winding Creek Subdivision - Brett & DeEtta Hawks

Mr. Matt McQueen representing Brett & DeEtta Hawks approached the Board. Mr. McQueen presented a petition to vacate a portion of a platted easement on Lot 7 in Winding Creek Subdivision. Approximately 200 square feet of the house built on the lot encroached on the platted utility and drainage easement. The petition would be presented on March 3rd to the Commissioners, however Mr. McQueen thought it to be prudent to request Drainage Board approval before the March 3rd meeting. The Surveyor informed the Board historically if the easement reductions were reasonable, vacations were granted. The vacated area requested was immediately around the house only, as shown on Starr and Associates drawing job # 10204827-2. While a storm sewer was located within the platted easement, the maintenance of the sewer would not be adversely affected, and no utilities would be affected. The Surveyor recommended approval of the vacation to the Board. John Knochel moved to approve the petition to vacate a portion of a platted easement on Lot 7 in Winding Creek Subdivision. KD Benson seconded the motion and as there were no objections, the motion carried.

2003 Engineering Review Contract Proposal- Christopher B. Burke Engineering LTD

The Surveyor informed the Board the fees in this year's Engineering Review Contract have stayed the same as the previous year, as the only change was the ownership of documents. The previous year's contract granted Christopher Burke ownership. The Surveyor stated government entities usually maintained ownership of documents. The change was made to the ownership of documents to the Government. KD inquired if there was a termination clause within the contract, as most contracts contain the clause. Mr. Luhman stated he had reviewed the contract and it included the clause. The Surveyor recommended acceptance of the proposed contract by Christopher B. Burke Engineering LTD. John Knochel made the motion to approve the Engineering Review Contract Proposal between the Tippecanoe County Surveyor Office, Drainage Board of Tippecanoe County and Christopher B. Burke Engineering LTD. KD Benson seconded the motion to approve the contract as stated and the motion carried.

2003 Legal Counsel Contract Proposal

The Surveyor presented the Board with a contract between the Tippecanoe County Drainage Board and the firm of Hoffman, Luhman and Masson, P.C. to represent the Drainage Board for the calendar year of 2003. The contract did not reflect any changes from the previous year's contract. John Knochel motioned to approve the contract between Tippecanoe County Drainage Board (referred to as "the Board") and the firm of Hoffman, Luhman and Masson, P.C. for legal services for the calendar year of 2003. KD Benson seconded the motion for approval and the motion carried.

Steve Murray

Drains: Active and Inactive List

The Board members were referred to their copy of the 2003 Drain Active and Inactive List. He explained to the Board once a drain's balance reaches four times its yearly assessment, it automatically goes to inactive status. The list would be filed with the Auditor's Office and adjoining Counties which were affected also. The Surveyor had conferred with the Attorney concerning the waiver of rights by Counties in some instances and although it was not required in these instances, the Surveyor felt it would be courteous to inform them of any actions taken. Ruth Shedd stated since Drainage Board members change from time to time, it would be prudent to notify them when changes occurred. John Knochel moved to approve the Active and Inactive List of Drains presented to the Board and directed the list to be part of the official minutes record book. KD Benson seconded the motion and the motion carried.

Classification of Drains Report

Drains In Need of Reconstruction

The members of the Board were furnished with a Classification of Drains (Partial) per I.C. 36-9-27-34. The Surveyor stated the Indiana Drainage Code requires Surveyors to present this report to the Board. While this report was preliminary, he wanted to present this to them. The first item on the report was Drains in need of Reconstruction.

The first drain listed was the Julius Berlovitz on the east side of town which had a design in place for reconstruction. This is an old agricultural tile and crossed 500 East diagonally at the McCarty Lane intersection and headed northeast under I 65 eastward to 550E and 500S. The outlet is shortly north of 50 South.

The second drain listed was the Lewis Jakes ditch, a hearing held several years ago and the petition failed due to several landowners that were against converting the tile ditch to an open ditch. The Surveyor had several conversations with DNR on this ditch due to the need of waterways by landowners within the watershed. However due to the consistent break down of the tile, the landowners were unable construct a waterway. He stated a new hearing was warranted.

The third drain listed was S.W. Elliott which included Wilson Branch and Treece Meadow Relief drain was listed partially due to the future F-Lake project and because some of the branches of the drain would need to be looked at as development continues on the East side. Part of the Elliott drain had been reconstructed in the late 1980's, such as the Treece Meadow Relief Drain.

The fourth drain listed was the J.N. Kirkpatrick from upstream of Concord Road near the end at 450East had a preliminary conceptual design that had just been completed by Christopher B.Burke Engineering LTD.

The fifth drain listed was the Anson Drain in the NW part of the County, an old agricultural tile that crosses under the interstate in several locations. Several branches had broken down and were in need of major maintenance or reconstruction.

The sixth drain listed was the Elijah Fugate Drain which was being reviewed at this time, as there had been a Petition for Reconstruction or Maintenance submitted to the Surveyor's office.

The seventh drain listed was the J.B. Anderson Drain which crosses through Clarks Hill and would need attention.

Drains In Need of Periodic Maintenance

The Surveyor reviewed the list of twenty-seven drains in need of periodic maintenance. Some of the drains listed fell between major maintenance and/ or reconstruction. The maintenance needed for each drain on the list was indicated. A copy of the list would be attached to these minutes.

Surveyor Recommendation of Hearings in 2003

Supplied to the Board was a list of drains the Surveyor would recommend a hearing be scheduled for and drains to be reclassified as Urban Drains during 2003. The three drains which the Surveyor recommended a hearing be held in 2003 were as follows:

Elijah Fugate: A petition was pending at this time and a hearing would be set up in the near future.

Julius Berlovitz: A petition had been received several years ago and the drain included a large watershed area. The Surveyor felt the hearing would be well attended as the watershed area serves several Subdivisions and included prime development ground.

Lewis Jakes Ditch: The Surveyor informed the Board due to the poor condition of this drain, they had one of three options; reconstruction, raise the present rate of assessment, or vacate the drain as the drain continued to break down and was in need of constant maintenance.

Urban Drain Classification for 2003

Drainage Code 36-9-27-67 instructs the County Surveyor to recommend to the County Drainage Board any drains to be classified as Urban Drains. He informed the Board when or if drains were classified as Urban it meant the drain needed reconstruction. Presently this County had one drain within that classification, it was the S.W.Elliott Ditch. The Surveyor recommended the Julius Berlovitz and the J.N. Kirkpatrick to be reclassified as such. The Surveyor requested the reports presented be considered as drafts as he wanted to add the drain's history and explanation of recommendations. He also hoped to review the prioritization of drains on the lists. He expected to review portions of this report in the next few meetings. He also hoped to add the Moses Baker to the list of drains in need of a hearing.

At that time John Knochel asked Steve to explain the present ongoing reconstruction for the J.N.Kirkpatrick, since this drain was listed under need of Reconstruction. Steve explained the section presently under construction ran from 350 South east across Ninth Street, Eighteenth Street, and a new conspan structure at Concord Road. The old agricultural tile was outletted at the east right of way, and into the newly constructed channel at Concord Road. From that point to the east and almost to U.S. 52 was the section referred to on the list as being in need of reconstruction. Expected future development would require the reconstruction of that section. Ruth Shedd inquired if the report had been given in the past years and the Surveyor noted he had not found in the minutes where it had been done. Once the Board accepts the report, the Surveyor at that time should prepare a short and long-range plan for drainage infrastructure. Dave Luhman noted it would also be helpful to the landowners in the event of inquiry.

Hearing Date and Time Set

The following hearing date was set for the Elijah Fugate and the Moses Baker Drains. April 2, 2003 at 10:00 a.m. was set for the Elijah Fugate Drain, and April 2, 2003 at 11:00 a.m. for the Moses Baker Drain. The Drainage Board meeting was previously set for this date and would be moved up to 9 a.m. to accommodate the hearings.

OTHER BUSINESS

Petition for Removal of Obstruction / Ronald and Marsha Baxter

At that time Dave Luhman excused himself from the hearing and left the room as he had represented one of the parties in the past. He would not participate in the hearing or be a part of the Boards decision in this matter.

The Surveyor informed the Board his office received a Petition to Remove an Obstruction in a Mutual Drain or Mutual Surface Watercourse located at 1237 West 625 South on August 26, 2002. The surveyor investigated and had reported it appeared to have some blockage along the swale in question between the two properties on 625 South. The names of Petitioner were Ronald and Marsha Baxter; the blockage was on the property owned by Kevin Beason at the location aforementioned. It was to be determined if the blockage was natural, man-made and/or intentionally blocked. Elevation shots were taken along the swale approximately 100-150 feet south of the south side of 625 South and showed a flat surface. Very little if any fall was the result of the shots taken. The Surveyor stated he reviewed the GIS property lines. The aerial photos indicated the blockage to be on the Beason property which started on the property line then 150 feet south of 625 and took a slight turn to the Northeast.

At that time Ruth Shedd invited the Petitioner, Mr. Baxter to approach the Board and state his position. Mr. Ronald Baxter of 1323 West 625 South, Lafayette Indiana 47909 then addressed the Board. He supplied the Board with additional pictures of the obstruction. He stated there had always been a water problem on his lot and the neighbors. A private tile, which ran under the Mr. Beason's property, has caved in and was full of tree roots. The water table had risen and no one wanted to fix the tile. Years ago it was surveyed by the previous Surveyor Mike Spencer, which showed minimal fall to the ditch. Mr. Baxter contacted John Hack approximately in 1996 and a swale was put in at his and the previous neighbor Jack Bedwell's expense.

Within months of moving in, Mr. Kevin Beason notified Mr. Baxter he wanted to fill in the swale and the ditch in front of his home. Approximately in April of 2000, Marsha Baxter inquired as to the legalities of the neighbor's actions if he filled in the swale and ditch. She was informed that as a mutual drain, he could not just fill in the ditch and swale. At that time they contacted Mr. Beason offering him copies of the statute. Mr. Beason refused the copies and did not want to work with them. On April 28, 2000 Mr. Tom Busch Attorney for Mr. & Mrs. Baxter contacted Mr. Beason by mail informing him of I. C. 36-9-27-2. After that notification, Mr. Beason had a load of dirt placed on the back of his property in order to block the water

from crossing his property. The attempt to block the water failed and the problem continued. Pictures were provided to the Board, which showed the area in question before and after the blockage. Another attempt in May of 2002 was made to correct the problem and there was nothing done. Mr. Baxter felt intent to block the drainage by Mr. Beason was demonstrated and requested the Drainage Board direct his neighbor to clean out the blockage and restore to the condition prior to Mr. Beason's moving in. Mr. Baxter stated he had been pumping water from his crawl space regularly. He also stated he realized the drainage in that area was poor and he could deal with that, however he felt this particular problem was avoidable and thus the petition was filed in August of 2002 and the matter brought in front of the Board. At that time Ruth Shedd asked to hear from Mr. Beason.

Shawn Beason approached the Board at Ruth's request. Shawn was Kevin Beason's brother and due to the death of Mr. Kevin Beason on September 1, 2002 he was co-representative of the Estate. He stated he was unaware of any problems until January 8, 2003. The notification by the Board was sent to the Law Office of Bennet, Behning and Clary, as the firm representing the Estate. Due to this Mr. Beason felt the petition should be thrown out, as he did not receive the notification personally. He stated the house is presently for sale and this procedure had stalled the process. He said his brother had discussed the issue with him in the past and he felt filling in the swale would push the water out to the ditch along the road. He asked if there were pictures or evidence that actually showed his brother filling in the ditch. He felt the cattails had grown naturally, and the tile that ran across the back yard was in poor shape at the time of his brother's purchase of the home. He did not feel the estate should be held responsible for what he thought was a natural occurrence.

At that time the Surveyor asked Mr. Baxter if a receipt existed for the previous work done on the swale and ditch. Mr. Baxter stated he was in possession of a receipt for the previous work. Himself and the previous owner of the property in question shared the cost. The Surveyor informed the Board of their options. They were to determine if blockage was intentional or whether it was a natural accumulation. The statute called for the Board to pass on to the respondent (Mr. Beason's Estate) the cost of clean out if found to be intentional. If the blockage was found to be a natural accumulation or due to lack of maintenance, both parties would bear the cost. Mr. Baxter stated lack of mowing the area had certainly contributed to the drainage problem. He also stated he felt Mr. Beason had planted a tree in the swale. Shawn Beason asked to see a picture of the tree in the swale. The Surveyor asked if the tree was voluntary and Mr. Baxter responded he felt the tree was planted and not voluntary. Mr. Beason felt the tree was voluntary. Mr. Beason requested the Board make a decision today as the house was currently for sale.

John Knochel stated he felt Mr. Baxter should have been allowed to do maintenance on the swale in the past. He agreed notification should have been sent to Mr. Beason personally and in a timely manner in order to better prepare for the hearing. He also stated Mr. Beason had the right to request a postponement and John would be inclined to agree to one. However, Mr. Beason did not want to delay it any longer. KD stated she thought it was an unintentional blockage and the cost of maintenance should be split between the two parties involved. However Mr. Baxter stated he felt it was intentional. Ruth Shedd then asked Mr. Baxter if he would be willing to share the cost of cleaning it out. He stated he was concerned with what a new neighbor would be agreeable to. The Surveyor recommended an agreement be written up between the parties before the house was sold. He also suggested a copy of the official minutes be provided to both parties for any future reference. The Board would issue an Order for the removal of the obstruction. The Surveyor asked Mr. Beason what his opinion was. Mr. Beason informed the Surveyor the estate was "upside down" as there was not much money and he wanted this to be done cost efficiently. Mr. Murray apologized to Mr. Beason for the untimely notification.

KD moved for the two neighbors to share the cost of the obstruction removal by the joint effort of Mr. Baxter and Mr. Beason. John Knochel seconded the motion and the motion carried. John then made the motion for the obstruction to be cleaned up in six months' time and KD seconded the motion. The motion carried.

Mr. Beason noted the Estate had to be wrapped up by May of this year. The Surveyor encouraged both parties to work together to accomplish the work needed in a timely and cost efficient manner.

As there was no other business before the Board, John Knochel moved for adjournment and KD seconded. The meeting was adjourned.

Ruth E. Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

K.D. Benson, Member

Tippecanoe County Drainage Board
Minutes
April 11, 2005
Special Meeting

Those present were:

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

Ruth Shedd called the Special Drain meeting to order. She then referred to the Surveyor. The Surveyor noted the meeting today was to discuss the Classification of Drains Report previously presented to the Board on February 2005, as well as an overall Regulated Drain update. At that time, he gave the following presentation to the Board.

Steve Murray

Drain Maintenance, Drain Reconstruction, and General Drain Conditions

Drains In Need of Reconstruction

Julius Berlowitz

The Julius Berlowitz Drain was ready for the Phase 1 contract. Phase 1 included the construction of a regional detention facility east of I65, east and north to County Road 50 South. The project was held up due to the Arnett and St. Vincent issues. A new channel was in place north of 50 South and new culverts were in place on 50 South and 550 East. The County along with the area's property owners was discussing solutions for use of the excess dirt, which would allow the County to fund additional drainage projects if a solution was found. The Surveyor felt the discussions were worth the time and effort in order to save the County millions of dollars. The largest cost to the County would be disposal of the excess dirt. KD Benson inquired if it could be stored for future use. The Surveyor responded the amount of dirt would not allow that.

Lewis Jakes Ditch

The **Lewis Jakes** Ditch has had an informal hearing and field investigation completed. The project was close to a hearing for reconstruction several years ago. At that time, the watershed landowners denied the petition due to the cost. However, the property owners were now willing to raise the rate to approximately \$10-\$11 an acre to reconstruct the drain. A substantial amount of research and fieldwork was done on this drain. Steve stated it was a high priority for him and hopefully would be presented to the Board in the next 2-4 months.

S.W. Elliott Ditch/ Branch #11

The S.W. Elliott has had considerable amounts of work done over the last 20 years. The Wilson Branch Pond was in place at the Mall as a Regional Detention Facility. The **Treece Meadows Relief Drain** was reconstructed when the first Wal-Mart was built. **Branch #11 of the S.W. Elliott** was located across the Schroeder property and across SR 38 at the Tractor Supply Store, near the Brand property. A commercial subdivision was previously planned for the Brand property with twin 66" pipes under SR 38. The pipes would have to be pushed under the interstate, which proved to be too costly. Also, INDOT would not allow the construction under the interstate at that time. John Brand from Butler, Fairman, and Seifert Inc., related to the owners of the property, reviewed the drainage and infrastructure for the area and expressed interest in finding a solution. The planned thoroughfare included a connector between SR 26 and SR38, McCarty Lane and Haggerty Lane, to be constructed. As part of the current Cascada Business Park project, the Branch would be constructed from south of SR 26 (Wal-Mart area) to McCarty Lane. Since **S.W. Elliott** was an urban drain, the Surveyor recommended **Branch #11** to be reconstructed. The cost of the construction of the 66-inch pipes under SR 38 would be borne by INDOT. Reconstruction costs would be substantially lowered; therefore the landowners would benefit. Previously, Engineering consultants, during possible developments considered for that area, worked up reconstruction estimates for **Branch #11**. However, a preliminary review and new cost estimates were warranted due to the lapse of time.

F-Lake

As stated earlier, the approximate cost of the **F-Lake Regional Detention Facility** was \$2,000,000.00. The design was close to completion and would be located on County Property, east and northeast of the Ivy Tech. Campus. This was one of two priority projects to be funded out of the EDIT Drainage Projects Fund. (The **Berlowitz** project cost was estimated at \$3,000,000.00 plus, and the **F-Lake** project estimated cost at \$2,000,000.00.) There was approximately \$4,000,000.00 in the EDIT Drainage projects account at this time. If the County could work out a solution concerning the project's excess dirt, it would lower the cost of the **Berlowitz** project and allow the **F-Lake** project to proceed much faster.

J.N. Kirkpatrick/East of Concord Road

A preliminary design had previously been completed in anticipation of the LUR Industrial Park as well as additional residential development in that area. While there were advantages to a drain assessment reconstruction process, implementing a regional storage facility would result in the developers' responsibility for a set storage fee. This would ultimately result in decreasing the burden of maintenance costs solely by the area's farmers. EDIT Drainage Projects monies could supplement the cost of the maintenance of this portion of the drain.

D. Anson Drain

This drain had been discussed extensively in past meetings. This fall, the Surveyor's office was able to investigate areas of the tile located in wetlands, due to the dry weather. A revised estimate was being prepared and hopefully a drain hearing would be conducted within the next two to four months. (The Surveyor then reviewed the location of the tile utilizing G.I.S.) He stated he tentively planned to recommend the reconstruction be completed in phases. The first phase would involve beginning at the wooded location on the east side of Co. Rd. 100 West, removing major tree root blockage of the main tile, perhaps installing a new inlet on the west side of Co. Rd. 100 West (to assist in maintaining a low water level within the wetland), while continuing to work upstream. The assessment rate would need to be raised from the present assessment of \$1.25 an acre to approximately \$4.00-\$8.00 an acre. The amount would depend on the length of time over which the landowners were willing to spread the maintenance cost over. Realistically, the project would in all likelihood be completed during a 5-10 year period- due to the amount of costs associated with it.

J.B. Anderson/Clarks Hill

Christopher B. Burke Engineering, as part of the **Lauramie Creek** Design Study, had completed a preliminary design for the **J.B. Anderson Drain**. The cost of that design was well in excess of \$2,000,000.00, due to running an open ditch all the way to State Road 28. A lower cost solution would be warranted and revised preliminary plans were drawn up. The tile was fairly deep as it crossed Co. Rd. 975 East. Rather than daylighting the old tile into a new open ditch or waterway, a new shallower storm sewer would be constructed just east of Co. Rd. 975 East and ran roughly the same route as the tile. A portion of an existing storm sewer along a side street would also be reconstructed. This would relieve the surface water load and route it into a new channel that would run from Co. Rd. 975 East across the old railroad bed into twin corrugated steel pipes just south of the cemetery. The revised preliminary plan would drop the cost to approximately \$400,000.00, which was more feasible.

Frank Kirkpatrick Drain

This drain was located near South County Line and 300 East and was in need of reconstruction. A call from landowner Don Fugate, a year or so ago, warranted a site visit which determined the tile was indeed laid uphill. For a number of years the tile had enough pressure to function. However, that was not the case at this time. That portion of the tile would need to be laid at a positive grade. This would qualify the work as reconstruction, not maintenance. The Surveyor felt downstream landowners would not be interested in bearing the cost, as their tile portion was operating.

Urban Drains

An Urban Drain by definition is an agricultural drain considered to be in need of reconstruction. With the exception of the **Alexander Ross** Regulated Drain, Tippecanoe County Urban Drains had been discussed previously. The **S.W. Elliott**, **Berlowitz**, and the **J.N. Kirkpatrick** Regulated Drains consistently need maintenance performed, due to tile breakdowns etc.

Drains with Insufficient Maintenance Funds

The previously submitted report listed thirty drains with insufficient maintenance funds; some of which were in need of reconstruction. Every ten years, most open ditches need to be dredged. If in need of dredging and monies in the ditch fund were not sufficient, the regulated drain was included in this category of the list. Most of the drain funds were started in the 1960's, and the 1970's. The assessment per acre or lot for maintenance set at that time was insufficient at today's prices of construction. Most Counties schedule multiple hearings for drain assessment increase in one day. To adequately maintain regulated drains the increase was necessary. If landowners were not willing to increase the amount per acre, the drain could be vacated. Generally the drain should not be a public utility, however most often the drains were. Raising a drain assessment periodically would be more efficient and possibly prevent enormous costs of future reconstruction. The **Anson Drain** was a perfect example of that. The Surveyor informed the Board the office had seen an increase in private drain Petitions for the establishment of new Regulated Drains in the last year or so. They have been working on those petitions, as time would allow.

Parker Ditch Update

Dave Labonte had attended a previous Drainage Board meeting informing the Board of his concerns with the ditch. The Surveyor stated he had finished his research of the official minutes. The ditch drained the Subaru-Izusu production plant. At the time of the project construction, problems arose which among other things were due to an out of state contractor. In review of the minutes, he found due to the State “fast tracking” the project, a Petition was presented for Reconstruction, Relocation and Vacation of the Parker Ditch. A new concrete storm pipe was put in from the south side of Haggerty Lane (at SIA site) up to the north and east to 675 East. A new channel was built from 675 East to the Wildcat Creek. The minutes showed while the drainage was approved and the right of way was obtained, the Petition was never acted upon. A Finding and Order draft as well as an assessment rate were prepared, however they were never presented to the Board. The Board never heard the Petition. The plan was for SIA to pay 100% of the maintenance for the new storm sewer until such time as other developments in that area tied into it. The farmed acreage was not to carry that maintenance cost. An existing \$1.00 per acre assessment on the agricultural tile had been adequate for the maintenance of said tile at that time. Two at- grade fords were constructed at the new open channel. Mr. Labonte’s only access to his building site was across the fords, which now were collapsed and in need of replacement. It appeared that the petition was still valid. The Board would need to follow through and establish a maintenance fund for the open channel. The amount originally suggested for maintenance was approximately \$20,000.00 per year. However, an increase would be warranted based upon inflation and current construction costs. The Attorney then stated the original petition should be acted upon and a Drainage Board hearing scheduled in the future. He stated a new petition would not be required to schedule a hearing on establishing an open ditch maintenance fund for **Parker Ditch**. The only new development in that area had been the Armory.

Per Indiana Code 36-9-27-36 (3C), the Surveyor requested the Drainage Board refer the regulated drains that had been classified by Surveyor for a report in the order of priority set forth in the classification. The Board had the authority to change the priorities within the report if warranted. John Knochel made a motion to adopt the Drain Classifications Report in the order of priority set forth in the classification and referred them to the Surveyor for reports. KD seconded the motion. The motion passed.

The Surveyor stated several inquiries had been received concerning” no net loss within the floodplain” due to implementation of the new Tippecanoe County Stormwater Drainage Ordinance this year. A call was received concerning a residence within the 100-year floodplain on the Wildcat by Dayton. The creek had eroded very close to the foundation of the house. He felt this particular issue would constitute a variance of the rule, which the Drainage Board would grant. A review was warranted of the” no net loss within a floodplain” section within the ordinance. During development of the new ordinance, that section was included with industrial development in mind. KD noted the Tippecanoe County Stormwater Ordinance was stricter than the Department of Natural Resources fill guidelines.

Indiana Natural Heritage Data Center/Data Use Agreement

The Surveyor presented a Data Use Agreement for the Indiana Natural Heritage Data Center. (A unit of DNR) The information would be used for Phase II purposes, which included historical, and archeological site data. In order to access the database, the agreement must be signed. Subject to the Attorney’s review, the Surveyor requested the Drainage Board along with himself sign the agreement. The Attorney then reviewed the agreement. At the Attorney’s approval, John Knochel made a motion to authorize the President of the Board and Surveyor to sign the Department of Natural Resources Data Use Agreement as presented. KD Benson seconded the motion. The motion passed. The Department of Natural Resources Data Use Agreement was approved for signature as presented. At that time the Surveyor ended his report and presentation to the Board.

Ruth Shedd asked for Public Comment. As there was no public comment, John Knochel made a motion to adjourn. The Special Meeting was adjourned.

Ruth Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
August 2, 2005
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison and GIS Technician Shelli Muller. County Highway Supervisor Mike Spencer was in attendance also.

Approval of Minutes

John Knochel made a motion to approve the July 6, 2005 minutes as written. KD Benson seconded the motion. The July 6, 2005 Drainage Board Regular Meeting minutes were approved as written.

Arnett Ambulatory Surgery Center

Jon Perry of Gresham Smith and Partners representing Arnett Hospital appeared before the Board to request final approval for Arnett Ambulatory Surgery Center. The site was located at the southeast corner of County Road 500 East and County Road 100 South (McCarty Lane). The entrance drive would be constructed off of County Road 500 East. This project would outlet to the Julius Berlowitz Regulated Drain and was tributary to the planned Berlowitz Regional Facility. Mr. Perry stated the project consisted of a single story 45,000 square foot building ambulatory surgery center located on the southwest corner of the site. He stated he was in agreement with the July 27, 2005 Burke memo and planned to meet all the conditions listed. At that time he requested final approval for the project.

The Surveyor stated the project had been reviewed and discussed on numerous occasions by the Board. The site was included in the overall design for Arnett Hospital. However the Hospital withdrew their plans and was now requesting final approval for the proposed Ambulatory Surgery Center only. The Surveyor reviewed the site utilizing GIS for the Board. He then recommended final approval with conditions as stated on the July 27, 2005 Burke memo. He pointed out condition one addressed the forthcoming Berlowitz Regional Detention Fees, and noted Arnett was aware of the forthcoming fees. Construction of the County detention facility would require the removal of approximately half million cubic yards of soil. Arnett had expressed interest in obtaining soil for their site once a partner was obtained for the remainder of the site. The Surveyor hoped an agreement could be worked out for the County and Arnett that would benefit both. He then recommended a condition be added stating the Phase II Stormwater fees (once determined by the Phase II Project Team) would be paid by the Center. As a designated entity under Phase II of the Clean Water Act, they are currently looking at approximately \$30-\$40 an acre plus a \$250 fee. An official notice from IDEM (Indiana Department of Environmental Management) had been received stating Tippecanoe County was granted the authority to oversee the implementation of the Rule 5 approvals, reviews, and inspections. The Soil and Water Conservation and IDEM would no longer be enforcing the Rule. IDEM would be overseeing Tippecanoe County implementation of the Rule. The inspections would focus on an approved project's water quality treatment devices each year for a three-year period. John Knochel asked if the added condition was agreeable. Mr. Perry and Brian Elmor (representative for Arnett) agreed to pay the yet to be determined fees. In response to Mr. Perry's inquiry, the Surveyor stated two copies of the post construction Stormwater Manual would be required. The Surveyor noted all practices should be included in the manual to assist in the field inspections.

John Knochel made a motion to grant Arnett Ambulatory Surgery Center final approval with the conditions as listed on the July 27, 2005 Burke memo as well as the added condition of the Regional Detention fee payment. KD Benson seconded the motion. Arnett Ambulatory Surgery Center was granted final approval with the conditions as listed on the July 27, 2005 Burke memo as well as payment of the forthcoming Regional Detention fees.

Polo Fields

Paul Coutts of C&S Engineering representing David Zimmerman appeared before the Board to request final approval for the Polo Fields Subdivision project. The site located on the north side of County Road 200 North east of County Road 400 East consisted of approximately 18 acres. A fourteen lot single-family residential development was planned. Storm sewers and rear yard swales would be constructed and drained to a proposed dry detention basin north of lot eleven. The final outlet would be the existing pond of the Watkins Glen Subdivision north of the proposed site. Mr. Coutts stated an open pipe was

located in the northwestern corner of lot seven and was routed to the detention basin. A low area near the northwestern corner of lot twelve would be routed to the basin as well. From the detention basin through a vegetative swale located at the site's northwestern corner, the runoff would outlet into the existing pond located on lot thirty-five within Watkins Glenn Subdivision. Mr. Coutts stated they concurred with the conditions listed on the July 21, 2005 Burke memo and requested final approval. Ruth Shedd then opened the floor for public comment. Mark Zimpher located at 2300 Shana Jane Drive approached the Board. Mr. Zimpher who resided on lot 36 in Watkins Glenn Subdivision stated he had met with the Surveyor previously concerning this development. He was concerned with the amount of drainage, which would be directed to Lot 35 of Watkins Glen, as his lot was located immediately to the north, and felt he would also be affected by the proposed drainage. The Surveyor referred his comments to Mr. Coutts for a response. Mr. Coutts stated as part of the study, calculations were completed on the quality and quantity of runoff as well as runoff modeling to Pond A in the Polo Fields Subdivision as well as the pond in Watkins Glenn known as Pond B. He stated they did not exceed the 100-year limits, nor do they overtop or go out the existing 100-year easement. He stated the system design was more than adequate to accommodate Polo Fields Subdivision. He stated the requirements of the Drainage Board had been met. The Surveyor utilized GIS for review of the site. When reviewing this project he asked the consultant and developer to find a more direct outlet. Due to the defined path, the existing Watkins Glenn pond system seemed to be the natural way to route the water. There was also a study and calculations of the pond system previously completed at hand for review. Dave Eichelberger the Board's Drainage Consultant, confirmed runoff would stay within the existing easement and pond system in Watkins Glenn as Mr. Coutts had indicated. He noted an increase in depth and amount of water would be minimal. He then discussed the options, reviewed and studied previously by the consultants and developer. He stated given the site and the surrounding area, he felt the proposal was the best solution for the project. Mr. Zimpher noted the septic systems were in the rear of the lots' thirty five on down' close to the drop off by the existing pond and was concerned runoff would have a negative effect. The Surveyor stated he felt it would not negatively affect shallow septic systems. He noted however if a flood such as one comparable to the 2004 flood happened then a negative effect was possible. Dina Flores of 3911 Shana Jane Drive Lafayette approached the Board at that time. She stated she was concern with overflowing of the pond and standing water. The Consultant reviewed the Ordinance requirements and specifically the peak time during storm events. The Surveyor also stated it was his opinion that the drainage design presented was the best solution for the area in question. In response to Dina Flores request concerning the Watkins Glenn Pond outlet view, Mr. Coutts stated the developer would be willing to plant shrubs and/or tall grass around the outlet. The Consultant noted the flow of water must not be obstructed. The Surveyor noted the Drainage Ordinance was in place to protect people up and downstream of developments. He then reviewed the inspection process for all attendees. Richard Snodgraph of 3932 East 200 North Lafayette approached the Board at that time. He stated Bob Gross designed the drainage for Watkins Glenn South Part 6 Phase 2. He noted the amount of money he had spent to date for a drainage system of the development and stated he felt the proposed design was appropriate for the area and type of soil. He stated the Watkins Glenn pond was constructed in 1988 and has been dry to date. The Surveyor stated the proposed lots were large and a lot of grassed areas would be on the lots. The pond in Watkins Glen was a dry bottom detention pond and the proposed study was reviewed, the surrounding area was taken into consideration.

The Surveyor then recommended final approval with conditions as stated on the July 21, 2005 Burke memo. He noted item number 8 on the July 21, 2005 Burke memo which stated "...the Indiana Department of Environmental Management and the Tippecanoe County Soil and Water Conservation District... should state the" Indiana Department of Environmental Management and the Tippecanoe County Surveyor Office".... He also recommended an added condition for payment of Phase II Stormwater fees (pending determination by the Phase II Project Team) to be paid by the developer of the project. John Knochel then added a condition stating the developer must work with the owner of lot thirty-five in the Watkins Glenn Subdivision concerning landscaping around the outlet pipe. John Knochel made a motion to grant final approval for Polo Fields Subdivision with conditions as noted on the July 21, 2005 Burke memo in addition to landscaping around the outlet pipe at the Watkins Glen pond location and the revised verbiage of item number eight on said memo along with the said Stormwater fees. KD Benson seconded the motion. Polo Fields Subdivision was granted final approval with the conditions stated on the July 21, 2005 Burke memo in addition to landscaping around the outlet pipe at the Watkins Glen pond location and the aforementioned revised verbiage of item number eight on said Burke memo.

Buffalo Wild Wings

Mike Wylie of Schneider Corp. appeared before the Board to request final approval for Buffalo Wild Wings. The project site was within the City of Lafayette and was being reviewed by the Board for the drainage only. Mike stated the City of Lafayette had approved their plans. The site consisted of a 1.8 commercial lot (Lot 2 in the Creasy at the Crossing Section 1- approved in 1999) south of the intersection of Creasy Land and State Road 38. Branch 13 of the SW Elliott Regulated Drain was located along the western limits of the site and parallel to Creasy Lane. At the time of approval for Creasy at the Crossing Subdivision, the open ditch, which was Branch #13, was enclosed with dual 66" pipes. The Board had previously granted approval for a reduction of the Drainage Easement to thirty feet from the outside face of the southeasterly pipe. Mike

then stated they concurred with the July 15, 2005 Burke memo. He then noted parking asphalt was located within the easement and was requesting an encroachment on the Regulated Drain. The Surveyor stated he thought the intention of the previously granted easement reduction was to allow the workers with their equipment enough room for drain repair in the future therefore a formal Petition to Encroach on the Regulated Drain was warranted in this case. The Petition should state the County was not responsible for any damage incurred to the area of encroachment while repairing the drain. He stated he would still like to see the thirty-foot easement in place. Mike explained a result of keeping the thirty-foot easement would put the site plan in noncompliance with City Parking Ordinance. He stated the developer was aware the County had the right to enter and repair the drain with no fault for damages to the pavement or curb and noted there was no lighting, plantings located within the easement. Ruth Shedd asked if the developer submitted a letter of acceptance of damage costs, if that would be sufficient. The Surveyor noted whatever the Board agreed to would be sufficient. He was prone to protect the work zone on urban and regulated drains. While the chance of tracking over the lot with an excavator for repair of the pipes were slim, having to protect the area from damage would cost landowners more money. Protective mats would be warranted and result in a higher cost of repair passed on to the owners of the properties within the watershed. He noted however, there were locations where the easement was much closer, for example to the top of bank of a ditch such as the SW Elliott- Treece Meadows Relief Drain. In fairness, while he did not like it, the Board had accepted it in the past. In response to KD'S inquiry, Mike stated the encroachment was twenty-five feet and within five feet of the pipe. The Attorney confirmed a formal Petition of Encroachment on a Regulated Drain along with a proposal of the developer's rights and the County's rights was in order. The Surveyor then stated the Board should understand if repair was warranted, the parking lot could be tore up and the owner/developer would be responsible for the cost of repair. The Attorney stated specific verbiage indicating the Developer's responsibility in a separate document accompanying the formal Petition to Encroach on a Regulated Drain. Mike stated the developer would be in agreement. The Surveyor then recommended final approval for Buffalo Wild Wings' release rate into Branch #13 of the SW Elliott Regulated Drain with the conditions stated on the July 15, 2005 Burke memo, as well as the condition of the Developer/Owner's requirement to file for an Encroachment Permit. (Which specifically should state they were aware if replacement or maintenance were warranted, the County would not be responsible for the restoration cost of their parking lot) John Knochel made a motion to grant final approval to Buffalo Wild Wings with the conditions stated on the July 15, 2005 Burke memo, as well as the added condition of filing an Encroachment Petition on a Regulated Drain. Final drainage approval would be subject to the aforementioned Petition's approval by the Board. KD Benson seconded the motion. Buffalo Wild Wings was grant final approval with the conditions as stated.

Stones Crossing Section 4 Subdivision

Brian Keene appeared before the Board to request final approval for Stones Crossing Section 4 Subdivision. As the final phase of the overall development, Section 4 would consist of 144 single-family residences on approximately fifty acres. The site was located west of County Road 250 East (Concord Road) and north of County Road 430 South. The JN Kirkpatrick Regulated Drain reconstruction project design had accounted for the developed runoff condition. The said regulated drain ran along the northern portion of the project site. Brian stated most of the infrastructure for section four had been constructed during previous phases of the development and the main trunk line was completed during construction of sections one and two of the development. Since approvals were granted for the previous phases/sections prior to the Phase II requirements, additional outlets, extra riprap and vegetated swales were added to assist with runoff control. The Surveyor noted the development's different phase/sections (one of several developments), were approved before and after the Phase II requirements. A good portion of the site's infrastructure was approved and constructed before the implementation of Phase II requirements. The development received prior approval for direct discharge to the JN Kirkpatrick drain (as designed and modeled), with no onsite detention. The Surveyor felt a fair compromise had been reached concerning the additional riprap vegetation of swales etc. The Surveyor reminded Brian of the required Phase II fees and Brian confirmed he was aware of a required payment and agreed to payment of such fees.

The Surveyor then recommended final approval for Stones Crossing Section Four with the conditions as stated on the July 28, 2005 Burke memo, as well as the payment of Phase II fees. John Knochel made a motion to grant final approval for Section Four of Stones Crossing Subdivision with the conditions as stated on the July 28, 2005 Burke memo as well as the payment of forthcoming Phase II fees. KD Benson seconded the motion. Stones Crossing Section four was granted final approval with conditions.

JB Anderson Regulated Drain / Petition to Encroach

Tim Beyer of Vester and Associates appeared before the Board to request the approval of an Encroachment on a Regulated Drain Easement Petition submitted by David and Martha Stevenson. He stated the southwest corner of the tract was to be divided by the petitioners and access was needed from County Road 1000 South. Based on conversations with the Surveyor an Easement (within the outer twenty-feet of the existing seventy-five feet legal drain easement) had been written for the

location of the driveway and utilities. There was an existing crossing over the drain the planned drive would utilize as well. The Surveyor asked if the culvert's size had been checked prior to the request. Tim stated it had not. The Surveyor then stated the petitioners were responsible for the crossing, and if undersized, based upon the Surveyor's judgment, they would be obligated to upgrade the culvert. As there was no other access, the Surveyor recommended granting the Encroachment Petition as it was put at the back of the seventy-five feet regulated drain right of way from top of bank. As the parcelization process continued, he asked a filter or buffer strip be put in place. John Knochel made a motion to grant the Petition to Encroach on the JB Anderson Regulated Drain as submitted by David and Martha Stevenson. KD Benson seconded the motion. The Attorney noted although a draft resolution was submitted along with the petition, it was not necessary. The Petition to Encroach on the JB Anderson Regulated Drain as submitted by David and Martha Stevenson was approved with no resolution by the Board.

JN Kirkpatrick Regulated Drain/ Drainage Impact Area Resolution

Ruth Shedd opened the floor to the Surveyor concerning the JN Kirkpatrick Regulated Drain Drainage Impact Area Resolution. The Surveyor reminded the Board the upper end of the JN Kirkpatrick east of Concord Road was previously voted to be a Drainage Impact Area and designated as an Urban Drain, by definition was in need of reconstruction. He then recommended adopting the Drainage Impact Area Resolution drafted by the Board Attorney. The Attorney explained the effect of the resolution would impose additional requirements for developments within the watershed or designated impact area. Those requirements were, first all Stormwater Drainage Control Systems within the JN Kirkpatrick Drainage Impact Area should participate in the JN Kirkpatrick Regional Detention Basin, second each stormwater drainage system within the JN Kirkpatrick Impact Area should provide a positive outlet to the JN Kirkpatrick Legal Drain, third the developer of each stormwater control system within the JN Kirkpatrick Impact Area should petition to establish all internal drainage facilities as regulated drains as a condition of approval and may be required to waive its right to remonstrate against higher rates for reconstruction of those internal improvements, which were regulated drains. The Surveyor noted the boundary ran approximately from Concord Road just south of County Road 450 South, through Avalon Bluffs Development and the Halderman property up to 350 South and over just east of US 52. In response to KD inquiry, the Surveyor noted a watershed map was prepared and would be attached to the resolution as Exhibit A. At that time the watershed was reviewed utilizing GIS. The Surveyor noted the entire watershed east of Concord Road was the Drainage Impact Area. Ruth Shedd asked for comment and there was none. John Knochel made a motion to adopt Resolution Number 2005-05-DB establishing the area within the boundary of Concord Road just south of County Road 450 South, through Avalon Bluffs Development and the Halderman property up to 350 South and over just east of US 52 as the JN Kirkpatrick Drainage Impact Area. Exhibit A would be attached to the resolution as required. KD Benson seconded the motion. Resolution Number 2005-05-DB with Exhibit A which established the JN Kirkpatrick Drainage Impact Area was adopted as presented.

Steve Murray

Bridlewood Subdivision/Letter of Credit #284

US 52 South Industrial Subdivision Phase 2/ Letter of Credit #277

The Surveyor submitted the following Letters of Credit for acceptance by the Board. Letter of Credit #284 with Lafayette Savings Bank submitted by A&K Construction for Bridlewood Subdivision in the amount of \$17280.00 dated April 26, 2005 and Letter of Credit #277 submitted by Superior Structures for US 52 South Industrial Subdivision Phase 2 in the amount of \$3860.00 and dated January 7, 2005. John Knochel made a motion to accept Letter of Credit #284 with Lafayette Savings Bank submitted by A&K Construction for Bridlewood Subdivision in the amount of \$17280.00 dated April 26, 2005 and Letter of Credit #277 submitted by Superior Structures for US 52 South Industrial Subdivision Phase 2 in the amount of \$3860.00 and dated January 7, 2005. KD Benson seconded the motion. The Letters of Credit were accepted as presented by the Surveyor.

Delphine Anson Regulated Drain #4/Reconstruction Report

Lewis Jakes Regulated Drain #40/Reconstruction Report

The Surveyor submitted Reconstruction Reports on the Delphine Anson Regulated Drain #4 as well as the Lewis Jakes Regulated Drain #40 for acceptance. The Board was familiar with both drains as they have been top on the Surveyor's list for maintenance and/or reconstruction. A copy of each report was provided to and reviewed for the Board. The Surveyor utilized GIS during his review indicating areas of planned reconstruction work for both the Anson and the Jakes Regulated Drains. Packets were provided to the Board indicating the planned maintenance as well as reconstruction costs and assessments to the individual landowners of each regulated drain.

Regarding the Anson Regulated Drain Reconstruction Report, the Surveyor stated it was his opinion no damages would be sustained by any landowners as a result of the reconstruction and he had considered all benefits to each parcel of land. It was his opinion, the expense of the proposed reconstruction would be less than the benefits occurred by each landowner and the benefits were not excessive. It was his opinion each acre of land was benefited by the recommended rates per acre and that all tracts or lots were benefited by the per lot rates as recommended and all the tracts or lots were benefited by the minimum rates as recommended. He stated he believed he had addressed all requirements by Indiana Drainage Code for the reconstruction reports. He noted the official record provided all of the rates recommended; reconstruction, periodic maintenance during reconstruction and periodic maintenance after reconstruction. He noted the watershed acreage was checked with the GIS two-foot contours. He also recommended extending the terminus of the drain from the existing outlet including the open ditch section, which was in need of cleaning and clearing. John Knochel made a motion to accept the Delphine Anson Regulated Drain #4 Reconstruction Report as submitted and reviewed for the Board by the Surveyor. KD Benson seconded the motion. The Delphine Anson Regulated Drain #4 Reconstruction Report was accepted as presented. John Knochel then made a motion to schedule August 29th, 2004 at 11:00 a.m. for the Delphine Anson Regulated Drain #4 Reconstruction Landowner Hearing. KD Benson seconded the motion. August 29th, 2004 at 11:00 a.m. was set for the Delphine Anson Regulated Drain #4 Reconstruction Landowner Hearing. A copy of the said Reconstruction Report would be included in the Official Minutes Book with the August 29th official landowner hearing minutes.

Regarding the Lewis Jakes Regulated Drain #40 Reconstruction Report the Surveyor noted most likely the County Highway Department would need to reconstruct the culvert at County Road 750N (while at this time it was not an absolute). He reviewed the proposed rates per acre/lot for the Board. He stated it was his opinion no damages would be sustained by any landowners as a result of the reconstruction and he had considered all benefits to each parcel of land. It was his opinion, the expenses of the proposed reconstruction would be less than the benefits occurred by each landowner and the benefits were not excessive. It was his opinion each acre of land was benefited by the recommended rates per acre and that all tracts or lots were benefited by the per lot rates as recommended and all the tracts or lots were benefited by the minimum rates as recommended. He stated he believed he had addressed all requirements by Indiana Drainage Code for the reconstruction report. He then stated the official record provided all of the rates recommended; reconstruction, periodic maintenance during reconstruction and periodic maintenance after reconstruction. John Knochel made a motion to accept the Lewis Jakes Regulated Drain #40 Reconstruction Report as submitted and reviewed by the Surveyor as well as schedule the landowner hearing of the report and plans on August 29, 2005 at 10:00 a.m. KD Benson seconded the motion. The Lewis Jakes Regulated Drain #40 Reconstruction Report was accepted and the Lewis Jakes Regulated Drain #40 Reconstruction Landowner Hearing was set for August 29, 2005 at 10:00 a.m. A copy of the said Reconstruction Report would be included in the Official Minutes Book with the August 29th official landowner hearing minutes.

Ruth Shedd opened the floor for public comment. Deanna Durrett from the Clinton County League of Women's voters approached the Board and stated she was impressed with its actions today. She was visiting several County Drainage Board Meetings surrounding her County to gain knowledge of a Drainage Board's duties and process. The Surveyor agreed to speak with her immediately following the meeting today and answer any specific questions.

As there was no other business before the Board, John Knochel made a motion to adjourn. KD Benson seconded the motion. The meeting was adjourn.

Ruth Shedd, President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
March 24, 2006
SPECIAL Meeting

Those present were:

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

Classification of Drains (Partial)

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

He reviewed his report with the Board as follows:

1.) Drains in need of Reconstruction

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

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

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

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

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

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

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

1. F-Lake Detention Facility

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

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

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

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

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

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

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

2.) Hearing and rates established in 2005

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board

Minutes

March 5, 2008

Regular Meeting

Those present were:

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

Approval of Minutes

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

Riverwood Subdivision

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

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

Lafayette Medical Park PD

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

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

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

Alexander Ross Regulated Drain /Petition to Encroach

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

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

Champion Centre PD

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

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

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

Legal Service Contract

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

Berlowitz Regional Detention Facility/ Design Contract Addendum

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

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

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

JB Anderson Regulated Drain/ Town of Clarks Hill

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

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

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

F-Lake Detention Facility

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

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

Maintenance Bonds

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

Capilano Estates/Michael Preyss

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

Drainage Issue/Susan Spaulding

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

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

Public Comments

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



KD Benson, President



John Knochel, Vice President



Brenda Garrison, Secretary



Ruth Shedd, Member

Tippecanoe County Drainage Board
August 1, 2012
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

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

Calvin Lesley #48 Regulated Drain/Tile Project Bid Opening

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

Petitions

Waples McDill #85 Petition for Reconstruction

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

Bonds

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

Other Business

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

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

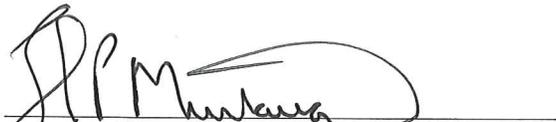
The Surveyor presented a contract submitted by Christopher B. Burke Engr. regarding the J.B. Anderson #08 Regulated Drain Preliminary Engineering and Grant Assistance Professional Svc. in the amount of \$53,500.00 to the Board. He recommended approval of said contract. Tom Murtaugh made a motion to grant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

Public Comment

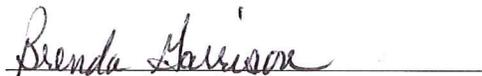
As there was no public comment, Tom Murtaugh made a motion to adjourn. The meeting was adjourned.



David S. Byers, President



Thomas P. Murtaugh, Vice President



Brenda Garrison, Secretary



John Knochel, Member

Tippecanoe County Drainage Board
January 06, 2016
Regular Meeting Minutes

Those present were:

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

Election of Officers

Attorney Doug Masson opened the floor to accept nominations for the 2016 Drainage Board President. David S. Byers made a motion to elect Tracy Brown as the 2016 Drainage Board President. Thomas P. Murtaugh seconded the motion. Motion carried. David S. Byers made a motion to elect Thomas P. Murtaugh as Vice President. Tracy Brown seconded the motion. Motion carried.

Appointment of Secretary

David S. Byers made a motion to appoint Brenda Garrison as the 2016 Drainage Board Secretary. Thomas P. Murtaugh seconded the motion. Motion carried.

2016 Legal Services Contract

Thomas P. Murtaugh made a motion to approve the 2016 Hoffman Luhman and Masson PC Legal Services Contract as presented. David S. Byers seconded the motion. Motion carried.

Approval of Minutes

David S. Byers made a motion to approve the December 9, 2015 Drainage Board Regular minutes as well as the December 9, 2015 Drainage Board Lydia Hopper #124 Regulated Drain Hearing. Thomas P. Murtaugh seconded the motion. Motion carried.

Kirkpatrick One #96 Regulated Drain Maintenance Contract Bid Opening

The Attorney stated the following regarding Maintenance Contract of the Kirkpatrick One #96 Regulated Drain. One bid was received by Tony Garriott in the amount of \$9,581.00. Thomas P. Murtaugh made a motion to take the bid under advisement and award at the end of meeting if all documents were in order. James Butcher, Surveyor's office Project Manager was to review the contract documents for approval by the Board. David S. Byers seconded the motion. Motion carried.

Samuel (S.W.) Elliott Regulated Drain #100-Branch #12 Maintenance Contract Bid opening

The Attorney reiterated the regulated drain was named Samuel W. Elliott not Southwest Elliott- as the drain has been referred to from time to time in the past. He stated the following contract bids were received for a maintenance contract of the S.W. Elliott #100 Branch #12; Milestone Contractors submitted a bid in the amount of \$18,895.00- Tony Garriott submitted a bid in the amount of \$3,835.00. Thomas P. Murtaugh made a motion to take the bids under advisement and award the maintenance contracts if all documents were in order at the end of meeting. James Butcher, Surveyor's office Project Manager was to review the contract documents for approval by the Board. David S. Byers seconded the motion. Motion carried.

Zach Beasley

S.W. Elliott Regulated Drain #100 Petition to Encroach

The Surveyor presented a Petition to Encroach and a Maintenance Agreement on the Wilson Branch (aka Treece Meadows) of the S.W. Elliott Regulated Drain #100 submitted to his office by Del Real Auto Sales owner Tony Del Real. Responding to Mr. Murtaugh's inquiry, the Surveyor stated he worked with Mr. Del Real on the petition. The area in question was the east bank of said ditch on the north side of State Road 38. The dealership put up multiple lights to curve vandalism. Due to a snafu in the process of construction, the poles were placed along the bank of the ditch prior to approval by the Surveyor office. It was agreed they would care and mow the ditch bank at their location. The Surveyor stated while it is closer than he liked to see, he felt it would not be a problem. This was similar to the Bob Rorhman site south of the Wilson Ditch. Twenty (20) feet has been the precedence set historically by the Board. The poles currently sit approximately 7 feet from top of bank. He requested approval of the Petition as presented. Thomas P. Murtaugh made a motion to approve the Petition to Encroach and Maintenance Agreement submitted by Tony Del Real for the Wilson Branch of the S.W. Elliott Regulated Drain #100.

David S. Byers seconded the motion. Motion carried. Responding to Tracy Brown, the Surveyor noted there were numerous areas along the S.W. Elliott Regulated Drain which the business owners mow the ditch bank in their location.

Drain Reconstruction projects

Waples-McDill and J.B. Anderson Regulated Drains

The Surveyor reviewed Indiana Drainage Code requirements for Reconstruction Assessment collections to the Board. He noted the ten (10) percent interest penalty assessed to the landowner (if their total assessment for reconstruction was not paid within the first twelve (12) months of receipt of mailing) was a hindrance to getting a reconstruction cost approved by the landowners. The cost of the project was not necessarily the issue; the ten (10) percent penalty if not paid in first twelve (12) months was the issue for the landowners. He stated other counties were looking at several funding sources for drain reconstructions to avoid a reconstruction payment penalty. After several requests from landowners, he met with Attorney Masson and discussed county funding sources which could possibly be used for drain reconstructions. The sources discussed but not limited to: EDIT, Rainey Day and possibly borrowing funds from a local bank.

He stated he would like direction given to him regarding pursuit of funding today if at all possible. He had a reconstruction planned for the Waples McDill Drain (Hearing to be set for April 2016 - landowners voted to proceed in an unofficial meeting Feb. 2016) with a \$475 per acre assessment for a total of approximately \$700,000.00. The Waples McDill Reconstruction would be the most expensive to date since he took office. He noted the benefited landowners expressed their desire to reconstruct the drain in such a way that many future generations benefit from good drainage as well. They did say however they preferred to funding from a different source than the General Drain Improvement Fund (GDIF). Even if that meant borrowing from a bank and pay the bank back at a lesser interest rate. They implored the Surveyor to investigate additional ways of funding these projects. He stated he would like to offer a different funding source if at all possible for the reconstruction.

He noted the future J.B. Anderson Reconstruction project was not as urgent. He reiterated until a way of financing is found without interest penalty; the benefited landowners would not approve the project. He stated until he has an answer for another source of funding he would not be meeting with the landowners benefited as it would not be favorable.

Responding to Thomas P. Murtaugh's inquiry, the Surveyor noted there was no current legislation to lower the rate in the future. Just last year the Bartholomew County Drainage Board and their County Surveyor (25 years plus in office) drafted legislation eliminating the ten (10) percent interest penalty within the Drainage Code reconstruction process. It did not see the light of day. Responding to Thomas P. Murtaugh's inquiry, the Surveyor stated due to smaller or rural county's lack of financing of the General Drain Improvement- use of these monies by depositing them in their General Drain Improvement Fund accounts discouraged any change in the CODE at this time. He referred to Attorney Masson for further discussion. Attorney Masson reviewed the financial reconstruction payments process-payable in one year or spread over five (5) years with interest penalty. The Code also provides an alternative for a construction loan from a bank. This alternative keeps the five (5) year repayment schedule, however the County may choose to absorb the interest charges of the bank loan thereby saving the landowner's interest fees. Regarding repayment over five (5) years, there is a section in the Code which discusses the use of bonds – along with all the government bureaucracy to go with it (expensive option). He noted with the General Drain Improvement fund the Code allows gifts and grants from sources to the fund to assist with fees regarding drain maintenances and reconstructions. Council appropriating the funds from EDIT to the General Drain Improvement funds would be considered in this category. Another option would be to use Economic Development funds. Using EDIT funds would still require going through the legal reconstruction process and could include or exclude interest rates. Landowners would sign agreements set by the County Drainage Board regarding a repayment schedule of five (5) to ten (10) years. Those assessment monies would reimburse the EIDT fund from which the reconstruction was paid. The agreement could be written to account for the risk of interest rates changing over a ten (10) year period. The agreement would be offered to all benefited landowners on each specific project. He stated setting a policy on what cases would qualify and required steps to take when utilizing EDIT or Build Tippecanoe Funds should be established by the Board prior to utilizing a funding source other than the Drain funds. Discussion was then held on what the baseline requirements could be for use of funds other than Drain Funds. Another option would be to setup a revolving fund just for the large reconstruction projects that are upcoming in the near future. Responding to David S. Byers, the Surveyor noted the agricultural tiles currently in the ground have lasted twice their life expectancy; therefore this is a real issue at hand. He reminded the Board the GDIF was not exclusive for reconstructions. This fund also pays for maintenance on multiple county maintained regulated drains. When a drain's maintenance fund does not have enough money to pay for the maintenance, it would be paid from the GDIF and repaid as assessments are collected for that drain. So this fund does not only exist for reconstructions, it is also there to back up the maintenance funds for each drain. The amount of reconstruction costs are increasing due to size of pipes, size of watersheds and inflation. Responding to Mr. David S. Byer's inquiry, the Surveyor stated on an average year, the GDIF has a total of \$400-\$600,000 in expenditures and \$300-\$400,000 receipts. He noted the Urban Regulated Drain projects he planned on

using the Build Tippecanoe Funds for reconstructions. Historically for Economic Development purposes, we have used EDIT monies for these types of drains. The Attorney reiterated the process, an estimate is completed by the Surveyor which may or may not be the final cost. Each landowner is assessed a certain percentage depending on amount of benefited acreage indicating their portion to pay. Once assessments for a regulated drain reconstruction have been certified by the Auditor, the percentage and per acre/lot/minimum amount indicated on the certification is billed to the taxpayer. President Tracy Brown suggested the Surveyor contact his surveyors across the state to inquire if a policy has been set by their county similar to the needs at this time.

The Surveyor requested to form a subcommittee from the Board including himself, the Attorney and a Board representative to meet before the February Drainage Board meeting to discuss the issue, form verbiage for adoption of an ordinance and/or resolution for Reconstructions Funding Options. Thomas P. Murtaugh made a motion to nominate President Tracy Brown to serve on the subcommittee along with the Attorney and the Surveyor. David S. Byers seconded the motion. Motion carried.

Storage Fees Detention Basins

Regarding Drain Storage Basins, it was never the County's intention that the entire amount spent would be reimbursed. The required storage fees (\$15,000.00 per cubic foot) for developments are intended for future maintenance of that basin. On these particular reconstructions the monies come directly from EDIT or Build Tippecanoe Funds. Responding to Tracy Brown's inquiry, the Attorney stated the form of repayment would be stated within the Findings and Order of the Board.

Joint Board Request /Montgomery County

The Surveyor presented a letter received from the Montgomery County Drainage Board regarding the George Barnett/William Grimes Joint Legal Drains. The letter requested Tippecanoe County Drainage Board appoint two members to serve on a future Joint Drainage Board landowner hearing regarding the aforementioned drains. Responding to inquiry, the Surveyor noted, the letter did not state a date or time for the hearing. Thomas P. Murtaugh made a motion to grant the President authority to appoint two members from the Board once the date and time was confirmed. David Byers seconded the motion. Motion carried.

Waples McDill Regulated Drain Reconstruction Hearing

The Surveyor requested an April 2016 Drainage Board Reconstruction Hearing on the Waples McDill #85 Regulated Drain. Thomas P. Murtaugh made a motion to set the Waples McDill #85 Regulated Drain Reconstruction Hearing on April 6, 2016 to immediately follow the Regular Drainage Board meeting scheduled that day. David Byers seconded the motion. Motion carried.

Contract(s) Award

Kirkpatrick One #96 Regulated Drain Maintenance Contract Bid Opening

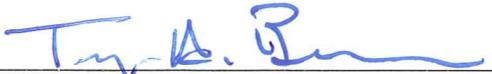
Thomas P. Murtaugh made a motion to award the maintenance contract regarding Kirkpatrick One #96 regulated drain maintenance to Tony Garriott in the amount of \$9,581.00. David Byers seconded the motion. Motion carried.

S.W. Elliott Regulated Drain #100-Branch #12 Maintenance Contract Bid

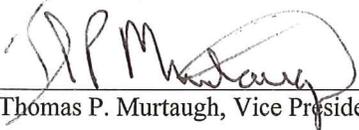
Thomas P. Murtaugh made a motion to award the maintenance contract for the S.W. Elliott Drain #100-Branch #12 regulated drain maintenance to Tony Garriott in the amount of \$3,835.00. David Byers seconded the motion. Motion carried.

Public Comment

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



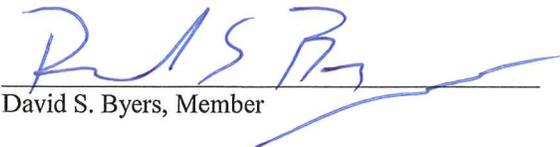
Tracy Brown, President



Thomas P. Murtaugh, Vice President



Brenda Garrison, Secretary



David S. Byers, Member

Tippecanoe County Drainage Board
February 1, 2017
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

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

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

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

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

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

Drainage Board 2017 Professional Engineering Assistance Contract

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

Lafayette YMCA

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

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

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

Belle Tire (Lot 4A 26 Crossing Subdivision)

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

USGS Geological Stream Gages WREC Contract Support

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

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

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

2017 Classification Report/2017 Drain Assessment Activity Report

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

Zach Beasley/Other Business

Appointment of Drainage Board member to Tri-County Board

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

Outstanding Reconstruction Assessments

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

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

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

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

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

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

Classification of Drains

Per IC 36-9-27-34

February 2017

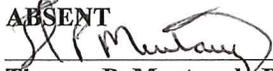
- 1.) Drains in need of Reconstruction
 - a. Elliott, S.W. (#100)
 - b. J.B. Anderson (#02) (Clarks Hill Portion)
 - c. Edwards (Not Maintained)
 - d. McBeth (Not Maintained)
 - e. F.E. Morin (#57)
 - f. Marion Dunkin (#25)
 - g. Huffman-Weimert (Not Maintained)
- 2.) Hearing and Rates Established in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

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

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

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

ABSENT



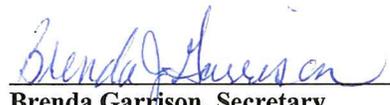
Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary

Tippecanoe County Drainage Board

May 3, 2017

Regular Meeting Minutes

Those present were:

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

Approval of April 5, 2017 Regular Meeting Minutes

David Byers made a motion to approve the April 5, 2017 Regular Drainage Board Meeting minutes as written. Tracy Brown seconded the motion. Motion carried.

Zach Beasley/Other Business

Petition for Removal of Obstruction: S.W. Ventures Group LLC/Scott Jones

Surveyor Zach Beasley stated a Petition for Removal of Obstruction was filed in his office on April 21, 2017 by SW Ventures Group LLC (Scott Jones). He informed the Board a rear yard swale had been obstructed by filling it in with dirt in the Mason Ridge Subdivision on the south side of the City of Lafayette. The Surveyor reviewed the area in question within Mason Ridge Subdivision. Generally, a rear yard swale servicing lots numbered 36 through 39 was the issue. The Surveyor noted the swale could serve as the emergency routing for additional lots and area as well. Mr. Scott Jones (S.W. Ventures Group LLC.) approached the Board. He stated the following: The rear yard swale was filled in approximately five years ago by the owner of Lot #36 located at 1710 Sandstone Court East Lafayette Indiana. The action caused flooding to occur mostly on lot #37- 1718 Sandstone Court East Lafayette owned by SW Ventures Group LLC/Scott Jones. Members of the H.O.A. (Home Owners Association) talked with the landowner of lot #36 five years ago and he removed the dirt from the swale at that time. However, he the owner did not have a contractor do the work and removed the dirt himself. The removal of the dirt was not done correctly and flooding problems persisted. Mr. Jones stated he was not the owner at that time and had moved into this location after that occurred. Last summer (2016) Mr. Scott Jones received a letter from the HOA about high weeds and standing water on his lot (#37) which led him to find out about the swale obstruction five years prior to his moving in. He stated while the flooding occurs mainly on his lot, during a hard rainfall flooding will also occur on Lots #38 and #39. He stated discussions with the H.O.A. have been ongoing for 6-10 months trying to figure out a way to fix the problem. He informed the Board that a couple years ago the homeowner placed tiles within the swale however it did not work and the problem still persisted. He stated he did not cause the problem and the neighbor who caused the problem should be the one responsible financially to fix the problem. Ongoing discussions with the H.O.A. to try and reach an agreement had not been settled to date. He added the H.O.A. has known about this issue for five years and had not resolved the problem. The H.O.A. has now proposed a cost share solution which he would be responsible for the majority of it. They were well aware of it prior to his moving to that location. He did not think it was fair that he would have to bear the majority of the cost since he "just walked into this situation and did not cause it." He stated he was experiencing the most damage from the obstruction therefore he should not have to bear the majority of the cost. He asked the Board for assistance with this problem. Responding to Attorney Masson's inquiry, Mr. Scott stated there was a meeting held with all those involved including lot#36; landowner Mr. William Wolford. Mr. Wolford did not agree to work with Mr. Scott regarding the alleged obstruction. Tracy Brown made a motion to refer the Obstruction Petition back to the Surveyor to conduct an investigation and prepare a report to the Board. David Byers seconded the motion. Motion carried. David Byers made a motion the Surveyor present the Obstruction Report to the Board during the June 7, 2017 Drainage Board Meeting. Tracy Brown seconded the motion.

Molter/Standiford Private Drainage Issue

The Surveyor stated there was a private drainage issue on agricultural ground between Mike Molter and Gary Standiford that which had been going on for approximately two years. The issue involved a private drainage ditch. The Surveyor stated he, as well as some of the Board members had met privately with both of them on several occasions. The issue escalated a week ago. The Surveyor recently asked the Board Attorney if it would be prudent to issue a letter on behalf of the Drainage Board (if the Board would so request) which outlined the County Drainage Board and County Surveyor's duties per the Indiana Drainage Code. This will give the parties an official document so they know what the lack of authority is the Board and Surveyor have in this particular situation. He then requested the Drainage Board to direct Attorney Masson to issue a letter to the landowners. David Byers made a motion to direct Attorney Masson to issue a letter outlining the duties and lack of authority of the Drainage Board and Surveyor to Mr. Mike Molter and Mr. Gary Standiford as recommended by the Surveyor. Tracy Brown seconded the motion. Motion carried.

J.B. Anderson Reconstruction

The Surveyor stated he had two informal meetings with the landowners- one in Nov.2015 and one in Dec.2016. Based off the landowner's request, the Surveyor proposed a ten year project for both maintenance and reconstruction of the J.B. Anderson regulated drain. Approximately a month ago, the Surveyor heard back from the 35 large landowners within the watershed. Over 50% of the benefitted acreage of the large landowners was in favor of the proposed ten year project. He stated he has spoken with the attorney about this project. He recommended the Board officially authorize him to proceed with the reconstruction project as planned. He added due to the size of the project it would take 18-24 months to conduct the field research, design and report prior to holding a public hearing. Due to the time frame involved, many landowners would like to be informed periodically of the status of the project; therefore he would like to send them project status updates quarterly until the hearing is set. Tracy Brown made a motion to direct the Surveyor to proceed with the J.B. Anderson Reconstruction project as requested. David Byers seconded the motion. Motion carried.

Fred Haffner #34 Regulated Drain Hearing Request

The Surveyor requested the Drainage Board set a public hearing for the Fred Haffner Regulated Drain #34 to decrease the annual maintenance rate. A maintenance rate was set a few years ago and since that time subdivisions have been developed in the watershed which in turn vacated a large number of feet of tile infrastructure. Since the infrastructure had decreased a hearing is in order to decrease the assessment. He requested July 12, 2017 immediately after the regular scheduled meeting the public hearing be held. David Byers made a motion to set a public maintenance hearing on the Fred Haffner #34 Regulated Drain for July 12, 2017 immediately after the regular meeting scheduled. Tracy Brown seconded the motion. Motion carried.

Berlowitz Upper End Stormwater Conveyance Expansion Project

The Surveyor gave an update regarding the Upper Berlowitz Regulated Drain expansion project and the pending landowner agreement with Franciscan Health. In the last Board meeting the Franciscan Health representatives stated thirty days would be enough to come to a decision. The thirty days have passed and the Surveyor had not heard back from them. He stated he called their attorney representatives and they had no new news for the Board. He asked the Board whether to proceed with the project or not. He noted the plans and contract documents would be available for pickup by contractors on May 10th, 2017 from his office if they so desired to proceed. David Byers made a motion for the Surveyor to proceed with the Upper Berlowitz Stormwater Conveyance Expansion project as planned. Tracy Brown seconded the motion. Motion carried. President Murtaugh made motion to set June 14th at 9am to open submitted bids for the aforementioned project.

Public Comment

Ron Kerber approached the Board. Mr. Kerber stated this regulated drain hearing process makes him very nervous. He stated if 51% of landowners agree to something that he did not feel added value to him, the Board could assess him for something that he did not feel he wanted or was not necessarily a priority to him. He requested the Board do two things: 1. Consider projects that minimize the total impact at one time to certainly less than something like the annual income per acre. 2. Look at the economic value of what is being done as once the Board's project is complete-most farms need pattern drainage after- which costs approximately \$800-\$1000 more and asked the Board to look at the economic impact the Board is causing relating to agricultural land. He stated he cannot attend the F.E. Morin regulated drain hearing set for July 12th. He asked the Board look at adding into the reconstruction plans the branch under the road so that he could tap into it to service his low end of property. The Surveyor stated that Les Christenson, landowner to the south of Mr. Kerber was thinking of constructing a pond at that location which could affect the noted branch and its future location. The Surveyor stated he would review the request and plans and possible costs. If it can be added and stay within the contingencies of the project, then it may not be a problem to add the said branch to the plans. Mr. Kerber thanked the Board for their time and stated he would be very pleased if the branch could be added to be included with the maintenance of the drain.

As there was no other 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
July 12, 2017
Regular Meeting Minutes

Those present were:

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

Approval June 7, 2017 Regular Meeting Minutes

Approval June 7, 2017 Grant Cole #19 Regulated Drain Hearing Minutes

Approval June 7, 2017 F.E. Morin #57 Regulated Drain Hearing Minutes

Approval June 7, 2017 Moses Baker #114 Regulated Drain Hearing Minutes

Approval June 14, 2017 Upper J. Berlowitz Stormwater Conveyance Bid Award Hearing Minutes

David Byers made a motion to approve the June 7, 2017 Regular meeting and the additional Regulated Drain Hearing minutes as written. David Byers commended Brenda Garrison regarding the efficiency in the completion of the numerous meeting minutes along with other duties. Tracy Brown seconded the motion. Motion granted.

F.E. Morin#57 Regulated Drain/ Reconstruction Bid Opening

President Murtaugh referred to Attorney Masson for the presentation of the F.E. Morin Regulated Drain reconstruction bids submitted for consideration. Attorney Masson read the bids submitted as follows: M.G. Underground Brazil Indiana-\$497,265.00, Maxwell Farm Drainage Inc. Crawfordsville Indiana-\$229,980.00, Timewell Tile/A.D.I. Timewell Illinois-\$238,600.00, Huey Excavating Sandborn Indiana-\$205,899.00. David Byers made a motion to take the bids under advisement during which time a review would be performed by the Surveyor's Project Manager. Once the review of the contract figures and documents was complete, award the bid prior to the close of today's meeting. Tracy Brown seconded the motion. Motion granted.

Mason's Ridge Subdivision Obstruction Petition/H.O.A. Agreement

The Surveyor reminded the Board a Petition to Remove an Obstruction was submitted by Scott Jones to his office. During the June 7, 2017 Board meeting the obstruction was discussed in detail. The Board tabled the obstruction hearing and directed all individuals involved to come to an agreement on removing the obstruction in Masons Ridge Subdivision at that time. Mason's Ridge Subdivision Homeowners Association President Steve Cook approached the Board to present an update. He stated an agreement had been reached between the affected lot owners and H.O.A. regarding removal of the obstruction. He noted the obstruction would be removed by August 31st or sooner. He thanked the Board. Responding to Mr. Murtaugh's inquiry, Atty. Masson stated the Petition to Remove Obstruction was officially on the table, however there was no other action required.

Zach Beasley/Other Business

Cox/Vanderkleed Regulated Drain

The Surveyor requested the Board to schedule a landowner hearing for the Cox/Vanderkleed Regulated Drain reconstruction on September 11, 2017 directly following the regular meeting. David Byers motioned to hold a landowner Reconstruction Hearing on the Cox/Vanderkleed reconstruction on Sept. 11th 2017 to directly follow the regular meeting at 10 a.m. Tracy Brown seconded the motion. Motion carried.

Upper Berlowitz Stormwater Conveyance Project (Pilot Channel)

The Surveyor informed the Board a pre-construction meeting was held for the Berlowitz Interim Stormwater Conveyance project on August 1, 2017 with Atlas Excavating Inc. Weather permitting; the project should be started in 2-3 weeks as the Surveyor office was to provide digital line work due to the changes made by St. Franciscan Alliance Hospital. Reiterating

the Surveyor's comments, Attorney Masson stated he was preparing a M.O.U. between the County and St. Franciscan Alliance Health. This will allow the construction to begin prior to the formal documents being ironed out.

**Multiple Projects Update
Huffman Weimert Drain**

The Surveyor informed the Board the Huffman Weimert Drain was scheduled for a hearing on August 2, 2017. He met two contractors on site who would present quotes for the job. He expected it to be taken care of in the near future if all goes well at the hearing.

JB Anderson Drain

The Surveyor informed the Board Dave Stevenson -largest benefited acre landowner within the JB Anderson Regulated Drain watershed (approximately 300 acres) - has withdrawn his support for overall reconstruction of said drain. He reminded the Board two informal landowner meetings were held regarding reconstruction of the overall drain. With Mr. Stevenson's withdrawal of support, the percentage of landowners in favor of an overall reconstruction dropped below 50%. Therefore the full reconstruction was off. However, Mr. Stevenson stated he was in support of a maintenance rate increase of \$30.00 per acre. This increase would allow monies to be collected for maintenance work on the open portion (approx. 3-4 miles) of the drain. The Surveyor stated he hoped to set a date and time for a Maintenance Increase Hearing to set the rate as stated on the J.B. Anderson Regulated Drain before the end of the year or first part of next year.

John McLaughlin Regulated Joint Drain (with Montgomery County) Watershed Study

David Eichelberger Christopher Burke Engineering stated his firm had started on the hydrology portion of the John McLaughlin Regulated Drain Watershed Study. He noted the study was on course and would present an update at the next joint meeting.

F.E. Morin Regulated Drain Bid Award

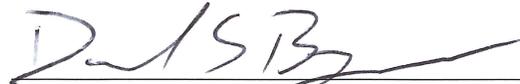
James Butcher, Project Manager stated all the bids were in order as read aloud earlier in the meeting. David Byers made a motion to accept the bid for the F. E. Morin Regulated Drain Reconstruction from Huey Excavating of Sandborn Indiana in the amount of \$205,899.00. Tracy Brown seconded the motion. Motion carried. Bart Maxwell of Maxwell Farm Drainage approached the Board and stated he thought the pipe that was used in the low bid was polypropylene and the contract's bid specifications called for 100% virgin polyethylene. He stated the polypropylene pipe was quite different and it would be prudent for the Board to review the materials closely to be used by the contractor. Responding from the Attorney's recommendation, David Byers motioned to accept the lowest bidder -Huey Excavating – contingent on compliance with contract bid specifications - in the event they do not; authorize the Surveyor to enter into contract with the second lowest bidder compliant to all contract specifications. Tracy Brown seconded the motion. The Attorney stated the supplemental motion on the floor overrides the previous motion.

Public Comment

As there was no other 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

August 2, 2017

Regular Meeting Minutes

Those present were:

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

Approval of Minutes

Tracy Brown made a motion to approve the July 12, 2017 Regular Drainage Board Meeting Minutes. Thomas Murtaugh seconded the motion. Motion carried.

Barefoot Boy Restaurant and Commercial Building

Kyle Betz of Fisher and Associates appeared before the Board to request approval for the Barefoot Boy Restaurant and Commercial Building project. The site was located west of Morehouse Road on U.S. 52 (Sagamore Parkway) and consisted of approximately 1.93 acres and located within the established Indian Creek Drainage Impact Area. Mr. Betz stated the location within the impact area was taken into consideration during the design of the detention system. He noted underground detention on the south end would handle both the site's detention and water quality treatment. A small rain garden would be located on the east end of the site as well. Responding to Thomas Murtaugh's inquiry, Mr. Betz confirmed underground detention would be located directly under the main parking lot. Mr. Betz requested approval at that time. The Surveyor noted the project's design met the more stringent discharge restriction rates required within the Indian Creek watershed Impact Area. The Surveyor recommended approval with conditions as stated on the July 26, 2017 Burke memo. Tracy Brown made a motion to approve Barefoot Boy Restaurant and Commercial Building with the conditions as stated on the July 26, 2017 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Stonehenge Planned Development/ Phase 3A and 3B

Andy Mix of Vester and Associates appeared before the Board to request approval for the Stonehenge Phase 3A and 3B project. The overall project site was located on the southeast corner of C.R. 450 North and C.R. 375 West and consisted of approximately 134 acres. The masterplan for the planned development was approved by the Drainage Board on January 8, 1997. He noted phases 3A and 3B were part of the Planned Development. Phase 3A would consist of 3.3 acres and Phase 3B would consist of 1.4 acres of the overall site. Mr. Mix noted the Master Plan included the drainage infrastructure for Phase 3A and 3B. The phases runoff would be controlled through swales and drainage infrastructure previously designed for the site. He asked for approval from the Board. The Surveyor reiterated the drainage infrastructure previously approved by the Board on April of 2017 included Phases 3A and 3B as well. He recommended approval with the conditions as stated in the July 26, 2017 Burke Review memo. Tracy Brown made a motion to approve Stonehenge Phase 3A and Phase 3B of the Planned Development with conditions as stated on the July 26, 2017 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

ZACH BEASLEY

OTHER BUSINESS:

WOW (Wonders on the Wabash) Program

The Surveyor informed the Board Water Quality Educator Monica Christopher representing the TCPWQ (Tippecanoe County Partnership for Water Quality) has sought a few grant and donation monies to assist in the implementation of the Wonders of the Wabash (WOW) - Wabash River Annual Rafting program. The TCPWQ, as a MS4 entity (Multiple Separate Storm Sewer Systems), is required to provide public education under the IDEM MS4 Permit. The WOW program is a three day event with elementary school age children that teaches them about the Wabash River habitat environment and water quality etc. This program has grown since it was first started and monies were sought to offset the cost for the program.

Lafayette Security Federal Bank donated \$300.00 for the program. Representatives: Lindsey Fagner (Marketing Dir.) and Steve Bultinck (Commercial Lender) were in attendance today to present the check. He referred to Lindsey Fagner. Lindsey Fagner stated on behalf of Security Federal Savings Bank it was their pleasure to present a check for \$300.00 to the TCPWQ for the WOW program. She stated one of Lafayette Security Federal's core values is safety. The WOW program teaches children safety of and safety in the environment. She thanked the Board for the opportunity to assist with the program. The Surveyor and Board members thanked them for their donation.

BONDS:

The Surveyor presented Bond # 106703621 in the amount of \$150,000 written by Travelers Casualty and Surety Ins. dated July 10, 2017 submitted by Forcum Lannon Contractors regarding the Monnig Industries project for approval by the Board. Tracy Brown made a motion to approve Maintenance Bond #106703621 submitted by Forcum Lannon Contractors regarding Monnig Industries project. Thomas Murtaugh seconded the motion. Motion carried.

PETITIONS:

The Surveyor presented a Petition to Encroach on the Romney Stock Farm Regulated Drain #109. He noted the petition was for the new Romney Sewer District as the new plant proposed would be crossing the regulated drain. He had reviewed the petition as presented and recommended approval by the Board. Tracy Brown made a motion to approve the Petition to Encroach as submitted by the Romney Sewer District regarding the Romney Stock Farm Regulated Drain #109. Thomas Murtaugh seconded the motion. Motion carried.

REGULATED DRAIN HEARINGS REQUEST

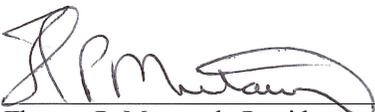
The Surveyor requested the following dates and times to be scheduled by the Board for the following regulated drain landowner hearings. Nov. 1, 2017 a Maintenance Increase Hearing on the J.B. Anderson Regulated drain, Dec. 6, 2017 Maintenance Increase Hearings for the Dismal Creek AND the J. Berlowitz Regulated Drains. Tracy Brown made a motion to schedule the Maintenance Increase Hearings as requested by the Surveyor for the JB Anderson, Dismal Creek, and Berlowitz Regulated Drains. Thomas Murtaugh seconded the motion. Motion carried.

PROJECT UPDATE:

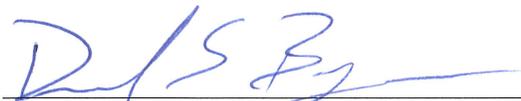
The Surveyor informed the Board the F.E. Morin Regulated Drain #57 Reconstruction project was going well. The contractor was clearing the open portion and had started on the tile replacement.

Public Comment

As there was no other comment, Tracy Brown made a motion to adjourn. The meeting was adjourned.



Thomas P. Murtaugh, President



David S. Byers, Vice President



Brenda Garrison, Secretary



Tracy Brown, Member

TIPPECANOE COUNTY DRAINAGE BOARD

November 1, 2017

Drainage Board

J.B. Anderson #02 Regulated Drain

Maintenance Hearing 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 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.

President Thomas Murtaugh opened the hearing and referred to the Surveyor to present his Maintenance Report on the J.B. Anderson #02 Regulated Drain.

The Surveyor stated the following: Maintenance Report on the J.B. Anderson #02 Regulated Drain Tippecanoe County Drainage Board September 19, 2017 The Jesse B. Anderson Regulated Drain #02 was originally established in in 1949 in Superior Court Case #1683, before this date it was known as the Shafer-Smith-Clark Ditch. The drain and its watershed are located in Sections 10, 13, 14, 15, 22, 23, 24, 25, 26 and 27 of Township 21 North and Range 3 West in the political township of Lauramie, Tippecanoe County Indiana. The J.B. Anderson drain maintenance fund was established by the Tippecanoe County Drainage Board on August 3, 1977 at \$1.00 per acre. There are approximately 12,337 lineal feet of open ditch which begins immediately North of SR.28 and outlets into Lauramie Creek Immediately West of the town of Monroe. There are approximately 11,715 lineal feet of main tile and 88,520 lineal feet of branch tile all to be maintained by this maintenance fund. Tile sizes range from 6" to 30" in diameter and the watershed contains 2808.67 acres.

It is the professional judgement of the Tippecanoe County Surveyor that a sum of \$656,439.55 is needed to perform the necessary maintenance work on the open ditch to bring it into good working condition. An assessment of \$30.00 per acre and a \$5.00 minimum over an eight (8) year period is recommended. This will generate \$675,196.88 over an eight (8) year period. After the eight (8) year collection, the maintenance rate should be lowered to \$10.50 per acre and a \$5.00 minimum. After much discussion and two informal meetings with landowners it is the professional opinion of the Tippecanoe County Surveyor this rate increase will allow for the much-needed current clearing, dredging and bank stabilization on the open ditch and to ensure that monies will be generated for future maintenance on the open ditch system. It should be noted that these funds are only intended to be used on the open ditch and that a future reconstruction hearing and project should be conducted for the much-needed tile replacement project. Respectfully submitted, Zach Beasley. He referred to the Board for any questions.

Responding to David Byers inquiry, the Surveyor noted the maintenance fund collection would be used on the open ditch only with one exception; as part of this maintenance project a dual line would be constructed from the headwall and routed underneath SR.28 to the open ditch. This would take pressure off the main tile while providing an outlet for the sub basin. Both the sub and main basins would have separate tiles under SR.28 and routed north to outlet into the open ditch. This hearing regarded maintenance for the open ditch from the headwall to Lauramie Creek and the construction of a dual line under SR.28 to relieve the pressure off the existing main. However, he reiterated constructing the dual tiles under SR.28 routing north to the open ditch would be the only tile work included with this phase of the project. The erosion issues of the ditch channel would be straightened out not the ditch itself. The ditch's current route would be followed, and the channel only straightened out. President Murtaugh opened the floor for public comment.

Mike Molter 4001 East CR. 900 South Lafayette Indiana 47909 approached the Board. Mr. Molter stated he was not opposed to the project. Discussion regarding the proposed maintenance assessment was held. The Surveyor noted the amounts proposed to the landowners during the informal meetings (Nov. 2015 & Dec. 2016) held were not applicable as the amounts proposed warranted a full reconstruction of the drain including both the open ditch and various tile replacement. The hearing today was being held the maintenance of the open ditch and the dual tile replacement under SR. 28 only. Responding to Mr. Molter's inquiry, the Surveyor stated the project could be started as early as the winter of 2018, depending on the amount collected at that time as he stated he did not want to put the drain fund in the arrears to start with. He noted he liked to have the assessments collected for an entire year prior to starting the project. Objection letters received represented approximately 668 acres. Those opposed out of the 2808 acres benefitted represented approximately 23% of the overall benefitted acreage. A full reconstruction was taken off the table due to the lack of support at the beginning of this year. Mr. Molter asked if he hired a contractor to start clearing the open ditch on his property would the county reimburse the cost to him, or could he receive

credit toward his maintenance assessment due. He stated he wanted to be proactive, the trees grow larger as time passes which would cause the cost to increase. The Surveyor briefed the Board on Mike's request. He informed the Board that he had previously told Mike to his knowledge reimbursement or credit to assessment had never been done historically or since he took office. He stated there have been instances in which a project's maintenance was performed at different locations due to circumstance. However, reimbursement for work performed in this situation was not an option, nor was crediting maintenance assessments. It was noted for the Board, Mr. Molter's tracts were identified by the letters JV and JW (immediately north of SR.28) on the JB Anderson Drain Watershed Map.

Tom Osborn 8536 E 1000 South Clarks Hill Indiana 47930 approached the Board. Mr. Osborn stated the problems have been going on for many years. The town of Clarks Hill has a history of drainage issues. He noted he has better drainage than most in the watershed but stated it was time to address these ongoing problems. He stated he felt there would be great benefit to separate the branches of the tile as proposed with the dual lines under SR.28. He noted he felt down the road everyone in the watershed would be happy with the changes. He stated he supported the plan. Responding to Mr. Byers inquiry, Mr. Osborn stated the tile system is not good at all. He agreed with Mr. Byers that eliminating some of the pressure on the tiles will greatly increase the drainage. He noted this was a long-term project but stated it would eventually help the Town of Clarks Hill as well. He stated he recognized starting at the outlet and going down was the approach to take. He thanked the Board for their time.

Gary Schroeder representing Loren Schroeder 4773 E 50 N Lafayette Indiana 47905 approached the Board. He stated he agreed with Mr. Osborn. He stated he appreciated the hard work put into this by the Surveyor and hoped the Board approved the project at hand. He thanked the Board for their time.

Dale Johnson 12411 S 700 E Clarks Hill Indiana 47930 approached the Board. He stated he farmed many acres, owns and rents within the watershed and would like to address the issue of the main tile. The Surveyor stated during the informal meetings replacing the main and its branches was discussed. Plans were presented for a full reconstruction of the open ditch and the main tiles. However approximately April of this year support for a full reconstruction fell through. At that point a decision had to be made whether to continue with a plan or drop the project altogether. The main consensus of the landowners at the informal meetings and on those spoken to via phone was to continue with a plan of maintenance to improve the watershed drainage however possible. The landowners understand the problem and the high price to fix. He noted the current maintenance plan is the best "middle of the road" option available to keep the ball moving. Work would be completed as maintenance funds allowed. Eventually a reconstruction would have to take place to complete the tile work. He noted at some point the main tile problems must be addressed. He then expressed his support for the current project at hand. The Surveyor noted this watershed had approximately 19-20 miles of infrastructure, (open ditch and tiles) which was enormous for the size (2800 acres) of the watershed.

John Mandeville of Farmers National Company representing Coyner Farms LLC 11516 Nicholas Street Omaha Nebraska 68154 approached the Board. Mr. Mandeville stated he represented approximately 234 acres benefited and was in support of the project at hand. He noted they would also benefit from the tile replacement, as it was in their best interest to get the ditch cleared and move on to the next phase for a reconstruction. He stated he did not realize the reconstruction was off the table at this time. He thanked the Surveyor for his work.

Rebecca Bierman 10177 SR 28E Clarks Hill Indiana 47930 approached the Board. She stated she supported the project, but noted her biggest concern was the equity of the way it was being assessed. She noted her tax bill would be impacted by 57%, but those landowners in the Town of Clarks Hill would have a 3% increase. She questioned the minimum of \$5.00 charged to some landowners and the \$30.00 per acre to others. She clarified she was talking about equity value. Property Taxes are based on assessed value. The assessed value of a home/tract of land is not considered when placing a drain assessment to a parcel. The drain assessment is based on acres owned and drainage runoff area within the parcel. The Surveyor stated in his opinion she was comparing apples to oranges as each one of these are calculated differently. Every landowner will pay the \$30 per acre for their total benefited acreage. If the total cost of the acreage benefited is less than \$5.00 then the \$5.00 minimum is charged.

Responding to Attorney Masson's inquiry the Surveyor stated it has been decades since the open ditch had been cleared and some of the trees to be removed were large. Once the ditch has been cleared and with good vegetative grass on the side slopes it would be placed on a routine spray schedule. When maintenance work is completed, and the ditch is in good functioning order, the amount per acre needed to maintain it will be considerably less. After the 8-year collection period the per acre assessment would be lowered to \$10.50 with a \$5.00 minimum. David Byers asked since the main tiles were in such bad shape and landowners needed the tile replacement as soon as possible, if it would not be beneficial to continue the collection

period for 16 years instead of the 8 proposed? The Surveyor agreed it would help with the expediting the tile portion of the project - but did not know if the landowners were in favor of a 16-year collection period prior to the per acre assessment rate decrease. Responding to Tracy Brown's inquiry, the Surveyor noted any future work on this drain would not require a petition as the drain was listed on his Classification Report as a "drain in need of reconstruction". When determined by the Surveyor, Indiana Code allows for the maintenance/reconstruction of a drain in need when included in the Surveyor's classification report. He noted the intention was to use maintenance funds for the open ditch work and once it is completed hold a reconstruction hearing for the much-needed tile work. The common consensus among those landowners benefited was to spread the much-needed work over a longer period to keep the assessments at a more reasonable rate.

Attorney Masson read the findings and order from the Board into the record as follows:

BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD IN THE MATTER OF THE J.B. ANDERSON #02
REGULATED DRAIN: FINDINGS AND ORDER (ANNUAL MAINTENANCE)

This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on September 19, 2017. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana were filed. Multiple objections were filed and would be made part of the official record. Evidence was presented by the Tippecanoe County Surveyor and many of those landowners affected were present. A list of those present is filed herewith. After consideration of all the evidence, the Board does now FIND THAT:

- (1) The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on September 19, 2017.
- (2) Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
- (3) Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
- (4) The legal drain consists of 12,337 lineal feet of open ditch, 11,715 of main tile and 88,520 lineal feet branch tile of various sizes.
- (5) The present condition of the ditch is poor and in need of repair.
- (6) The ditch needs the following maintenance at present:
Clearing, Dredging, channel straightening and bank stabilization
- (7) There is now \$0.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 2,808.67 acres total.
- (9) Estimated annual cost of maintenance is \$84,399.86.
- (10) Estimated annual benefits the land drained exceeds repair and maintenance costs.
- (11) A fund for annual maintenance should (should not) be established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: \$30.00 per acre with a \$5.00 minimum for an eight (8) year collection. After the required eight (8) year collection, the maintenance rate should be lowered to \$10.50 per acre with a \$5.00 minimum.
- (13) The assessment list filed herewith should (not) be amended as follows:
- (14) The assessment list filed herewith (as amended above) is fair and equitable and should be adopted.
- (15) The assessment should be collected with the May 10, 2018 taxes.

NOW, THEREFORE, IT IS ORDERED THAT:

- (1) A maintenance fund be established for the J.B. Anderson #08 Regulated Drain at the annual rate of \$30.00 per acre and \$5.00 minimum benefited required for an eight (8) year period. After the required eight (8) year collection, the maintenance rate should be lowered to \$10.50 per acre with a \$5.00 minimum.
- (2) The Schedule of Assessments filed herewith are adopted and made a part thereof.
- (3) The first annual assessment shall be collected with the May 10, 2018 taxes.

DATED at Lafayette, Indiana this 1st day of November 2017.

Thomas Murtaugh stated he has had the most calls regarding the poor condition the drain was in. He thanked the landowners for coming together on it and the Surveyor for his work in assisting them.

David Byers made a motion to approve the J.B. Anderson Maintenance Report and schedule as presented by the Surveyor.
Tracy Brown seconded the motion. Motion carried.

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



Thomas P. Murtaugh, President



David S. Byers, Vice President



Brenda Garrison, Secretary



Tracy Brown, Member