

## 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.

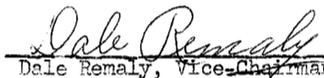
Time and place of future meetings Upon motion made by Bruce Osborn, Seconded by Dale Remaly and made unanimous by Edward Shaw, the Board found the Surveyor's office inadequate and voted to use the County Council Room for future meetings. In the same motion the first Tuesday in the month at 9:00 a.m.,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

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JANUARY 3rd, 1973.

The Tippecanoe County Drainage Board held it's regular meeting on January 3rd, 1973 at 9:00 o'clock a.m., with the following members present: Bruce Osborn, Edward Shaw, Robert Fields, Fred Hoffman, A. D. Ruth, Jr. and Gladys Ridder.

Election of Officers  
Upon motion by Bruce Osborn, seconded by Robert Fields, Edward Shaw was elected Chairman of the Board for the year 1973. Upon motion by Edward Shaw seconded by Bruce Osborn, Robert Fields was elected Vice Chairman of the Board. Upon motion by Bruce Osborn, seconded by Edward Shaw, Gladys Ridder was again elected Secretary and Fred Hoffman was re-appointed Attorney. All motions carried.

Minutes Approved  
Upon motion of Edward Shaw, seconded by Robert Fields and made unanimous by Robert Fields, the Board approved the minutes of the December 6th, 1972 meeting as read.

Bids Accepted  
The following bids were accepted for 1973:  
Corrugated Metal Pipe ---- Ladoga Culvert Division  
Logansport Metal Culvert

Back Hoe ---- Fauber Construction Co.  
Cohee Construction  
Keiser and Keiser Contractors, Inc.

Drag Line ----- Fauber Construction Co.

9:30 a.m.  
Hearing on the Simeon Yeager ditch Maintenance Fund  
The Engineer opened the hearing on the Simeon Yeager ditch by reading his report and making his recommendations to the Board. Mr. Willard Kolb was the only person appearing on the Yeager ditch hearing. The ditch only drains 153 acres and the Board felt it would be foolish to place any amount under \$1.00 per acre assessment on this ditch. Mr. Kolb agreed so it was moved by Bruce Osborn, seconded by Robert Fields and made unanimous by Edward Shaw to establish a \$1.00 per acre assessment.

10:30 a.m.  
James Vanderkleed Ditch Hearing  
The Engineer opened the hearing on the James Vanderkleed ditch by reading his report and making recommendations to the Board. Mr. Ruth read a letter from Joan and Dennis Jackson stating that one half of the one acre they own is under water most of the time and that this ditch does not benefit them. Most of those present said about the same and although they didn't have the vote of all to vacate indicated this was their wish. The Board respected their wish and asked them to get the signatures of all and come back to them if they wanted this ditch vacated.

11:30 a.m.  
Dempsey Baker Ditch Hearing  
The Engineer opened the hearing on the Dempsey Baker ditch hearing by reading his report and making recommendations to the Board. One remonstrance was read. Most of those present felt this ditch was in need of a maintenance fund being established although not all were in favor of the \$1.00 per acre assessment. After much discussion Mr. Bruce Osborn moved to establish a \$1.00 per acre assessment and Robert Fields and Edward Shaw seconded the move.

1:30 p.m.  
Moses Baker Ditch Hearing  
The Engineer opened the hearing on the Moses Baker continued hearing by reading his report and suggesting to the Board that a very low assessment is all that would be needed for these people had done a beautiful job of repairing their ditch at their own expenses and labors. The Board had given these people a year to do their own work as they had requested. The Board was most satisfied with the results and when they informed the Board that they had nearly \$2,000.00 left in a fund to do maintenance work the motion was to establish a fund for maintenance only when their money was depleted. Motion carried.

Order & Finding and Certificate of Assessments  
Upon completion of the ditch hearings, the Board signed the Order and Findings and the Certificates of Assessments on those ditches where maintenance funds were established.

Assessments  
Upon motion made and carried the meeting adjourned.

ATTEST:

Gladys Ridder  
Gladys Ridder, Exe. Secretary

Edward J. Shaw  
Edward Shaw  
Robert Fields  
Robert Fields  
Bruce Osborn  
Bruce Osborn

SPECIAL MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD AUGUST 25, 1976

The Tippecanoe County Drainage Board met in a special meeting at 9:00 a.m., on August 25, 1976 in the County Council Room with the following members present: William Vanderveen, Bruce Osborn and Gladys Ridder. Jeff Miller also sat in on the meeting.

Also in attendance were: Winfield Hentschel, John E. Fisher and Thomas McCully.

The special meeting was called by Mr. Fisher to discuss the development of an area of Wabash Township lying in the watershed of the Dempsey Baker legal drain.

Mr. Fisher presented and discussed drawings of a proposed development of Purdue Research Foundation with reference to soil types, water run-off, etc., in this watershed and surrounding areas. He said because Hadley's lake had filled with silt over the years, it no longer held the amount of run-off water that it used to do. Mr. Fisher suggested that the Board vacate the present Baker tile ditch that is in very poor condition and replace it with an open drain. He said Mr. Arthur Stockton who also owns ground in this watershed had indicated to him several times that he would prefer an open drain as now his drainage is so poor.

Dempsey  
Baker  
Ditch

Mr. Winfield Hentschel told the Board that Purdue Research Foundation was willing to build and maintain the new open drain.

Mr. Vanderveen ask if Hadley lake overflows during heavy rains and he had seen it over Morehouse road, how it affected the houses below it. The answer came that no doubt some of them at times did have quite a water problem.

Mr. Vanderveen then asked if it was possible to use the proposed open drain as a detention pond by using a series of small dams. Mr. Fisher said it not only is possible but a good way of slowing and holding an abundance of water that comes during heavy rainfall.

Mr. Osborn said the Board's concern is always to protect all people in the watershed area and to insure them proper drainage.

Mr. McCully said they would write an agreement and record it for the purpose of assuring those others in the Baker watershed that they would always have use of the open drain.

Mr. Vanderveen asked the purpose of vacating the old Dempsey Baker ditch. Mr. Fisher said mainly to get away from the 150 foot easement now placed on all legal drains.

Mr. Osborn said if you know the procedure for vacating a legal drain, proceed.

Mr. Osborn moved the meeting be adjourned, motion seconded by Mr. Vanderveen.

ATTEST:

Gladys Ridder  
Gladys Ridder, Executive Secretary

(absent)  
Robert F. Fields, Chairman  
William Vanderveen, Vice Chairman  
Bruce Osborn, Board member

The Tippecanoe County Drainage Board met in regular session in the Community Meeting Room of the Tippecanoe County Office Building on Wednesday, October 5, 1983 at 8:30 a.m.

In attendance: Eugene Moore, Acting Chairman; Sue Reser, Boardmember; Fred Hoffman, Attorney; Michael Spencer, Surveyor; George Schulte, Engineer; and Frances Bates, Secretary.

I Woodland Terrace Mobile Home Park - Phase 2.

Representatives: Richard Boehning, Attorney; and Robert Williams, Engineer.

Mr. Boehning reported that data requested by the Drainage Board at the September meeting had been supplied and that Mr. Schulte had received plans for both Phase 2 and Phase 3 in order to review the overall drainage design for the Park. He stated that the request was now being made for preliminary and final approval on the drainage system for Phase 2 and preliminary approval for Phase 3 in order to begin construction plans.

Mr. Schulte confirmed that a rough layout of Phase 3 had been submitted and that he had requested more detailed plans of lots, etc. along with additional information to be noted on the Phase 2 construction plans. Mr. Schulte recommended that the question of maintenance on the proposed detention area be addressed. Mr. Boehning stated that the Park would be maintaining the detention area. Woodland Terrace Mobile

Michael Spencer requested that a notation as to the plans for erosion control be made on the construction plans since it was now late in the season for seeding. Mr. Williams could not state whether any erosion measures would be accomplished this year, but had no objection to the notation being added to the plans.

Mr. Boehning requested clarification of areas in need of erosion control. Mr. Schulte explained the drainage to be to the west through a culvert under Klondike Road with siltation to the west properties. It is this area, he stated, in need of erosion control and to be so noted in the construction plans. Mr. Schulte stated that requirements set up in the Drainage Ordinances, I.E. State Highway standards, were the guidelines to be met for erosion control.

Mr. Spencer and Mr. Schulte conferred that plans to meet these requirements be noted in the construction plans or so noted in an attached sheet and be made part of the contract for the construction project.

In answer to Mr. Spencer's question, Mr. Boehning stated that the Park does have its own maintenance staff for upkeep of the grounds.

Mr. Schulte reported that calculations for the detention storage to be acceptable.

Fred Hoffman recommended that any approval given at this time be contingent upon making the discussed additions to the plans and advised that the Board give authority for approval to Mr. Spencer and Mr. Schulte after their verification of the required additions.

Sue Reser made the motion that Preliminary and Final Drainage Board Approval be given to Woodland Terrace Mobile Home Park- Phase 2, contingent upon the addition to the plans either by notation or letter of the following: 1) Erosion Control Plans 2) Intent and Ability to maintain the detention area.

Eugene Moore seconded the motion.

The Tippecanoe County Drainage Board gave Preliminary and Final Approval to Woodland Terrace Mobile Home Park, Phase 2, contingent upon the above noted conditions.

Mr. Williams presented plans for Phase 3 of Woodland Terrace Mobile Home Park showing the lots and the drainage system, however noting that pipes were not sized.

Mr. Schulte recommended that Preliminary Approval be given to Phase 3 since preliminary calculations had been submitted.

Sue Reser made the motion that Preliminary Approval be given to Phase 3 of Woodland Terrace Mobile Home Park. Eugene Moore seconded the motion.

The Tippecanoe County Drainage Board gave Preliminary Approval to Woodland Terrace Mobile Home Park, Phase 3.

II Purdue Industrial Research Park, Phase 2, Part I.

Representatives: Rex Bowman, Engineer; and Thomas McCully, Attorney.

George Schulte reported that Rex Bowman had submitted plans on October 4, 1983, requesting Drainage Board approval for a development in West Lafayette. The area to be developed is north of Cumberland Ave. and served by a tributary of the Dempsey Baker Ditch which drains into Hadley Lake.

Fred Hoffman noted drainage problems in this area due to Hadley Lake having no outlet and also noted existing problems in the Cuppy McClure watershed area. Purdue Industrial Research Park

George Schulte reported that Purdue University had at one time plans to reconstruct the Dempsey Baker Ditch, but these plans had never been realized. Mr. Schulte explained that the Purdue Industrial Research Park plans were to develop three lots with a temporary detention basin. He stated the release rate to remain the same with plans to move the basin as needed with future development. Mr. Schulte stated that he could voice no objection to the development as long as there was no increase in runoff.

Fred Hoffman advised that maintenance responsibility be defined to protect the Hadley Lake area from further problems and to provide adequate drainage maintenance for the lots sold. He recommended that an open-ended maintenance bond be obtained from the University and that it remain in effect as long as the pond exists.

It was agreed due to the recommendation of the Drainage Engineer and of legal counsel that no final approval be given at this time. The need for construction plans, for final calculations, and for a maintenance bond were noted. George Schulte also noted the need to revise the basin plans from a 25 year to a 100 year return period. It was recommended that approval be requested at a later date after final plans and calculations had been submitted.

Rex Bowman explained that the actual development would only include 1½ acres, with 4 acres on the front to be retained by the University for a laboratory, drainage plans to consist of a dam on a swall with a pipe running underneath, and these plans to be revised with future development of Part 2.

Regular Drainage Board Meeting - October 5, 1983 (cont.)

Mr. Schulte clarified the need for construction plans to be submitted and for as-builts and certification to follow upon completion, even though this is a temporary basin.

Mr. Bowman stated the development to be within West Lafayette City limits and that city approval had been given. He noted an Area Plan Commission meeting to be that evening on this development, and requested Drainage Board approval in order to begin road construction on Monday. He asked if a letter stating detention pond size, intent to furnish as-builts, and statement of maintenance in the purchase agreement would suffice to meet Drainage Board needs.

Thomas McCully, Attorney, stated that a transferrable maintenance bond would be drawn up in the Area Plan format and submitted to Mr. Hoffman for approval. He also stated that final construction plans would be drawn up and submitted.

Sue Reser made the motion that conditional approval be given to Purdue Industrial Research Park, Phase 2, Part I, contingent upon the submission of a maintenance bond and the final construction plans. Final approval not to be given until the Drainage Engineer and County Surveyor had verified the meeting of these conditions.

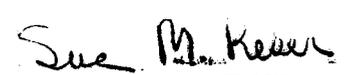
Eugene Moore seconded the motion.

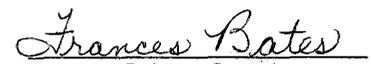
The Tippecanoe County Drainage Board granted conditional approval to Purdue Industrial Research Park, Phase 2, Part I.

The regular meeting of the Tippecanoe County Drainage Board was adjourned at 9:05 a.m.

  
Bruce Osborn, Chairman

  
Eugene Moore, Boardmember

  
Sue Reser, Boardmember

ATTEST:   
Frances Bates, Secretary

The Tippecanoe County Drainage Board met Wednesday, October 5, 1988 at 9:00 A.M. in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Bruce V. Osborn chairman, called the meeting to order with the following being present: Eugene R. Moore and Sue W. Scholer, Boardmembers; Michael J. Spencer Surveyor; J. Frederick Hoffman Attorney; and Maralyn D. Turner Executive Secretary.

#### QUAIL RIDGE SUBDIVISION

QUAIL  
RIDGE  
SUBDIV  
ISION

John Fisher representing Subdivision developer and Joe Bumbleburg attorney for developer requested Preliminary and Final Drainage. Subdivision is located on the south side of County Road 600 North, approximately 1/4 mile East of U.S. 231, in Tippecanoe Township. Subdivision consists of 13 acres which is being farmed. James Andrews and John Schuemann are developers. Presentation was made of plans. Adjoining property owner Mr. Hunt has a 30' wide grass waterway this is where the water goes now, they plan to discharge in the same position as it is now at the same rate. Watershed area would consist of 16.00 acres as they are picking up 3 acres from the existing Prophets Rock Subdivision. The off-site drainage has been included in the detention storage requirements for Quail Ridge Subdivision. Presentation is on file.

Mr. Hoffman asked: There is no retention pond? Mr. Fisher answered yes.

Michael Spencer asked if they had Construction Plans? Mr. Fisher answered they would be finished tomorrow (October 6, 1988).

Mr. Hoffman asked would there be any more water crossing Mr. Hunt's property than there is now, and no greater speed? Mr. Fisher answered there would be no more water and no more speed.

Mr. Hoffman asked who was going to maintain? Homeowners Association covenants. Mr. Hoffman asked if the County had an access to it, and under the covenants County would have the rights to go in and clean it out if it isn't maintained. Mr. Bumbleburg stated if that is what the board wants they will put it in the covenants. Mr. Hoffman stated that in the covenants it should be stated if the Homeowners don't do it, that the County has the right to come on in and do it and assess it against the Homeowners.

Michael Spencer asked about the velocity at the outlet pipe downstream. John answered between 4 and 5 feet. Michael asked about rip-rap to make sure there would be no erosion to the waterway. Discussion on rip-rap and erosion.

Michael asked if they had an emergency overflow structure?  
Michael asked if they had erosion control plan during construction? Mr. Fisher answered they would be a part of the Construction Plans.

Bruce Osborn asked if they wanted Preliminary and Final approval with conditions mentioned?

Michael Spencer stated that conditions would be that the board have construction plans and approved by the regular check point agency. This is standard. Mr. Hoffman stated he had no problems with the system presented as long as they put the maintenance agreements in the covenants.

Eugene R. Moore move to give Quail Ridge Subdivision approval to final plans with the restrictions that the construction plans are submitted and approved with the covenants, seconded by Sue W. Scholer, unanimous approval.

#### MCCUTCHEON HEIGHTS SUBDIVISION PART II

MCCUTCHEO  
N S.D.  
PART II

John Fisher representing developer stated this was the final portion of the subdivision. Mr. Fisher had thought they had received Preliminary and Final approval with the conditions of getting the easements, therefore before Construction Plans can be approved the Drainage Board has to give approval. Michael stated he was under the impression that all they had to do was supply the board with the easements. Reading the minutes this was incorrect. Michael stated the signed easements have been recorded. The only thing that has to be done is have a hearing to establish the legal drain for that section of McCutcheon Heights. There are 40-45 lots. Dick Boehning is the attorney. Michael asked Mr. Fisher to get him a copy of the Construction Plans of the storm drainage system. Petition has been filed. Discussion.

Sue W. Scholer moved to grant final Drainage Board approval for McCutcheon Heights Subdivision Part II and a letter be sent for the hearing to create the legal drain, seconded by Eugene R. Moore, unanimous approval.

PURDUE  
INDUSTRIAL  
PARK  
PART II  
PHASE II

PURDUE INDUSTRIAL PARK PART II PHASE II

Daniel Pusey representing Purdue Research Foundation presented plans of the area impacted by the development of the Purdue Industrial Research Park Phase II. Area consists of 13 acres which is being constructed for the Whirlpool Corporation. The needed improvements are the storm water management. The area has been under discussion for several years. Historical the Hadley Lake basin has been one without an outlet, and as the area has been developed discussion of things to be done and things not done over the years. With the Research Park development it has given an opportunity to look and implement a part of a master plan that was developed a few years back. There were two options. One was to acquire right-of-way and by pass Hadley Lake, and go into Burnetts Creek system. The other was to work as a part of the whole community development because of the cost and look at utilizing and developing around Hadley's Lake as a drainage basin from the water management stand point. Aerial photos as far back as 1939 show that at one time there was a positive outlet to Hadley's Lake, and talking with property owners there was at one time a tile underneath Morehouse road that went out across farm fields, over the period of years these have either plugged up or got cut off. Biggest contributory to the problem was the Cuppy/McClure system which takes a large portion of West Lafayette, north part of the Purdue Golf Course and Purdue Dairy, basically Lindberg Road area north emptying into Hadley's Lake, this and a periodic flooding of Indian Creek Valley coming into the system presents a very large problem.

With the State Industrial Development Grant Program in the Whirlpool Corporation project coming to the Research Park West Lafayette has been given a \$350,000.00 infrastructure grant in the name of Whirlpool because of the added jobs created by Whirlpool.

Working with an inter governmental agreement between the County and the City (City is set up to administer). A request for proposal was put out by the City to model and determine what the capacity downstream is in the ditch system that flows eventually into Burnetts Creek. This will help the future development in the Cuppy/McClure system and Dempsey Baker system. The Dempsey Baker system (legal drain) starts (doesn't go into the Lake) and goes across the Cemetery comes back into Purdue Research across 350 North mid point of Yeager Road/ Cumberland Avenue coming up in the Four Season Apartment area. Mr. Pusey gave the route of the two legal drains.

Their plan is looking at a part of the Master Plan. Much presentation.

The Third Drainage basin consists of 79 Acres, a line from the Intersection of Cumberland Avenue and 52 north to 350 North goes to the Salem Court House area small area to the south draining into the Cuppy/McClure system through Research Park Phase I. Major design has been done for this area.

The fourth area Morehouse Road, US 52, and a little bit of Cumberland Avenue. This area has history and has affected the entire area. At one time it drained out and had no water in the area. The pond is a product of construction when 52 was widened, used as a borrowed area for the State Highway Department. This acts as a storage area for a portion of the area. Historically the south tip was a low area that drained part of the 80 acres Purdue Research owns, came down and drained across underneath 52 into the Cuppy/McClure system. The area under an agreement with the State Highway contractors filled in the area and altered the drainage pattern, area owned by Mr. Westl. The fill is set up so that water drains toward 52 and not onto the property of Purdue Research to the west. Much more presentation of the area.

The fourth area was done by the State. An outlet was created along common boundary a prominent swale is there, the swale goes to the north 42X29 corrugated metal pipe underneath 350 north swale proceeds down the east property line of the cemetery down over the Baker legal drain. The surface run off, if the area flooded, which it has, the surface course above the Baker ditch and follows on out. This has been altered too, and impeded the surface drainage.

Present water elevations of the pond 680.54, the culvert under 350 North 680.50, there is a berm that maintains the water in the pond. Michael stated there is lower ground between Purdue Research property line and the berm. (back of Butcher Block) With the alteration of the drain by the 52 construction and filling operation forced part of Purdue Research into another area, so in their design they need to accomplish two things. 1. Need to get some infrastructure up to the Whirlpool site, one being sanitary sewer, which needed some cover. 2. They felt their prudent management system of their sub-drainage basin was to make sure all the storm water would be maintained on their property. They are constructing a cover over the storm and sanitary sewer along their west boundary property line 80' wide easement which will maintain and keep the run off as their area is developed in the future into their sub-drainage area and lessen the impact that was caused by the alteration. Making more flexibility. Much more presentation.

Mr. Pusey presented figures for the future at the inlet box.

Sizing of the pond is based on the present conditions, that being utilizing the existing storm tile that is there with its release rate of 3 cfs, because of that release rate they had to oversize the detention area to serve the area in a developed stage.

Pre-design for a 10 year would be 83 cfs.

Presentation of sub-drainage was given.

Mr. Hoffman asked what they wanted today from the board? Approval of the storage for Purdue Research. They wanted to present a Master Plan of water management that was to fit in with the West Lafayette City.

The development of the Research Park has spurred funding to help do this.

Carolyn Locher property owner asked Mr. Pusey to explain what would be done in regards to the utilities. Explanation was given.

John Burgett asked if at this time there is no widening of 350 west of the west boundary. Answer by Mr. Pusey was that some widening has been done by the County Highway, but is still two lanes. Part of the agreement with the county with the Industries coming in, Whirlpool provided funding for the improvement in the roads. George Schulte Highway Engineer decision was to add a two foot strip on each side with some drainage improvements with some structures adding four inches of binder, next spring a new surface of 1" of surface re-stripping it. Drive way approaches were improved. Mr. Burgett asked if the pipes were still south of the pavement, in the two lane area? Answer-Yes. John Burgett asked what area does he figure the holding pond is going to drain? 80 acres. Pond is being constructed to maintain storm water management from the improved 80 acres under the given present condition, the area around it (to the east) is still being maintained as a natural area. Explanation continued.

Mr. Burgett asked if he was correct. The two holding basins, storm sewer basins being constructed on the north south of 350 N on west line are about 685, curb inlet and the bottom of the conduit was 680 so there is a 5' difference between them. What sort of a structure appears in the bottom area? Bottom of the low outlet in to the legal drain is 670, paved inlet. What happens when you go east of 350 from the metal corrugated conduit as you approach the two basins. It is a curb and cutter, curb inlet handles the road. Michael stated what Mr. Burgett is asking is the difference between the flow line of the corrugated metal pipe on how your going to slope the ground to get up to the basin. County is widening and extending the corrugated pipe. Both sides. Explanation and discussion continued. Rip-rap will be put in.

Mr. Osborn asked what are you asking for today? Approval of the concept and the Construction Plans for the 80 acres.

Michael Spencer stated the water surface elevation is much closer to the structure elevation. Problem is he did not realize there was berm around the existing lake. It is about 4' higher than the water elevation, it will have to get that high before it will run over and even get to the overflow structure. Mr. Burgett stated the lake is down. Mr. Burgett's concern was that the lake could get higher than the basin. Michael stated if this happened it would be held in there by the berm. The berm is 6-8' wide. Mr. Hoffman asked if it would wash out? NO.

Mr. Burgett asked about the moratorium against any more construction in the triangle, based on the new numbers does that mean that there is no longer a moratorium, because of drainage?

Michael Spencer stated the moratorium Mr. Burgett is talking about is anything contributory to Hadley Lake? The board has stated they did not want any more development in the Hadley Lake watershed area until an outlet was provided for the lake, hopefully the mechanism is in place now to provide that and funding for it would be a state grant. Sue W. Scholer stated hopefully that is correct. There are alot of procedures that have to go through Drainage Board. Mrs. Sharon Burgett asked if they were talking about a small or large project? Mr. Hoffman answered, a large project. Dan Pusey asked if she meant in their water area? Yes, construction in their watershed area. This will have to be evaluated. Discussion. Mr. Hoffman explained ordinance.

Mr. Burgett asked if there was any federal, Corps of Engineers, or state impact done on this structure? All environmental things were checked out. No wildlife.

Sue W. Scholer asked if Michael had any questions about the project for approval. No. Discussion continued.

Sue W. Scholer moved to give preliminary approval and approval of construction plans for the detention facilities as presented to Purdue Industrial Park Phase II Part II, seconded by Eugene R. Moore, unanimous approval.

500 East, State Road 26 East/200 South

Lamar Ziegler engineer with Clyde Williams & Associates, Inc. presented Drainage study for County Road 500 East asked for Drainage approval for proposed highway improvement on County Road 500 East from the terminus of Project RS-9179(1), County Road 475 East at a point approximately 2,100 feet north of County Road 200 South to State Road 26. Mr. Ziegler handed out a detailed report which he went through. There are four drainage area within the project limits on 500 East, Segment A, Segment B, Segment C and Segment D. Water flows to and percolates into the Felbaum Fork of the Berlowitz Ditch. Presentation is on file.

Proposed road improvements will consist of two concrete travel lanes 12 foot wide, with 11 foot graded shoulders (10 foot paved). Type "X" underdrains will be provided throughout.

Drainage improvements are proposed on the same segments. This is on file. Segment A. from north end of County Road 475 to the Halsmer Hill will drain down to the Felbaum branch of the Berlowitz Ditch, they are not proposing to make any direct connection into the Ditch, they are proposing to install a elliptical pipe under County Road 500 East, so the water that now collects on the west side of the road can travel under the road overland eventually reaching the Wildcat Creek. Essentially no change in the drainage pattern that exists there now. Because the impact of the proposed improvements is so slightly--only 1 cfs for a 50 year storm event the overall effects is considered

500 East  
State Road  
26 East  
200 South

negligible and, therefore, no further routing or detainage of flow is considered for Segment A. They used runoff rates for 10 year, 50 year, and 100 year storm event criteria due to the fact that this area is almost all agriculture in nature and is not impacted at this time by flooding conditions and heavy run-off.

Mr. Hoffman asked how much additional right-of-way is there going to be? Answer-Two additional acres in the drainage brought on by the additional right-of-way all the way through mostly off the east side.

Segment B will drain 540.69 acres, drainage pattern will run the same, however they ran into a small problem in the SE corner of 500E and 100 South, picking up the additional right-of-way they intercept a very slight swale that turns toward the right-of-way then turns east, they intercept that and bring it on to County right-of-way, increasing the runoff rate. They have proposed to install detention into County Road 500 East and 100 South area. Two detention will be put on the east side of 500 East and one detention on the Northwest quadron of 500 East. 100 year Storm runoff is reduced to 49 cfs because of detention areas which is equal to the 50 year existing runoff conditions. The detention areas will basically consist of the storing water in the existing side ditches with the exception of the NW corner which the side ditch will be widened in order to have enough storage. The land is very low and dikes will be required to keep the water in the ditch. The only positive outlet is to the Berlowitz ditch. Once the water has flowed through the detention areas it will flow to the SW quadron where it will access the Berlowitz ditch by a bee hive inlet that exists there now. Project will move the connection further away from the road way providing a new inlet to the pipe. Within their rights of way limits they will replace both the Felbaum and the main branch tiles with new tiles. Mr. Osborn stated or any other unknown tile that may exist there now. As they are found during construction they will consult with Michael Spencer as to the position of where the field tiles should be.

Segment C runs north of I-65 up to the drive way for Fassnacht property. This area increases to 40.37 acres, water will collect in the side ditches and will flow south and run directly into I-65 ditch, run the water from the west ditch to the east ditch. Because of the ground conditions the proposed conditions will decrease the runoff rate to 1 cfs. 50 year storm event from 80 cfs to 79 cfs.

Segment D is a small area 50 year existing runoff rate is only 4.3 cfs and the proposed 50 year runoff is 5.7 cfs. Water flowing in the area flow into each of the side ditches runs north to State Road 26 ditches on the south side of 26 and flows away from County Road 500 East project. The amount of flow is very small the difference is just a little over 1 cfs and the size of the ditches makes detention virtually and practical as the ditches are shallow and there is no place to store the water, it is their recommendation no further detention be considered for this basin. Maps and calculations are included in the report and are on file in the Surveyor's office.

Bruce asked if Lamar had consulted with George Schulte Highway Engineer? He has consulted with George. Lamar stated George had comments and they have been incorporated into the report presented.

Michael Spencer only comment was to confirm the boards position on the outlet of the road projects and the county tile drains. Don't want to impact any more problems than there is in the watershed area now. There is an existing catch basin into the Berlowitz main tile at the intersection of 500 East and McCarty Lane. Bruce asked if Michael was going to ask for a positive outlet? Discussion.

Lamar Ziegler stated they ran a survey on north side of 100 South straight East from the intersection to the Interstate ditches which is the only positive outlet that exist, per Michael's request. They found the existing land at the intersection is .4 a foot lower than the grade in the Interstate ditch, therefore there is no positive outlet.

Mr. Hoffman asked if this was where Shaw ran the waterway? Mr. Hoffman asked how much additional right-of-way is this going to be taken? Right-of-way shown on construction plans there is an existing 25 feet they are requiring about 100 feet total so this would be about 50 additional feet. You can't say that it is 25 feet on each side of the road, because on the south side of the Interstate they are widening to the east side off setting the road slightly as is 475 East is coming into it, so there is about 32 feet taken off the west side, difference is made up on the east side. There's 10 feet more on the west than the east side. The right-of-way is subject to the Drainage Board action here today, as what is decided by the Board affects how much right-of-way is required.

Mr. Hoffman asked if the landowners who will be affected by the right-of-way had been notified? Michael stated not to his knowledge. Mr. Hoffman stated they should be notified. Sue Scholer asked how soon will they be notified? Mr. Ziegler stated prior to the time they started their preliminary survey in May, 1988 they sent notices to all property owners indicating that this project was beginning to unfold and there would be some trespass on their land to conduct the survey and there would be some additional right-of-way required. After approval today they will be able to finish the right-of-way plans in approximately 10 days, which will allow them to proceed with the acquisition process. Bruce Osborn asked what advise Mr. Hoffman had, he stated he really shouldn't give any advise as he represents two property owners affected by this project, Lafayette National Bank as Trustee for Mary K. O'Farrell and Richard Shaw partnership. Bruce stated were not talking about Drainage Board acquisition. Mr. Hoffman stated the drainage is going to affect whatever has to be done. Bruce asked which comes first? Mr. Hoffman stated again they should be notified from both the drainage and highway stand point. Appraisal process will start in two weeks, one of the requirements is that the appraiser before he inspects the site must contact the owner and the owners representatives to accompany the appraiser will have the plans with him to explain the impact of the project and if necessary an engineer can accompany the appraiser to

explain engineering details relative to the plans which the appraisers would be knowledgeable. Mr. Ziegler stated they are required to follow state law procedures. Mr. Hoffman wanted to be sure the law was followed. Discussion.

Sue W. Scholer moved to give preliminary and final approval on the Drainage Plans for County Road 500 East to State Road 26 / 200 South, seconded by Eugene R. Moore, unanimous approval.

STATE ROAD 38/US 52 TO ELLIOTT DITCH

STATE ROAD  
38/US 52  
to Elliott  
Ditch

Robin Thompson representing Craig & McKnight, Inc. who has been sub-contracted by the State to do the road design for State 38/US 52 to east of Elliott Ditch. Purpose of the report today is to summarize what they plan to do with the drainage along this area and to ask for preliminary drainage approval. Upon that approval they will submit preliminary right-of-way plans to the State and go to design hearing, after state comments from the hearing they ask for final approval.

Sue W. Scholer asked if they had a date for that hearing? No date has been set, they feel it will be within the month of October.

Mr. Thompson stated the Drainage Ordinance requires that for new development, the 100-year post-development storm runoff must be detained while the 10-year predeveloped storm runoff may be discharged. The highway improvements are considered new development, therefore the proposed drainage system has been designed to meet this ordinance. The report has been broken down into four parts corresponding to four different drainage areas in the project. The water is either detained in a pond or in the road side ditches to assure the county ordinance is met. Three of the four areas will discharge into Elliott Ditch while the fourth will discharge into Wilson Branch. Area has been broken down into four areas, A.B.C. & D.

Area A will drain to Wilson ditch, the area has been broken down to two subareas. This area is the highways right-of way from the intersection of U.S. 52 to approximately 400 feet East of Wilson Ditch. The undeveloped area is 13 acres. The subarea west of Wilson Ditch contains 12 acres and the subarea east of Wilson Ditch contains a acre. The runoff in the subarea east of Wilson Ditch flows directly into Wilson Ditch. The subarea west of Wilson Ditch will be detained in a detention pond which will be constructed on the south side of S.R. 38 adjacent to Wilson Ditch. The outlet pipe from the pond will discharge directly into Wilson Ditch at a peak flow rate of about 6 cfs. The bottom of the pond will be at elevation 644 with a highwater elevation of 648. This allows 2 feet of freeboard to the top of bank. A flap gate will be required on the outlet pipe to prevent back flow through the pipe into the pond as the water level in Wilson Ditch gets higher. A detention pond will be put in the area of the Skating Rink. Bruce Osborn asked if this was off the easement? Yes. Discussion.

Area B includes approximately 315 acres from Basin 13, 13 acres from S.R. 38, and 4 acres from the Creasey Lane Extension. The developed 100-year flow for S.R. 38 in this area is about 35 cfs. The predeveloped 10-year flow is about 8 cfs. This makes the required detention for S.R. 38 about 27 cfs.

The state proposed funding of an outlet ditch from S.R.38 to the twin 66 inch pipes presently under construction. This ditch will be used as a detention area for S.R. 38 water. The peak 100-year flow from Basin 13, S.R. 38, and the Creasey Lane Extension is about 182 cfs. After storage in the proposed ditch, the peak flow into Elliott Ditch is reduced to about 151 cfs. This is a net storage of 31 cfs which exceeds the required storage. To gain this storage, the twin 66 inch pipes will be "choked" down at the inlet to twin 48 inch pipes. This will detain the amount of water while maintaining the water elevation well within ditch banks.

Michael asked if they had talked to the City about that 48" pipe sticking into their 66" pipe? Todd Frauhiger stated they had talked to Hawkins Environmental Associates about this. The reason they have to decrease this 66" pipes is that when they were original sized they were sized to catch all the water from Basin 13 and the Creasey Lane extension as well as all the water from S.R. 38. Without decreasing those pipes you would have all the water with 100-year storm from all those areas flowing directly through the 66" pipe with no detention at all. Decreasing to 48" gets them down to the detention which exceeds what they needed for S.R. 38. They could be detaining some Basin 13 water or Creasey Lane water, there is no way to tell. They did match what they needed for S.R. 38.

Michael Spencer asked how they feel about those 48" pipes in the end? Todd answered they had no problems with them at all.

Mr. Hoffman asked if it was going to have any effect on the parts where they are not going to let the water flow through, area north. Answer, it should help improve it.

Sue W. Scholer stated they are not showing it as acquisition. Todd answered: Through discussion with Michael Spencer the City has acquired a 60' easement along the Creasey Lane extension, and have already contracted to put in the twin 66" pipes, which is under construction. Michael pointed out that the City has put them in. Basically there is a problem existing which no one knew (city or county) how the outlet pipe from S. R. 38 was going to be constructed in the 60' easement down to the pipes. Since the State needed a detention pond they agreed to construct a ditch and use it as detention facility. Todd clarified build a ditch, technically the State can not go off the State right-of-way to do construction, so what they are going to do, they are going to fund the construction. Whoever owns that easement will hire a contractor to do the construction of the ditch. Michael stated this would be a City project. State would pay the City and the City pay the contractor. Todd stated the side ditch is 20' bottom, 12' deep, 3-1 side slopes, and 1500' long. Its a massive project. Mr. Hoffman asked if there was going to be a guard rail? Yes.

Todd pointed out whoever is designing Creasey Lane extension, the ditch will be running along the edge of Creasey Lane, he is assuming they are aware of the size and need for guard rail. For State Road 38 everything is OK.

Bruce V. Osborn chairman, had another commitment and asked Eugene R. Moore Vice-Chairman to chair the meeting in his absence.

Area C is a low area, it is lower than Elliott Ditch at S.R. 38. There is an existing tile in the area which drain the runoff from this low area into Elliott Ditch, 1000' south of S.R. 38, consisting of approximately 3.5 acres of land including highway right-of-way and adjacent land which drain onto the highway right-of-way. Predeveloped 10-year flow is 6.3 cfs. The developed 100-year flow is 20.1 cfs.

Proposal: The runoff from this area will be retained in a 20 foot bottom ditch from Sta 188+00 to Sta. 194+00 "PR-A" Rt. The bottom of the retention ditch will be at elevation 642 and the top of bank elevation is 644.5. The existing tile will be utilized to slowly drain the runoff away from the ditch. They propose to find the field tile when construction starts. They will put a little pipe catch basin with a grate on it, stick it in the pond and meter it out, this will store all the water with no runoff except for a little pipe that will tap into the existing drain. The retention ditch will reach an elevation of 644.3 at the 100 year storm drainage. This gives a freeboard of 0.2 feet.

Area D is the State's right-of-way from approximately Sta. 197+00 to Elliott Ditch. Existing right-of-way is approximately 2 acres and the proposed right-of-way is approximately 7 acres. This will be a four lane road with shoulders and side ditches.

Proposal is to take runoff from this area and detain in the roadside ditch along the south side of S.R. 38. The ditch along the north side will flow through a pipe under S. R. 38 into the south side ditch. The outlet pipe from the pond will discharge directly into Elliott Ditch at a peak flow rate of about 4 cfs. The elevation at the outlet will be 646 with a peak ponding elevation of 653.7. This will allow about 1.5 feet of freeboard. A flap gate will be required on the outlet pipe to prevent back flow through the pipe into the pond as the water level in Elliott Ditch gets higher.

Report is on file.

Michael stated everything looks fine, however there are some questions in the area of the ditch. Michael would like to get with Hawkins Environmental for discussion to make sure everything is OK and get it in writing from Hawkins that everything is OK.

Mr. Hoffman agreed with Michael to get it in writing regarding the pipes and the ditch.

Todd stated they have had conversation with Hawkins in regards to the pipes and ditch in the project.

The erosion control needed in the area will meet State Highway standards. Straw bales in the ditches, slopes too steep they will put the erosion fabric in and stake it down. Mr. Thompson stated there should be no problem. The discharge of pipes are 4-5 cfs. They will be more often under water. That will disparte the velocity coming out, therefore they do not anticipate any erosion.

Sue W. Scholer moved to grant preliminary approval for Drainage Plans as presented for S.R. 38 from U.S. 52 to Elliott Ditch, seconded by Eugene R. Moore, unanimous approval.

Todd Frauhiger stated they will get the right-of-way plans submitted, get the final construction plans, then come back and verify that what was presented earlier has been put into the final construction plans and ask for final approval.

Mr. Thompson stated all inlets would be located.

#### ORCHARD PARK/HERITAGE BANK

Michael Spencer has been in contact with the Farmers & Merchants State Bank of Darlington in regards to the detention pond underneath the power lines. Fred Hoffman has talked with them. They have supplied the board with a document that says they will have insurance that will cover any occurrence related to that drainage facility. It has met with Mr. Hoffman's approval. Based on this, Michael recommended the board give approval of the bank being built on the location. Michael stated this restricted covenant needs to be recorded with the plat.

Sue W. Scholer moved to grant final approval of the drainage plan and give the Bank permission to build the branch bank on the location requested, subject to receiving and having the restrictive covenant recorded with the plat, seconded by Eugene R. Moore, unanimous approval.

#### DRAINAGE ORDINANCE

Sue W. Scholer asked where are we with the changes in the Drainage Ordinance. Have we made a statement in there about detention under utilities? Mr. Hoffman stated we adopted the amendments. They are typed up. The only thing that was not typed in was the definition of the Impact area, and no detention under power lines. This is what came out of the Heritage Bank proposal. Michael stated they have satisfied it coming up with the legal liability. This is the reason Michael made the recommendation that he did. Mr. Hoffman stated they had been in acted on by the board in the April 6, 1988 Drainage Board meeting. Mr. Hoffman stated this needs to get in the books sold to developers. Sue asked Michael if the definition in the Impact area needs to be done before the book is printed. Yes. Michael stated this is close to being ready. Sue asked if this could be acted on next month. Fred stated Section 13 and 14 was adopted

Orchard  
Park  
Heritage  
Bank

Drainage  
Ordinance

October 5, 1988

in regards to power lines.

CUPPY/MCCLURE-DEMPSEY BAKER

Sue W. Scholer asked Michael to get the legal of the Cuppy/McClure Legal drain and Dempsey Baker Legal drain to Mr. Hoffman. Mr. Hoffman wants the legal on the drains that don't quite go into the pond. Michael stated it is Cuppy, Yeager, Cole and Baker drains. The end points are needed. Drainage procedure needs to get started.

There being no further business, the meeting adjourned at 11:10 A.M. Next meeting is November 2, 1988.

Cuppy  
McClure  
Dempsey  
Baker  
Ditch

*Michael W. Hoffman*  
Chairman

*Sue W. Scholer*  
Board Member

*Eugene R. Moore*  
Board Member

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

July 5, 1989 Drainage Board

TIPPECANOE COUNTY DRAINAGE BOARD  
WEDNESDAY, JULY 5, 1989

The Tippecanoe County Drainage Board met Wednesday, July 5, 1989 in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Eugene R. Moore Chairman calling the meeting to order at 9:00 A.M.

Those present were Bruce V. Osborn and Sue W. Scholer, Boardmembers; Tom Bush, Acting Drainage Board Attorney; Maralyn D. Turner, Executive Secretary; others present are on file.

✓ DEMPSEY BAKER DITCH

Dan Pusey representing Purdue Research Foundation presented a petition and requested to vacate the upper portion of the Dempsey-Baker drain in Section I, Township 23 N., Range 4 W. This portion is in the City limits of West Lafayette, Indiana. Area is South of Kalberer Road 350 North. Purdue Research Foundation owns 50 acres in the area and are planning to do some additional development, in order to do this they need to vacate the ditch so it can be re-located as a more urban drainage conduit. This all ties into the Hadley Lake project. The portion north of 350 North goes into the detention pond which is under construction and is a part of the Whirlpool project which interfaces with the project. The ditch will be re-built in the project of 350N road or Kalberer Road which has been constructed to a four lane over to approximately 300 feet west of Yeager Road. That project is a part of a City project or re alignment of reconstruction of 350N on over to Salisbury (50 West), then South to the North edge which will be a Subdivision. In doing the design work on 350 North set some perimeters which had not been set for the reconstruction, which affects the 50 acres from the development stand point which they put the same constraints on it as they put upon the Purdue Industrial Research Part Phase II which will be added to the covenants of this particular piece of land when it is developed or sold of run off factor. An on site detention storage area has always been planned for the area. It presently is zoned IR.

Bruce V. Osborn asked if the area they were wanting to vacate was pipe? It presently is a pipe in varying conditions. A problem occurred when Yeager Road was improved by the City. The design did not allow them to bring all the additional storm water generated by the widening around in a pipe. There is a low area that handles a portion of the basin that comes down the street that was dumped out into PRF ground, they found that over a period of time there was a wet area. Maintenance funds were used from the Dempsey Baker ditch to repair an area about 150 feet long that had been dug up and stumps and fence post were buried and the tile had been broken, this was replaced making it more of an urban drain area because of the reconstruction of the portion of the road over the ditch making a trench drain over the tile run quite nicely. Takes care of both surface and sub drain.

Bruce asked how they were going to accommodate that if they abandoned it. They will make provisions with a letter to redirect or reconstruct in a manner of which it will not cut off any drainage from the area up stream.

Bruce asked if the complexes drain into it? Just the drive way area that comes out into the street. Mr. Pusey explained further to answer the question.

Sue W. Scholer asked; you don't anticipate changing of what is there now until they are replacing it with something. Answer-Correct.

Tom Bush acting Drainage Board Attorney read in the absence of Michael J. Spencer, Surveyor letter date June 29, 1989.

Dear Drainage Board Members:

Purdue Research Foundation has petitioned to vacate the upper portion of the Dempsey-Baker drain in Section 1, Township 23 N., Range 4 W. This portion of the drain is in the City limits of West Lafayette, Indiana.

I have no objection to this vacation as long as Purdue Research Foundation shows proof that the drainage from upstream land owners will not be affected.

This can be done by requiring Drainage Board approval prior to any land use change in this area where the drain is located.

Very truly yours,  
Michael J. Spencer  
Surveyor

Mike Lovejoy of 981 Devon Street, West Lafayette, asked if it drained any ditch East of Yeager? Dan Pusey answered that Dempsey Baker takes only a small portion west of the telephone switch station. A small area comes out over the curb. The high point is at the intersection.

Bruce V. Osborn moved to accept the petition of request and recommendation presented to the Drainage Board to vacate the portion of Dempsey Baker ditch as presented, seconded by Sue W. Scholer, unanimous approval.

✓ PLAZA PARK

Robert Grove engineer representing Plaza Park requested final approval for Plaza Park. Two items of which Michael Spencer had requested the developer to provide him with 1. Calculations for the off site run off from the development which includes the entire

watershed area. 2. Letter from City of West Lafayette saying that they would give permission and maintain any off site detention areas.

Mr. Grove stated that one thing needs to be pointed out that the two pipes located in Cumberland at this point and time will not handle the 10 year storm on the entire basin. They have looked at several options, one detaining on site and looking at some other on site provisions by giving up lots or back yard storage, no one wanted that. Mr. Grove continued to make his presentation. 350 can pass the 10 year storm, but does back up in the low area. 100 year storm the pipe would not handle it, and was never designed to handle it, water would back up and run over the road. They are increasing the flow, but there intent is not to dump the 100 year on the system- capacity of the 10(?). They are looking at the 10 year storm, there is going to be storage as 350 North is designed for a 10 year storm. This had been a question of Michael's in regards to the storage.

Sue W. Scholer asked if work had been done in the area to create a detention. Answer- No. Mr. Grove stated if the City did have complete control of the area they could re-work it in the future to make a basin or make it into a lake. At the present time there is no need to do anything as it is a natural low area. Discussion and presentation continued.

In the absence of Michael Spencer the Board did not take action at this meeting and also Michael did not have the calculations in time to make any recommendations to the Board to make any decision. Michael had asked for a letter from the City of West Lafayette and Purdue Research Foundation in regards to the storage on PRF's ground.

Sue W. Scholer stated that the request was for final approval, if no action is taken a special meeting could be held or acted upon at the next regular Drainage Board meeting August 2, 1989; depending on the surveyor receiving the material he has requested. A letter is in file from City of West Lafayette, but we do not have a letter that indicate that landowners permission has been granted on some of the ground.

Later; at the time of recessing the meeting for Orchard Park the Board stated Plaza Park could be recessed to be heard July 19, 1989 providing Michael Spencer, surveyor received the letters and information needed to be approved by the Board.

#### ✓ ORCHARD PARK

Robert Grove engineer for Orchard Park developer requested approval for a revision to the final drainage plan which had been given approval. Revision pertains to the off site drainage. Mr. Grove again explained to the Board and presented plans. The off site that they would be in letting has some serious problems. Water backs up into the street and in some occasions flows up over the curb down through and around a property owners home causing some erosion problems which the property owners has tried to alleviate that. The major problem that they see is that there was a 24 inch pipe that was allowed to come in several years ago and ties into a 15 inch pipe and this assures that pipe is constantly over loaded in a large storm. The intent in the final plan was to take everything north of that 24 inch and increase its size and get the water out of the street and on into the ravine, that required them to have an easement to go through private property it is obvious that they are not going to get that easement; therefore they can not complete the previous plans as proposed. There has been some objections from the people downstream that the flow was being increased. Theoretically at the present time the street is acting as a detention basin by opening up that system the flow would be increased as the water would not be allowed to back up into the street. The alternative to that is to do nothing with the downstream system and look at options to make sure they are not increasing or over loading that system any more. The detention basin shown in plans was to store the on site facilities. The developer has now agreed to take the remainder of Lot 28 and give it up as a detention basin. This would bring the existing 24 inch pipe into the basin and would restrict the out flow from the basin down to 16 3/4 this in essences give around 8 cfs decrease downstream which would mean a 100 year storm the down stream facilities would still be under a pressure head which would be much lower wouldn't be to the point that it would have to back up into the street to force the water through. as far as the off site water they are taking the 24 cfs and reducing that 16.82, if you take the 24 cfs coming through the 24 inch plus 100 year storm is 32.83 cfs which is being reduced to the 16.82. This assures them up to the 100 year storm. They can't get any more water that could come through a 16 3/4 inch orifice plate and they are feeding the orifice basin with the 24inch in their own off site storm water. Again he stated they are improving the downstream system, over detaining; definitely decreasing flow to them, since they can not go off site to make improvements they felt on site improvements over detention. This is about all they can do. This is the revision, again they do have approved drainage plans, they can not do the off site at this time; therefore they are requesting approval of the revision presented so the developer can proceed. Robert Grove stated he has gone through the plans and calculations with Michael, Michael likes the other solution better and many of them do, others oppose it. It is obvious they are going to have to get permission from private property owners. Mr. Grove stated he wasn't sure it was the developers obligation to do the offsite, he volunteered to do it and now can't so he is still saying he will do something on site. There is no requirement for him to go and replace it all. Presentation continued.

Sue W. Scholer stated Michael is going to have to review the revised plans and action will have to be taken at another time. Bruce recommended no action be taken. Board was in agreement to this.

Mary Lou Murphy 20 Woodmere Court, Lafayette, Indiana has a question. In the revision; were they going to do a redesign to the Intersection of Kensington and Woodmere Drive? They are not going to do anything to the off site that would be anything within the right of way of Kensington. That's all out. At one time they were going to all those things and increase the pipe sizes to get rid of the puddles and all the back ups in the

street. They are not proposing to do that because they have no ability to do it any more. It would have required off site private property type easements which they are not going to get; therefore they are not going to do it, it was a nice idea, but the people objected to it. Its a situation that you can't proceed.

Len Dible 40 Woodmere Court, Lafayette, Indiana stated what Ms. Murphy was asking about is that the print shows that it can be done by others, not by the you, it was a taxpayers expense. Mr. Grove stated that was correct, Discussion continued.

Phillip J. Scaletta attorney, representing Ed Becker land owner which abuts the ravine which is the off site drainage area. Mr. Scaletta asked that the board postpone any final action on the revision to give the people in the area and his client time to look into this matter to see what the problems might be. Mr. Becker has 100 year old oak tree on his property that they are concerned about. Mr. Scaletta feels there is going to be alot more water coming in a 15 inch pipe and will cause alot more erosion than there is now. Mr. Scaletta feels there should be rip-rap installed, and this should be done by the person who is causing the increase flow. More presentation continued.

Sue W. Scholer stated in answer to Mr. Scaletta's request the board had already decided to not give any final approval until the revision had been studied further. She stated a real solution to the problem would be to make a legal drain, as the board does not have the ability to deal with the problem as long as it is not a legal drain.

Lenoard Dible stated he had talked with Commissioner Osborn previously and in the discussion a legal drain was mentioned. He feels that procedure should be started now. Mr. Dible doesn't like the idea of putting all these things in place and then go to a legal drain. Bruce and Sue explained to the property owners the steps in petitioning to make the area a legal drain. Bruce stressed once again it is the property owners who petition for a legal drain not the Drainage Board. Mr. Dible asked if the board was counting on the area becoming a legal drain? Answer- No, this is up to the property owners. Ben Mays property owner of 3910 Penbrook Lane asked who decides the watershed area? Discussion of deciding and petitioning for legal drain continued.

Mary Lou Murphy asked who was the best resource in County Government? The surveyor will assist, but the property owners will have to have a private land surveyor

Jim Murphy 20 Woodmere Court, Lafayette, Indiana asked who provides consultation to the Drainage Board on water flow? Answer, the County Highway Engineer. Mr. Murphy asked if they had been concerned about the water flow on Creasey Lane?. Mr. Osborn answered they have alot of concern, not only where we're discussing now, but further upstream. Discussion and answer to this continued. Bruce stated with engineers and legal drain it is going to be a tough job.

Ron Hancock stated he is really concerned about loading the ravine system and the time the water will run in the ravine. He feels he will be getting more water with the revision. Discussion continued.

Robert Grove addressed some of the concerns of the property owners and again went through his presentation. All this is on file in the surveyors office, calculation and plans.

Robert Grove stated the developer was giving up Lot 28 to make it a detention basin for only one reason that is to decrease the flow, not increase the flow. They are plugging the 24 inch diverting into the pond then tie into 16 3/4 inch pipe that is all that can get out up to the 100 year storm. Explanation continued by Mr. Grove.

Mr. Dible asked where the water from Woodmere Drive was going. Mr. Grove answered right back into Woodmere Drive. Presentation continued.

Ron Hancock again stressed his concern of the flow from Woodmere to his problem, Mr. Grove stated they had made provisions for that, the small increase they are talking about in the proposed plan does not make any difference to Mr. Hancock's problem, the water flows to the street, it can come down and turn the corner, there are inlets there to handle it. Presentation-discussion continued.

Sue Scholer explained there was not an ordinance 20 years ago and the same type of Drainage Board approvals were not in place at that date and time. Its hard to go back and correct that.

Mr. Dible stated he doesn't understand how they have an approved drainage plan when the easement they claimed was not existent. The Board explained this is why Mr. Grove is here with his amended proposal.

Mr. Grove stated they had a letter of intent, but that turned around and this is the reason for being here today.

Sue Scholer explained that if the plans submitted meet the Ordinance requirements and the Board is convinced of that, the Board has no legal ground for holding it up. Mr. Grove stated when it was presented and approved regardless of the easement, they met the Ordinance on site, the off site was requested by the neighbors and the Drainage Board was interested in seeing that also. The off site was entirely different from the on site approval. On site meets approval. Discussion continued.

The meeting for Orchard Park recessed until Wednesday, July 19, 1989 at 9:00 A.M. Drawings are on file in the Surveyors office.

Meeting recessed at 10:00 A.M. until Wednesday July 19, 1989  
Three Board Members were present for the July 5, 1989 meeting.

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  
SEPTEMBER 4, 1991

The meeting was called to order by Nola J. Gentry, Chairman, at 9:00 A.M. in the meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Those present were: Nola J. Gentry, Chairman, Keith E. McMillin, Hubert Yount, Tippecanoe County Commissioners, Michael J. Spencer, County Surveyor, Ilene Dailey, Chris Burke Consulting Engineers, David Luhrman, 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 7, 1991. Keith McMillin moved to approve the minutes, seconded by Hubert Yount. Unanimously approved.

TWYKENHAM

Mark Smith, Smith Enterprises stated to the board that since 1987 they have been developing Twykenham Estates.

Discussion followed.

In the past Smith Enterprises has come in to the Drainage Board before construction begins and have received conditional vacation subject to certain conditions being met. Per that procedure the Drainage Board has vacated two sections and Mr Smith is here today on the third section.

Nola asked if the notices had been sent on this yet.

Mark stated that they have not been sent. The hearing date will be set with the Drainage Board at a later date. The conditions are for Smith to put in the storm sewer system per the approved plans of the City of Lafayette, submit certified drawings to Mike Spencer, County Surveyor and to Mr. Sooby, City of Lafayette Engineer. The City of Lafayette accepts the storm drainage system for maintenance. Smith also connects any tiles that they may cross as they come through. Those conditions being met, Smith will come back to the Drainage Board for formal vacation hearing and vote. At which time the notices will be mailed.

Part of our approval process for APC and for Mr. Sooby are that the Drainage Board is in agreement.

David Luhrman, Attorney stated to the board that if they want to approve this they would need to sent out the notices to the landowners and publish it in the paper. The landowners have written notice between 30 and 40 days before the final hearing and the newspaper notice published at least 10 days before the hearing. Conceivably, you could set a hearing for October 5, 1991 if all the notices are ready to be sent.

Hubert Yount, Commissioner stated that basically, you are looking for approval of the concept.

Mark Smith stated that a vacation could not be done until the pipe has been put in place and has been accepted by the City of Lafayette for maintenance. At that time then we come back in and get formal vacation.

Nola Gentry stated that a motion was needed that the Drainage Board was in agreement with this process.

Mike Spencer, County Surveyor responded yes with 5 conditions.

Discussion followed.

Hubert Yount, Commissioner motioned that the Board was in agreement with the proposed storm drainage system of Twyckenham Estate Phase II Section 3, 5, 6 and 7 and with the following conditions the board would consider vacation of the ditch.

1. New drainage system be installed approved and functioning properly.
2. All field tiles from the off-site property connect to the new system. The reason for that is that the landowners have tile that flow into the Ortman Drain. These people should be satisfied that it is properly done and not causing any problems.
3. Certified Asbuilt drawings be submitted.
4. A letter needs to be received from the City indicating approval and acceptance for maintenance and that the city has approved the construction drawings for this area of the storm sewer that is proposed to be developed.
5. That the drain will be completed and approved before the final plat can be recorded and building permits issued.

Keith McMillin, County commissioner seconded the motion. Motion carried.

FAMILY PANTRY

Mark DeYoung, Attorney for Greg Jacobs discussed the changes of the construction and drainage plans of the Family Pantry projects.

Nola asked if this was a different site-plan than what was presented previously?

Mr. DeYoung stated that it was different because of the BZA process requesting building setback. It was necessary to reduce our building size and then the BZA granted our setback variances based on review of the site plans.

Discussion followed.

Hubert Yount asked if they were wanting approval today.

Mike Spencer asked if the site plans had been approved.

Mr. DeYoung stated that the APC insist on being last that is why we are here in this situation. They want to have the final say. They want every little detail in site-plan exactly the way it is going to be and the drainage is still in flux.

Nola asked if this was the last site-plan or would there be another one.

Mr. DeYoung said he would not make any promises. The building configuration and the parking configuration are done. The BZA has approved those.

Discussion followed.

Mike stated in the file is a set of calculation that shows more parking and more building, the file needs to be kept current. If there are going to be changes in the square feet of parking and building it needs to be reflected in the drawings and the calculations that are in file for people in the future that want to look at it.

Mike continued that Ilene Dailey of Chris Burke Engineering looked at the plans and had a couple comments.

1. That erosion control be implemented and detailed in the plans per erosion control during construction.
2. Need a copy of the recorded off-site easement.

Mike stated that he has the State Highway permit for the plans and the drawing is attached to the State permit. That was one of the requirements that the State approve it.

Discussion followed.

Hubert Yount moved to give conditional approval subject to the four conditions stated below.

1. New calculation on site plans be submitted to the Surveyor.
2. Erosion Control practices shown during construction.
3. Off-site easement be recorded and submitted.
4. Come back to the Drainage Board with final plan when the site-plans are approved. Permits will be issued at that time.

Keith McMillin seconded. Motion carried.

#### FARMINGTON

Dick Donahue asked the Drainage Board for conditional approval.

Mike Spencer stated that the Engineering Firm of Coil and Dickmeyer from Fort Wayne is doing the plan on Farmington. Ilene's last letter to him was August 26 with 5 items of concern. Those 5 items constitute more than just 5 things to do. There are a lot of things lumped into each one. We received a fax from Mr. Coil last night at 4:00. I have not seen it and Ilene has not had time to go through it. I would like to go through the response and see if they are actually addressed before any decision is made.

Dick Donahue stated that if the 5 items are addressed satisfactorily that approval should be given. If you could give us approval subject to that it would be appreciated.

Nola asked Mr. Donahue if he was under a time constraint.

Mr. Donahue responded that the building season is disappearing.

Nola asked Mike if he would want to adjourn and have a meeting in a few days to give Mike and Ilene time to go over it.

Mike stated that he would feel better about that.

Ilene stated that she preferred it too. Some of the responses do not match the original drawings. So it is not clear if some of these things have been changed or not.

Hubert stated that they may need a meeting with the Engineering firm to clear these things up.

Nola stated that the Drainage Board could have a special meeting. If the Engineering firm got the information needed, and Mike and Ilene could have time to go over it.

Ilene stated that they need to be sure to give Mike everything she gets and vice versa.

Nola stated that would be the best thing to do, since there were to many unanswered questions at this point.

Mike commented that some of these were very major items in the whole design of the drainage system in the subdivision.

#### HADLEY LAKE

Mr. Robert Bauman, Attorney for West Lafayette, stated that he talked with Mike Spencer and they now know how to figure the assessments for the maintenance fund, in connection with that we will be filing a petition to consolidate all the assessments in the area.

Mike stated it would be going into one watershed. Some people are paying on their own plus the outlet they have two assessments. It would be better if they were combined.

Mr. Bauman continued: We are in a position to send the notices for the hearing on the reconstruction of the Dempsey/Baker and the construction of Hadley Lake. We are requesting you set a hearing date on that.

Nola stated that the hearing needed to be set not less than 30 days and not more than 40 days.

Nola asked Mr. Bauman if he had the notices ready go, or do we need to take a few days into account for that.

Mr. Bauman said we need to take a few days into account for that. We have been updating our data base. There were some discrepancies between that as drawn by the Engineer and the County records. We will correct the discrepancies to coordinate with the County records. We are doing that now.

Nola asked how long he will need.

Mr. Bauman responded that he would like to have it on the October 16. We want to make sure we have the list correct with County and get the notices physically prepared now. In particular the notices for the Hadley Drain that is a pretty good number.

Mike asked if it was for the maintenance.

Mr. Bauman responded that they will not be proposing assessment for construction and there will be an explanation of that in the notice. They will be notified of what the proposed maintenance assessment will be.

Nola commented: You will request that a hearing be set for Wednesday, October 16 at 9:00 am.

Mr. Bauman said yes.

Nola stated that would be a hearing on the maintenance of the Dempsey/Baker and Hadley Drain.

Mike stated it would be the reconstruction of Dempsey/Baker and the Construction of Hadley Lake.

Discussion followed.

Keith McMillin moved to have a special Drainage Board meeting on October 16, 1991 at 9:00 am for the maintenance of Dempsey/Baker and the construction of Hadley Lake.

Hubert Yount seconded the motion. Motion carried.

#### CREASY LANE RECONSTRUCTION

Tom Borck, Hawkins Environmental gave the board a brief synopsis of the plans for the Creasy Lane reconstruction project.

Discussion followed.

Mr. Borck stated that what they are trying to do is follow somewhat the existing drainage patterns.

Discussion followed.

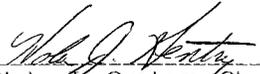
Mr. Borck stated that what they anticipate is a system of storm sewers and swails along Creasy Lane. At this point we are looking a 5 lane road way.

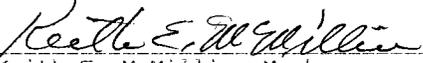
Discussion followed.

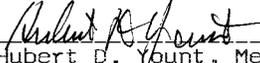
Being no further business Keith McMillin moved to adjourn the Drainage Board meeting.

Hubert Yount seconded. Motion carried. Meeting adjourned.

The next regular scheduled Drainage Board meeting is Wednesday, October 2, 1991.

  
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Nola S. Gentry, Chairman

  
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Keith E. McMillin, Member

  
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Hubert D. Yount, Member

ATTEST:   
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Dorothy M. Emerson, Executive Secretary

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

Discussion followed.

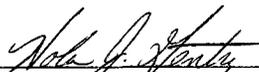
Mike Spencer recommended preliminary approval to the Board.

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

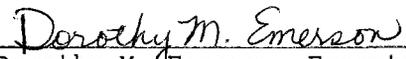
Hubert Yount, seconded. Motion carried.

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

  
Keith E. McMillin, Chairman

  
Nola J. Gentry, Member

  
Hubert D. Yount, Member

ATTEST:   
Dorothy M. Emerson, Executive Secretary

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

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

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

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

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

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

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

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

**Hire the Attorney**

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

**Active and Inactive Ditches for 1993**

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

**ACTIVE DITCHES**

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

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

INACTIVE DITCHES

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

**Storm Water Drainage Improvement Plan**

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.

  
William D. Haan, President

  
Nola Gentry, Vice President

  
Hubert Yount, Member

ATTES:   
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
NOVEMBER 3, 1993

The Tippecanoe County Drainage Board met Wednesday November 3, 1993 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

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

The first item on the agenda was to approve the minutes from the last Drainage Board meeting held October 6, 1993. Commissioner Yount moved to approve the minutes. Seconded by Commissioner Gentry. Motion carried.

SAGAMORE POINTE SUBDIVISION

Robert Grove asked approval of revised preliminary plan for Sagamore Pointe Subdivision. Mr. Grove explained that the reason for the revised plan was the original plan showed the watershed area draining into Hadley Lake and at that time Mr. Grove did not realize that the watershed would have to be approved by the owner of Hadley Lake. Since then Mr. Grove has tried to make contact and get approval of the lake's owner, but has not succeeded. The revised plan suggest four areas of rear yard storage that range from two feet to four feet deep in a ten year storm and one area of off-site storage.

Mr. Spencer asked if there is enough dirt on-site to create the detention areas?

Mr. Grove stated yes.

Mr. Grove asked the Board about giving the landowner of the off-site storage area credit for storage up to 19 cfs?

Commissioner Yount asked where the 19 cfs figure came from if Mr. Grove does not how much offsite water will be affecting the basin.

Mr. Spencer read the requirements that must be met before approval can be granted.

1. Topographic Survey indicating both existing and proposed contours.
2. Watershed mapping showing off-site drainage areas.
3. Storm sewer plan and profiles including inverts and top of casting grades.
4. Erosion Control Plan.
5. Hydraulic analysis of receiving stream (ie. Demsey/Baker Legal Drain) and computations of tailwater effects on the storm sewer conveyance system.
6. Materials, elevations and basis of design for roadway culverts.
7. Cross sections and profile of open channels.
8. Vacate regulated drain tiles.

Commissioner Yount stated that the Board feels at this time there are too many questions that need answered before approval is granted.

Mr. John E. Smith, Smith Enterprises, asked to continue Sagamore Pointe Subdivision.

Hawks Nest Subdivision

Jack Kovich request final approval of Hawks Nest Subdivision.

Mr. Stolz indicated while comparing the preliminary plans to the final plans the watershed calculations along 600 North differed.

Mr. Kovich stated the reason for the change was the project is trying to utilize the gravity flow sewage system that is available in the first phase. By doing that it will raise the elevation of the grade in the first phase and alter the elevation of the road in the following phases so that dirt can be obtained onsite.

David Eickelberger, Engineer for Christopher Burke Engineering, LTD., specified the requirements that need to be met before approval can be recommended.

1. An erosion control plan.
2. Gutter spread or inlet design and spacing calculations.
3. Calculations to reflect the changes in the storm sewer network, drainage areas to each inlet and times of concentration.
4. Emergency spillways should be included for the detention ponds.
5. The two variances requested. Exceeding the four feet of depth in Basin A is recommended and allowing storage on parts of residential lots is recommended, since the ponded area will be confined within a proposed easement.
6. Provide a detailed delineation of the floodway on the plans to show the berm and pipes are outside the floodway.

Mr. Kovich asked to continue Hawks Nest Subdivision, so that the mentioned requirements can be met?

Commissioner Yount stated that the Board could call a special meeting to discuss Hawks Nest Subdivision when the requirements are met and reviewed by Mr. Spencer and Mr. Stolz.

PINE VIEW FARMS II PHASE I

Mark Runkel of Schneider Engineering, asked for preliminary approval of Pine View Farms II Phase I located between McCormick Road and US52. The bulk of Phase one drains into a planned detention pond and outlets into two existing culverts under McCormick Road. There will be a culvert to the south that will carry the water to two proposed detention ponds, a culvert to the north will drain a small undetained area and the rest of the development will drain in the same direction as existing conditions.

Commissioner Yount asked if the plan was taking one watershed area and putting it into another?

Mr. Spencer said yes.

Mr. Hoffman asked if there is going to be and how much water standing in the back of peoples lots.

Mr. Runkel stated that there is a dry detention area at the back of lots 131, 132, and 133, but was not sure of how much water if any would be standing.

Mr. Spencer read the requirement that must be met before final approval can be granted.

1. Basin 400 and 500 of the developed condition analysis will drain to the existing drainage system to the north of the proposed development. It is assumed that the development to the north has taken into account the drainage from this site in the existing conditions. In the proposed condition, the applicant has reduced the area draining to the north. When the applicant submits for final drainage approval, the adequacy of this outlet will need to be verified.

2. There are several items that must be submitted by the applicant with the request for final approval of this development. It is understood that these items were not submitted since this was a request for preliminary approval. However, a listing of these items may help the applicant to compile a complete submittal for final approval:

- a. Pipe sizing calculations must be submitted
- b. Watershed maps for local drainage to each inlet or swale must be submitted
- c. Erosion control measures must be included
- d. The applicant must refer to Section 14 of the drainage code to comply with detention pond requirements such as emergency spillways, residential lots within the pond, acceptable depths and sideslopes, etc...
- e. Gutter spread calculations must be submitted
- f. Final plans that include the proposed grading of the area

Mr. Stolz read the concerns that he had while reviewing Pine View Farms II Phase I.

1. The applicant has used the Advanced Interconnected Channel & Pond Routing (adlCPR) computer program to route the storm water discharge through the primary detention pond. The Tippecanoe County Drainage Code amendment (92-18-CM) states that all detention storage calculations for sites greater than or equal to 5 acres must be done with the SCS TR-20 computer program. The applicant should resubmit the analysis using the TR-20 program.

In addition to using the TR-20 computer program, the applicant must use the Huff Third Quartile (50%) rainfall distribution. 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 applicant has used the SCS Type II rainfall distribution and a 6-hour duration.

2. The "Developed Drainage Exhibit" indicates that the peak 100-year discharge from the south culvert under McCormick Road will be 5.93 cfs. However, the peak 100-year discharge from basins 100 and 200 is 4.51 and 13.9 cfs, respectively.

3. The "Developed Drainage Exhibit" indicates that there will be a detention pond constructed in the southwest corner of the site, along lots 131 to 133. However, the applicant has not submitted any calculations for this proposed pond. There is no proposed grading, or indication of the outlet structure, shown on the plans.

4. The applicant has not provided background data to support the Time of Concentration or the Curve Numbers used in the analysis. The applicant should

be aware that the Time of Concentration calculations must be done by using the methodology outlined in the SCS TR-55 manual.

5. During a meeting with the applicant on October 13, 1993, you requested that the applicant investigate the downstream conditions for the areas to be drained without benefit of storage (basins 300, 600 and 700). It appears that the applicant has not provided the requested information. There is no information on the conditions downstream of basins 600 and 700. Downstream of basin 300 is an existing culvert under McCormick Road. The applicant has not submitted calculations to verify the adequacy of its use.

Mr. Hoffman stated that the Drainage Ordinance requires a six foot chain link fence to surround the 1.12 acre pond.

Mr. Runkel asked if the fence could be a variance?

Commissioner Gentry said Mr. Runkel could ask for a variance on the pond, but there needs to be more information before the variance can be granted.

Commissioner Yount moved to approve preliminary plans for Pine View Farms II, Phase I, subject to conditions. Seconded by Commissioner Gentry. Motion carried.

#### THE RAVINES

Paul Coutts asked for final approval of The Ravines located off Division Road and 875 West. Mr. Coutts referred to the memo from Mr. Stolz dated November 2, 1993, the overflow discharge from pond 3 will not impact the adjacent properties because conditions after development will be the same as existing conditions. Ponds 2 and 3 will utilize the farm tiles that are in good condition and are adequate to handle the runoff.

Commissioner Yount asked the direction of the runoff?

Mr. Ken Ade, developer of The Ravines, stated that the runoff will go straight south into the ravine and will not change the conditions that exist there now because the pipe size remains the same.

Commissioner Yount moved to approve final approval of The Ravines. Seconded by Commissioner Gentry. Motion carried.

#### Other Business

Virginia Johns, 328 Lodi Lane, presented to the Board a petition asking help to correct a drainage problem in Orchard Heights I and II. Mr. Spencer stated that he would shoot elevations to find out what needs to be done to correct their problem.

Commissioner Yount stated the landowner could hire an engineer to shoot the elevation and draw up a plan, then the engineer would have to present the plans to the Board for approval. Mr. Spencer is willing to shoot elevations and there maybe a chance that the landowner themselves can fix the problem.

Ms. Johns agreed to let Mr. Spencer shoot the elevations at his convenience.

Being no further business Commissioner Yount moved to adjourn until December 1, 1993. Seconded by Commissioner Gentry. Motion carried.

DRAINAGE BOARD MINUTES    NOVEMBER 3, 1993 REGULAR MEETING    11/09/9311/02/93+

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
JANUARY 5, 1994

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

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

ELECTION OF 1994 OFFICERS

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

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

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

-APPOINTMENTS-

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

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

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

-MEETING DATES FOR 1994-

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

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

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

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

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

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

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

#### HAWKS NEST SUBDIVISION, PHASE I

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

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

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

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

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

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

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

#### TRIPLE J POINTE SUBDIVISION

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

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

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

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

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

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

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

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

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

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

#### HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

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

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

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

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

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

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

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

ACTIVE DITCHES FOR 1994

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

INACTIVE DITCHES FOR 1994

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

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

OTHER BUSINESS

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

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

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

**GREAT LAKES CHEMICAL**

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

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

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

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

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD  
 REGULAR MEETING  
 FEBRUARY 1, 1995

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

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

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

ACTIVE AND INACTIVE DITCH LIST 1995

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

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

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

Mr. Luhman read the inactive ditch list into the minutes

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

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

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

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

#### CHRISTOPHER B. BURKE ENGINEERING CONTRACT

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

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

#### OTHER BUSINESS

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

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

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
MARCH 1, 1995

The Tippecanoe County Drainage Board met Wednesday March 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 J. Frederick Hoffman; Engineering Consultant Jon Stolz and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held February 1, 1995. Commissioner Gentry moved to approve the minutes, Seconded by Commissioner Jones. Motion carried.

PENTECOSTAL CHURCH OF GOD

Bob Grove asked the Board for final approval of the Pentecostal Church of God. The Church will be located West of South 9th Street, South of 350 South where an existing homestead is located. The current plan shows the outlet at the 100 year elevation for the James N. Kirkpatrick Ditch

Mr. Spencer recommended final approval.

Commissioner Gentry moved to grant final approve of the Pentecostal Church of God drainage submittal, seconded by Commissioner Jones. Motion carried.

SAGAMORE POINTE SUBDIVISION

Bob Grove explained the first time Sagamore Pointe Subdivision was discussed the plan was to use the Hadley Lake for storm water storage. At that time the Board informed Mr. Grove written approval from the owner of Hadley Lake would have to be obtained. The second submittal was to use rear yard storage, but was unacceptable to the Board. This last submittal goes back to the first submittal with a tentative agreement between Martin, Chuck, & Tim Galama, the landowners of the Hadley Lake, agreeing to the use of the lake as storage for storm water from Sagamore Pointe Subdivision. Mr. Grove stated another option if the agreement is not agreeable would include two detention basins which would take the place of four residential lots. Basin #1 would store storm water from 18.95 acres North of the legal drain and Basin #2 would store storm water from 6.24 acres South of the legal drain. Mr. Grove asked the Board for conceptual approval of the onsite detention if an agreement could not be reach between the owners of Hadley Lake and Smith Enterprises.

Martin, Chuck, and Tim Galama joined the discussion.

Commissioner Gentry asked Martin Galama if there is a tentative agreement between him and Smith Enterprises to use Hadley Lake for storm water storage?

Mr. Martin Galama stated he wanted to discuss some issues with the Board before they entered into an agreement with Smith Enterprises. Mr. Galama stated there is no tentative agreement.

Mr. Hoffman asked if there would be any other landowner affected by the increase of storm water being stored in Hadley Lake?

Mr. Spencer stated at the outlet elevations of the pipes under Morehouse Road the water does not affect any other landowners, when the elevation gets above the outlet pipes it could affect John Schmidt's property.

Mr. Hoffman stated anyone who may be effected should be notified and a public hearing held.

Mr. Spencer explained the drainage will not affect anyone else at the 648 elevation.

Commissioner Gentry moved to grant conceptual approval of the two onsite detention basins in Sagamore Pointe Subdivision, seconded by Commissioner Jones. Motion carried.

Commissioner Gentry moved to continue Sagamore Pointe Subdivision until the April 5, 1995 Drainage Board Meeting, seconded by Commissioner Jones. Motion carried.

Mr. Martin Galama expressed his concern as to why they were not willing to go into an agreement with Smith Enterprises. The main reason was if the Galamas wanted to develop their land they want to be sure that Hadley Lake would have enough capacity to handle the drainage from their development.

Mr. Spencer explained there are questions which need to be answered before the Board can answer whether or not the lake could handle the storm water from Sagamore Pointe Subdivision and the Galama's development. The only way to get the answers is to do a study of a simulated development of Galama's property and determine how many acre feet of storage would be available in the lake. There is also the option of making the lake bigger at the permanent pool elevation which is the outlet elevation of Morehouse Road.

Mr. Tim Galama indicated the Ordinance states developments that surround the lake are required to have there own detention for their storm water. If we decide to go into an agreement with Smith Enterprises would other developers remonstrate?

Commissioner Haan stated the same Ordinance would apply to other developers, they would have to receive permission from Hadley Lake's owner or have onsite detention.

Mr. Spencer had asked Mr. Stolz to do an analysis on work that was done by Cole and Associates when the Dempsey Baker Ditch was created. The road elevation on Morehouse Road is approximately 653.6 and that accounts for 464 acre feet of storage in Hadley Lake before overflowing Morehouse Road. The Sagamore Pointe Development storage requirement is 1.13 acre feet out of the 464 available storage.

Mr. Hoffman asked how much more storage could Hadley Lake handle before Morehouse Road would overflow?

Mr. Spencer stated there are 464 acre feet available and the Sagamore Pointe Development would use 1.13 acre feet. The 5.6 feet height of storage is from the outlet structure under Morehouse Road to the top of the Road and the 1.13 is acre feet of storage is a volume. The development is not using 1.13 feet off the 5.6 feet of storage, it is using 1.13 acre feet off the 464 acre feet of volume up to the top of Morehouse Road before it would overflow.

Commissioner Gentry stated the only way to make sure Galama's would have enough storage for their development would be to have an Engineer determine the maximum density of the proposed development.

#### OTHER BUSINESS

##### ASHTON WOODS SUBDIVISION PHASE IV

Joseph T. Bumbleburg and Derrin Sorenson asked the Board to take a look at Ashton Woods Subdivision Phase IV. Mr. Bumbleburg stated the County owns a dry bottom retention pond east of Phase IV and asked if it would be possible to deed the two outlots designed for detention within the Subdivision to the County and a covenant that the lot owners could not remonstrate against a petition to create a County Regulated Drain for this watershed area in the future?

Commissioner Haan explained responsibility would be assumed by the County if the basins were deeded to the County. That is something the County does not want.

Mr. Hoffman asked where the water from the two basins would outlet?

Mr. Spencer stated the water will be taken under the new US231 and follow a natural course to the Wea Creek.

Mr. Hoffman asked about the possibility of making the route a legal drain?

Mr. Spencer stated when the Wea-ton area was developed the possibility of a legal drain was discussed, but nothing ever came about. The watershed area would include the Rostone Circle area, Triple J, Old Romney Heights and Ashton Woods Developments.

Mr. Bumbleburg reviewed what needs to be done to establish a legal drain is to create a watershed area, get a legal description of the drain, and to get a list of landowners in the watershed area.

##### ROMNEY STOCK FARM DITCH

Mr. Spencer presented the Board with a petition he received from Marvin McBee to extend the Romney Stock Farm Ditch and establish a maintenance fund for the upper end of the ditch. There are seven signatures on the petition, but it does not include the signature of Paul Kirkhoff which 95% of the ditch is on his property.

Commissioner Gentry asked if 51% of the landowners effected have signed the petition?

Mr. Spencer stated yes.

#### US231 RELOCATION

Mr. Spencer stated Mr. Stolz provided him with a synopsis of the review comments concerning the relocation of US231 by Christopher B. Burke Engineering, LTD. for the Board's review.

#### Cuppy-McClure update

Mr. Spencer reported the plan for the tree mitigation has been sent to Will Ditzler of J.F. New & Associates.

Being no further business the Commissioner Gentry moved to adjourn until April 5, 1995, seconded by Commissioner Jones. Motion carried.

DRAINAGE BOARD MINUTES    MARCH 1, 1995 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
JANUARY 3, 1996

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

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

ELECTION OF OFFICERS

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

Mr. Hoffman opened the floor to nominations for President.

Commissioner Haan nominated Commissioner Gentry.

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

Mr. Hoffman turned the meeting over to the President.

Commissioner Gentry asked for nominations for Vice President.

Commissioner Haan nominated Commissioner Jones for Vice President.

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

APPOINTMENTS TO THE BOARD

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

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

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

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

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

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

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

1996 ACTIVE/INACTIVE DITCH LIST

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

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

1996 - ACTIVE/INACTIVE DITCH LIST

ACTIVE

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

INACTIVE

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

Commissioner Gentry mentioned the ditches that are in red:

COUNTY FARM, REBECCA GRIMES, FRANKLIN RESER, GUSTAV SWANSON

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

"December 29, 1995

Nola J. Gentry, President  
Board of Commissioners

Michael J. Spencer  
County Surveyor

Re: Interest on Drainage Funds

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

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

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

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

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

Sincerely,

Betty J. Michael"

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

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

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

#### APPROVAL OF MINUTES

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

#### BRENTWOOD COMMUNITY

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

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

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

#### SOUTHERN MEADOWS

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

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

Mr. Spencer explained the site drains to the pond.

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

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

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

#### VILLAGE PANTRY #564R

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

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

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

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

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

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

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

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

#### ALEXANDER ROSS DITCH EASEMENT REDUCTION

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

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

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

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

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

#### SANWIN APARTMENTS

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

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

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

Cuppy-McClure - update

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

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

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

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

DRAINAGE BOARD MINUTES      JANUARY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD  
 REGULAR MEETING  
 FEBRUARY 5, 1997

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

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

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

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

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

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

ACTIVE DITCH LIST 1997

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

54	Marsh, Samuel		\$0.00		\$0.00
55	Miller, Absalm		\$0.75	\$3,236.00	\$2,221.92
57	Morin, F.E.	\$1.00	\$1,434.72	(\$1,130.43)	
58	Motsinger, Hester	\$0.75	\$2,000.00	(\$348.42)	
59	O'Neal, J. Kelly	\$1.50	\$13,848.00	(\$1,975.03)	
60	Oshier, Aduley		\$0.50	\$1,624.88	\$1,048.80
64	Rayman, Emmett	\$0.00			\$326.57
65	Resor, Franklin	\$1.00	\$3,407.60	(\$2,025.96)	
74	Sterrett, Joseph	\$0.35	\$478.32		\$276.65
76	Swanson, Gustav	\$1.00	\$4,965.28		\$1,351.62
82	Wallace, Harrison		\$0.75	\$5,501.76	\$5,408.79
84	Walters, William	\$0.00	\$8,361.52		\$7,999.20
87	Wilson, Nixon		\$1.00		\$158.62
89	Yeager, Simeon		\$1.00	\$615.36	(\$523.86)
91	Dickens, Jesse		\$0.30	\$288.00	\$206.26
93	Dismal Creek		\$1.00	\$25,420.16	\$8,652.86
<b>94</b>	<b>Shawnee Creek</b>		<b>\$1.00</b>	<b>\$6,639.28</b>	<b>\$3,411.51</b>
95	Buetler/Gosma		\$1.10	\$19,002.24	\$9,981.77
100	S.W.Elliott	\$0.75	\$227,772.24	\$174,474.74	
102	Brum, Sarah		\$1.00		
103	H W Moore Lateral				
104	Hadley Lake Drain	\$0.00			\$38,550.17
105	Thomas, Mary		\$0.00		
106	Arbegust-Young	\$0.00			
108	High Gap Road	\$13.72			0.00
109	Romney Stock Farm	\$12.13			0.00

INACTIVE DITCH LIST 1997

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

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

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

#### 1997 CONTRACTS

##### ENGINEERING CONTRACT

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

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

##### ATTORNEY CONTRACT

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

Commissioner Hudson read the paragraph that was added:

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

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

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

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

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

#### **OBSTRUCTION OF DRAINS**

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

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

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

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

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

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

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

#### MARCH DRAINAGE BOARD MEETING DATE

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

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

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

# TIPPECANOE COUNTY DRAINAGE BOARD

February 4, 1998

regular meeting

## **Those present were:**

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

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

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

## **MIKE MADRID COMPANY**

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

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

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

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

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

## **DRAINAGE BOARD 1998 CONTRACTS**

### **Attorney**

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

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

**Engineering Consultant**

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

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

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

**1998 ACTIVE AND INACTIVE DITCH LIST**

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

**ACTIVE DITCH LIST**

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

**INACTIVE DITCH LIST**

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

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

**OTHER BUSINESS**

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

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

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

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

**MINUTE BOOK**

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

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

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

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Ruth Shedd, President

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Shelli Muller, Secretary

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Kathleen Hudson, Vice President

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John Knochel, Member



# TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

**Those present were:**

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

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

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

ACTIVE

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

INACTIVE

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

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

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.

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Ruth Shedd, President

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Shelli Muller, Secretary

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Kathleen Hudson, Vice President

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John Knochel, Member

# TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

**Those present were:**

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

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

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

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

**CROSSPOINTE APARTMENTS SUBDIVISION**

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

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

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

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

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

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

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

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

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Steve Murray asked what is your construction schedule.

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

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

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

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

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

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

Mr. Luhman read the 2000 active and inactive ditch list

### ACTIVE

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

INACTIVE

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

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

**OTHER BUSINESS**

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

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

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

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

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

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

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

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

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

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

**CHICAGO TITLE INSURANCE COMPANY**

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

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

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

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Kathleen Hudson, President

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Doris Myers, Secretary

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John Knochel, Vice President

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Ruth Shedd, Member

TIPPECANOE COUNTY DRAINAGE BOARD  
NOVEMBER 1, 2000  
Regular Meeting

Those present were:

Tippecanoe County Commissioners Kathleen Hudson, John Knochel and Ruth Shedd, County Surveyor Stephen Murray, Drainage Board Engineering Consultant Dave Eichelberger, County Attorney Dave Luhman, and Commissioners' Assistant Jennifer Weston.

The Tippecanoe County Drainage Board met Wednesday, November 1, 2000, at 10:00 A.M. in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana, with Commissioner Kathleen Hudson calling the meeting to order.

The first item on the agenda is to approve the minutes from the October 16, 2000, Regular Meeting. Commissioner Ruth Shedd moved to approve the minutes of the October 16, 2000, Drainage Board Meeting, seconded by Commissioner Knochel. Motion carried.

**Subaru-Isuzu Automotive Manufacturing Building Expansion**

Bruce Walrad, with Arcadis Giffels the Architect that is working with Obiosche Construction Corporation on the design/build project to expand the Subaru-Isuzu Automotive Plant, addressed the Board. After receiving all approvals, the intent is to construct a 149,000 square foot building expansion for warehousing and engine test activities related to existing plant processes. They will convert 4.7 Acres from existing grassy, lawn area to a less permeable condition. There are a few issues to address with the board,

1. Sedimentation and erosion controls-use conventional filters and silt fencing to protect the adjoining site. There are no aggressive slopes in the area.
2. Designed storm sewer system to drain the roof in the adjoining approved property to accommodate a 10-year storm, using modified rational method.
3. To accommodate additional storm water detention and retention in the area, have proposed to expand the existing retention pond, which is shown as #5 and #6, by 2,300 cubic yards, which will accommodate a full volume 100-year storm falling on the area.

That being the case, we do believe we can design and construct a building expansion in the manner that is compliant with local, state and federal code standards. We ask for Board approval for project to proceed.

Steve Murray commented that Burke Engineering has reviewed the plans and found them to be in compliance with our Ordinance and he recommends final approval subject to drainage review fee being paid. The statement in the review memo regarding restrictive covenants will not apply to this site.

Commissioner Shedd moved for final approval for the Subaru-Isuzu Expansion, seconded by Commissioner Knochel. Motion carried subject to conditions.

**STONEHENGE**

Tim Beyer, Vester & Associates, presented maps of Stonehenge along with a request for final approval for Stonehenge Phase II. He commented the detention pond in Phase I and the Planned Development along CR 375W & 450N, was designed to accommodate the entire subdivision development. Essentially, Phase II consists of 15 lots on 5.5 acres and the main purpose is to provide connection to 450N. As far as drainage improvements in Phase I, we are picking up at a storm sewer manhole and continuing the storm sewer North along Yanksberry and then going to the West so the future development can tie into the existing storm sewer system.

Steve Murray recommended final approval with conditions as stated in the review memo dated October 6, 2000.

Commissioner Shedd moved for final approval for Stonehenge Phase II, with conditions as listed, seconded by Commissioner Knochel. Motion carried.

### **LAKESHORE SUBDIVISION, PHASE I**

Bill Davis, with Hawkins Environmental, stated he was here to discuss Lakeshore Subdivision, Phase I and request final approval of drainage plan and reduction of legal drain width. Mark Phipps has done majority of work and will make the presentation. Mark presented several exhibits for Lakeshore, Phase I. The site contains R1B, R2, R3 and G.B. zoning. The site is predominately-cultivated soil currently. US52 is to the South; Morehouse Road to the East and the Dempsy Baker legal drain crosses the site to the North. The entire site is within the Hadley Lake watershed. Each of sub basins within the development travel different routes to get to Hadley Lake. The dry bottom detention pond has been sized to accommodate the developed condition for Phase I as well as the rest of the site to the South. There is also a street crossing of the Dempsy Baker that has been sized. There are portions of the existing condition, which do not currently go directly to the Dempsy Baker and they are proposing rerouting the portions directly to the Dempsy Baker and then to Hadley Lake through their new storm sewer system. Since this will increase the discharge to the drain, they have developed new sections to show the work they will need to do to the drain to accommodate the additional flow.

Steve Murray added that they have a letter from the adjoining owner, which they have included in their study, which states that they are in agreement with the diversion because it will make their site easier to develop. Also, they have proposed reworking the legal drain to provide the additional capacity needed, therefore, there should not be any problems.

Mark also requested a variance to reduce the legal drain easement width from 75 foot from the top of bank to 25 foot from the top of bank.

Steve Murray indicated he had talked with Mr. Luhman briefly before the meeting regarding the fact that Indiana Code allows the reduction in drains established after 09/01/84 and that we would not be able to act on the request until Mr. Luhman could give an opinion. Steve stated he did not have a problem with a reduction if it was allowed by law.

Steve added, as far as condition one, they need to do some additional design on the energy dissipater at the down-stream end of the structure. Also, if they do put the energy dissipater in and post the three year maintenance bond on the storm improvements, I have some concerns regarding future maintenance, which may be needed after the bond runs out. The cost of the repairs or maintenance would have to be paid out of the Ditch Fund and that would not be fair to those who pay into the fund. This is an unusual improvement to install in a regulated drain. Steve indicated he had talked to Bill Davis before the meeting and there would need to be some additional discussion as to how to handle this situation.

Steve recommended final approval with conditions stating that if they could not work out the details on the conditions that the worst case was he would have to come back to the Board at a future meeting and report that the conditions could not be worked out and therefore the drainage plan was not approved.

Bill Davis asked if the variance on the legal drain width could be approved subject to the research. Mr. Luhman stated we should not do it that way and it would be best to wait until the next meeting.

Steve recommended final approval with conditions.

Commissioner Knochel moved for final approval with conditions for Lakeshore Subdivision, Phase I, seconded by Commissioner Shedd. Motion Carried

Unity Medical asked to be dropped from the Agenda.

Being no further business, Commissioner Knochel moved the meeting be adjourned, seconded by Commissioner Shedd. Motion carried.

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Kathleen Hudson, President

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John Knochel, Vice-President

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Janet Handy, Acting Secretary

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Ruth E. Shedd, Member

TIPPECANOE COUNTY DRAINAGE BOARD  
December 06, 2000  
Regular Meeting

Those present were:

Tippecanoe County Commissioners Kathleen Hudson, John Knochel and Ruth Shedd, County Surveyor Stephen Murray, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily, County Attorney Dave Luhman, and Drainage Board Acting Secretary Janet Handy.

The Tippecanoe County Drainage Board met Wednesday, December 06, 2000, at 10:00 A.M. in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana, with Commissioner Kathleen Hudson calling the meeting to order.

The first item on the agenda is to approve the minutes from the November 1, 2000, Regular Meeting. Commissioner John Knochel moved to approve the minutes of the November 1, 2000, Drainage Board Meeting, seconded by Commissioner Shedd. Motion carried.

Commissioner Hudson recognized Attorney Fred Meessen. He requested "AGREED ORDER" be moved to the first order of business rather than the last. The Drainage Board gave permission.

President Hudson turned to meeting over to Vice-president John Knochel.

**AGREED ORDER – Grace v Kellar & Tarvin v Grace**

Mr. Greg Grace thanked the Drainage Board for allowing him to speak. He asked about the existing tile. Steve Murray stated the tile has been there 60-80 years, based on aerial photography.

Mr. Grace asked if a decision had been reached regarding the removal of the drive approach at the Northwest corner of the Tarvin property. Mr. Grace feels the approach is contributing to their water problems. He also asked if allowing highway waters to flow to the low spot and then off onto private property was allowed and standard practice.

Steve Murray stated, as you know, there is a natural low spot in front of Reifenbergers. The water flows from both directions on Lindberg and stays so the only real positive outlet is this tile and the swale on the South side. When Lindberg was reconstructed in the late 60's or early 70's it was not uncommon to take the water from the side ditches to the natural low spot and let it run off onto private property. Currently, when County Highway re-constructs a road; they do not generally dump into a low spot unless there is absolutely no other choice. They would try to provide a natural outlet and go ahead and run the water to a natural stream. As far as the Law goes, Lindberg Road has been there upwards of 30 years and the chance that property owners could "come back" on the County with a valid law suit is very slim.

Mr. Grace says there is no record that cut has always been there.

Steve says he wasn't speaking to the drive approach and it is not shown on the 1970 construction plan so it has been added since that time and he can't speak to that.

Greg Grace stated from personal experience, when 4-6 inches of rain come down the roadway it floods private property. In the four years they have lived here, there has been flooding three times a year. It is a serious problem and should be dealt with now and not tabled. One more question, will the plans being drawn up allow for a request to install an inlet on each of the 4 properties?

Steve stated regarding the rough estimates from two contractors, they do include price for installation of the inlets. Also, the basement drains will be hooked up in the same location.

Mr. Grace thanked the Board and said they had answered all his questions.

John Knochel asked Dave Luhman to read the "AGREED ORDER".

County Attorney, Dave Luhman read the "AGREED ORDER", which has been signed by Greg & Caroline Grace, Ike & Bonnie Tarvin, Mr. & Mrs. Phillip Kellar, and Ronald & Ellen Reifenberger.

(Quote)

TIPPECANOE COUNTY DRAINAGE BOARD

IN RE: GREGORY AND CAROLYN GRACE }
v. MR. & MRS. PHILLIP KELLAR }
IN RE: IKE AND BONNIE TARVIN }
v. GREGORY AND CAROLYN GRACE }

AGREED ORDER

WHEREAS, a Petition to Remove Obstruction in Mutual Drain or Natural Surface Water Course was filed by Mr. and Mrs. Gregory Grace against Mr. and Mrs. Phillip Kellar; and

WHEREAS, a Petition to Remove Obstruction in Mutual Drain or Natural Surface Water Course was filed by Ike and Bonnie Tarvin against Gregory and Carolyn Grace; and

WHEREAS, Purdue University and Mr. and Mrs. Ronald Reifenberger are interested parties, in that their properties contribute water to or receive water from the drain at issue; and

WHEREAS, all interested parties have agreed to a resolution of the issues presented by the two Petitions;

Now THEREFORE it is STIPULATED and AGREED and ORDERED, ADJUDGED and DECREED that the issues raised by the two petitions shall be resolved as follows:

- 1. The Tippecanoe County Surveyor shall obtain quotes from three or more contractors for (a) replacement of the private drainage tile that runs from the Reifenberger property, under Lindberg Road, thence across the Tarvin, Grace, and Kellar properties, and thence onto the Purdue property; and (b) regrading the drainage swale that runs from a low point on the Tarvin property, thence across the Grace and Kellar properties and thence onto the Purdue property.
2. The Reifenbergers, Tarvins, Graces and Kellars shall each pay one-fourth (1/4) of the cost of the work described in paragraph one (1).
3. The Reifenbergers, Tarvins, Graces and Kellars shall agree by a majority vote on which contractor shall be hired, and shall contract with said contractor; in case of a tie vote, Purdue University's surveyor, Dan Pusey, shall cast the deciding vote.
4. The parties agree that the tile and swale are private, mutual drains as defined in IC 36-9-27-2-1 that each party shall be responsible for the maintenance of the portion of the mutual drain upon that party's property; and that Tippecanoe County has no responsibility for maintaining the drains, other than the portion upon the right of way of Lindberg Road.

5. This Agreement is conditioned upon:
- (a) the cost of the work described in paragraph one (1) not exceeding a total of \$6,000, or \$1,500 per family;
  - (b) the agreement of the Tippecanoe County Highway Department to reconstruct or replace the portion of the tile under the Lindberg Road right of way; and
  - (c) the agreement of Purdue University to allow connection of the swale and tile to drainage structures already on its property and to allow the required work to occur upon its property, at the expense of the Graces, Tarvins, Kellars, and Reifenbergers;

6. In the event that any of the three conditions shall fall, any party may report the failure of the condition to the Tippecanoe County Drainage Board and the Drainage Board will then proceed then to decide the petitions of the Tarvins and the Graces on their merits.

So AGREED:

/s/Gregory Grace	10-26-2000	/s/Caroline Grace	10-26-2000
/s/Ike Tarvin	10-12-2000	/s/Bonnie Tarvin	10-12-2000
/s/Phillip Kellar	11-28-2000	/s/Mrs. Phillip Kellar	11-28-2000
/s/Ronald Reifenberger	11-28-2000	/s/Ellen Reifenberger	11-28-2000

SO ORDERED:

TIPPECANOE COUNTY DRAINAGE BOARD  
(not participating)

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Kathleen Hudson, President	Date
John Knochel, Vice President	Date
Ruth Shedd, Member	Date

Attest:

\_\_\_\_\_  
 Steven L. Murray, Tippecanoe County Surveyor      Date

(unquote)

Commissioner Shedd moved for approval of the "AGREED ORDER" as read, Commissioner Knochel seconded. Motion carried.

John Knochel turned the meeting back over to President Kathleen Hudson.

**HADLEY MOORS SUBDIVISION, PART 4**

Dale Koons, of Sipple Trans Service, spoke requesting final approval for Hadley Moors Subdivision, Part 4.

President Hudson asked Steve Murray if he had a recommendation. Steve stated he recommends final approval with conditions as stated in Memo regarding restrictive covenants and drainage fees as established under 9454CM Also, the restrictive covenants must be approved by the Surveyor's Office before approval will be final.

Commissioner Knochel moved the final approval be given, with conditions, for Hadley Moors Subdivision, Part 4, Commissioner Shedd seconded. Motion carried.

**APPLERIDGE AT THE ORCHARD  
THE ORCHARD SUBDIVISION-SECTION 1**

Mr. Pat Sheenan, Schneider Corp, is here speaking on behalf of Komark, LTD.  
The two developments being considered are Appleridge at the Orchard and The Orchard Subdivision-Sec 1.

Appleridge at the Orchard is a 48 Lot – 96 Unit Planned Development on the West side.  
The Orchard Subdivision Sec. 1 is a 31 Lot R1 Subdivision on the East side.

The Drainage Analysis was done for both subdivisions as one drainage study even though there will be separate construction plans for each development. A series of ponds will be provided for water storage. Stormwater will be detained on-site. Stormwater will flow to the tributaries of the Jordan Creek and we are requesting final approval subject to the comments on the last memo from Christopher B. Burke Engineering.

Kathleen Hudson asked Steve for any comments.

Steve stated the 11/30/00 Memo states conditions and he recommends final approval after conditions are met. These conditions must be met by December 22, 2000. Steve noted just as a matter of clarity, the standard conditions are restrictive covenants and drainage fees.

John Knochel moved final approval be granted after conditions are met, Ruth Shedd seconded. Motion carried.

**LAKESHORE SUBDIVISION, PH 1**

Bill Davis, Hawkins Environmental, introduced Dave Leffert who is representing the Developer. Mr. Davis stated they were here last month requesting approval of Ph.1, and there were some questions relating to the design of the structure near the Dempsey Baker Ditch and that is why we're here. We have been in contact with Burke and have made various submittals to them regarding that crossing and we request your approval for designs as submitted.

We have also asked last month and this month for your approval for the reduction in the required drainage easement of 75 foot from the top of bank to 25-foot top of bank. If possible, we would like action taken today.

President Hudson asked Dave Eickelberger, of Christopher B. Burke Engineering, to explain "critical depth". Dave stated basically, it means the velocities going through the structure. The "critical depth" is something that needs to be taken care of during modeling.

President Hudson asked Steve if there is a time limit for these changes to be made. Steve stated there needs to be more discussion today to bring the Board up to date on the conditions which were to be met as of their approval at the last meeting.

Mr. Bill Davis mentioned that they had answered these issues in their most recent memos.

Kathleen Hudson also mentioned to include the final drainage fees in the approval.

Steve said it was included in the approval at the last meeting.

Ruth Shedd asked is there is a problem with the easement reduction from 75 foot to 25 foot? Steve said yes/no and that he had spoken with Mr. Luhman regarding the Statutory requirements. Mr. Luhman stated he felt the Board could reduce the width and had done so, historically, even though the Drainage Statute mentions drains built after 1984. The "bottom line" is what affect will 75' to 25' drain width have on the County's ability to maintain? The engineering issues are very important and Mr. Murray must be comfortable with them and depending upon the configuration of the drain at that particular area, where can you, practically, allow a reduction of the easement from 75 feet to 25 feet.

Steve stated we are still working out the conditions from the last meeting with Bill Davis and therefore do not need any action by the Board. More time is needed to complete this. Steve does not have a problem with the reduction to 25 feet on the South side, but more discussion needs to take place regarding the remaining. The County needs to have room to get in with an excavator.

Mr. Bill Davis mentioned that Mr. Dave Leffert is in attendance to discuss this very issue. Mr. Davis stated that the 25-ft on the North side could be varied to whatever Steve thinks is appropriate. In the end, the channel will be slightly larger.

Steve asked Mr. Davis are you wanting to reduce the drain easement from the top of bank in the condition it is in today or in an improved condition?

Mr. Davis stated in the improved condition.

Steve stated that looking at the North side, what appears to work for you as far as width of top of bank

Mr. Davis stated 50 feet to make it easy.

Steve recommended allowing the reduction of easement to 25 feet from top of bank on South side and from 75 foot to 50 foot on the North side. Historically that has been done by a motion of the Drainage Board.

John Knochel would amend his motion to state reduction to 25 feet on South side and 50 feet on the North side. Ruth Shedd seconded. Motion carried.

Mr. Bill Davis noted that on the Agenda is CR50 S and he would like that continued until January 2001.

Board agreed.

## **BRINDON APARTMENTS, PH TWO**

Tim Beyer, of Vester & Associates, displayed a map of the site. Brindon Woods PD and Brindon Apartments, Ph 1 are already constructed, including Bethel Drive. Drainage improvements have been installed as previously approved and were designed to handle the Phase Two Apartments. A new storm sewer will hook into the existing system and take the water to the detention storage area. Phase Three will consist of three buildings and 14-apartment units. He stated he is here for final approval from the Drainage Board.

Ms. Hudson asked Steve about all the water along McCormick Road across from Brindon Apartments, Ph Two..and mentioned, historically, there are water problems there.

Tim Beyer stated all that was taken into consideration in the planning stages.

Steve asked Tim if there is a high point on McCormick Rd.

Tim stated the water flows to Indian Creek.

John moved to give final approval, with conditions listed, to Brindon Apartments, Ph Two, and Ruth Shedd seconded. Motion carried.

Kathleen Hudson asked that Menards, which is on the Agenda, be continued to January.

**CONTRACT FOR COMPREHENSIVE STORMWATER MANAGEMENT PROGRAM-NEEDS ASSESSMENT PH II Stormwater**

Steve Murray showed the Contract for Comprehensive Stormwater Management Program-Needs Assessment (Ph II Stormwater), with Christopher B Burke, an original and one copy to the Board. He mentioned 4 or 5 months ago it had been discussed and Steve thought he had brought it to the Board. At any rate, the Council had given us \$64,500.00 EDIT money to get a need assessment done for Ph II. Burke has actually started some of the work. There have been a few preliminary meetings with the Water Committee at the Chamber, as well as, Lafayette, West Lafayette, Purdue University. They all know these requirements are coming in March 2003.

Steve recommends that the Board award the Contract to Christopher B Burke for the Needs Assessment, Ph II.

John Knochel moved the contract be awarded to Christopher B Burke, Ruth Shedd seconded. Motion Carried.

**CLARIFICATION**

Steve Murray has a question or clarification regarding the Drainage Board Budget, which includes Engineering Fees and Attorney Fees and is technically a Commissioners' Budget. Has the County Surveyor ever been authorized to sign claims for the Drainage Board or to complete transfer and additional appropriation sheets? Ruth Shedd doesn't remember that, but has no problem with it. Mr. Luhman doesn't remember having done that. Steve believes the Public Purchasing Ordinance allows you to give me that authority and it is not a major problem, but on occasion, Steve needs to get a form in by a deadline and Steve can't find the Board President for a signature; therefore it would be easier for Steve to sign the forms.

John Knochel moved the Board authorize the County Surveyor to sign off of Claims, and also give him authority to transfer monies in the Budget. Ruth Shedd 2<sup>nd</sup>. Motion carried.

President Hudson stated the meeting is adjourned.

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Kathleen Hudson, President

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John Knochel, Vice-President

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Ruth E. Shedd, Member

\_\_\_\_\_  
Janet Handy, Acting Secretary

**Tippecanoe County Drainage Board**  
**June 7, 2001**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Doug Masson, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily, Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met Thursday June 7, 2001 in the Grand Prairie Room of the Tippecanoe County Office Building, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel calling the meeting to order.

**Approval of May 2, 2001 Minutes**

K.D. Benson made a motion to approve the minutes from the May 2<sup>nd</sup> 2001 regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

**Sagamore Pines**

**Congdon Engineering Associates**

Chris Badger of Congdon Engineering appeared to request final approval on Sagamore Pines, a 79-lot subdivision including both duplexes and R1B housing. It's located on the west side of Morehouse Road. Section one contains approximately 24 acres. There are some issues in terms of Legal Drains that he thought had either been vacated or relocated in the past. He thought Steve was aware of them and Chris thought they had some solutions. He said there had been a couple of reviews, and they had addressed the questions raised in those reviews. He then asked for any questions from the Board.

John Knochel made reference to the solutions on the Legal Drains, asking if Chris would briefly go through them. Chris thought it referred to changing those Legal Drains if they were still active, and Drainage Board Consultant Dave Eichelberger deferred on that question to County Surveyor Steve Murray. Chris said it looked like they were going to be changing them to what are called 'Regulated Drains', and govern those by the final plat. He checked to see if they had 30 feet for the Regulated Drains, and he thought they did, except for one point which is entering into the dry detention pond. If they needed to, they would then request a Variance on that to be 22 feet instead of 30 feet.

Steve Murray reported that the one drain that goes towards the cemetery is still in place and is still active, based on former County Surveyor Mike Spencer's recollection. The other one to the west was intercepted and dumped into the storm sewer system for Sagamore Point on the south boundary. Based on the best information available, both tiles are still in place and active.

Chris stated there is room to put the 30 feet in for the drain from the Memorial Gardens cemetery that dumps into their dry detention area, so that shouldn't be any problem to maintain. One choice is that the whole common area called out lots A1 and A2, could be kept as part of the Legal Drains.

Working from a blueprint, Chris showed the duplex lots numbered 1- 48, the tile from Memorial Gardens which comes in near a 30 inch corrugated metal pipe, house lines, and the drainage pattern including the dry detention area and Sagamore Point. The old tile is shown, which drains right into the Dempsey-Baker ditch. The other line which was intercepted is also shown. They found an 18-inch tile which outlets as depicted, and the rest of the water came by gravity and was picked up. There is a manhole depicted that was picked up and that picks up the water indicated. Chris looked into it and didn't see it picking up a tile on the inside, but he can't say that there is none. He knows that there is one tile that comes into the drain at another point. There was some concern since it crosses lot 58 and a letter was needed, which he presented to the Board.

The remainder of the lots, 49 through 79 is all R1B. The property ties into Sagamore Point on the north side, and into Lakeshore Subdivision on the west side, which is currently under construction. Some of the other issues already worked out with the county include putting a passing blister on Morehouse Road, and that is detailed in the plans. Also included are; a ditch and an entrance added into the cemetery where they extended a new pipe and more gravel; and widening of Sagamore Pines' half of the road all along their property. He described an acceleration taper and a deceleration lane and taper along with the passing blister.

Chris stated his opinion that one of the Legal Drains terminated on the property and never went on. He showed adequate room to give 30 feet of easement for the drain tile in all but one place if it were to remain a Regulated Drain. He thought that it could still be a Regulated Drain within the plat as shown, and referenced a final plat available at this meeting. He then described areas where there was 20 or 25 feet of space.

K.D. asked if we build houses on top of drains all the time. Steve answered no. He went on to state that they have two options. One is to vacate, which couldn't be supported unless the drainage pattern or the tile terminates on their property. Chris stated that his opinion was that that was the case. K.D. asked if the water drains to Hadley Lake, and the answer is yes, but via the Dempsey-Baker Ditch.

Steve added that the second option, perhaps for the one to the east which goes to the cemetery, is an abbreviated process in the Drainage Statute, 52.5, that we've talked about at several meetings this year. It allows an individual who wants to relocate the drain and reconstruct the drain wholly on their property and at their own expense to follow an abbreviated process whereby the Commissioners approve it at a Board meeting, and then the Drain is merely moved from its existing location to a new location in the storm sewer system. Once again, the minimum statutory width for a situation as this is would be a 30-foot Legal Drain Easement that would be platted on the subdivision, as probably a combination Drainage and Legal Drain Easement.

Steve then said that what he thought we could do at this time is approve it subject to the conditions stated on Burke's review memo dated May 23<sup>rd</sup> 2001 and also to resolving the vacation and/or relocation issue with the Regulated Drains. Chris stated that their preference is to vacate the one to the south. They will be picking up all the water, and sized the pipe for a 100-year storm event, bringing it all the way down. Steve restated that if the existing Regulated Tile branch terminates on their property, he and the engineering consultant could support vacating it. Chris added that they had given Steve the paperwork and once that determination has been completed, they could take care of that without ever having to change the construction plans. On the other tile, they are extending it as requested another six feet to make the shoulder less steep along the road.

K.D. asked if there hadn't been some concerns expressed by surrounding neighbors about drainage when the project went through the Area Plan Commission? Chris replied that the concerns were about traffic and a fencerow with trees. The passing blister and the location of the ditch which leaves the tree line intact addresses those concerns.

K.D. then moved for final approval with conditions on the May 23<sup>rd</sup> Burke memo and the conditions specified on the Regulated Drains. Ruth Shedd seconded, and the motion carried.

### **Brindon Commercial Subdivision, Lot 2 Vester and Associates**

Tim Beyer with Vester and Associates requested final approval for Stuckey Car Wash, which is to be located on Lot 2 of Brindon Commercial Subdivision. He referenced two maps that showed the site. He described the location in relation to U. S. 52, McCormick Road, Bethel Christian Life Center, and the proposed Meijer's Store. He also showed the overall Brindon Development including Brindon Apartments; Brindon Planned Development; and Brindon Plaza on the other side of Bethel Drive, which cuts through the middle of the site.

The proposed detention facilities were approved with the Planned Development, (P.D.), and are in place. There is a main line storm sewer to serve the apartments and these three commercial lots, which was approved with the construction of Bethel Drive on out to U.S. 52. On another display he showed a larger depiction of the car wash site with the eight bay car wash near the middle of the site, some vacuum islands out in front, and some on the other side of the building also. He indicated an area, much of which will be paved to allow access into the car wash, and an entrance road coming down on the south portion of the project.

They are proposing two inlets, one of which catches water from the north half of the site, the other catching the water from the south half of the site, tying in to the main line storm sewer that runs over west to the detention pond. He then asked the Board if there were any questions he could answer.

K.D. asked if they had to do anything special with the water before it goes into the storm sewer. Tim indicated that the water from the car wash bays ties into the sanitary sewer after passing through an oil separator.

K.D. also asked if that is something we as a county will have to be doing in a couple of years. Steve replied that car washes already are addressing the issue, but that we'll have similar requirements in the future for other facilities. K.D. said that she didn't want to see a detention pond with soap scum on it.

Steve remarked that the Burke memo dated May 29<sup>th</sup> recommends final approval, and added that he would recommend it as well, subject to the two standard conditions on Drainage Fees and a restrictive covenant.

K.D. then moved for final approval with the standard conditions, and Ruth seconded. There were no further comments and the motion carried.

### **Aberdeen Ridge Subdivision Hawkins Environmental**

Mark Phipps representing Hawkins Environmental and Turfmaster requested final approval for Aberdeen Ridge Subdivision. He brought two exhibits and showed the surrounding area, including County Road 250 East or Concord Road, a private drive, Aberdeen Way, and an existing subdivision called Concord Place.

Aberdeen Subdivision is to consist of four lots. Just to the south and west of these lots is a natural waterway. The runoff in the existing condition flows from the northeast corner across these four lots to the southwest corner and into the waterway, then to the Wea Creek.

Mark also asked for a Variance from the Drainage Ordinance that would allow development of these four lots without detention storage. The reason is that their calculations of the existing conditions for the ten-year storm runoff are at about 4.76 cfs, (cubic feet per second). They made some assumptions about the types of houses that would be built on these lots, 100 feet of 18-foot wide driveway, patios, large houses, and everything that would go with them. In the developed condition, they calculated in the same ten-year storm event there would be an increased runoff, but only to a level of 5.1 cfs. The ditch which leads to the Wea creek is four to eight feet deep. In a ten-year storm event under existing conditions, the creek is calculated to be 6 inches deep. In the proposed developed condition, the depth is calculated at only 6 ¼ inches deep. They feel this is a negligible level, not even noticeable to downstream landowners in Concord Place and before the Wea Creek.

Steve stated for the record that the Drainage Ordinance requires notification of downstream landowners. President Knochel asked Robert Lahman, a resident of County Road 450 South to come forward. He stated that he was a longtime resident, very well acquainted with the area in question. He had no objection to what Mark had said. He further stated that as long as they don't change the waterway, there would be no objection. There had been some talk on changing the waterway, and if that had been the case, there might have been objections.

John asked what the highest level of water that Mr. Varman had ever seen in that ditch. Mr. Varman replied that it was within the banks. He went on to state that it's plenty deep and wide enough with good banks where the water will enter.

Steve added that he twice inspected the branch of the ditch which feeds up through the south side of Concord Place, the next little development downstream. He reported a well-defined ravine and drainage system. There are two larger developments under review east of Concord Rd. between County Roads 400 and 500 South and north of Aberdeen, on the Pilotte property. These developments are large enough that they will be required to have stormwater detention.

K.D. asked if the ditch was a county regulated one, and Steve replied that it is not, but is a natural drainage system.

John asked the Drainage Board Attorney whether two motions were needed on this request, one to grant approval, and one to grant the Variance. That was the case, and Steve mentioned a condition stated on the Burke memo of June 1<sup>st</sup>. That was to plat a Drainage Easement along the south boundary. Mark reported no objection to that, and in response to a question from Steve, indicated a proposed width of 75 feet for that easement.

Steve recommended final approval with the conditions on the memo, further defining condition one to specify a 75 foot width for the Drainage Easement.

K.D. made a motion for final approval with the conditions so stated, Ruth Shedd seconded, and the motion carried.

K.D. then made a motion to approve a Variance allowing direct discharge of runoff without detention. Ruth having seconded and there being no objection, the motion carried.

#### **Petitions To Encroach on a Utility and Drainage Easements**

##### **J. Shane DeBoer / William S. Kurtz**

John noted that the two requests were from properties in very close proximity to each other in the Saddlebrook Subdivision in Perry Township. He suggested that the two petitions be discussed together and then voted on separately. Mr. Kurtz resides on lot 270 at 250 Trackside Drive, and Mr. DeBoer resides on lot 296 at 250 N. Wilmington Lane.

John referenced a memo from Steve Murray recommending approval of these requests. Steve agreed, having reviewed both requests. In Mr. DeBoer's case, he had put up a storage shed, not knowing that there was a 15-foot easement. A field check showed that the shed extends roughly five feet into the easement, is causing no problem now, and is not likely to cause a problem in the future. Since the petitioner obtained letters from the required utilities, Steve recommended granting the petition. He added that these petitions need action by the Board of Commissioners as well as by the Drainage Board. K.D. moved that the Drainage Board grant approval to Mr. DeBoer's petition, Ruth seconded, and hearing no objections, the motion carried.

Steve stated that a field check on the petition of Mr. Kurtz showed that the proposed basketball court would be at grade, so it will not affect the drainage in any way. Mr. Kurtz obtained letters from the required utilities regarding the petition, so Steve recommended granting of this petition as well. K.D. motioned to grant approval, Ruth seconded, and the motion carried.

#### **Engineering Review Fees Ordinance**

Steve stated that the current Drainage Ordinance contains a provision to allow for ten hours of engineering review at the County's expense per project. These funds are expended primarily on drainage review for new subdivisions. In 2000 when the Drainage Board requested two additional appropriations for engineering review, it was asked by the County Council to investigate the possibility of lowering the number of free hours or dropping them completely.

Steve discussed this with developers and engineers. It equates to \$650.00 additional cost on each development on average, and he recommended that the Drainage Board eliminate the ten hours of review time paid for by the county completely. He added that with the requirements of Phase II Stormwater coming up, the Board will have to continue to expend more money on drainage issues. Checking with the fifteen largest counties in the state, about half charge for review as well as application fees, and about half do not. But based on the seminars and workshops he's attended on Phase II, most of the other Drainage Boards that are affected by Phase II are going to have to move in that direction.

Drainage Board Attorney Doug Masson remarked that in order to pass the Ordinance through on the first reading, they would need to move to waive the second reading. On discussion of the procedure for passage of this Ordinance, Steve stated that historically, the Drainage Board would vote first, then the Board of Commissioners.

K.D. moved that the Drainage Board pass the Hoffman Luhman Busch draft version 1 dated May 31<sup>st</sup> 2001, Ordinance on Engineering Review Fees. Ruth seconded, and there being no further comment the motion carried.

Having heard no opposition to the motion, K.D. moved that the Board waive the requirement for a second reading of the Ordinance. Ruth seconded, and that motion also carried.

Steve indicated that there would be a review of the process required for passage to ensure that the Board was in compliance regarding this following Ordinance.

**ORDINANCE NO. 2001-            -CM**

**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**, the Drainage Code, as amended, now requires that developers submitting plans for approval of the Drainage Board pursuant to the Drainage Code bear a portion of the professional engineering costs incurred in the review thereof by the Surveyor and Drainage Board, and

**WHEREAS**, the Tippecanoe County Drainage Board has determined that said developers should bear the full cost of such review;

**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. Section 6 g of Ordinance No. 88-40 CM be amended to read as follows:

6 g. Engineering Review Fees:

As a condition of and prior to approval of final drainage plans by the Drainage Board, the applicant shall pay to the Tippecanoe County Drainage Board the actual costs incurred by the Drainage Board and the Tippecanoe County Surveyor in respect to the review of all preliminary plans, final plans and/or construction plans by a licensed professional engineer.

The Tippecanoe County Surveyor shall furnish to the applicant in writing at least ten (10) days prior to the meeting at which the Board is scheduled to consider approval of applicant's final drainage plan a written statement specifying the total cost of professional engineering fees incurred by the Drainage Board in connection with the review of applicant's plans, including the total hours expended by such professional engineer, the cost per hour incurred by the Drainage Board and/or the Tippecanoe County Surveyor with respect thereto, and the amount required to be paid by applicant prior to approval of final drainage plans by the Drainage Board. As a condition of and prior to approval of final drainage plans by the Drainage Board, applicant shall pay to the Tippecanoe County Treasurer the sum set forth in said statement representing the cost of professional engineering services incurred by the Drainage Board and/or Tippecanoe County Surveyor in connection with the review of applicant's preliminary and final drainage plans and accompanying information and data.

b. This Ordinance shall become effective as of July 1, 2001, after its final passage, approval and publication as required by law.

Passed on first reading at Lafayette, Indiana on this \_\_\_\_ day of \_\_\_\_\_, 2001.

BOARD OF COMMISSIONERS  
OF THE COUNTY OF TIPPECANOE  
STATE OF INDIANA

VOTE:

\_\_\_\_\_

Ruth Shedd, President

\_\_\_\_\_

John Knochel, Vice President

\_\_\_\_\_

KD Benson, Member

ATTEST:

Robert Plantenga, Auditor

Adopted and approved by the Tippecanoe County Drainage Board at Lafayette, Indiana, on second reading this \_\_\_\_ day of  
, 2001.

TIPPECANOE COUNTY DRAINAGE BOARD

VOTE:

\_\_\_\_\_

By:

John Knochel, President

\_\_\_\_\_

Ruth Shedd, Member

\_\_\_\_\_

KD Benson, Member

ATTEST:

Secretary

**Cuppy-McClure Regulated Drain  
Assessment**

Steve related that as a result of some drainage problems on the Cuppy-McClure branch of the Hadley Lake Drain, a review of the file was begun. It showed that back in the late 1980's and early 1990's, there was a petition to establish the Hadley Lake Regulated Drain which was processed and approved with all the required hearings. That drain had three branches, one of which was the outlet of Hadley Lake, which was constructed; the second was the Baker-Dempsey, which the Board discussed earlier for Sagamore Pines. The third was the Cuppy-McClure, which passes through the Great Lakes site. Assessments have been set up on the first two branches, but Steve found that assessment had never been put on for the third, the Cuppy-McClure branch. In talking with former County Surveyor Mike Spencer, Steve learned that they had decided at the time of the petition to wait until the Cuppy-McClure project was completed. It has been completed, the improvements are in and have been accepted. He felt that it had probably been an oversight that the assessment for this portion of the Hadley Lake Drain did not get made effective.

Drainage Board Attorney Dave Luhman gave an opinion to Steve that the proper procedures had been followed, that it was just a matter of the Surveyor reporting that the project had been completed and for the Board to take action to go ahead and make the assessment effective. Steve recommended making the assessment effective because repairs to the tile were necessary recently, and the maintenance fund was established by order at \$5.00 per acre and \$10.00 per platted lot benefited by the project. Mr. Luhman said in electronic mail that the Commissioners need to do an adoption of finding. If the Commissioners are agreeable to making the assessment effective, Steve will have something prepared for the next meeting to take action on.

K.D. asked if the Board were doing this today, would the level have been \$10.00 rather than \$5.00. Steve replied that the \$5.00 assessment would be sufficient. He indicated that it might have been slightly higher than \$5.00 if it were being done today. The Surveyor does a report based on his estimate of what it will take to do any improvement and/or maintenance. With the three branches, his opinion is that this is probably adequate.

K.D. also expressed concern since the average homeowner moves every five years, whether there is a whole new group of people there. She asked whether the Board has to go through renotifying landowners. Steve indicated that Mr. Luhman's opinion had been that renotification was not necessary, since this was a situation where property owners had been properly notified and were simply not billed for taxes that were due, through an oversight by the county.

On further discussion, it was decided that notice to the taxpayers of the assessment should and could be given prior to any tax billing. This is not the same process as required for the original establishment of the Regulated Drain, and can be done with minimal expense.

No further action is required by the Board until the next meeting, it having given Steve Murray approval to proceed.

There being no more comment and no other business, KD moved to adjourn, Ruth seconded, and the motion carried. Meeting adjourned.

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

\_\_\_\_\_  
KD Benson, Vice President

\_\_\_\_\_  
Robert Evans, Secretary

\_\_\_\_\_  
Ruth E. Shedd, Member

**Tippecanoe County Drainage Board**  
**July 3, 2001**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily, Drainage Board Executive Secretary Robert Evans.

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

**Approval of June 7<sup>th</sup> 2001 Minutes**

KD Benson made a motion to approve the minutes from the June 7<sup>th</sup> regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

**Shawnee Ridge Subdivision Phase II**

Tim Beyer of Vester and Associates appeared before the Board to request final drainage approval for Shawnee Subdivision Phase II. He displayed a map of the site of the project and the surrounding area, including County Road 600 North, State Road 43, Hawk's Nest Subdivision, and the entire Shawnee Ridge property including Phase I, the proposed Phase II, and the pond that was constructed with Phase I, sized to handle capture runoff from everything to the south of the pond including virtually all of the runoff from Phase II.

On a larger scale map of Phase II, he showed the proposed storm sewer that captures the runoff and either ties into the Phase I storm sewer, or extends the Phase I storm sewer and outlets into a ravine at the north end. The water then travels to the pond as detailed on the first map.

Steve Murray asked at what stage construction was on the Phase I pond. Tim replied that they were finishing it up, the pond having been 80% completed during Phase I.

KD made a motion to grant final approval as requested with the standard conditions, (specified on the June 28<sup>th</sup> Burke Engineering memo). Ruth Shedd seconded and there being no further discussion, the motion carried.

**Schroeder Property**

Tim Balensiefer of T-Bird Design began with an overview of the Schroeder Property. He displayed a map that showed its location on State Road 38 next to the existing Quality Farm and Fleet store, and further away the locations of Subaru Isuzu, the proposed F Lake, and IvyTech.

The Schroeder property is a 3-acre tract. The proposal is to develop a commercial center on it, a strip center with parking on the majority of the site, the building with some sidewalk out front, and some greenspace around with some landscaping. There's a small area offsite that drains through the site in the present condition, and they have taken that into consideration. Runoff will drain into the State Road 38 drainage ditch, including water from the roof that passes through a catch basin. The water will eventually run from the ditch into the proposed F Lake.

The request Tim brought before the Board is that the onsite detention be stored in the future **F Lake**, with the understanding that there will be fees for such storage.

Steve Murray apologized for the Board not having the latest review memo available, and referenced a Burke memo dated June 28<sup>th</sup> 2001, which recommended preliminary approval. He reported that the Surveyor's Office concurred with that. He stated agreement that, as has been the case in this area, we have allowed direct discharge to go down to **F Lake**, and the developer would need to compensate the Drainage Board for storage in the F lake. He added that the last figure the Board had was \$15,000.00 per acre/foot.

Steve said that could all be decided as they continued to develop their plan, and that they wanted to know conceptually on a preliminary basis that the Board agreed with their plans.

In response to a question from KD, Dave Eichelberger explained that in the County's continuing effort to provide regional detention instead of having individual detention ponds scattered throughout all the different developments, the County is trying to put in the regional detention concept throughout various watersheds that are seeing a lot of development. He referenced the **Berlowitz Ditch and the Wilson Branch one**.

Steve added that the Board has a study on the entire **Elliott Ditch** watershed, which was updated in 2000 by Burke. As part of that, regional ponds were planned. One is complete and is located at the Tippecanoe Mall across from the County Extension Office, and another has been started and is partially designed. It will be east of Old Ross Road and east of IvyTech and is what has been referred to as **F Lake**. Property to the east and some to the north will drain to that.

Dave continued that they had determined a certain amount of area around there that could be drained directly to **Elliott Ditch**, and its storage could be taken care of by that **F Lake basin**. The Schroeder property is within that area.

Steve stated then that the request before the Board was in conformance with that study and the direction that the Drainage Board and Surveyor's Office have taken in the past, and repeated the recommendation for preliminary approval.

KD made the motion to grant preliminary approval to the Schroeder property, seconded by Ruth. There being no further discussion, the motion carried.

#### **First Church of the Nazarene**

Pat Sheehan of the Schneider Corporation presented the proposal for the development. The site is located east of County Road 500 East, and just south of State Road 26 East. It's just east of the Meijer's development and is also surrounded by other developments. To the north and east is Brookfield Farms, and to the south is Saddlebrook Estates. He continued that this is the last piece, it's twelve acres of farm field, and everything around it is developed.

They examined the existing drainage basin, and there are four different areas where this drains off site. It drains to the north into Brookfield Farms in two locations, to the south into Saddlebrook Subdivision, and there is a drainage area that goes to the County Road 500 East ditch and some ultimately goes off to the east.

The proposal was approximately a 35,000 square foot building structure and about 1.7 acres of parking. The drainage basins and the way they intend to drain the proposed area is to split it up so that about 80% of the area drains to the north into a dry detention pond. That pond will connect to an existing tile that crosses under C.R. 500 East and goes into the Meijer development, ultimately to the **Alexander Ross** drain.

The last portion of the development drains to another dry basin that ultimately discharges into the C.R. 500 East ditch, which drains to the south. They requested final approval based upon the condition in the Burke memo of June 28<sup>th</sup> 2001.

Steve commented that Pat and he had discussed doing direct release to the C.R. 500 East ditch, and gave the board a little history. Unfortunately, while the designs for the development surrounding this site were being done, the County didn't have access to the G.I.S. contouring data. Because of that, this site was ignored as far as their offsite water being accommodated into the surrounding developments. This made the site difficult to design for, and he suggested that Pat be able to do whatever was best for his client, given the amount of time they had spent on this design, and the fact that they were strapped with some design considerations that really weren't their fault. Steve recommended that the Board approve this design, or if Pat thought it was better for his client to look at direct release and free up that area as developable area, to go that route as well.

Pat stated that approval of direct release would enable a better development for his client. Trying to restrict so much in some of these smaller areas ends up causing areas that remain wet. They're hard to restrict and the restrictor is small and gets clogged. Ultimately, the impact to the C.R. 500 ditch is very minor. Direct release would create a better development, without small mosquito (producing) ponds.

KD asked if there were houses right up against there. Pat replied that there are some in Saddlebrook Estates Subdivision, but that the drainage will not be going in that direction, instead being captured and taken to the west into the C.R. 500 East ditch. In response to questions from Steve and KD, Pat stated that changing to direct release would involve removing a pipe and restrictor. The water would still collect in the same area with a discharge of 2.5 cubic feet per second as opposed to 1.2 cfs.

Steve added that to the north where they're discharging into the existing tile, once again that is probably not a desirable situation but they have absolutely no other choice. The tile picks up the backyard runoff from Brookfield Farms, and this

development will put a restrictor plate on their outlet to meter that water out to the point that the tile can accommodate the water. This addressed KD's question about drainage through backyards in Saddlebrook Estates. This water will go into a drainage easement there as it was intended to, and had always gone in that general direction. It just wasn't recognized and accommodated as they were doing their design on that phase of Saddlebrook. But once again, this property owner has no other choice, so the Board has to let them go that route. He added that it's been designed properly and will be metered out. Pat added that the water would be detained in the basin area.

KD asked if there was no choice but to have a wet area. Pat said that it would be dry except immediately after rainfall. Steve added that the in rear yard swale in the existing subdivision the effect really should be nominal, but that even under current conditions in certain rainfall events he was sure water stands until it can get out through the fairly small tile. Steve then recommended final approval with the conditions as stated on the June 28<sup>th</sup> memo.

KD moved to grant final approval with the conditions so specified, Ruth seconded, and there being no further discussion, the motion carried.

### **The Commons at Valley Lakes**

Jerry Withered representing Cedar Run Limited, owner of The Commons at Valley Lakes, referenced a request sent to the Drainage Board to approve reconstruction of a portion of **Branch 7 and all of Branch 8 of the Kirkpatrick Ditch**, rather than going through the vacation process. This was suggested by Steve Murray and Dave Luhman per section 52.5 of the County Drainage Ordinance which states that the Drainage Board is permitted to authorize the reconstruction rather than the vacation of a legal drain on various conditions: First, that the project is on property all owned by the petitioner, which is true in this case; Second, that the specifications have been approved by the County Surveyor, which is also believed to be true in this case; Third, that the project will be completed under the supervision of the County Surveyor, and they are happy to have that supervision; Fourth, that as in this case, the petitioner will pay all costs of the reconstruction; Fifth, that the County Surveyor has investigated whether this reconstruction will adversely affect any of the landowners upstream, which has been done; Last, that the Drainage Board makes a finding that no landowner upstream is going to be adversely affected. Jerry summarized by saying all his client is doing is reconstructing and putting in a large drainage tile where formerly there had been a ditch. He then introduced civil engineer Alan Jacobson from Fisher and Associates to show the specifics of the proposal.

Alan gave some background with aid of a map showing South 18<sup>th</sup> Street, the direction of County Road 350 South and Valley Lakes Plaza, the location of Concorde Road, County Road 430 South, Wea Ridge Elementary School, and the site for Wea Ridge Middle School. He pointed out The Landing at Valley Lakes, Phases I and II. Phase I has been constructed, with only a few empty lots left in the subdivision. Phase II was accepted on the morning of July 3<sup>rd</sup> by the Lafayette Board of Works, and construction was to begin by the end of the week.

He then pointed out the site for The Commons at Valley Lakes, a 40-acre site that adjoins South 18<sup>th</sup> Street, the north line of it being roughly the main branch of the **James Kirkpatrick Drain**. When they did the development for The Landing Phase I, they created a retention pond to deal with the stormwater management issue. Currently there is a pipe that runs north from the pond some distance before ending. A temporary open channel has been cut through the high ground. The water is managed on site because there was no choice at that time due to the size of the development and the fact that the downstream facilities had limited capacity. When they did The Landing Phase II, the water originally drained through a low area via a temporary channel to a natural depression that currently exists on the site. It's quite a large depression, an old pothole swamp with lots of black dirt. This plan was approved by the Drainage Board.

The philosophy they took for The Commons was under the assumption that **the Kirkpatrick Drain** was to be improved in a significant manner, sized to accept water from developed areas on these properties and also to the east and north of the 18<sup>th</sup> Street crossing. He then cited three new culvert bridges planned. Their philosophy was then; that there would be no need for onsite stormwater detention, that the capacity of this newly reconstructed Kirkpatrick Drain would accept the water from the site.

Moving to a discussion of the current conditions of the drain, he detailed a 30-inch tile for the main branch. Branch 5 is a small branch that goes to the north. Across the Cedar Run Properties, Branch 7 runs to their southeast corner, and Branch 8 joins the north line at The Landing at Valley Lakes. This tile line has diameters of 10, 12, and 15 inches along its length.

In response to a question from KD about the current condition of the tile, Alan explained that the tile did continue further than it currently does before The Landing At Valley Lakes Phase II was developed. They obtained Drainage Board approval to vacate a small portion, and they intercepted three tiles from Mr. Yount's property on their south line, one from a pond and

the other two being field tiles. The water from them was directed through the storm drainage system for The Landing At Valley Lakes Phase II. That currently discharges through a 36-inch pipe just west of the existing tile. The creation of the temporary channel to the low area was so that its discharge could be regulated as opposed to letting it run off by its natural course down into the low area that runs along the **Kirkpatrick Drain**.

What they were proposing to do is extend the existing outlet pipe for the retention pond for Phase I of The Landing down through the proposed subdivision to exit into the improved or reconstructed **Kirkpatrick Drain**. This would be a 36-inch storm drain all the way down, and it would accept other water from the proposed developments, both current phases and future phases, and has been sized accordingly.

At the point where they discharge from The Landing At Valley Lakes Phase II, that storm line will also be continued across the open space which will eventually be developed, and then through the Commons. This would be a 42-inch storm drain increasing in size to a 60 inch before reaching the **Kirkpatrick Drain**, due to grade considerations. He then referred to a third series of storm drains proposed that will also outlet into the **Kirkpatrick**. These will accept water primarily from future phases of development, although some of the lots in the current development will actually drain through that pipe system.

The total proposal is for three outfall locations into the reconstructed Kirkpatrick Drain. The water that was originally detained in the low area for The Landing At Valley Lakes Phase II will now run completely through the pipe system, and therefore not be detained in that low area as soon as the construction is complete.

Alan then discussed the existing field tiles. No changes are proposed for Branch 5 on the other side of the ditch. Branch 7 will be left partially in place, connected to the 42-inch storm drain at the south line of their current phase. Branch 8 will be partially removed as the new storm drain is laid, the remainder continuing to drain to Branch 7. The portion of Branch 7 which will be left in place will be in a section that is proposed as a park and recreation area with no building activity proposed over it.

In response to a question from Ruth Shedd, Alan verified that not all of the tiles of Branches 7 and 8 would be replaced at this time, though he did confirm that future development on the 200 plus acres will bring requests to relocate upstream areas, and their design takes that into consideration. They will intercept on their east line, routing the water down through the site in the proposed storm sewer system. He then restated that the current proposal features intercepts at the south line of the phase, routing through a new, larger storm pipe out to the **Kirkpatrick Drain**.

Ruth then asked if approval is given for reconstruction on the branches but not all of it will be done now, whose responsibility and at what time will that approval be requested? Or, she continued, is the Board being asked to approve later reconstruction now? Steve Murray answered that at this time, the Board is being asked to grant approval for relocation of that portion of those branches within Phase I. As they develop on the south and east, he assumed they would follow the same procedure in seeking approval. One of the requirements is that they have construction plans approved, and generally they don't generate those plans until they are closer to getting ready to build that phase or section. He concluded that the board can grant approval incrementally with no problem, and there's really no need to act on future relocations at this time because the easement will exist for those branches until such time as they develop the plans for that phase or section.

Steve also added that this process is easier compared to in 2000 when they vacated that small portion to the south with the hearing and notice process. This is cleaner and easier, and for all intents and purposes they always have to pick up that water that comes overland or through the tile and run it through their storm sewer system anyway. The net result is leaving a 30-foot drain easement that follows the new storm sewer. KD asked if the Surveyor had to approve it. Steve confirmed that, and added for the record that this is in the City of Lafayette, so the Board's approval will be contingent on the City's approval. All the Board needed to do at this time compared to other developments is to look at the effect on the regulated drain which is soon to be the **Kirkpatrick open ditch**, and the two laterals that were referred to earlier.

KD asked Steve to confirm that they will all be part of the Regulated Drain when completed and he did so, adding that he wanted to distinguish the individual portions. Steve then asked Alan about the temporary storage issue, referring to a worst-case scenario in which the construction is complete but The Board has been unable to start on the **Kirkpatrick project**. Alan responded that given the uncertainty of the construction timetable for the excavation portion of the **Kirkpatrick Drain** reconstruction project, several discussions had been conducted between them and the City of Lafayette and also the County Surveyor's Office. Regarding providing interim storage in the event that their schedule gets ahead of the reconstruction schedule, one viable option is to partially excavate along the alignment of **the Kirkpatrick Drain channel**. In other words, they will have pipes in the ground below the existing grade at these three outlet locations. They propose to create an excavation in the vicinity of these outflow pipes. This isn't intended to be a full excavation to the actual depth and cross

section of the final ditch alignment, but a partial excavation that would provide enough volume in the interim to satisfy the requirements of the release rate in the ordinance. He responded to a question from Steve by replying that his client was willing to do that in the event it became necessary.

KD asked if that was the eventual park location. It is not, but rather in the proposed ditch channel alignment area. Steve reiterated that this is referring to a worst-case scenario, and that hopefully the Board will get its permit from the Indiana Department of Environmental Management and will be able to begin construction within the next month or so. Alan did a quick estimate on volume based on developed area. The schedules will determine whether they have to come back to the Board with an interim detention plan for a partial excavation within the **Kirkpatrick Legal Drain**.

KD asked Steve if he and the consultants were comfortable with the plans proposed, and Steve responded that they were.

Jerry Withered clarified that they needed two things: First, the final approval of the drainage plan for Phase I of the Commons at Valley Lakes; Second, the approval for reconstruction rather than vacating **Branches 7 and 8 of the Kirkpatrick Ditch**. Dave Luhman added that the second issue first required a finding by the Board that no landowner upstream would be adversely affected by the project. He continued that a condition of that finding might be that the temporary detention would have to be constructed if their plans got ahead of the Kirkpatrick, since it seemed that there might otherwise be some adverse effect on landowners.

Dave suggested a motion to find, subject to the condition that they include the temporary detention pond as part of the project, that no landowners would be adversely affected. Following that would be a motion to approve reconstruction. Steve commented that the first act should be on their drainage submittal, indicating that the Surveyor's Office and Drainage Board engineering consultants would recommend that the Board give final approval to The Commons at Valley Lakes Phase I subject to the conditions stated on the June 27<sup>th</sup> review memo, stating for the record that condition number one on the memo did discuss the temporary detention situation if in fact the **Kirkpatrick Drain** hasn't been reconstructed, and that it's all subject to the City of Lafayette's approval.

KD Benson so moved, Ruth Shedd seconded, and there being no further discussion, the motion carried.

Steve stated an area of concern on the second item, that he hadn't seen a final set of construction plans on the relocation of the **Kirkpatrick Laterals, Branches 7 and 8**. 52.5 does require approval of the Surveyor. Alan said that the City was reviewing internal storm drains, sanitary sewers and water. A few minor changes were yet to be made, and he expected to provide the Surveyor's Office with a final set of plans by July 9<sup>th</sup>. Steve added that he was satisfied that through the normal construction plan review process the Board would get what it needs; to accommodate those two tiles into their new storm sewer system along with a 30 foot new regulated drain easement to follow the new storm sewer route. With that he deferred to Mr. Luhman as to how to follow through on their request for the reconstruction.

Dave Luhman suggested first that there be a finding of no adverse effect on adjoining landowners based on the review and recommendations of the Surveyor's Office and the Drainage Board engineering consultants. Steve said; assuming as expected that a good set of plans that accommodates the flow of those tiles through a new route, it will not have an adverse effect on any upstream landowners. He continued that Branch 7 does cross onto property owned by another individual, which was partially why he suggested that they go this safer and easier route. Even with the worst-case scenario on the reconstruction of the **Kirkpatrick** they will provide temporary detention in the proposed easement for the new channel. That would be submitted for review if it were needed, so there would be an opportunity to review and make sure that nobody upstream would be adversely affected.

Ruth asked if the Board is just concerned with one other landowner there. Steve's response was that's primarily true, but this process is the safest way to do it and provides protection to upstream landowners, which is why he could report a finding that no upstream landowners would be adversely affected.

KD then made a motion that the Board find that no adjoining landowners would be adversely affected by this reconstruction. Ruth seconded, and there being no further discussion, the motion carried.

KD then made a motion to grant approval for reconstruction of **Branches 7 and 8** assuming final construction plans arrive. Ruth seconded, and there being no further discussion, the motion carried.

President Knochel asked Mr. Murray for a report on where the Board was with the reconstruction of the **Kirkpatrick**. Steve reported that the Board was still awaiting approval from IDEM and also awaiting offer letters for the right-of-way which

needs to be acquired, most of which is west or downstream of South 9<sup>th</sup> Street. He also verified that a bid had been accepted from a contractor who is ready to start. IDEM was insisting that a concrete bottom could not be included, and Steve stated that conceding that was likely to be required to move the project forward.

#### **Petition For Partial Vacation Of The Vanderkleed Drain**

Joe Bumbleburg referenced a petition given to Board members for the partial vacation of the Vanderkleed Drain. Included in it are: The legal descriptions required; the land over which it should run; and averments of the appropriate statutory requirements – that the abandonment will not be detrimental; and that the reconstruction of the drain would cost more than the benefits.

Joe stated that this was essentially a tying up of a loose end in that the proposed drainage plan for the Lindberg Village subdivision had been approved, and that the subdivision had received primary approval of the Area Plan Commission. Therefore, the only question to be decided before Board action would be the question of persons affected by this vacation. He references a very old drawing that suggests the area being drained by this drain is all on this site, and when they put in the drainage system for the subdivision, they will be taking care of everything within their own property that is subject to the drain as it currently existed. Since there are essentially no other persons affected by this, it would simply require the finding of no adverse effects as in the previous item on the Board's agenda. Then the Board would be able to decide the question of vacation.

Steve Murray commented that the Surveyor's Office would concur with the vacation as requested on this site, with his only concern be that the Board follow the statutory requirements. He added that he thought the petitioners had exercised due diligence in talking to adjoining landowners, but felt that anyone within the watershed to the north needed to be contacted and given a chance to respond.

Bill Davis of Hawkins Environmental came forward to demonstrate with the aid of the map that there are no other landowners upstream in the watershed in question. After discussion between Bill and Steve, it was agreed that this was the case.

KD made a motion to find that no other upstream property owners would be adversely affected by the vacation of the Vanderkleed Drain. Ruth Shedd seconded, and there being no further discussion, the motion carried.

KD then moved to approve the petition to vacate that portion of the Vanderkleed Drain. Ruth Shedd seconded, and that motion likewise carried.

#### **Engineering Review Fees Ordinance**

Steve Murray stated that he had placed the Engineering Review Fees Ordinance on the agenda primarily to make certain that the Drainage Board members and attorney were comfortable with the process that was followed to pass that ordinance. Dave Luhman stated that since the last Drainage Board meeting, the Tippecanoe County Board of Commissioners had adopted the ordinance on first and second reading so that all necessary action had been taken. The ordinance was scheduled to have taken effect on July 1<sup>st</sup> 2001, so with petitions now filed it would apply, and developers would be required to pay the cost of the engineering review fees for anything submitted on or after that date.

#### **Cuppy McClure Regulated Drain - Assessment**

Steve stated that this had also been discussed before. The Cuppy McClure was one of three branches of the Hadley Lake Drain. The outfall runs north and east of Hadley Lake. It was constructed and accepted, and an assessment was started on the acreage in that watershed. The Baker Dempsey was reconstructed as well, and an assessment started on it. Cuppy McClure was the last of these three drains, and has been completed and accepted, but an assessment was not started. Steve found this when he was researching the file when there was some blockage and stoppage on the Cuppy McClure tile as it runs through the Great Lakes Chemical property. He stated a belief that based on everything he found and Mr. Luhman's review that the Board should have that assessment start now.

KD referred to the earlier discussion having included the issue of mailing notification to landowners in that watershed. Steve stated that was correct. KD then made a motion to recognize that the construction was complete, and for the Board to move ahead with starting the assessment process. Ruth Shedd seconded, and there being no further discussion, the motion carried.

#### **Other Business**

Joe Bumbleburg rose to address the Board on behalf of another client, Kenneth Puller and his Foxfire development on Haggerty Lane. He wanted to address the issue of escrowing the funds for drainage improvements. This development is

contributory to the F lake, and they were seeking permission to put money into the **F lake** escrow fund against the time that it would be needed. He stated he understood from Dave Luhman that there was a form of agreement that had been used previously by the Drainage Board that would be provided to him, but the signal they sought from the Board was that they would authorize them to pay the monies into that escrow fund against the time that it would be needed by the Drainage Board for work on the F lake.

KD asked if this was to be in lieu of actually making road improvements. Joe responded that the road improvements are under the jurisdiction of the Board of Commissioners, but that he was essentially talking about the same thing for the offsite drainage improvements. John Knochel asked when the Commissioners had last heard proceedings on Foxfire, and Joe responded that they had heard two versions of this with the Area Plan Commission on the actual subdivision process, and once early in 2000 on a rezoning as well as on a tax abatement.

KD stated that she would like the Surveyor to review the request and make recommendations before she would feel comfortable making a motion. Dave Luhman commented that he had suggested using something similar to what the Board had used with the **Alexander Ross Drain** on Park 65. The initial developer knew they were going to have to build a large detention pond and weren't going to construct the whole thing, but there was an agreement that future developers who would participate in that would pay for the value of their usage. He stated that if the Board hadn't yet got a mechanism set up like that for F lake, the Board should probably look at it because there had been two projects impacting F lake at this meeting, and there would be more.

Joe asked if there was a current fund existing on the **F lake**. Steve replied that there are some funds, probably a nominal amount, adding that the city generally collects those funds for the Drainage Board. The last time it came up a few months ago, there still wasn't enough to finish the design let alone to construct the facilities. He added that as developments are occurring in the area, obviously the Board is getting closer to that.

Joe asked if whatever they put into this fund would facilitate the design of the lake, at least at this point. He then stated that all he was asking was for the Board's approval to use that vehicle, whatever that fund might be. Steve stated that the Board hadn't finished the review, that the site had a three-year Drainage Board history, and that he wasn't prepared to recommend the Board take the step requested by Mr. Bumbleburg. He added that former Surveyor Mike Spencer had been involved, that it was a very thick file, and he needed to finish the review and check the intent underlying previous reviews.

Ruth Shedd asked if the Board could have a standard resolution for something like this. Dave Luhman replied that the Board could, once the review was completed and there was a determination on what the costs were going to be and how to appropriately share those. Ruth added that this was obviously going to come up more than once. Steve agreed, mentioning that it had in the past, then adding that generally with these regional concepts, they're within the city's utility service area, and they've handled the cost recovery through their normal utility cost recovery system. On **Elliott**, he said, the money for water that goes to the Mall pond the city collects and holds, and water that goes to **F lake** where money is given in lieu of onsite detention, that money goes to the County.

Ruth asked if the petitioner could hold off for another month. Joe responded that a month would present a problem. Mr. Puller rose to speak, representing 'Faces', which is the sponsor for Foxfire. He stated that the problem they had was that their option was running out that they have to get financing on this, and that they had to get it approved through FHA just for the enhancement. The dollars were originally estimated at \$50,000.00. Their engineers now put that figure at \$66,000.00 that they have to put in at the time of closing.

Steve stated that the problem with this site is that it did not have an outlet currently, and so there were some proposed improvements that were supposed to be put in place in order to provide a positive outlet. Because of that, he didn't know that agreeing to escrow the money would ever result in the Surveyor's Office making a recommendation to approve their drainage plan. Ken stated that they were there to discuss the 66-inch offsite storm sewer line. In the drainage plan they proposed to put a permanent holding pond in the project.

Steve and KD stated their beliefs that this request was premature without engineering review and recommendations. Joe asked if assuming the plan gets approval, would the Board allow the developers to put the money into escrow. Steve restated that he was not prepared to recommend that at the present time, that he wasn't certain that the Surveyor's Office and engineering consultants would ever get to the point of recommending escrowing the improvements as opposed to putting them in. Joe drew a distinction between what he saw as Steve's position that he didn't know if the plan would be approved, and Joe's request for their financial planning purposes for an understanding that if the plan was approved, that the money would be accepted into escrow. Steve pointed out that part of the plan is the improvements.

Joe reiterated that he was only discussing the event that the plan was approved. If the plan were not approved, the money would not be needed and would not be given. He again requested an understanding from the board that if the plan was approved, that the Board would allow monies to be escrowed as requested. Steve stated that as long as the petitioners understood that part of the plan approval process may be that the improvements are required to go in and the monies not be escrowed, he could recommend agreement. He then clarified for KD that the improvements in question would be to convey water from the site to the F lake. Joe added that he understood that some of the money might need to be spent rather than escrowed.

Dave Luhman clarified that the money in question was the share of money to design and develop the F lake, not the money to design and build offsite improvements to outlet water from the site to the lake. KD asked if there was a reason the Board wouldn't want to escrow the money. Dave replied that if the Board weren't ready to complete the construction of the **F lake**, and has been able to determine what their share of the **F lake** cost would be and the developers agreed, the Board could accept those monies and put them in escrow. That's separate from approving the drainage plans.

Joe suggested that if the Board was having trouble raising the funds for the design of **F lake**, it should want contributors so that progress could be made, and reiterated that all he sought was an indication that the money would be accepted into escrow if the drainage plan was approved.

John Knochel indicated that he could personally give conceptual approval to that request. Ruth Shedd agreed, stipulating an understanding of the difference of the monies, who was going to use it, and where it was going to be used. KD also expressed agreement on that basis. Joe thanked the Board, then asked Dave Luhman to provide him a copy of the earlier agreement on the Alexander Ross Ditch, and Dave agreed.

There being no further business, KD moved to adjourn the meeting. Ruth Shedd seconded, and the motion for adjournment carried.

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John Knochel, President

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KD Benson, Vice President

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Robert Evans, Secretary

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Ruth E. Shedd, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**November 7, 2001**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met Wednesday November 7<sup>th</sup>, 2001 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel calling the meeting to order.

**Approval of October 4<sup>th</sup> Minutes**

KD Benson made a motion to approve the minutes from the October 4<sup>th</sup> regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

**Hadley Moors Subdivision Part V Phase I**

Alan Jacobson from John Fisher and Associates appeared on behalf of LUXHART Corporation to request final approval of Hadley Moors Subdivision Part V Phase I. He showed a drawing of the overall plat for the Hadley Moors Development, with the section in question highlighted.

The drainage plan for this section was developed in accordance with the overall drainage plan for Hadley Moors. The majority of the drainage was designed to go to the west to an overall detention facility. In this phase, most of the water would flow to the south and be taken into the subdivision's storm drainage system. A portion of the water would flow to the north, flow in swales along the county road to a culvert located where the road makes a bend, and then flow to the north approximately 200 feet before entering the Yeager Ditch.

They had analyzed the runoff to the north and proposed not to control that runoff, finding that they would still be in compliance with the drainage ordinance in terms of the quantity of runoff in that direction. They had notified the adjacent landowner in regard to runoff across his property in an existing swale. They had not received any response from that landowner.

Alan referred to a Burke memo recommending final approval with three conditions. Notification of landowners and a signed acceptance of responsibility for drainage review fees had been done at this time. The final condition was submitting recorded copies of the restrictive covenants for the subdivision. He stated agreement with those conditions in terms of compliance, and asked for final Drainage Board approval on that basis.

KD noted that one condition mentioned notifying landowners, a plural term, and asked for verification that there was only one landowner, which was the case. She asked if the land was a farm. Alan replied that it was partially wooded and partially farmed, with the actual drainage swale just cutting 30 or 40 feet across the corner of the field.

Steve Murray asked if they had received Highway Department approval for their work on County Road 125 West. Alan replied that they had, and that Tim Wells had made one suggestion. Examination of a culvert showed the edge of the culvert to be very close to the edge of the gravel road. They had agreed to add 5 feet of 15-inch pipe to that culvert to reduce the hazard to traffic at that upstream end of the culvert.

Steve then asked if they had been asked to do any grading in the right-of-way. Alan confirmed that they would be doing some grading in the right-of-way to improve drainage along the county road.

Steve stated for the record that Drainage Board approval would be contingent on Highway Department approval. He went on to recommend final approval with the conditions on the October 22<sup>nd</sup> Burke memo, the first two of which had already been met.

KD made a motion for Drainage Board approval for Hadley Moors Subdivision Part V Phase I, with the conditions listed on the Burke memo. Ruth Shedd seconded, and the motion carried without further comment.

### **Hickory Ridge Estates Subdivision**

Tim Beyer of Vester and Associates appeared representing Right Angle Homes. He showed a map of the proposed subdivision, showing the location relative to Concord Road and County Road 430 South. The site is about 116 acres in size and will be developed eventually with 250 homes with an average lot size of about a half an acre.

Phase I of the subdivision is 30 acres and contains 59 lots in addition to an outlot at the entrance and an outlot for the proposed pond. Since this is the first phase of the subdivision, they developed a stormwater management plan for the entire project involving placement of a wet bottom pond to be constructed with Phase I. It would store the majority of the water from Phase I, and a lot of the future site development to the south. They also looked at the future site development to the west, and there will be a second pond to the west which will store water for the majority of that area.

With the Phase I pond construction, they needed to place the pond outlet into a natural ravine north of the site which runs along the north property line before turning and following the west property line down, and then runs to the Wea Creek. They had been in contact with two property owners. One property had a new home being constructed, and the other property adjoined the first and was accessed by an existing dirt drive. Recently there had been two 15-inch culverts placed beneath that drive and that portion of the channel was actually filled in at that time. They were proposing that those culverts be replaced with a 42-inch culvert that will pass the runoff. The existing culverts were restricting water in that channel. They also proposed some regrading of that portion of the ditch so that the water would pass through the channel, downstream of the culvert.

The other landowner requested placement of a culvert upstream of where their pond was outletting in exchange for an easement. They propose a 36-inch culvert at this location.

Tim then requested approval of the drainage plan for Phase I, and offered to answer any questions from the Board.

KD asked where the highest spot was, and whether the water flowed north. Tim showed the high ground and confirmed the direction of water flow under current conditions, reaching the existing ravine in various locations.

Steve asked if they anticipated any difficulties obtaining easements and agreements with the landowners. Tim replied that they did not, adding that Matt Smith, the owner of the development was in attendance at the meeting, and had been handling most of the discussions with the landowners. Documentation provided showed the agreements.

KD asked if trees would have to be removed to put the pond in. Tim replied that they would.

KD asked if Steve had any further comment, and he stated that the notification portion of the Drainage Ordinance was specifically intended to start this kind of discussion between landowners about potential impacts. He added that he thought the developer had done a good job of working with the property owners, and so the Surveyor's Office and engineering consultant were prepared to recommend final approval with the conditions stated on the November 5<sup>th</sup> Burke review memo.

KD asked for verification that there would be no impact on anyone else further downstream, and Steve confirmed that no adverse conditions were anticipated downstream. Drainage Board engineering consultant Dave Eichelberger commented that they had asked Vester and Associates to look at that very issue of a potential increase of water downstream from concerns raised by the proposed installation of a 42-inch culvert. The pond and the redirection of flows actually produced a small reduction in downstream flow according to calculations, but would remain essentially about the same.

KD made a motion for Drainage Board approval for Hickory Ridge Estates Phase I, with the conditions listed on the Burke memo. Ruth Shedd seconded, and the motion carried without further comment.

### **Lakeshore Subdivision Phase 1**

Joe Bumbleburg appeared on behalf of Dave Leffert and RBT Development. He made reference to a request provided to the Board for a reduction in the easement of a portion of the Dempsey-Baker Regulated Drain where it runs through their Lakeshore Subdivision. He stated that there were only two landowners affected; RBT, and the Galema interests to the north of their development. Joe had previously thought that the reduction accepted was for equal amounts on both sides of the

stream. It had been brought to his attention that the reduction given Drainage Board approval in December of 2000 was actually for a reduction from 75 feet to 25 feet on one side, and from 75 feet to 50 feet on the other side.

Joe stated that the request before the Board was to clean up and put into the record the reduction according to the preliminary judgment of the Board on how this was to be done. A diagram provided to the Board showed the difference between the originally proposed reduction of equal amounts on both sides, and the approved reduction. Also provided was a signed consent from the Galema interests to the larger proposed reduction. Together with the much smaller intrusion onto their property of the actual approved easement reduction, this was to indicate that the actual reduction would also be acceptable to them. Mr. Brooks, the attorney for the Galema interests, had requested notification of what was eventually done with the reduction so that some record was readily available to abstracters.

Joe summed up by saying that this was a simple request and not an unusual one, and that action at this time would be quite an accommodation for RBT, allowing them to have a final plat executed by the Area Plan Commission in time to get some work done before winter. He added that they would be happy to answer any questions.

Steve began with a question for Drainage Board Attorney Dave Luhman. He stated that the documentation and metes and bounds description would be very good to have for the record, but asked whether the actual approval of the reduction had been done already in the earlier meeting. Dave recommended that the Board approve the petition on motion at this time so that it would be in the minutes from this meeting.

Steve then asked whether there was a foot trail on the south side. That was correct, the trail being an extension of the West Lafayette Parks and Recreation trail system, and existing in a separate easement. Dave Leffert said he thought the Mayor of West Lafayette had signed the easement, which had been prepared one year earlier. Steve stated that his only concern was whether that easement was part of the Drainage Board easement, and whether granting the reduction would affect the right of the City to have the trail located there. That was not the case.

KD asked about Lot 36. Steve stated that the Board's approval of the revised petition would be giving them more usable area, but that the easement remaining would provide enough room to maneuver an excavator if work on the drain was required. In reply to a question from KD, Steve stated that the APC reviews plans to ensure that each lot is buildable, and that the reduction request was to enable Lot 36 to be built upon.

KD made a motion to approve the petition to reduce the size of the easement for the Dempsey-Baker legal drain. Ruth Shedd seconded, and there being no further comment, the motion carried.

#### **Other Business**

Steve raised another matter related to landowner notification, making reference to the Wea Ridge Middle School as an example of why it is needed. There had been an increase in runoff with leaves and erosion onto Ron Diem's property, and Steve had received another call from someone on the upper part of the ridge, and noted that there were three release points from the school site proposed, one to the north, one in the middle, and one which went straight to Wea Creek. Construction had not been started on the detention pond for that site, and there was evidence of some erosion beginning in a small ravine system.

Steve referenced the process underway to revise the Drainage Ordinance. He stated that something the Board had always had the right to do, but would have had to make a condition of approval in the review and approval process for each project, would be to dictate the sequence in the construction process that a contractor or developer would have to follow.

In the case of Wea Ridge Middle School, if they had been required to start on their detention pond before they had stripped their property, begun swales and ditches and cut down all the trees, he didn't think the negative impact on the Diem property would have occurred. He suggested an item be added to the Drainage Ordinance to include the right to prescribe the construction sequence.

Dave Eichelberger remarked that this would be utilized on an as-needed basis. If there were not going to be an issue, the Board would not dictate any sequence. Steve added that in instances of direct discharge onto adjacent landowners outside an established channel, increased runoff and siltation could be expected. The Board is here to protect the interests of downstream landowners, and he had already made six trips out to the Wea Ridge area in two months to inspect damage. He indicated the possibility of lawsuits, and if the Board can head those off and save that kind of headache and problems for the public, that's exactly what it is supposed to do.

Dave Eichelberger reiterated that prescribing the sequence would not be something he would recommend to the Board in all cases. Steve agreed, and added that if it's in the Ordinance, the Board has something to refer back to in the case of protest from a developer or contractor, a regulation that would have to be complied with to obtain Drainage Board approval.

John Knochel asked if the Surveyor would be asking the engineering consultant to draft some language on this proposal. Steve replied that Dave Eichelberger had currently been working with the Surveyor's Office on proposed revisions.

In response to a question from KD, Dave Luhman described the process of public notification, two readings by the Drainage Board and two readings by the County Commission, as had been done with the change in engineering review fees in June of 2001.

Steve summed up by saying that the Surveyor's Office was aware that the Ordinance would have to be revised again to comply with NPDES Phase II stormwater requirements, and that he wanted to make a few changes that had been discussed and get it into as good and complete order as possible before those future changes. One example of these changes would be to change the release rate.

Dave Eichelberger explained that the release rate would protect downstream landowners from adverse effects from a 100-year storm, but that the release rate for lesser storm events could still be higher than the pre-development rate for the same storm because the pipe is sized for the larger storm. What was being discussed was a staged release rate via a box structure with a small pipe heading in and a large pipe heading out. Low flows from smaller storm events would be restricted to the two-year rate by the smaller pipe, but if water began to back up during a larger storm event, it would begin pouring over the top of the box structure and utilizing the flow rate of the larger pipe. That would add another release point with more control so that people downstream would not see more water in smaller storm events.

Steve added that the Board had historically told people that they wouldn't see much of a change in flow after development, but that wasn't really true for smaller storms. This particular measure would address that. KD asked if this was the trend, and Steve confirmed that Marion and Johnson Counties had taken this step. KD asked about cost increase to developers, and Dave responded that the cost increase would be nominal, adding that Burke writes a lot of ordinances, that this was a feature in what they had been writing, including a current project for Hendricks County's new ordinance, from which the proposed language for Tippecanoe County was taken.

There being no further business, the meeting adjourned.

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John Knochel, President

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KD Benson, Vice President

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Robert Evans, Secretary

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Ruth E. Shedd, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**July 3, 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 Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Brenda Garrison and Robert Evans.

**Approval of June 6 Minutes**

Ruth Shedd made the motion to approve the June 6, 2002 minutes, with John Knochel seconding. The being no objections, the motion carried and the minutes were approved.

**Montgomery County Joint Drains**

Montgomery County Commissioner Bill McCormick and Montgomery County Surveyor Larry Utz appeared before the Board to discuss Joint Drains between the two Counties. Larry Utz informed the Board in reference to the Rebecca Grimes Ditch that the Montgomery County Drainage Board had waived their rights in 1974, according to their records. Presently there were tile holes on this Drain in their county and he asked the status of the fund balance. Steve reviewed the present balance of the fund and the route of the Rebecca Grimes tile. The balance of the **Rebecca Grimes** ditch was in the red due to maintenance repairs exceeding the assessments collected. He added that this was unfortunately true of several Drains throughout the County at present. He stated there was another Grimes Ditch crossing over county lines, however this drain did not have a maintenance fund. He stated his office would do a review of Regulated Drains with maintenance assessments in the future, and those drains needing an increase of assessment would be presented to the Board for action. A number of the drains' yearly assessments should be increased to accommodate rising costs of maintenance, and a drain could be vacated if landowners affected were unwilling to accept the increase.

He then reviewed the process of notification for Joint Drains' upcoming yearly assessments with adjoining Counties. Steve asked Larry if there were any other concerns he may have had. Larry stated the Martin Gray Ditch was in pretty good shape. Steve stated the **Kirkpatrick One** was in good shape due to maintenance work previously done on the Tippecanoe County side. The **Fugate Ditch** was recently surveyed, and north of 1200 South in Tippecanoe County approximately 1000 feet of blown out tile existed, which had resulted in an open ditch.

Commissioner Bill Montgomery then spoke to the Board and stated the correspondence in 1974 from Tippecanoe County on the **Rebecca Grimes Ditch** requested Montgomery County waive their rights to participate on a Joint Board. The Drainage Board from Montgomery County was unsure as to whether a response was sent. Steve stated he would check the records and inform them of any findings. Steve added while an adjoining County may have waived their rights on a particular drain, he believed it prudent to inform them of any major work done on a drain. Regarding Joint Drains and due to the size of acreage involved in their County, Bill thought it would be wise to waive rights where applicable. As President of Montgomery County Drainage Board, he requested a letter from this Board suggesting a waiver of rights pertaining to the Leader-Newton Joint Drain. He would submit it to the Montgomery County Drainage Board at their next meeting and respond thereafter. This drain had the majority of benefited land in Tippecanoe County with approximately 72 acres benefited in Montgomery County. In reference to raising an assessment rate, Steve stated regardless of rights waived, a Joint Board meeting might be necessary. Steve then confirmed a letter concerning the **Leader-Newton Drain** would be mailed in time to present at their next Drainage Board's meeting. Bill stated drains that had a balanced watershed between the counties could be discussed at a later date.

Steve spoke regarding the **John Mclaughlin Drain**. A Tri-County Drain between Tippecanoe, Clinton and Montgomery Counties, it had been in litigation for the last eight to ten years. He asked the Drainage Board Attorney to check the status of the litigation. Benton County Commissioner Bill McCormick and Surveyor Larry Utz thanked the Board and Surveyor for the time allotted to present their concerns.

### **Lilly May Estates**

Richard Fidler, Surveyor of Indianapolis Indiana, appeared before the Board on behalf of the developer Greg Weilbaker and owner Mr. Frank Howard to present Lilly May Estates Subdivision for conditional approval. The proposed project was located on the west side of State Road 25, approximately one and one quarter of a mile north of I-65 and just north of the NorthBrook Subdivision in Fairfield Township. The site consisted of 18.48 acres and included 21 single-family residential lots. The Area Plan Commission approved the preliminary plat for the project on August 15, 2001.

The first waiver requested concerned the proposed onsite dry detention. Mr. Fidler provided the Board with Exhibit B, a photograph of onsite dry detention, taken in Marion County. He further explained the lots in the picture were used passively as a recreation area and were wet only on occasion. He also noted, as it had been a very wet spring, the area shown in the exhibit had not experienced any standing water. He felt the Lilly Mae Estates' dry detention site would be comparable if not better than the exhibit. The second waiver requested concerned the required timeframe of pond drainage. The submitted calculations showed only two and one-half inches of complying with the present Ordinance. The third waiver requested was the maximum depth allowed by the Ordinance. The maximum depth on the site is 5.8 feet, which is 1.8 feet above the maximum allowable depth of four feet for dry detention facilities. The proposed site rests upon fifty feet of sand and gravel, and the applicant was confident this would indeed help in drainage of the site. Videotape taken by Mr. Howard was provided to the Surveyor and Engineers for their viewing prior to the meeting. This tape showed drainage onsite after a considerable rainfall, which resulted in very little if any standing water. The applicant felt this was due to the soil condition, and while the drainage computations showed four to five feet of water on this site, the applicant felt soil conditions would ensure this was rarely the case. The detention would be largely limited to the back of Lots 1,2,3,4, and 6, touch the swale in Lot 7 and briefly touch the South corner of Lot 5. Several well logs from the area were submitted to the Engineers to verify the fifty to sixty feet of sand and gravel. Drainage Board Engineering Consultant Dave Eichelberger confirmed the borings were received and indicated sand and gravel onsite. Commissioner John Knochel stated he had lived in that area most of his life and had never seen water pond on the proposed site.

Steve stated he was prepared to recommend final approval with conditions as stated on the June 28, 2002 Burke memo. Ruth made the motion of approval for the three waivers, with the third waiver subject to the Surveyor's approval. John Knochel seconded the motion. The motion carried. Ruth Shedd made the motion of final approval for Lilly May Estates with the conditions stated on the June 28, 2002 Burke memo, and John Knochel seconded the motion. As there were no objections the motion carried.

### **Purdue Research Park**

James Farny of Bernardin, Lochmueller and Associates appeared before the Board representing the City of West Lafayette regarding the expansion of Purdue Research Park. This was a 64-acre expansion of the existing industrial research park located east of Kent Avenue, south of Kalberer Road and west of Yeager Road in the City of West Lafayette. The drainage of said site ran north, crossed Kalberer Road and into the **Baker-Dempsey Regulated Drain**. The project consisted of 11 building lots and 2 outlots which drained into the Baker-Dempsey Regulated Drain. A 40-acre tract lying south of the site also drained into the Baker-Dempsey Regulated Drain.

The total area under design in the project was approximately 90 acres. A proposed detention lake would be constructed just south of Kalberer Road, with an outlet tied into an existing storm sewer that lay along Kalberer Road. The existing storm sewer pipe was 24 inches in diameter. The outlet structure would be a 2-stage structure, which consisted of a 21-inch primary pipe and a 24-inch secondary pipe. Mr. Farny stated they would comply with Christopher Burke's conditions within the June 27, 2002 memo. The **Baker Dempsey Regulated Drain** is vacated to the south of Kalberer Road. In response to the drainage consultant's inquiry regarding potential for welling on the site, documentation of mitigation had been provided. Approval would be sought from the City of West Lafayette Engineer's office as suggested in the June 27, 2002 Burke memo. Mr. Farny then offered to provide documentation if requested. The project was reviewed by the Board's Engineering consultant to determine the impact on the regulated drain. As they had complied with the county's drainage ordinance, Steve stated the impact on the regulated drain would be nominal.

Steve also stated condition seven in the memo was not applicable to this project, and was a standard condition. Since the site was inside the West Lafayette city limits, it would not be necessary to provide a copy of the restrictive covenants. Discussion was held pertaining to that portion of the Baker-Dempsey Drain which had been vacated. A confirmation would be sought, although Steve felt it had been vacated. He recommended to the Board final approval with conditions based on the June 27, 2002 Burke memo.

Ruth Shedd moved for final approval on Purdue Research Park Phase II Part III with conditions excluding condition number seven in the June 27, 2002 Burke memo. John Knochel seconded the motion. There being no objections, the motion carried.

### **Wea Township Baseball Fields**

Pat Jarboe with T-Bird Design appeared before the Board representing the Wea Township Summer Recreation Board. The proposed site was being leased to the Recreation Board by the Tippecanoe School Corporation. The 20.9-acre development proposed was located on the west side of County Road 150 East, south of County Road 430 South and south of the Wea Ridge campus.

The site was designed so proposed runoff would drain using surface features which follow existing flow paths. This was an agriculture field and portions to be disturbed would be covered with aglime and/or grass for infields of the proposed baseball diamonds. Calculations of the 100-year storm event would be improved from the current condition of the agriculture field. KD was pleased this site was available to the youth for use and commented as such.

Steve recommended final approval with conditions as stated in the June 28, 2002 Burke memo. Ruth made the motion to waive the standard detention requirements as stated in the Burke June 28, 2002 memo, and John Knochel seconded. Ruth Shedd then made the motion for final approval with conditions stated on the June 28, 2002 Burke memo. John Knochel seconded the motion and the motion carried. The motion carried with no objections.

### **Paramount-Lakeshore Subdivision**

Tim Beyer with Vester and Associates appeared before the Board with an exhibit of the proposed Paramount Lakeshore site. This was a 29-acre commercially zoned site located on the north side of U.S. 52 between Morehouse Road and County Road 250 West (McCormick Road). The **Cuppy-McClure Regulated Drain** ran through the southwest portion of the site via a 48-inch concrete pipe. At this time only transportation and stormwater drainage facilities would be constructed to accommodate future lot development. One wet bottom and two dry bottom detention ponds would be constructed onsite. Each pond would drain directly into the **Cuppy-McClure Regulated Drain**. At the north property line a portion of the proposed street would drain through curb inlets into an existing offsite storm sewer within the Lakeshore Subdivision to the north. Two petitions for encroachment pertaining to the **Cuppy-McClure Regulated Drain** had been submitted to the Surveyor. Steve discussed the right of ways with this site, pertaining to future maintenance of the regulated drain. Excavation of the road in the event of possible maintenance on the regulated drain in the future was discussed. Steve stated there had been instances of pavement over regulated drains, and the life of a 48-inch pipe was typically 30-50 years. Dave Eichelberger reiterated it was a relatively new pipe and should have a long design life. There was more of a chance of future maintenance work needed on the proposed street than the drain underneath it.

Ruth Shedd moved for a waiver on the requirements of maximum depth as stated in condition two of the June 28, 2002 memo and John Knochel seconded. The motion carried. Ruth then made a motion for final approval with conditions as stated on the June 28, 2002 Burke memo. John Knochel seconded the motion and the motion carried. The petitions for encroachment were tabled until the August meeting, allowing the Drainage Board Attorney to review them.

### **Harrison Highlands Phase 1**

Tim Beyer with Vester & Associates then spoke on behalf of the developer for Harrison Highlands Subdivision Phase 1. This site was located east of County Road 50W, north of County Road 600N and south of County Road 650N. The overall site was approximately 102 acres to be subdivided into 220 lots. The proposed Phase 1 site was 52 acres and would be subdivided into 122 single-family lots with 2 outlots. Burnett Creek flows through the northwestern portion of the overall site. The northern portion of the site drains directly to the creek. Storm sewers and swales direct a majority of the developed condition runoff to a wet detention pond, which would be constructed within the southeast portion of the site. Tim stated as a result of speaking with the Highway Department, a new ditch would be constructed along the south side of the pond and drain to **Burnetts Creek**.

The runoff from the site and any offsite runoff would be routed through the new ditch to Burnetts Creek. The pond's overall release rate to the creek was in compliance with the Drainage Ordinance. Discussion was held pertaining to the future development and the access to such. Steve asked if the developer would access the future site by crossing the creek. Tim responded the developer had access from 650N as well and had not made the final decision as of yet.

KD asked about the turning lane on 600N to be constructed for this development. Tim assured KD it was in the plans and would be constructed. This would be coordinated with the Highway Department.

KD asked about the frequency of the flooding of the creek and if the plans allowed for sufficient detention of runoff in order to lessen the impact into the creek. Historically Burnett Creek has had flooding problems. Steve stated he had discussed this with the Drainage Board Engineers and was satisfied the developer has complied with the Drainage Ordinance. He felt the drainage construction should help with the flooding problems in the future. Dave Eichelberger stated the flood plain issues had been reviewed as well and confirmed with Tim those issues had been approved by Department of Natural Resources.

Steve recommended final approval with conditions as stated on the July 1, 2002 Burke memo. Ruth Shedd made the motion for final approval with conditions as stated. John Knochel seconded the motion. With no objections, the motion carried.

### **County Drainage Ordinance- 2002-24-cm**

Steve updated the Board on the status of the Revised County Drainage Ordinance. This would be the 2nd reading. The ordinance was approved on the first reading at the last Drainage Board and Commissioners' meetings. Having heard the ordinance read twice, Ruth Shedd moved to suspend reading of the revised Ordinance at this time. John Knochel seconded the motion. The motion carried. Ruth then moved to hear and approve Ordinance 2002-24-cm on second reading. John Knochel seconded the motion. KD asked for comments from the attendees.

Mr. Bill Davis of T-Bird Designs spoke to the Board. Bill agrees with the changes in the Ordinance and felt it was step in the right direction. His concern was the lack of authority over issues such as filling in swales by property owners, broken curbs, and not building to pad grades, etc. He felt the Building Commission should address these issues. However, as a result of some of these problems, the Drainage Board had from time to time dealt with these issues. Discussion was held regarding the Building Commission responsibilities at this time. Inspection is needed to insure the plans are carried out in compliance with the County's ordinances. Steve stated he would discuss with Bill any concerns he might have had before the next Commissioner's meeting on the 15<sup>th</sup> of July. Steve noted that changes to the ordinance might be made during the process at hand. The ordinance had been sent digitally to Consultants in the County. KD asked for additional comments from the attendees.

The Drainage Board attorney then read the roll call on voting for the County Drainage Ordinance 2002-24-cm into the record. The vote was as follows: John Knochel yes, Ruth Shedd yes, and KD Benson yes.

### **Bonds**

Steve presented a Maintenance Bond for approval. In accepting maintenance bonds the Board was approving the construction of drainage improvements. As clarification he stated the Surveyor's office oversees the construction and the perpetuation in the future. With that said, Construction Maintenance Bond Number 400SR3756 from Atlas Excavating Inc., for \$10,000.00 for Huntington Farms Drainage Swale and pipe was presented to the Board. This bond and a letter on file guaranteed maintenance work on a 4-inch pipe that had been put into a swale previously. The pipe had been cut several times by utility companies in the past. If the pipe did not drain satisfactorily, Atlas would come in and construct a new drainage system through the back of the four or five lots if needed.

Ruth Shedd moved to accept the Construction Maintenance Bond Number 400SR3756 with Atlas Excavating, and John Knochel seconded the motion. There being no objections, the motion carried.

### **Other Business**

Steve updated the Board on the status of the Wabash Valley Feed and Storage site drainage. Several property owners to the south spoke at the last meeting to the Board. Landowner Larry Sturgeon spoke with Steve concerning his drainage problem. Mr. Sturgeon's property was located across from Wabash Valley Feed and Storage and surrounded by Lindberg Village. Steve had assured him his drainage problem should be significantly less, once the Lindberg Village site was completed.

The Highway Department had since gone out and profiled the ditches along Klondike Road and was aware of the general drainage pattern. As plans were developed for the commercial portion of the Lindberg Village site, the drainage construction would be monitored. Steve stated he had spoke with the Drainage Board Engineers regarding those issues. Also Mr. Coulson, developer of the Wabash Valley Feed and Storage had contacted Steve after the last Drainage Board meeting, in regards to providing an outlet tile for the Wabash Valley Feed and Storage site. The project was approved at the last meeting provided Mr. Coulson worked out a written agreement with landowners downstream of the site.

Since that time, Mr. Coulson had worked out an agreement with a property owner to the east. Steve felt he had complied with the basic requirement of providing an outlet pipe for the site. However, Steve's concern was the plan had been approved with the condition as stated, and felt the Board should be aware of such.

As there was no other business to be discussed, Ruth Shedd made the motion to adjourn and John Knochel seconded. The meeting was adjourned.

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KD Benson, President

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Ruth E. Shedd, Vice President

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Brenda Garrison, Secretary

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John Knochel, Member

# **Tippecanoe County Drainage Board**

## **Minutes**

**August 5, 2003**

### **Regular Meeting**

#### **Those present were:**

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, and member KD Benson, County Surveyor Steve Murray, Drainage Board Active Attorney Doug Masson, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, Tim Wells County Highway Engineer, and Drainage Board Executive Secretary Brenda Garrison.

#### **Approval of July 2, 2003 Minutes**

John Knochel moved to approve the July 2, 2003 Drainage Board Minutes. KD Benson seconded the motion and the July 2, 2003 minutes were approved as written.

#### **Hadley Moors Part 5 Phase 2**

Alan Jacobson of Fisher and Associates represented David Lux of Lux Klinker Homes and approached the Board to request final approval for Hadley Moors Part 5 Phase 2. Part 3 bound this portion to the south, Part 2 to the West and Part 5 Phase 1 to the east. As the final portion of the overall Hadley Moors development, it would contain 30 single-family residential lots on 8.9 acres.

The site was located west of County Road 125 West and south of the east-west section of road connecting County Road 125 West to County Road 140 West in Wabash Township. The site drained east to west. Proposed storm sewers and rear-yard swales would discharge to the existing storm structures within the previously approved sections of the development. Maintaining the existing drainage pattern along the north property line, runoff would be discharged to the northwest across Outlot 318. Alan brought attention to the two outlots at the north edge of the property that were left undeveloped. He stated they would possibly be developed at a later date on a separate request.

The Surveyor asked for verification of placement of catch basins periodically throughout the site. Alan verified they had been included in the plans and inlet castings were marked appropriately. The Surveyor then stated the need to insure a Homeowners Association had been set up for the project. There has been instances where they had not been formed and the individual lot owners were left to deal with drainage problems off the road right of way. A verification of such Association for each project may be required for final approval of plans in the future. The other option would be to establish the project's storm sewer system outside the road right of way into County Regulated Drains. Alan stated he believed one had already been formed. He would check with his client to verify and in turn provide the Surveyor's office with the contact information.

The Surveyor then made the recommendation for final approval with the conditions as stated on the August 1, 2003 Burke memo of Hadley Moors Part 5 Phase 2 to the Board. Ruth Shedd asked for any comments and no comments were given. John Knochel made the motion to grant final approval with conditions as stated on the August 1, 2003 Burke memo for Hadley Moors Part 5 Phase 2. KD Benson seconded the motion and final approval for the project was granted.

#### **Benjamin Crossing Section 2 and Section 3**

Brandon Fulk represented the Schneider Corporation and approached the Board to request final approval for Benjamin Crossing Planned Development Sections Two (2) and Three (3). Conceptual approval for the development was given in October of 2002 and final approval for Section One (1) was given in December of 2002. The site was located approximately 2 miles south of the City of Lafayette at the northeast corner of County Road 250 East (Concord Road) and County Road 450 South in Wea Township. The 160-acre project would consist of 630 lots total and three (3) stormwater detention ponds upon completion. Section One (1) contained 205 lots and all of the proposed ponds. The Kirkpatrick Legal Drain (a closed tile system), which passed through the northeast corner of the overall property, would be realigned using 775 feet of 30-inch diameter RCP to accommodate development of the site. Two (2) interconnected ponds located in the central and northeast portions of the site, would discharge to the Kirkpatrick Regulated Drain at the Concord Road Bridge. The northeast pond would be designated as a Regional Detention Facility and temporary discharge to the existing legal drain tile until future phases of the development would discharge to both the northwest and the northeast ponds. Overall a combined on-site and off-site watershed area of approximately 420 acres impacted the Kirkpatrick Regulated Drain at the proposed development location.

Section Two (2) would be located in the northern portion of the overall development site and would consist of approximately 25 acres with 175 additional single-family lots. Runoff from Section Two (2) of the development would discharge to both the northwest and northeast ponds. Section Three (3) consisted of 13 acres located in the northeastern portion of the site and consisted of 73 additional single-family lots. Runoff from this section would be discharged to the northeast pond.

The Surveyor reminded the Board that Phase one (1) was given an exception to outlet the northeast pond into the existing 30-inch Kirkpatrick tile. A small amount of reconstruction and relocation was done at that point. An orifice plate was installed to control the amount of water flow. It was made clear in December while an exception was given for Section One (1) the Board was reluctant to allow that for Sections Two (2) and Three (3). A Drainage Easement with DF Properties, the property owner to the north, had been obtained and officially recorded. The Developer had provided a new 8" positive outlet through the Drainage Easement. The Drainage Easement would allow the County to perform maintenance of the tile when needed. Increased development was expected for the Kirkpatrick Drain upstream of Concord. He stated this outlet would assist in relieving the load on the existing agricultural tile. The Surveyor expressed his appreciation to the Developer and Schneider Corporation. With the standard placement of catch basins and confirmation of the drainage easement the Surveyor was prepared to recommend final approval. While the Sections were looked at as separate projects, due to the presentation of both sections at this time, the Surveyor recommended final approval for Sections Two (2) and Section Three (3) of Benjamin Crossings Planned Development.

John Knochel moved to grant final approval for Section Two (2) and Section Three (3) of Benjamin Crossing Planned Development with conditions as stated on the Burke memos of August 1, 2003. After clarification for KD on the northeast pond outlet, she seconded the motion. Final approval for Benjamin Crossing Section Two (2) and Section Three (3) with the conditions as stated on the August 1, 2003 Burke memos was granted.

#### **Fiddlesticks Subdivision**

Mr. Paul Deeds from Hawkins Environmental represented Peanut Enterprises and Bob Lahrman approached the Board to request final approval for Fiddlesticks Subdivision.

The site was located southwest of the intersection of County Roads 400 South and 100 East (South 9<sup>th</sup> Street) in Wea Township. The project consisted of 39 acres and would contain 133 single-family residential lots. The Subdivision would be constructed in two (2) phases. Off-site drainage areas to the east of the proposed development would be collected by the proposed on-site storm sewer system. Cumulative storm water flows would be discharged without detention to Wea Creek via an off-site outfall pipe extending west of the development.

As the adjoining landowners Clifford and Shannon Bradford had granted a Drainage Easement, no storm water detention was proposed. The Surveyor recommended a waiver for the standard storm water detention requirements to the Board. John Knochel made the motion to grant a waiver for the standard storm water detention requirements for Fiddlesticks Subdivision. In lieu of the Drainage Easement obtained and on file, KD Benson seconded the motion and a waiver was granted for the standard storm water detention requirements.

The Surveyor then recommended final approval with the conditions as stated on the August 1, 2003 Burke memo. John Knochel made a motion to grant final approval with conditions as stated on the August 1, 2003 Burke memo. KD Benson seconded the motion and final approval for the project was granted.

#### **Baywater Townhomes**

Alan Jacobson from Fisher & Associates represented Copper Beach Townhome Communities and approached the Board to request final approval for Baywater Townhomes Subdivision.

The site was located north of U.S. 52 on the east side of Paramount Drive in Wabash Township. The area was a vacant unimproved tract of land. The 9.5-acre site would consist of 138 residential units within 18 separate buildings. The site would be drained by street inlets and storm sewers connected to an existing 30-inch storm sewer stub at the north property line. Stormwater runoff from the developed condition site was previously analyzed as part of the design for the Lakeshore Subdivision to include compensatory storage within the Lakeshore Subdivision detention facility. Reduced run-off from the rear-yards would be uncontrolled in a manner consistent with existing drainage patterns. Run-off from the site would eventually discharge to the Dempsey Baker Regulated Drain.

Alan stated he had spoke with his client and his client felt condition four (4) of the August 4, 2003 Burke memo was not relevant in this case. As one individual owned this development of leased apartments, he felt covenants were not warranted. He stated there would be a restriction regarding access to the site and it would be indicated on the final plat. The Surveyor stated in lieu of the covenants a letter would be required to be on file indicating the developer's responsibility of the storm sewer within the boundaries of the development. Alan stated his client would provide the letter. Ruth Shedd asked for comments and the Surveyor reiterated the need for standard catch basins placed periodically throughout the development. At that time the Surveyor recommended final approval with conditions including the revision of condition four (4) on the August 4, 2003 Burke memo for Baywater Townhomes. John Knochel made the motion for final approval on Baywater Townhomes with the conditions on the August 4, 2003 Burke memo to include the revision as stated by the Surveyor. KD Benson seconded the motion and final approval for the project was granted.

## **OTHER BUSINESS**

### **Kirkpatrick Ditch/Supplemental Agreement #1/ H. Stewart Kline & Associates**

The Surveyor presented to the Board a supplemental agreement for the temporary design and inspection of the 9<sup>th</sup> Street Bridge (#62). The Board of Commissioners and the Drainage Board signed the original contract with H. Stewart Kline for \$200,000.00 in April 2001. The original contract was done by percentage of bridge construction versus ditch construction. The Surveyor stated the additional amount of \$25,000.00 would be used entirely for bridge #62 and would not add additional costs to the Drainage Board for the Kirkpatrick Drain. He recommended to the Board approval of Supplemental Agreement #1. John Knochel moved to approve the Supplemental Agreement #1 from H. Stewart Kline and Associates presented by the Surveyor. KD Benson seconded the motion and the Supplemental Agreement was approved.

At that time Ruth Shedd asked for public comment. As no other business was before the Board, John Knochel made the motion to adjourn. KD Benson seconded the motion and the meeting was adjourned.

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Ruth E. Shedd, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**January 3, 2007**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, 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 Project Manager Zachariah Beasley were in attendance. Member Ruth Shedd was absent.

**Approval of Minutes**

John Knochel made a motion to approve the December 6, 2006 Regular Drainage Board Meeting minutes as written. KD Benson seconded the motion. The December 6, 2006 Regular Drainage Board meeting minutes were approved as written.

**Election of Officers**

Drainage Board Attorney Dave Luhman accepted nominations for 2007 officers of the Tippecanoe County Drainage Board. KD Benson nominated John Knochel as President for 2007. There were no other nominations. John Knochel was elected President of the Drainage Board with no objections. The Attorney then requested a motion for Vice President. John Knochel nominated Ruth Shedd as Vice President. KD Benson seconded the nomination. Ruth Shedd was elected Vice President in absentia. John Knochel made a motion to appoint Brenda Garrison as the 2007 Drainage Board Secretary. KD Benson seconded the motion. Brenda Garrison was appointed Drainage Board Secretary for 2007.

Contracts for the Drainage Board Attorney as well as Engineer Consultant would be presented during the February Meeting.

**Concord Plaza Phase One Lots 3A & 3B**

Brandon Fulk of Schneider Corporation appeared before the Board to request final approval for Concord Plaza Phase One Lots 3A and 3B. The site consisted of approximately 1.44 acres - known as Outlot 3 and located at the corner of County Road 350 South and County Road 250 East (Concord Road). Outlot 3 was subdivided into two lots (3A and 3B) and would have a new storm system connected to the main storm sewer constructed at the Wal-Mart Super Center site. The runoff would then discharge to a detention facility also constructed at the WalMart site. Brandon stated the detention facility was constructed to the South of the Wal-Mart building as part of the Master Drainage Plan for the overall Subdivision. Stormwater quantity and quality rules were met at that time. He stated Lot 3B would not be developed at this time and they agreed with the conditions listed on the December 22, 2006 Burke memo. He then requested final approval with the stated conditions at that time.

The Surveyor asked which portion of the existing Stormwater sewer system for Wal-Mart location would the Stormwater end up in. Brandon stated; it would run down a private drive to the west side of WalMart and into the detention facility. In response to the Surveyor, Brandon confirmed it would not be located in the portion which contained the relocated Branch of the J.N. Kirkpatrick Regulated Drain. He stated it was Wal-Mart's responsibility to provide any drainage information for the site. In response to KD, Steve stated he knew of one instance where construction was not done as planned. They would monitor this as construction progressed. John Knochel asked for public comment and there was none.

The Surveyor recommended final approval with the conditions as listed on the December 22, 2006 Burke memo. KD Benson made a motion to grant final approval with the conditions as listed on the December 22, 2006 Burke memo. John Knochel seconded the motion. Concord Plaza Phase One Lots 3A & 3B was granted final approval with conditions as stated.

**Unity Oncology Expansion/Faith Hope and Love Center**

Brandon Fulk with Schneider Engineering appeared before the Board to request final approval for the Unity Oncology Expansion aka Faith Hope and Love project. The 1.5 acre site located on the east side of Creasy Lane (County Road 350 East) south of Amelia Drive and within the City of Lafayette, was known as Lot 2 of the Crosspointe Commercial Subdivision. The medical building would be expanded in order to provide space for additional radiation equipment. The proposed development would require an Encroachment on the Treece Meadows Relief Drain Easement. The existing storm

sewer system would be utilized with a slight modification due to the expansion of the building extending into the Treece Meadows Relief Drain Easement. The site has a direct outlet to said Relief Drain (which is part of the Wilson Branch of the Elliott Drain) and tributary to the Wilson Branch Regional Detention Facility. Brandon stated the existing two lane drive would be maintained, however five existing parking spaces would be removed. He was requesting approval of a Maintenance Agreement regarding the Treece Meadows Relief Drain as well. The agreement was for the maintenance from the top of the bank of the Treece Meadows Relief Drain to the existing concrete swale (vegetation) - from Creasy Lane to Amelia Ave. As development occurred to the south and the east the Relief Drain would be maintained by any future development in that location at that time. He stated a Petition for Encroachment was previously submitted to the Surveyor for review. In addition, a Vacation of a Regulated Drain Easement regarding the location of the proposed building expansion with a five foot buffer beyond the proposed footprint was requested. He then requested final approval with the conditions as stated on the December 21, 2006 Burke memo along with the approval of a Vacation of the Easement, a Maintenance Agreement and Encroachment Petition. Responding to the Surveyor's inquiry, Brandon stated the dumpster and dumpster pad would be removed and relocated to the southwest corner of the existing parking lot. The Attorney stated the requests would require Drainage Board approval only. He noted while the Encroachment allowed for maintenance on the Drain, if any damage occurred to the parking lot during required maintenance, it would be at the owner/developer's expense. John Knochel asked for public comment and there was none. In response to K D's inquiry, the Surveyor stated his office tried to maintain a twenty-three foot strip (particularly on Urban Drains) from top of bank on one side of a drain - at the least - to enable an excavator to perform maintenance work.

Subject to filing of the legal descriptions for the Maintenance Agreement, the appropriate Encroachment Petition, and Vacation Request (to include recording of those documents), the Surveyor recommended final approval along with the conditions as listed on the December 21, 2006 Burke memo. KD Benson made a motion to grant the proposed Maintenance Agreement, Encroachment and Vacation of Easement subject to submittal of their legal descriptions. John Knochel seconded the motion. KD Benson made a motion to grant final approval with conditions as stated in the December 21, 2006 Burke memo. John Knochel seconded the motion. The Unity Oncology Expansion Project aka Faith Hope and Love Center was granted final approval with the conditions as stated.

### **Campus Suites-Preliminary Approval**

Paul Dietz from Vester and Associates appeared before the Board to request preliminary approval of Campus Suites. The site consisted of approximately 19.9 acres located north of U.S. 52 and Paramount Drive and west of Lakeshore Subdivision. The site was south of Hadley Lake Regulated Drain. Approximately 4 acres in the northern portion of the site lied within the floodplain and would remain undisturbed. (The site's drainage plan was divided by the following: PA1= Center of site PA2= the Southwest corner of the site PA3= North portion of the site)

Paul stated the site would have a direct outlet to the Dempsey Baker Drain, an indirect outlet to the Cuppy - McClure Drain and runoff would eventually drain to the Hadley Lake Regulated Drain. A detention storage waiver and treatment exemption was requested. He stated they agreed to the conditions listed on the December 29, 2006 Burke memo. In response to K D's inquiry, Paul stated the proposed pond was a wet-bottom pond. In response to K D's inquiry, the Attorney stated notification to downstream owners was required before final approval was granted. KD expressed concern regarding the parking lot area's runoff. Dave Eichelberger stated a variance was requested for that area.

The Surveyor stated he had discussed the project site with the Board's Engineer Consultant and they were not prepared today to recommend granting a variance or encroachment. He stated at this time preliminary approval was requested only. Dave Eichelberger reiterated a floodplain was associated with the site. Everything the developer was putting in was outside the floodplain. Any wetlands associated with site were located in the northern portion and they were staying out of the wetlands. There was no offsite areas tributary to the site and no downstream capacity issues. Request for the Variances should not be addressed at this time as the design for their proposed filter strips etc. had not been submitted to date for review. John Knochel asked for public comment and there was none.

The Surveyor recommended preliminary approval with the conditions as stated on the December 29, 2006 Burke memo and NOT to grant any variances or encroachments at this time. KD Benson made a motion to grant Preliminary approval only. John Knochel seconded the motion. Campus Suites was granted Preliminary Approval only at this time.

### **Leader Newton Regulated Drain**

Regarding the pending quote acceptance for the Leader Newton Regulated Drain waterway and tile replacement, the Surveyor informed the Board the quote from Lauramie Excavating in the amount of \$57,706.00 was received after the stated

time requirement therefore could not be accepted. A quote from Birge Farm Drainage in the amount of \$74,833.90 was received before the date and time requirement.

Therefore after tabulation and review he recommended the Board accept Birge Farm Drainage's quote in the amount of \$74,833.90 for the Leader Newton Regulated Drain waterway and tile replacement. KD Benson made a motion to accept the quote submitted by Birge Farm Drainage in the amount of \$74,833.90. John Knochel seconded the motion. Birge Farm Drainage quote of \$74,833.90 for the Leader Newton Regulated Drain waterway and tile replacement was accepted by the Board.

**Public Comment**

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

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John Knochel, President

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Ruth Shedd, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**April 4, 2007**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President John Knochel, Vice President Ruth Shedd, member KD Benson, 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**

Ruth Shedd made a motion to approve the March 7, 2007 Regular Drainage Board minutes as written. KD noted a couple revisions to be made to the minutes. KD Benson made a motion to amend the minutes to reflect the correct spelling of landowner Roger Verhey's last name (as shown here) and indicate Paul Dietz had stated he notified landowners concerning the Winding Creek Section 5 & 6 project before the board. She then seconded the motion with amendments as stated. The March 7, 2007 Drainage Board meeting minutes were approved with the amendment.

**Campus Suites**

Paul Dietz from Vester and Associates appeared before the Board to present Campus Suites for final approval. The site consisted of approximately 20 acres and was located north of U.S. 52 south of Hadley Lake. Approximately 4 acres of the site lied within the flood plain and would not be disturbed. The site would accommodate a clubhouse, maintenance building, nine apartment buildings and a mail kiosk. The majority of the site drained north to the Dempsey Baker Drain and Hadley Lake while the remaining portion drained south through Paramount Lakeshore Subdivision to the Cuppy McClure Drain with two exceptions. Approximately 1.7 acres would continue to go south and the net flow would not be increased. Approximately 1.2 acres to the north would flow directly north through a wooded and shrub area to Hadley Lake.

Paul stated he was requesting two variances for this project. The first variance requested regarded the Post Construction Stormwater Quality requirement. The 1.7 acres draining south was treated with a filter strip to 48% before exiting the site to an existing detention pond at Paramount Lakeshore Subdivision. The 1.2 acres which drained north received an uncalculated amount of treatment through the stated trees and shrub area before reaching Hadley Lake. The approximately 13 acres within the site was subject to "double treatment" with Stormwater inserts and an extended dry detention pond to achieve 94%. The overall weighed treatment factor was 77%; this was just short of the 80% required by Ordinance.

A second variance was requested regarded building pad elevation requirements. The Ordinance required building pads to be 1.25 feet or higher above the invert of the emergency flow path. Due to the handicap accessibility design, a modest grade was required from the parking lot to the building. In many cases the buildings were right on top of the parking lots. The handicap access could not be obtained to achieve the required differential and adhere to the building pad elevation requirement. At the C11 inlet and Inlet 2 affecting Building 6 location there are 1.25 feet to the first floor but not to the pads. On top of the pad elevation would be an additional eight inches to the first floor. Beehive #1 affects Building 2 and has the same circumstance. Most of the drainage on the site drained to structures 9 & 12. The buildings surrounding those structures met the requirements of the Ordinance. Paul stated he concurred with the March 27, 2007 Burke memo and requested the variances as well as final approval.

Responding to John's inquiry, Paul discussed the building pad elevations. Concerning the Clubhouse, he stated while the elevation would be approximately a foot higher than the ponded water elevation it still would not reach the required 1.25 elevations. Due to handicap access requirements and topography the building grades could not be higher. Responding to Dave Luhman's inquiry, Paul stated the Clubhouse and Building's 2 & 6 did not meet the building pad elevation requirement. (Building 2 & 6 were residential buildings.) Paul stated the ramp had to have a certain grade and to meet the pad requirements there has to be a certain elevation below the building. On most of the buildings the pad elevation requirement was met, however they were unable to meet that requirement on Buildings 2&6 and the Clubhouse. KD asked why a parking space could not be turned into a handicap ramp. Joe Bumbleburg (Attorney for Tom Lang Developer) stated it was not a question of loosing one parking space. If the building was moved you would loose the parking spaces for the entire length of

the building. So you would lose a whole frontage of parking spaces. He continued that the balancing act was as follows: One- has a system been constructed which met the spirit of the Ordinance, Two – have you placed it and made it work with the handicap situation which was very important, Three - the creation of parking spaces for this area were constructed as a balancing act between the competing interests. He stated he felt Vesters and Associates had done a good job with the interests at hand. Responding to Dave Luhman's inquiry, Paul stated the eight inches between the pad and the first floor elevation would consist of solid concrete. There would be no construction or mechanical materials located within those eight inches. Dave Eichelberger stated the following: The Ordinance required an emergency routing path that has a building pad one foot above the one hundred year elevation. If you do not want to calculate what the one hundred year elevation is then you have to put it one and half feet above the breakout elevation at the minimum. A few areas have less than one and half feet of feed board between the pad and where the water breaks out. One could calculate the elevation or use the table within the ordinance. Five of the eight areas met the requirement and two areas (which were minor) do not.

The Surveyor stated he had a concern of liability with this issue as well. Responding to KD's inquiry, the Surveyor noted he was not aware of any problems in the 2004 rainfall event other than the northern edge which was located within the flood plain. He confirmed that Hadley Lake did not overflow during the 2004 rainfall event. Indian Creek flooded as it jumped its banks and ran south and east into Hadley Lake. The Surveyor stated he concurred with the Board Attorney that the owners of Hadley Lake was not required to be notified of today's meeting in this case. KD brought up the issue of the trails in that location. Mr. Bumbleburg stated the trails were a non issue at this point as he had been in contact with the Superintendent concerning this project. John Knochel asked for public comment. There was none.

The Surveyor recommended approval for Variance #1 regarding the post construction stormwater runoff with the added condition of an addition to the Operation and Maintenance Manual regarding required periodic maintenance of the area to the north. The addition should state this area (which is currently vegetated) would be undisturbed and frequently mowed (2-3 times yearly). Ruth Shedd made a motion to grant Variance #1 with the added condition of the addition to the Operation and Maintenance Manual for the required periodic maintenance of the area to the north (which is currently vegetated). This area would remain undisturbed and is to be frequently mowed (2-3 times yearly).

The Surveyor stated he could not recommend approval of Variance #2 regarding the minimal freeboard requirement as it was technically out of compliance with the Ordinance. John Knochel stated he felt the Board had granted Variances previously on technicalities. In this case and after the explanation by Mr. Dietz he felt the variance could be accepted. He agreed with Commissioner Shedd concerning the need for an agreement which would not hold the Drainage Board liable in the future for the approval of the Variance. Dave Luhman informed the Board the developer was willing to indemnify and hold the County and Drainage Board harmless if the exemption was granted. The Variance could be approved subject to this. The Surveyor then stated he would be comfortable with that. KD Benson stated she preferred they build one less building and meet the Ordinance guidelines. John Knochel asked for those opposed. KD Benson indicated her opposition. On motion by Ruth Shedd, seconded by KD Benson, the Variance #2 was approved subject to the condition that the owner indemnifies and holds the County and the Drainage Board harmless from any damages, costs or expenses arising out of or related to the grant of such Variance. Mr. Bumbleburg advised the Board of the owner's acceptance of and agreement to such condition.

The Surveyor recommended final approval with the conditions as stated on the March 27, 2007 Burke Review memo. Responding to Attorney Luhman's inquiry, the Surveyor stated the third Variance under Stormwater Quantity within the memo was not required as it met the exemption criteria listed in Chapter 3 of the Ordinance. Ruth Shedd made a motion to grant final approval on Campus Suites with the conditions as stated on the March 27, 2007 Burke memo. KD Benson seconded the motion. Campus Suites was granted final approval with conditions as stated.

#### **Other Business**

There was no other business presented to the Board.

#### **Public Comment**

Norm Bennett landowner at 952 Kerber Road West Lafayette Indiana 47906 approached the Board to inquire about the status of the Mackey-Whaley tile obstruction investigation. He owned property that outlet to the field tile in question. He expressed his desire for the County to make this tile a County Regulated Drain. The wet area was now 6-8 inches from State Road 26 at this time. He expressed concern the State may raise the road elevation at that location and this would flood his field. Responding to KD, the Surveyor stated he had three options: 1- Recommend acceptance as a New Regulated Drain and the Establishment of a County Maintenance Fund 2- Recommend the acceptance as a New Regulated Drain and the

Establishment of a County Maintenance AND County Reconstruction Fund 3- He could also report it was not a public utility and that it should not be accepted as a County Regulated Drain. He explained they have been investigating the tile for the last year plus and it was an ongoing investigation. He reviewed the area for the Board on GIS. They have been unable to get the water table down to review the tile system's condition. He informed the Board some tile repairs were made which Mr. Fred Whaley agreed to and has since paid for. Monies from the General Improvement fund have also been utilized during the investigation process. He reiterated an absolute solution to the problem has not been found. He did not want to recommend a reconstruction if in fact part of the tile system was still salvageable and noted his final report has yet to be presented to the Board. KD stated if something was not done a row of homes in that location would not be usable and the potential for additional homes being flooded was evident. One home had already been foreclosed upon due to the situation at hand. The Board Attorney stated a personal representative of an estate has the authority to act upon the estates interest. The Surveyor noted Mr. Fred Whaley had visited the office within the past week and they continue to be in contact with him. KD asked if the Surveyor could inquire if he- Mr. Fred Whaley would be willing to go ahead and make the necessary repairs. The Surveyor stated historically the property owner (Mr. Fred Whaley's brother-in-law) had refused to do any tile repair, which had resulted in the problem at hand. Responding to KD's suggestion, the Surveyor stated he would speak with Mr. Fred Whaley concerning the issue.

As there was no other public comment, Ruth Shedd made a motion to adjourn. The meeting was adjourned.

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John Knochel, President

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Ruth Shedd, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**May 2, 2007\_**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board 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, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance. Vice President Ruth Shedd was absent.

**Approval of Minutes**

KD Benson made a motion to approve the April 4, 2007 Regular Drainage Board minutes as written. John Knochel seconded the motion. The April 4, 2007 Drainage Board meeting minutes were approved as written.

**Purdue Research Park Phase 3 Part 1 Infrastructure**

Brandon Fulk of Schneider Corp. appeared before the Board to request final approval for the Purdue Research Park Phase 3 Part 1 Infrastructure project. The site located within the City of West Lafayette consisted of approximately 2.3 acres. An existing dry detention facility constructed with Phase II Part II would be used on an interim basis. Brandon stated the dry facility had the capacity for future growth and currently there was approximately 17 acres of undeveloped growth at the site. It was identified there would be a land swap as far as the volume in the dry facility of Phase II was considered to allow for this development. Approximately 3 acres would be developed which would take away from the 17 acres of undeveloped area in Phase II in the interim. The site drained to the Baker Dempsey Regulated Drain and extensive research of the drain was conducted by Schneider Corp. The said regulated drain routed along the back side of the proposed lots encompassed the dry facility and discharged to the northwest. Brandon stated he concurred with the conditions listed on the April 26, 2007 Burke memo and requested final approval. Responding to the Surveyor's inquiry, Brandon stated he would be submitting an encroachment petition regarding the Baker Dempsey Regulated Drain in the near future as the sanitary sewer would encroach into the regulated drain easement. The Surveyor asked if anyone else was tributary to the drain and Brandon stated there was no one upstream. The Surveyor recommended final approval with the conditions listed on the April 26, 2007 Burke memo. KD Benson made a motion to grant final approval to Purdue Research Park Phase 3 Part 1 infrastructure with the conditions as stated on the April 26, 2007 Burke memo. John Knochel seconded the motion. Purdue Research Park Phase 3 Part 1 Infrastructure was granted final approval with conditions.

**Purdue Research Park Phase 3 Part 1 Lot 1**

Brandon Fulk of Schneider Corp. appeared before the Board to request final approval for the Purdue Research Park Phase 3 Part 1 Lot 1 project. The site located on the north side of Kalberer Road was within the City of West Lafayette. It currently drained north to the Baker Dempsey Regulated Drain and would continue after the development. The Surveyor stated as this was located within the City of West Lafayette, the Board was concerned with the effect or discharge to the Baker Dempsey-Hadley Lake system only. The water quantity and quality issues had been reviewed by West Lafayette. Brandon stated Lot 1 would be developed for a Childcare Facility which was designed by C&S Engineering. Since the development north of Kalberer in Phase 3 had not been planned and allocated for in the volume of the dry facility and there was 17 acres in Phase II undeveloped there would be a land swap. Further growth would call for additional improvements to be made. The construction plans had been reviewed and approved by the City of West Lafayette's Engineer Office. He concurred with the conditions on the April 26, 2007 Burke memo and requested final approval. Responding to the Surveyor's inquiry, Brandon stated the lot at hand was in compliance with Schneider's original drainage study. The Surveyor recommended final approval with the conditions listed on the April 26, 2007 Burke memo. KD Benson made a motion to grant final approval to Purdue Research Park Phase 3 Part 1 Lot 1 with the conditions as stated on the April 26, 2007 Burke memo. John Knochel seconded the motion. Purdue Research Park Phase 3 Part 1 Lot 1 was granted final approval with conditions.

**Orchard Phase 3 Section 1**

Paul Coutts of C&S Engr. appeared before the Board to request final approval for the Orchard Phase 3 Section 1 Subdivision. He provided the Board with an exhibit of the project site. The site was located east of County Road 300 West (Klondike Road) and north of State Road 26 West consisting of approximately 14.3 acres. Paul stated the topography would be

undisturbed as much as possible. He stated approximately 1/3 of the site drained to the detention storage facility located on outlot H and the remaining 2/3 to the detention storage facility located on outlot G and lot 121. Both of the facilities discharged to an unnamed tributary of Jordan Creek. The rear yards of Lots 142 through Lot 148 would drain westerly uncontrolled from the site. Paul stated there was approximately a 24 foot differential in elevations at different locations within the site. He concurred with the conditions as stated on the April 30, 2007 Burke memo and requested final approval. The Surveyor recommended a Variance for Stormwater Quality be granted subject to the condition listed on the April 30, 2007 Burke memo. Dave Eichelberger stated they would not meet the 80% TSS removal requirement however the overall weighted average would be approximately 75-78%. Lots 142 through 148 would not receive any water quality treatment however the runoff would be routed through a grassed lawn area. This is the area between the lots and the ditch that would not be developed per David Kovich (developer of the site). Dave Eichelberger stated since the pond was not designed as a stormwater quality pond, the amount of treatment could not be quantified. KD Benson made a motion to grant the Variance to the Stormwater Quality with the condition listed on the April 30, 2007 Burke memo. John Knochel seconded the motion. The Stormwater Quality Variance was granted with the condition listed on said memo. KD Benson made a motion to grant final approval with the conditions as listed on the April 30, 2007 Burke memo. John Knochel seconded the motion. The Orchard Phase 3 Section 1 Subdivision was granted final approval with the conditions as stated.

#### **Other Business**

##### **Contract/ Elliott Ditch Revision Scoping /Christopher B. Burke Engr. LTD**

The Surveyor presented the Elliott Ditch Revision Scoping Contract with Christopher B. Burke Engineering LTD to the Board. The Surveyor confirmed this would include the area of the County Extension Office and the County Highway Department. Dave Eichelberger stated Burke would specifically look at the reach from Brady Lane to US 52 and would also have to look up and downstream to see what areas impacted that reach. He stated this contract would scope out what items would require additional work. He noted it may actually be a study from the mouth to US 52. KD Benson made a motion to enter into the contract with Christopher B. Burke for the revision scoping on the Elliott Ditch. John Knochel seconded the motion. The Elliott Ditch Revision Scoping Contract with Christopher B. Burke Engineering LTD was approved as presented by the Surveyor.

##### **Contract/Berlowitz Regional Detention /INDOT**

The Surveyor presented a Regional Detention Plan contract with the County and Indiana Dept. of Transportation (INDOT) for payment of 3.13 acre feet of storage resulting from the State Road 26 East improvement for a total of \$49,650.00. He recommended the Board sign and enter into the agreement. He stated there were two more agreements with INDOT. One contract was to pay for the upsizing of the storm sewer on County Road 550 East and one for the relocation of County Road 500 East to line up with the main entrance of the Brookfield Heights Subdivision north of SR 26. KD Benson made a motion to enter into the agreement with INDOT as presented by the Surveyor. John Knochel seconded the motion. The said contract with INDOT was approved by the Drainage Board and would be forwarded to the Commissioners for their signature at their May 7, 2007 meeting.

##### **Petition to Partially Vacation of the Floyd Coe Regulated Drain / Bible Minor Subdivision**

The Surveyor presented a Petition to Partially Vacate the Floyd Coe Regulated Drain located within the Bible Minor Subdivision site south of SR 28 and west of County Road 700 East. This was the very upper end of a branch of the F. Coe Drain. After discussion with the previous Surveyor and based on the original maintenance report, it did not appear the branch continued any further north or served any other properties or that this branch was intended to be maintained as part of the system. He recommended the Board grant the Petition to Partially Vacate the F. Coe Regulated Drain within the Bible Minor Subdivision. KD Benson made a motion to grant the Partial Vacation of the F. Coe Regulated Drain as presented by the Surveyor. John Knochel seconded the motion. The Petition to Partially Vacate the Floyd Coe Regulated Drain was granted as presented. The Petition would be recorded with the Records office by the petitioner.

##### **Petition to Partially Vacate the Wilson Branch (Treece Meadows Relief Drain) of the SW Elliott Regulated Drain**

Dan Teder of Reiling Teder & Schrier and Pat Jarboe of TBird Designs representing Cascada Professional Park/Ron Whistler appeared before the Board to present a Petition to Partially Vacate the S.W. Elliott Regulated Drain-Wilson Branch (Treece Meadows Relief Drain). Dan presented exhibits to the Board for their review. The exhibits indicated the site of the vacation requested. A portion of Phase III of Cascada Business Park consisting of 25 acres was being rezoned and the City of Lafayette was supportive of the request. On the North side of the overall tract was the Vineyard Residential Subdivision and to the West Treece Meadows Residential Subdivision. APC had required a stub street to connect the Vineyards Subdivision

to Cascada Subdivision. The vacation request was needed in order to add the 14 lots along the western portion of the Subdivision. Granting the vacation would give enough land for the various setbacks, pads etc required. After the vacation is granted there would still be a minimum of 26.5 feet from top of bank. He had spoke with Tim Balensiefer who designed the subdivision and was informed money was given out of TIF funds for the site purchase. The design had not been completed at time of payment and two easements were combined during the design phase. After the vacation there would be 25 feet easement on the Treece Meadows side and 50 feet on the Cascada side. Dan stated Ron Whistler was agreeable to a drainage easement on the western portion of Cascada Subdivision in the future. Additionally Dan asked TBird to investigate the 100 feet flood elevation; it was approximately 3 feet below the top of the bank along the ditch. Since TIF funds were used to purchase this property, they were in agreement to a perpetual maintenance of the east side of the ditch going from lots 43 to 56 along the ditch. This would include mowing and cleanout of ditch. Dan stated it was of his opinion this would offset any TIF money previously used. Additionally Dan stated Ron Whistler agreed to a one time mowing of the entire ditch within the tract from McCarty Lane to the Northwest corner of Phase III of Cascada or Lot 43. He did not feel it was reasonable to request the Subdivision Homeowners Association to continue mowing what is not on their tracts. In summary he stated they would do a one time maintenance mowing of the entire ditch within the tract from McCarty Lane to the Northwest corner or lot 43 Cascada Business Park Phase III, and continually maintain the east side of the ditch from lots 43-56. In response to the Surveyor's inquiry on adding a covenant to those lots which had not been sold to date, Dan stated the Subdivision's Covenants had been recorded already. They would have to have 100% of the landowners agree and it would be difficult at this point. He respectfully requested approval of the Petition to Partially Vacate S.W. Elliott Regulated Drain - Wilson Branch - Treece Meadows Relief Drain. The Surveyor stated he made a site visit and reviewed the easement in question. The Surveyor then reviewed the tract for the Board utilizing GIS and the exhibits provided. He stated if the developer would be willing to plot a five foot drainage easement at the rear of the lots it would give enough room to do any required maintenance on the ditch. The Surveyor recommended granting the petition subject to the platting of a five foot drainage easement only at the rear of the proposed new lots and submittal of a maintenance agreement satisfactory to the Surveyor by the next Drainage Board meeting. The Board Attorney will provide Mr. Teder with an agreement for review. In response to K D's inquiry, Dan stated the reduction of easement was requested for Phase III-the residential area only. KD Benson made a motion to grant the Petition to Partially Vacate the SW Elliott Regulated Drain – Wilson Branch- Treece Meadows Relief Drain subject to the 5 feet easement addition on the back of the lots along the east edge of the ditch lots 43-56 and a maintenance agreement satisfactory to the Surveyor. John Knochel seconded the motion. The Petition to Partially Vacate the S.W. Elliott Regulated Drain-Wilson Branch (Treece Meadows Relief Drain) was granted with conditions.

### **Maintenance Bonds**

The Surveyor presented Maintenance Bond #104814555 in the amount of \$18,700.00 from Milestone Contractors for Ravenswood at Hickory Ridge P.D. Ph. 2 for acceptance by the Board. KD Benson made a motion to approve Maintenance Bond #104814555 in the amount of \$18,700.00 from Milestone Contractors for Ravenswood at Hickory Ridge P.D. Ph. 2. John Knochel seconded the motion. Maintenance Bond #104814555 in the amount of \$18,700.00 from Milestone Contractors for Ravenswood at Hickory Ridge P.D. Ph. 2 was accepted by the Board.

### **Public Comment**

#### **Rob Noles**

Rob Noles 8503 State Road 26 West, West Lafayette Indiana approached the Board. Rob stated he was in front of the Board two years ago with a major drainage problem at his location. A watershed pond of 3 acres had grown to an estimated 30 acres. Some tile work had been done but with the rain this year it was at an all time high. The property around his house and 26 other lots were affected as well the north side of SR 26. One landowner had to move out of his house and eventually was foreclosed on. He requested the problem addressed as soon as possible. KD stated this had been a problem for a couple years. She noted Norm Bennett was at the last meeting and expressed his concerns as well. The Surveyor at the last meeting stated he would speak to the owner to the north. He had spoken with the landowner since that meeting. Due to the fact there are no records on the drain (private/ mutual drain) and the amount of water present the investigation had been difficult. He stated with inflation the landowners were looking at approximately \$35.00 per acre for a reconstruction. He was trying to get it drained down to see if some of the system was salvageable in order to keep the cost at a minimum. He stated this issue was at the top of the list for his office. Rob stated the work that was done a couple of years ago cleared it up somewhat but did not completely drain the area. He has lived at that location for 22 years and the area use to completely dry out in the summer time. The water was up to the road now and would soon be on top of it. The Surveyor stated he felt the problem worsened after INDOT replaced a culvert under the road. However if the water does not recede they will not be able to tell what the problem is. He felt a dye test would not work as it would dilute. Since the Whaley's have agreed to the construction of an open ditch on their property to the north to allow relief of drainage- an investigation can continue. However in order to pay for the construction of a temporary outlet (open ditch) money used from the General Drain Improvement Fund would have to

be authorized by the Board. He stated he received an estimate from Lauramie Creek Excavating for approximately \$2800.00 to do the construction. John Knochel stated he was willing to authorize use of monies from the fund in this case. KD Benson made a motion to authorize the use of monies from the General Drain Improvement Fund for construction of a temporary outlet. John Knochel seconded the motion. John Knochel then requested the Surveyor make this issue one of the top priorities of his office.

**Duke Westwood Substation Trees**

KD Benson informed the Surveyor that she had visited the Duke Westwood Substation site and there were no trees planted at the site. As part of their final approval with conditions, they agreed to plant trees along the County Road as a buffer. The Surveyor stated they were to submit a plan for the file. She asked the Surveyor to check on this and report back to her.

As there was no other public comment, KD Benson motioned for adjournment. The meeting was adjourned.

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John Knochel, President

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Ruth Shedd, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

## **Tippecanoe County Drainage Board**

### **Minutes**

**September 15, 2009**

**Regular Meeting**

#### **Those present were:**

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, 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 absent.

#### **Approval of Minutes**

David Byers made a motion to approve the August 5, 2009 Regular Drainage Board minutes as written. John Knochel seconded the motion. The August 5, 2009 Drainage Board meeting minutes were approved as written.

#### **Purdue Research Park Phase 3 Part 2**

Ross Nixon represented Schneider Corp. and appeared before the Board to request final approval for Purdue Research Park Phase 3 Part 2. The site consisted of approximately 100 acres and located north of Kalberer Road and west of Yeager Road (aka County Road 100West) and within the City limits of West Lafayette. The site included a detention facility developed during Phase 2 of Part 2 located at the tract's west side. The Baker-Dempsey Regulated Drain began at the north side of Kalberer Road and followed an open ditch through the detention facility. The drain was rerouted around the cemetery and eventually outlet to Hadley Lake. The Simeon Yeager Regulated Drain began on the north side of Kalberer Road crossed through the site continued to the north as well. Portions of the regulated drains located onsite were planned to be vacated in the near future and required documentation would be presented to the Board. Roadway and utility infrastructure would be added across the site connecting Yeager Road on the east. A canal and pond system would be constructed onsite which would discharge to an existing open ditch. The existing detention facility would be expanded on the eastern side for additional storage. Mr. Nixon stated the existing outlet was functioning and would be maintained. He concurred with the September 10, 2009 Burke memo and requested final approval.

There was no public comment. The Surveyor reiterated the Board's only concern was discharge/ release rates into the Baker Dempsey Regulated Drain and based on the September 10, 2009 Burke memo they met the allowable release rate. He recommended final approval with conditions based on the September 10, 2009 Burke memo. David Byers made a motion to grant final approval for the Purdue Research Park Phase 3 Part 2 with the conditions as stated on the September 10, 2009 Burke memo. John Knochel seconded the motion. Purdue Research Park Ph. 3 Part 2 was granted final approval with conditions stated on the September 10, 2009 Burke memo.

#### **Wyandotte Elementary School**

Justin Frazier represented TBIRD Design as he appeared before the Board to request final approval for Wyandotte Elementary School. The site consisted of approximately 19 acres on the south side of Co. Rd. 50 South and east of the intersection of County Road 50 South and County Road 550 East. The site drained to the open ditch at Co. Rd. 50 South westerly to the Berlowitz Regional Detention Facility recently constructed. The entire site was located within the Berlowitz Detention Basin watershed; therefore no onsite detention was planned. An entrance drive would be constructed from County Road 50 South. Runoff from the site would be collected by vegetated swales located around the site's perimeter and storm inlets located in parking lots and driveways. Runoff would be collected into the main storm infrastructure and routed to the Berlowitz Detention Facility for storage. Stormwater Quality was provided by onsite vegetated swales and Stormwater treatment units. Justin concurred with the September 10, 2009 Burke Memo and requested final approval. Responding to Mr. Byers' inquiry, the Surveyor noted there was a sanitary lift station located near the site. Also responding to Mr. Byers' inquiry, Justin noted they were actively pursuing easement acquisitions for the Tippecanoe School Corporation across the YMCA property for a storm sewer outlet. (100 yr. emergency overflow)

There was no public comment. The Surveyor recommended final approval with conditions as stated on the September 10, 2009 Burke memo. David Byers made a motion to grant final approval with conditions stated on the September 10, 2009 Burke memo for Wyandotte Elementary School. John Knochel seconded the motion. Wyandotte Elementary School was granted final approval with conditions as stated on the September 10, 2009 Burke memo.

## **Other Business**

### **Resolution 2009-01-DB/Acceptance of Warranty Deeds**

The Surveyor presented Resolution 2009-01-DB "Acceptance of Warranty Deeds" from Eastland LLC. , Sheumann Properties and Saddlebrook Development. These easements were to be granted to the Drainage Board based on an agreement between Saddlebrook and various companies in that area for the Berlowitz Phase 1 project (pond and property to the west of Co. Rd. 550 to I65). These had been executed and recorded by the owner. However there are two steps when property is deeded to the County. The first one was dedication and/or conveyance and the second was the actual acceptance. In order to complete the legal transaction the acceptance was required. He recommended the Drainage Board accept the Warranty Deeds as submitted. Responding to Mr. Murtaugh's inquiry, the Attorney stated it was acceptable for Drainage Board to accept on behalf of the County.

David Byers made a motion to accept Resolution 2009-01-DB "Acceptance of Warranty Deeds". John Knochel seconded the motion. Resolution 2009-01-DB Acceptance of Warranty Deeds was accepted by the Board. (Note: The Resolution will appear in its entirety proceeding these minutes)

### **Resolution 2009-02-DB Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities**

The Surveyor presented Resolution 2009-02-DB "Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities" regarding the relocation ( Felbaum Branch of the Berlowitz Regulated Drain north of McCarty Lane and east of I65) which took that portion of the Felbaum Branch into the Berlowitz Regional Detention Facility. The Easement was previously prepared and recorded. He recommended acceptance by the Board as presented.

David Byers made a motion to approve Resolution 2009-02-DB "Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities. John Knochel seconded the motion. Resolution 2009-02-DB Accepting Grant of Easement for Drainage Improvements, Structures, and Facilities" was accepted by the Board. (Note: The Resolution will appear in its entirety proceeding these minutes)

## **Steve Murray**

### **Petition to Encroach/J.N. Kirkpatrick Regulated Drain/Lot 41 Waterstone Subdivision**

The Surveyor presented a Petition to Encroach on the J.N. Kirkpatrick Regulated Drain submitted by Rich Gbur of Lot 41 Waterstone Court Lafayette Indiana. Mr. Gbur requested to build a wooden bridge crossing the J.N. Kirkpatrick Regulated Drain (Phase 1 of the reconstruction). It would be at his own risk. If maintenance was required on that stretch of the J.N. Kirkpatrick and the bridge was damaged the County would not be responsible. He recommended the Board approve the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain as submitted by Mr. Gbur.

David Byers made a motion to grant approval of the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the J.N. Kirkpatrick Regulated Drain submitted by Rich Gbur was approved.

### **Surveyor Update Report/Branch #11 S.W. Elliot Regulated Drain**

The Surveyor updated the Board on the progress to date for the reconstruction Branch #11 of the S.W. Elliot Regulated Drain. Mr. Eichelberger and Mr. Koons on the Burke staff have reviewed the plan to reconstruct from Butler Fairman Seifert (BFS). He also discussed with BFS what additional survey information they may have and if they would make it available to him. He received a cost estimate and rough time frame from Christopher Burke Engr. LTD for the project. He spoke with the City of Lafayette -Jenny Miller and Bob Foley - they were both in favor of the project. He had a preliminary meeting with an appraiser who has done work for the County Highway Department and INDOT regarding benefits and damages, as he felt a professional review and submission of a written appraisal of damages was in order.

The Surveyor's staff was presently working on a composite aerial which would include property owners, acreages, easements, the existing tile and new F-Lake Regional Detention Facility locations. He planned to set up a meeting in the near future with the Board Attorney regarding the exact process. He wanted to discuss with the Attorney the possibility and

benefits of declaring it a "Drainage Impact" area. He also wanted to discuss the possibility of the County paying up front for the project from the EDIT Drainage fund. This would involve setting up a drainage cost recovery for the development's storage fees (i.e. developers pay as storage was needed). He noted as there were not that many property owners involved, he hoped to have a contract and direction to proceed by the next meeting of the Board.

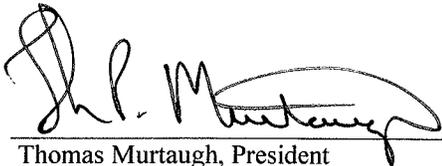
**US 231 INDOT Update**

The Surveyor updated the Board concerning the US 231 Relocation project. He stated he met with Kenny Franklin Project Manager with INDOT along with Randy Truitt, and a representative from the Governor's office to discuss the status of the relocation of US 231. A future meeting was scheduled with County Highway, Area Plan and several local officials in the upcoming week. He provided them with Christopher Burke's review of the detention area which addressed the Sherwood Forest Subdivision drainage issue. He was verbally informed INDOT would review the discharge location at the US52 side ditch (which eventually outlet to Indiana Creek), however he had not received any information from their consultant to date. He noted he didn't feel the reply to Mr. Luhman's letter gave a definite answer regarding INDOT's future submissions of Drainage plans for this project or others or even if they would comply with the local Drainage Ordinance. He stated that issue had not been resolved to date. He hoped to receive more answers at the next meeting with the INDOT representative, local officials, APC and County Highway officials. Responding to Mr. Murtaugh's inquiry, Opal Kuhl Highway Engineer confirmed that INDOT called the upcoming meeting. He then stated he would continue to keep the Board updated on his progress. The Board thanked him for his update.

David Byers then congratulated the County Surveyor on his 29 years of service to the County.

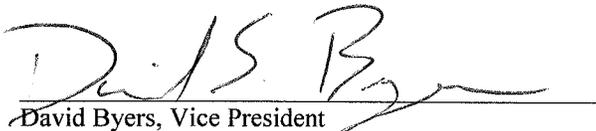
**Public Comment**

Since there was no public comment, David Byers made a motion to adjourn. The meeting was adjourned.



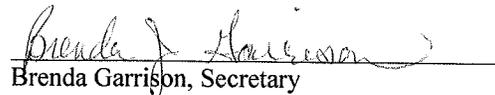
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Thomas Murtaugh, President



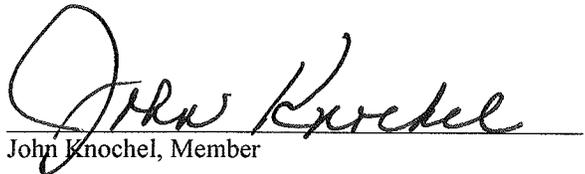
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David Byers, Vice President



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Brenda Garrison, Secretary



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John Knochel, Member



# Tippecanoe County Drainage Board

## Minutes

December 9, 2009

Regular Meeting

### Those present were:

Tippecanoe County Drainage Board President Thomas P. Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited were not in attendance.

### Approval of Minutes

John Knochel made a motion to approve the November 4, 2009 Regular Drainage Board minutes as written. David Byers seconded the motion. The November 4, 2009 Drainage Board meeting minutes were approved as written. Thomas P. Murtaugh stated there were no projects before the Board this month.

### Other Business

#### Petition to Partially Vacate the Baker Dempsey Regulated Drain

Ross Nixon from Schneider Corp. represented the Purdue Research Foundation and appeared before the Board regarding a Petition to Partially Vacate the Baker Dempsey Regulated Drain. Mr. Nixon stated this was a follow up to the September 10, 2009 Christopher Burke Final Approval with Conditions Review Memo regarding the Purdue Research Park Phase 3 Part 2 project. Note: (The Petition to Partially Vacate the Simeon Yeager Regulated Drain was approved in the November 2009 Drainage Board meeting) The Board's Attorney noted legal notices had been mailed and published as required. Ross noted there were no other landowners affected by the partial vacation of said drain. The Baker-Dempsey Regulated Drain portion to vacate was located on the north side of Kalberer Road and followed an open ditch to the existing detention facility previously constructed as part of the overall project. (See Petition and Exhibit A for exact location of vacation) He requested approval of the Petition at that time. There was no public comment. The Surveyor recommended approval for the Petition as submitted. David Byers made a motion to grant approval for the Petition to Partially Vacate the Baker Dempsey Regulated Drain as submitted. John Knochel seconded the motion. The Petition to Partially Vacate the Baker Dempsey Regulated Drain was approved as presented.

#### Emmett Rayman Regulated Joint Drain/White County Drainage Board Request for Waiver of Rights

The Tippecanoe County Drainage Board received a letter from the White County Surveyor regarding the Emmett Rayman Regulated Joint Drain. The letter requested Tippecanoe County Drainage Board waive the right to be represented on a Joint Drainage Board between the Counties for the aforementioned drain. The Surveyor noted the open ditch itself was located totally in White County and White County had the majority of acreage within the watershed. Tippecanoe County acreage within the watershed totaled approximately 745 acres and White County acreage within the watershed totaled approximately 6789 acres. Therefore White County was in charge of maintenance of said drain per Indiana Drainage Code. The Surveyor recommended the Drainage Board waive their right to a Joint Drainage Board as requested. John Knochel made a motion to grant White County's request. David Byers seconded the motion. The Secretary was directed to notify White County by mail the Drainage Board's approval as requested.

### 2010 Drainage Board Meeting Dates

The 2010 Drainage Board meeting dates were discussed. David Byers suggested the December 2010 meeting to be held on the second Weds. of the month due to a possible conflict in scheduling. David Byers made a motion to adopt the 2010 Drainage Board Meeting dates as presented with the exception regarding the December meeting. The December 1, 2010 meeting would be held on December 8<sup>th</sup>, 2010. All monthly meetings would be held at 10:00 am in the Tippecanoe Room located in the Tippecanoe County Building unless otherwise noted. John Knochel seconded the motion. The 2010 Drainage Board meeting dates were set and would be posted online.

### Steve Murray

The Surveyor stated he had nothing to present to the Board at this time.

### Public Comment

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

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Thomas P. Murtaugh, President

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Brenda Garrison, Secretary

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David Byers, Vice President

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John Knochel, Member

December 9, 2009

Tippecanoe County Drainage Board

583

## Tippecanoe County Drainage Board

October 3, 2012

### Regular Meeting Minutes

#### Those present were:

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

#### John Saltzman Regulated Drain #70

Vice President Tom Murtaugh informed the Board John Voss, Supervisor and Loretta Olinger, EHS Director, both of Cargill Inc., was in attendance today. They were attending to present to the Drainage Board a \$25,150.00 contribution toward the overall cost of the recently completed John Saltzman Regulated Drain #70 -2 stage ditch project. Mr. Murtaugh stated the Board greatly appreciated their support and referred to the Surveyor for an overview of the project. The Surveyor began noting in 2011 landowner Brian Buck contacted him regarding severe erosion on the John Saltzman open ditch which was rapidly increasing. (The location was in Section 1 Township 23 North and Range 3 West.) The Surveyor noted he conferred with Kent Wamsley from the Nature Conservancy regarding the 2 stage ditch projects and benefits. He informed the Board the Surveyor's office designed the project and received contributions from The Nature Conservancy (\$25,000), Indiana Small Mouth Alliance Organization (\$1000), Soil-Water Conservation District (\$1000), Wabash River Enhancement Organization (\$2500) and landowner Brian Buck (\$8000) in addition to Cargill Inc. to cover the majority of the project's cost. He stated due to the generous contributions received, the remaining amount to be paid by landowners assessed on the ditch was \$4500.00. Mr. Voss stated this was an opportunity for Cargill to work with County Government regarding environment projects and specifically drainage improvement for the farmers and landowners who benefit from the John Saltzman drain. He stated Cargill strives to be environmentally friendly and believed this project was certainly one which would assist the farmers in an environmentally friendly way. Tom Murtaugh expressed the Board's appreciation and thanked them for their monetary contribution.

#### Contracts

The President referred to the Attorney regarding contract opening of the Train Coe #18 and Combs #118 Regulated Drain Projects. The Attorney stated one packet was submitted for the Train Coe Drain #18 project by Tony Garriott. The total estimate submitted was \$22,885.00 by Tony Garriott. He recommended the estimate to be taken under advisement and reviewed for compliance with bid specifications. Possibly award the project later in the meeting. John Knochel made a motion to take the submission by Tony Garriott under advisement and review for compliance. Tom Murtaugh seconded the motion. The submission by Tony Garriott was taken under advisement. The Attorney then stated one packet was submitted for the Combs Ditch #118 project by Central Indiana Drainage. Central Indiana Drainage submitted a total estimate of \$28000.00. He recommended the estimate be taken under advisement and reviewed for compliance with bid specifications. Possibly award the project later in the meeting. John Knochel made a motion to take the submission by Central Indiana Drainage under advisement and review for compliance. Tom Murtaugh seconded the motion. The submission from Central Indiana Drainage was taken under advisement. Mr. Murtaugh noted the quotes were being reviewed for compliance and possibly awarded at the end of the meeting today.

#### Approval of Minutes

John Knochel made a motion to approve the September 5, 2012 regular minutes as written. Tom Murtaugh seconded the motion. The September 5, 2012 regular meeting minutes were approved as written.

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

Keith Stuerenberg appeared before the Board to present Purdue Research Park Phase 3 Part 2 Section 1 to the Board for conditional approval. The project site consisted of approximately 5 acres located specifically on the west side of Yeager Road within the overall research development's site at the northwest corner of Kalberer Road and CR 100 West (Yeager Road) within the city limits of West Lafayette. The future Challenger Road would act as a basin divide between the north and south and drain both areas located in Section 1. Detention basins would be constructed in both the north and south drainage areas for stormwater quality and quantity control. Mr. Stuerenberg noted they received the September 28, 2012 Burke memo and agreed with the comments. The Surveyor reiterated the project site was within the West Lafayette city limits and as such the Board's review today regarded discharge to the Baker Dempsey, Yeager Drains and Hadley Lake outfall only. As the project had been in front of the Board prior to today, revisions to the plans had been made since, therefore

it was resubmitted. The Surveyor then recommended conditional approval as stated on the September 28, 2012 Burke memo. John Knochel made a motion to grant conditional approval as recommended by the Surveyor. Tom Murtaugh seconded the motion. The Purdue Research Park Phase 3 Part 2 Section 1 was granted conditional approval as requested.

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

#### *Bonds/Letter of Credit*

The Surveyor presented Maintenance Bond #105827282 in the amount of \$17,498.00 dated Sept. 6, 2012 submitted by Fairfield Contractors for Winding Creek Section 6 for approval by the Board. John Knochel made a motion to grant approval for Maintenance Bond #105827282 in the amount of \$17,498.00 dated Sept. 6, 2012 submitted by Fairfield Contractors for Winding Creek Section 6. Tom Murtaugh seconded the motion. Maintenance Bond #105827282 in the amount of \$17,498.00 dated Sept. 6, 2012 submitted by Fairfield Contractors for Winding Creek Section 6 was approved by the Board.

The Surveyor presented Letter of Credit #S502386 in the amount of \$25,000.00 dated Sept. 21, 2012 submitted by American Fibretech for Industrial Pallet for approval by the Board. John Knochel made a motion to grant approval for Letter of Credit #S502386 in the amount of \$25,000.00 dated Sept. 21, 2012 submitted by American Fibretech for Industrial Pallet. Tom Murtaugh seconded the motion. Letter of Credit #S502386 in the amount of \$25,000.00 dated Sept. 21, 2012 submitted by American Fibretech for Industrial Pallet was approved by the Board.

#### *Petitions*

The Surveyor noted he had three Petitions to present to the Board. The first petition was a Petition to Encroach from Wabash Valley Association regarding placement of utility poles within the John Boes Regulated Drain Easement. He stated this was a utility pole placement project along County Farm Road just north of Kalberer Road. He recommended approval of the petition as submitted. John Knochel made a motion to approve the Petition to Encroach on the John Boes Drain as presented by the Surveyor. Tom Murtaugh seconded the motion. The Petition to Encroach on the John Boes Drain Easement submitted by Wabash Valley Association was approved by the Board. The second petition was a Petition to Encroach on the S.W. Elliott Regulated Drain #100 submitted by Ivy Tech Community College regarding a Pedestrian Bridge. He recommended approval by the Board. John Knochel made a motion to approve the Petition to Encroach on the S.W. Elliott Regulated Drain #100 for a Pedestrian Bridge as presented by the Surveyor. Tom Murtaugh seconded the motion. The Petition to Encroach on the S.W. Elliott Regulated Drain #100 submitted by Ivy Tech regarding a Pedestrian Bridge was approved as presented. The third petition was a Petition to Encroach on the S.W. Elliott #100 Regulated Drain submitted by Ivy Tech regarding a parking lot. John Knochel made a motion to approve the Petition to Encroach on the S.W. Elliott Regulated Drain #100 regarding a parking lot as presented by the Surveyor. Tom Murtaugh seconded the motion. The Petition to Encroach on the S.W. Elliott Regulated Drain #100 submitted by Ivy Tech regarding a parking lot was approved by the Board.

#### **Contracts:**

The Attorney stated both contract packets were reviewed and appeared to comply with the specifications of each drain project at hand. The first was a Bid of \$22,885.00 received from Tony Garriott for the Train Coe Regulated Drain #18 project. John Knochel made a motion to accept the bid from Tony Garriott for the Train Coe #18 Regulated Drain project. Tom Murtaugh seconded the motion. Tony Garriott was awarded the bid for the Train Coe Regulated Drain #18 2012 project. The second was a bid of \$28,800.00 received from Central Indiana Drainage for the Combs Ditch #118 project. John Knochel made a motion to accept the bid from Central Indiana Drainage in the amount of \$28,000.00 regarding the Combs Ditch #118 Regulated Drain project. Tom Murtaugh seconded the motion. Central Indiana Drainage was awarded the bid for the 2012 Combs Ditch #118 project.

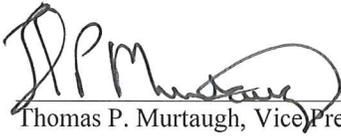
#### **Public Comment**

Monica Torrez (Lot 82 the Orchards Subdivision) 1285 Priscilla Drive West Lafayette Indiana 47906 approached the Board. She provided the Board with pictures of the aforementioned lot and surrounding area for their review. Discussion was held regarding the history (see historical minutes) of the drainage issue. She stated this issue had gone on for 7 years and noted additional landscaping had been added by her neighbors (Saks) through the years which have made the situation worse. The Homeowner Covenants were reviewed by the Board. She requested approval by the Board to go forward with the drainage improvement plan prepared by Starr Associates. She noted she had been in touch with the Surveyor office throughout this time and the drainage plan was reviewed by the Surveyor office. She noted the Surveyor Mr. Beasley had been very helpful the last three years. John Knochel stated the issue would be investigated further. If Drainage Code allowed the Board -acting within the drainage easement- to access Deborah and Robert Saks lot -the Board would approve implementation of the drainage plan. He stated they would also assist with a portion of the cost. The Surveyor noted there were three options. The easiest option would be if the neighbors gave permission to enter their lots for work to be completed quickly and efficiently. The second option was Monica and her husband could file a Petition to Obstruct with his office and the Drainage Board. The third would be for her and her husband to file a civil suit against her neighbors and the Homeowners Association of their

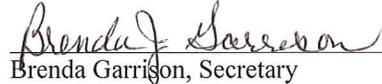
Subdivision. There was a fourth option as well which was to file a Petition to Establish a Regulated Drain regarding the Subdivision drainage infrastructure. The Surveyor noted he had sent the Saks an email last evening proposing a solution to the issue. Mrs. Saks replied with an email in which she stated they would review the plan and get back in touch with him. He suggested waiting until Mrs. Saks replied back, and then go forward from there. The Attorney explained steps of submitting an obstruction petition to the Board and the cost thereof. Monica stated they have tried very hard to work with the neighbor for a joint resolution however it has been to no avail. She would appreciate greatly any assistance from the Board they could give her. The Surveyor stated he would be in touch with her as soon as he receives a reply from Mrs. Saks. Monica Torrez thanked the Board for their time on the matter.

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

  
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David S. Byers, President

  
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Thomas P. Murtaugh, Vice President

  
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John Knochel, Member

  
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Brenda Garrison, Secretary

**Tippecanoe County Drainage Board**  
**December 10, 2014**  
**Regular Meeting Minutes**

**Those present were:**

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

**Approval of Minutes**

John Knochel made a motion to approve the November 5, 2014 regular minutes as written. David Byers seconded the motion. Motion carried.

**Bob Rohrman Property**

Tori Tripp of Bunnell Land Surveying and Engineering appeared before the Board to present the Bob Rorhman Property project for approval. The existing site was located within the City of Lafayette, specifically a quarter (1/4) mile from State Road 38 and Creasy Lane intersection on the west side of Creasy Lane- across from St. Elizabeth East. The site was also located within the S.W. Elliott Drainage Impact Area and the Drainage Board review regarded the release rate only. Ms. Tripp stated Wilson Branch (aka Treece Meadows Relief Drain) of the S.W. Elliott Regulated Drain was located on the site's western boundary and the project outlet to three locations on the said Branch. Two of the three outlets were pre-existing and would be maintained by the owner. The third outlet would be a storm sewer replacing the existing swale. She reminded the Board during the August 6, 2014 Drainage Board meeting a drain encroachment of 75' from the top of the bank on the Wilson Branch of the S.W. Elliott Regulated Drain was approved for this project. The Surveyor reiterated the project was located within City Limits and stated the approval by the Board regarded the release rate only. Responding to the Surveyor, Ms. Tripp stated they did not anticipate additional encroachments. The Surveyor recommended approval with conditions as stated on the Dec. 4, 2014 Burke memo. There was no public comment. John Knochel made a motion to grant approval with the conditions as stated on the December 4, 2014 Burke memo. David Byers seconded the motion. Motion carried.

**Purdue Agronomy Center (ACRE)**

Jim Pence of Schneider Corp. appeared before the Board to present the Purdue Agronomy Center project for approval. The center's expansion was northwest of the existing Beck facility. The site was consisted of approximately nine (9) acres and located on the Purdue Agronomy Farm approximately 1,300 feet east of Co. Rd. 500 West on the north side of U.S. 52. This site was located within the Indian Creek Drainage Impact Watershed. Two dry detention basins were planned for the project. Due to the restricted nature of the area's release rates, due diligence was exercised to reach the required rate or as close to the required rate as possible. He stated they were requesting three variances due to the strict release rate required for this watershed area.

The Surveyor stated Randy Baum of IDEM (Indiana Dept. of Environmental Mgmt.) would review this project for compliance with the Rule 5 SWPPP (Stormwater Pollution Prevention Plan). He stated any future Purdue projects would be submitted through SWCD and IDEM will review the Rule 5 information. He stated three variances were required due to the very restrictive rates required under the Impact area resolution. He noted if the said resolution was not in place, the ordinance would allow the 5.4cfs release rate. The said resolution required .13cfs release rate, the design had a .81cfs release rate. The detention ponds would function as designed within the 48 hour perimeter as required. Though not adhering to the resolution's required release rates, the detention draw down requirements were being met and the design release rates were substantially lower than the standard rates. Based on this, the Surveyor stated he was recommending the three variances as requested. He recommended approval with the conditions as stated on the December 4, 2014 Burke memo. There was no public comment. John Knochel made a motion to grant the variances (1, 2, and 3) as outlined in the Dec. 4, 2014 Burke memo along with the additional conditions listed in the Burke memo. David Byers seconded the motion for the variances and the conditional approval. Motion carried.

**Soleado Vista Subdivision**

Patrick Williams of TBIRD Design Services appeared before the Board to present Soleado Vista Subdivision for approval by the Board. The site consisted of 31 acres located on the east side of Morehouse Road ½ mile north of Kalberer Road (Co. Rd. 350North) near the Tippecanoe County Memorial Gardens Cemetery. The Dempsey Baker County Regulated Drain was located along the south side of the property and was the primary outlet for the site. The project site was located within the Indian Creek Watershed Impact Area. Mr. Williams stated they agreed with the conditions as stated on the December 5, 2014

Burke memo, however one condition warranted discussion. He stated, when this project began it was located within the City of West Lafayette. As of December 9<sup>th</sup>, 2014 it was dis-annexed from the City of West Lafayette. As such, it was their assumption the Drainage Board would adopt the comments prepared by the City prior to dis-annexation. He then asked the Board for their approval.

The Surveyor stated there were two items of concern and were additional conditions: 1. All items related to the offsite water from the east on PRF (Purdue Research Farm) and anything to do with that or the discharge of the water into the Dempsey Baker County Regulated Drain (open ditch and/or tile) will be required to be addressed as it was a major concern. 2. The Petition to Encroach and the Petition to Reduce the Easement on the Dempsey Baker Regulated Drain must be corrected and revised prior to approval by the Board. He recommended the variances as requested on the December 5, 2014 Burke memo. He then recommended approval of the project with the two aforementioned conditions along with those conditions listed on the December 5, 2014 Burke memo. Responding to John Knochel, the attorney clarified the petitions could be approved by the Board conditionally: subject to the Surveyor's approval of the corrected documentation. There was no public comment.

John Knochel made a motion to approve the variances requested on the December 5, 2014 Burke memo subject to the Surveyor's approval of the revised encroachment petition and reduction of easement petition documents aforementioned. The Board approval was subject to conditions on the December 5, 2014 Burke memo relating to the Dempsey Baker Regulated Drain specifically conditions #3 and #4 under Stormwater Quantity close review. Responding to David Byers inquiry, the Surveyor stated while there would be an increase in discharge to Hadley Lake, it would be released over a longer period of time due to onsite detention. David Byers seconded the motion. Motion carried.

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

The Surveyor presented a list of the 2015 Drainage Board Meeting dates for approval by the Board. John Knochel made a motion to approve the 2015 Meeting Dates as presented by the Surveyor. David Byers seconded the motion. Motion carried.

The Surveyor requested a March Reconstruction Hearing for the Alonzo Taylor Regulated Drain. John Knochel made a motion to conduct a March 4, 2014 Reconstruction Hearing for the Alonzo Taylor Regulated Drain. David Byers seconded the motion. Motion carried.

The Surveyor requested an April 1, 2015 Reconstruction Hearing for the Clymer Norris Private Drain. John Knochel made a motion to conduct an April 1, 2015 Reconstruction Hearing for the Clymer Norris Private Drain. David Byers seconded the motion. Motion carried.

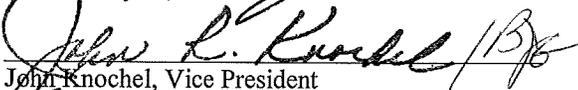
#### **Petitions:**

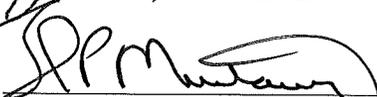
The Surveyor recommended approval for a Petition to Vacate the Treece Meadows Relief Drain (aka Wilson Branch) of the S.W. Elliott Regulated Drain located on Lot 2 of the Crosspointe Commercial Subdivision submitted by the Schneider Corporation. John Knochel made a motion to grant approval for the Petition to Vacate the Treece Meadows Relief Drain (aka Wilson Branch) of the S.W. Elliott Regulated Drain located on Lot 2 of the Crosspointe Commercial Subdivision. David Byers seconded the motion. Motion carried.

#### **2014 STATUS UPDATE**

The Surveyor stated his office had installed/constructed approximately 5 miles of new county regulated drains (tile sizes 24"-12" range), constructed/installed ½ mile of new county regulated ditch aka open drain, and moved in excess of 35,000 yards of dirt for Berlowitz Pond#3 all within the calendar year of 2014. He was pleased with his office staff and the Board's work in these projects. He expressed his appreciation of Commissioner John Knochel's public service during his time in County Government. He stated Mr. Knochel had been a pleasure to work with and wished him well on his retirement.

  
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David S. Byers, President

  
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John Knochel, Vice President

  
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Thomas P. Murtaugh, Member

  
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Brenda Garrison, Secretary

## Tippecanoe County Drainage Board

March 4, 2015

### Regular Meeting Minutes

#### Those present were:

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

#### Approval of Minutes

Tracy Brown made a motion to approve the February 11, 2015 regular minutes as written. Tom Murtaugh seconded the motion. Motion Carried.

#### Zach Beasley/Other Business

The Surveyor presented A Petition for Encroachment on a Regulated Drain Easement for approval by the Board. He noted the Petition related to the Dempsey Baker Regulated Drain #05. It was submitted to his office by Solburn LLC regarding the Soleado Vista Subdivision project approved with conditions during the December 10, 2014 regular monthly meeting. Submittal of a revised petition was among the conditions at that time. Tracy Brown made a motion to approve the Petition for Encroachment on a Regulated Drain Easement as presented. Tom Murtaugh seconded the motion. Motion carried.

#### Public Comment

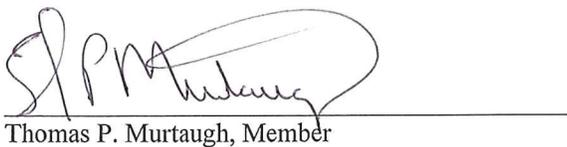
There was no public comment. The meeting was adjourned by President Dave Byers.



David S. Byers, President



Tracy Brown, Vice President



Thomas P. Murtaugh, Member



Brenda Garrison, Secretary

## Tippecanoe County Drainage Board

December 9, 2015

### Regular Meeting Minutes

#### Those present were:

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

#### Approval of Minutes

Thomas Murtaugh made a motion to approve the October 4, 2015 Regular Meeting minutes and the October 4, 2015 #12 Box Hearing minutes as written. Tracy Brown seconded the motion. Motion carried.

#### AEP Dequine Station

Mr. Pete Siglow of Wightman and Associates Inc. appeared before the Board to present the AEP (American Electric Power) DeQuine Station. The site was located on the north side of C.R. 350 North and Hoover Rd. intersection and south of US 52. An expansion of the existing Substation would include the construction of a detention basin on approximately 8 acres of the 52 acres overall. Currently the site's stormwater sheet flows across C.R.350 North to the Martin Edwin Drain as there was no existing outlet. Onsite stormwater would be directed to the planned detention basin which- via a new private tile- outlet into an existing open ditch south of the facility and located alongside C.R. 600 West. The Martin Edwin Regulated Drain Easement located south of the project site would not be disturbed. The size of the private tile would be 24inch. Approval from the adjoining landowner south of the site for the new tile installation crossing their tract was currently in the works. The landowners were out of town at this time. Approval for an easement to cross the adjoining property (Benson) with the new private tile was anticipated to be signed upon their return. He noted he was in the process of working with the Hwy. Dept. for their approval as well. A 3 year maintenance bond would be submitted as well for the project. He requested approval at that time. The Surveyor stated his office and Mr. Siglow had worked closely together on this project. He stated this site was originally developed in the late 50's or early 60's. There was no Drainage Board Ordinance at that time. He specified the outlet route for the site was located on the south central portion of property and routed to C.R. 350 North traveling west and then south along C.R. 600 West to the south side of Jackson Hwy on the east side of C.R. 600 West approximately 1000 feet into the open roadside ditch. Per drainage calculations a 15inch pipe would be required; however a 24inch tile would be installed to handle any lateral hookups it may come in contact with. He stated he had spoken with the adjoining landowners (Benson's) and at this time had no objections to the plan. He informed Mr. Siglow before he signed off on the project; the adjoining landowner's recorded easement must be submitted to his office. He stated he approved of the Maintenance Agreement as submitted and recommended approval with the conditions for the project as stated on the November 24, 2015 Burke memo. There was no public comment.

Tracy Brown made a motion to approve the AEP DeQuine Station project with the conditions as stated on the November 24, 2015 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

#### Lindberg Village Phase 6

Patrick Cunningham of Vester and Assoc. appeared before the Board for approval of Lindberg Village Phase 6 Subdivision. He noted this was before the Board in February of 2011 and since then the design has changed. This section was bid previously however those bids came back high and it was not feasible at that time to proceed. He stated this project was a continuation of the existing Lindberg Village development. The site was located on approximately 7.78 acres north of the intersection of Lindberg and Klondike Roads on the west side of Klondike Road. Due to the delay redesign was warranted. Consequently, this phase of the development's runoff would be routed through vegetative swales and storm sewers to the existing 42 inch outlet in the northwest corner of the development then to the existing detention pond within the development. He requested approval for Phase 6 Lindberg Village project. The Surveyor reiterated this particular phase of the project was previously approved with conditions during the February 11, 2015 meeting of the Drainage Board. Since that time a change in the design has caused it to be submitted for review once again. A change to the 2011 approved variance was in order as well. He then recommend approval of the revised variance in addition to the project with the conditions as stated on the December 1, 2015 Burke memo. There was no public comment.

Thomas Murtaugh made a motion to grant approval for the revised Variance as stated in the Dec. 1, 2015 Burke memo. Tracy Brown seconded the motion. Motion carried. Thomas Murtaugh made a motion to approve Lindberg Village Phase 6 with the conditions as stated on the Dec 1, 2015 Burke memo Tracy Brown seconded the motion. Motion carried.

### **Liquid Springs**

Randy Peterson of Starr & Associates appeared before the Board to request approval for Liquid Springs Subdivision. This site was located within the J.N. Kirkpatrick Drainage Impact Area. The site consisted of approximately 9.33 acres and specifically located on the southeast corner of US 52 and C.R. 400 South. This was the first phase of a planned project's production facility, drives and parking areas. Along with the building of the facility, drives and parking lot, the first phase would include a wet detention basin and storm sewer infrastructure. The project site's runoff flowed southeast to northwest to the ditch along US52 (within the right of way) through an existing 18" culvert under US52. A variance from the 0.13 cfs rate was requested. He then requested conditional approval of the project. INDOT had approved the release into the right of way of US52. There were no public comments.

The Surveyor stated his office had reviewed the downstream landowner's area and did not feel the variance would cause any problems. He recommended approval of the variance and approval of the project with conditions as stated on the Dec. 4, 2015 Burke memo. Tracy Brown made a motion to grant the variance as stated on the December 4, 2015 Burke memo. Thomas Murtaugh seconded the motion. Motion carried. Tracy Brown made a motion to grant approval with the conditions as stated on the December 4, 2015 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Responding to Commissioner Byer's inquiry, the Surveyor discussed future plans for the extension of the JN Kirkpatrick Urban Drain. The planned design was to extend the existing open ditch (located south of the new GE business to east side of 450East) to the west side of US52, then (within the right of way) parallel US52 heading southeast approximately ¼ mile to the property line between Lafayette Urban Railroad and Mr. Robert Peabody. A 60inch pipe would be bored under US52 and head due east to CR. 500 East across Ichiya property and stop on the east side of CR.500East on a Mr. John Rice property. Landowner Agreement contracts were being worked on currently for the right of way easements etc. He stated he hoped weather permitting- work to be completed in 2016 and to hold a March 2016 Landowner Hearing.

### **Other Business**

The Surveyor presented a Petition to Reduce the Drainage Easement on the Baker Dempsey Regulated Drain submitted by TBird Designs regarding the south side of the Soleado Vista Subdivision. He stated he had reviewed the petition and recommended approval. He noted this was a cleanup item from previous Board approval of the project. There was no public comment. Tracy Brown made a motion to approve the Petition to Reduce the Baker Dempsey Regulated Drain Easement as submitted. Thomas Murtaugh seconded the motion. Motion carried.

### **Bonds**

The Surveyor presented the following Maintenance Bonds for approval by the Board:  
Maintenance Bond #106382994 submitted by Fairfield Contractors for Meadowgate Subdivision Sec. 4 in the amount of \$3,025.60 and written by Travelers Insurance Group and Maintenance Bond #69C004261 submitted by Gild Dev. LLC for Gild Estates Subdivision in the amount of \$2,954.00 and written by Ohio Casualty Insurance. Thomas Murtaugh made a motion to accept Maintenance Bond #106382994 submitted by Fairfield Contractors for Meadowgate Subdivision Sec. 4 in the amount of \$3,025.60 and written by Travelers Insurance Group and Maintenance Bond #69C004261 submitted by Gild Dev. LLC for Gild Estates Subdivision in the amount of \$2,954.00 and written by Ohio Casualty Insurance. Tracy Brown seconded the motion. Motion carried.

### **2016 Drainage Board Meeting Dates**

Thomas Murtaugh made a motion to approve the meeting dates as presented to them by the secretary. Tracy Brown seconded the motion. Motion carried. The meeting dates for 2016 are as follows: January 6, 2016-February 3, 2016-March 2, 2016-April 6, 2016-May 4, 2016-June 1, 2016-July 6, 2016-August 3, 2016-September 7, 2016-October 5, 2016-November 2, 2016-December 7, 2016

**Reconstruction Hearing Request/J.N. Kirkpatrick Regulated Drain**

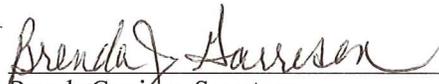
The Surveyor requested the Board set the landowner hearing date for March 2, 2016 regarding the extension of the existing open ditch known as the James N. Kirkpatrick Regulated Drain. Thomas Murtaugh made a motion to set a March 2, 2016 landowner reconstruction hearing for the JN Kirkpatrick Regulated Drain Reconstruction. Tracy Brown seconded the motion. Motion Carried. The hearing would immediately follow the regular scheduled meeting of the board that day.

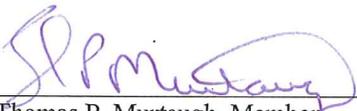
**Public Comment**

There was no public comment. Tracy Brown made a motion to adjourn. The meeting was adjourned.

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

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

  
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Brenda Garrison, Secretary

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

**Tippecanoe County Drainage Board**  
**September 11, 2017**  
**Drainage Board Minutes**

**Those present were:**

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

**#46 J.N. Kirkpatrick Regulated Drain Dredging Project Quotes:**

Regarding the J.N. Kirkpatrick Regulated Drain #46 dredging project, Attorney Masson opened the following quotes:

Tony Garriott: \$79,516.40- Huey Excavating: \$82,845.00

Thomas Murtaugh stated the quotes would be taken under advisement and if in compliance would be awarded at the end of today's meeting.

**Approval of Minutes**

**August 2, 2017 Regular Minutes**

**August 2, 2017 Huffman Weimert #125 Regulated Drain Hearing Minutes**

David Byers made a motion to approve the August 2, 2017 Regular Drainage Board Meeting minutes and the Huffman Weimert Regulated Drain #125 Hearing minutes as written. Tracy Brown seconded the motion. Motion carried.

**Romney Regional Sewer District**

George Lewis of GRW Engineers appeared before the board to request approval of the Romney Regional Sewer District project. The site consisted of approximately 2 acres and was located on the north side of C.R. 1200 South southeast of the town of Romney Indiana. Runoff would be collected via swales and conveyed to a bio-retention basin located within the southern portion of the site. The bio-retention basin would outlet into an unnamed tributary of Romney Stock Farm Regulated Drain #109. (A petition to encroach on the Romney Stock Farm Regulated Drain #109 was approved by the Board in the August 2017 regular meeting.) Mr. Lewis stated he was working with the County Highway Department to address any concerns they may have. He noted they were in agreement with the August 28, 2017 Burke memo and would follow up with appropriate documentation. He requested approval at that time. Responding to the Surveyor's inquiry regarding entrance off the highway, Mike Spencer (in attendance) confirmed the Highway Dept. had been consulted and were working with Mr. Lewis. The Surveyor recommended approval with the conditions as stated in the August 28, 2017 Burke memo. David Byers made a motion to approve the Romney Regional Sewer District project with the conditions as stated in the August 28, 2017 Burke memo. Tracy Brown seconded the motion. Motion carried.

**Country Squire Subdivision**

Justin Frazier with TBIRD Design Services Corp. appeared before the board to request approval for Country Squire Subdivision. The site was located on approximately 5.6 acres of an overall 12 acre site north of US 52 on Morehouse Road. Colony Pines Subdivision was located to the north and Country Squire Estates (apartment complex) to the south of the current project's location. A dry detention basin would be constructed and outlet into the existing storm sewer infrastructure to the north within Colony Pines Development. The detention's runoff was conveyed through the Colony Pines stormwater system and ultimately to the Dempsey Baker regulated drain into the Hadley Lake regulated drain. Mr. Frazier stated they had no objections to the September 6, 2017 Burke memo and requested approval at that time. He confirmed downstream notification was complete and the proof of notification would be submitted to the Surveyor's office for the record.

The Surveyor emphasized the site discharged into an existing storm pipe located in the southwest corner of the Colony Pines site, and that which the northwest dry detention basin for Country Squire Subdivision was located as well. He noted his concern of the emergency routing plan was addressed. The designers went above and beyond what the Ordinance required. They mapped the entire conveyance north through Colony Pines and provided an exhibit of that route as well. The Surveyor pointed out two items of concern. The first was the finding that in the existing condition today the 100 year emergency routing with the pipe being blocked (which was a worst case scenario) the Condominium to the west of the emergency route and immediately north of the Country Squire project, the 100 year elevation was basically at the finished floor elevation then routed out to the street then north to the Dempsey Baker regulated drain. The second item to point out was in the proposed condition, the existing situation would improve. They proposed to regrade the swale through Colony Pines which would give the unit to the west a one foot freeboard elevation and more to the unit on the east side. He thanked the designers for their

public safety point of view and going the extra mile. Responding to the Surveyor's inquiry, Mr. Frazier stated they had every intention to meet with the H.O.A. of Colony Pines Development to obtain an agreement regarding any work planned within the Colony Pines development. The Surveyor then recommended approval with the conditions as stated on the September 6, 2017 Burke memo. Responding to David Byers inquiry of fencing around the pond, the Surveyor confirmed it was a dry detention pond and the design met the ordinance standards. Tracy Brown stated the Board appreciated the extra effort given for the public's future safety. Mr. Frazier acknowledged it was their job to provide plans which was in the best interest of all those involved. Tracy Brown made a motion to approve the Country Squire Subdivision with conditions as stated on the Sept. 6, 2017 Burke memo. David Byers seconded the motion. Motion carried.

**Zach Beasley**

**A&M Thomas Joint Regulated Drain #105 Waiver Request**

Surveyor Beasley presented a letter from the Carroll County Surveyor requesting a waiver of an upcoming Maintenance Increase Hearing on the Andrew and Mary Thomas #125 joint regulated drain. The Surveyor stated he and the attorney had reviewed the request. He informed the Board Carroll County had the majority of acreage benefitted within the watershed and were the administrators for this drain. He recommended the Board approve the waiver, noting Carroll County had approximately 95% of the benefitted acreage. David Byers made a motion to grant a waiver of attendance as requested by the Carroll County Surveyor for the Maintenance Increase Hearing on the joint regulated drain known as the Andrew and Mary Thomas #105. Tracy Brown seconded the motion. Motion carried.

**Lindberg Village Phase 6 Subdivision Maintenance Bond**

The Surveyor presented Maintenance Bond #1231743 in the amount of \$77,417.07, dated Sept. 11, 2017 written by Cincinnati Ins. Co. regarding the Lindberg Village Phase 6 Subdivision for approval. Tracy Brown made a motion to grant approval for Maintenance Bond #1231743 in the amount of \$77,417.07, dated Sept. 11, 2017 written by Cincinnati Ins. Co. for the Lindberg Village Phase 6 Subdivision. David Byers seconded the motion. Motion carried.

**John L. Hengst #117 Regulated Drain/ Branch #08**

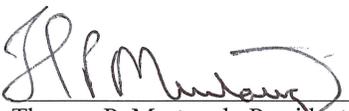
The Surveyor requested a reconstruction hearing for Branch #08 of the John L. Hengst Regulated Drain #117 to be held on November 1, 2017 immediately following the regular scheduled meeting of the Board. David Byers made a motion to set the reconstruction hearing date for Branch #08 of the John L. Hengst Regulated Drain #117 on Nov. 1, 2017 immediately after the monthly meeting of the board. Tracy Brown seconded the motion. Motion carried.

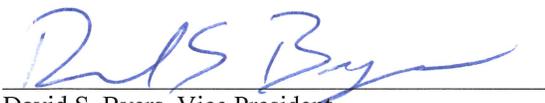
**#46 J.N. Kirkpatrick Regulated Drain Dredging Project Quotes**

After compliance review of the #46 J.N. Kirkpatrick Regulated Drain Dredging Project Quotes and finding they were in order, Tracy Brown made a motion to award the JN Kirkpatrick #46 Regulated Drain Dredging project to Garriott Excavating in the amount of \$79,516.40. David Byers seconded the motion. Motion carried. Thomas Murtaugh thanked those that submitted a quote for this project.

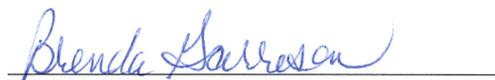
**Public Comment**

As there was no public comment, David Byers moved to adjourn. The meeting was adjourned.

  
Thomas P. Murtaugh, President

  
David S. Byers, Vice President

  
Tracy A. Brown, Member

  
Brenda Garrison, Secretary

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

**Those present were:**

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

**Approval of Minutes**

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

**Contracts:**

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

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

**Copper Moon Building Expansion**

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

**Foxfire at Valley Lakes Phase 2**

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

**Tippecanoe Crematory and Memory Garden**

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

**Clarks Hill Convenience Mart**

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

**Zach Beasley**

**Petitions:**

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

**Bonds:**

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

**Contracts:**

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

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

**Miscellaneous**

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

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

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

**Petition to Reconstruct Mary McBeth Regulated Drain**

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

**Joint County Membership payments**

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

**Public Comment**

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



Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary