

Synopsis of

Minutes of the Regular Meeting of the Tippecanoe County Drainage Board held in the County Commissioner's Room in the County Court House at 8:30 a.m., on Tuesday, June 1, 1971.

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

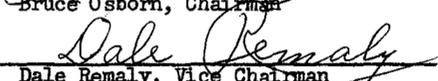
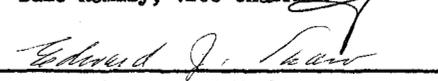
Minutes of the June 1, 1971 meeting continued.

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

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

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

Order and Findings & Certificates The Board then signed the Order and Findings and the Certificate of Assessments for the Absalom Miller and the James A. Parlon ditches.  
Upon motion by Bruce Osborn and seconded by Dale Remaly the meeting was adjourned.

  
Bruce Osborn, Chairman  
  
Dale Remaly, Vice Chairman  
  
Edward Shaw, Board Member

ATTEST:



## MINUTES OF THE AUGUST 3, 1971 MEETING.

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

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

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

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

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

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

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

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

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

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

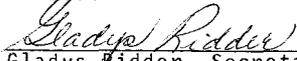
Upon motion by Edward Shaw, seconded by Bruce Osborn, the Board adjourned.

  
Bruce Osborn, Chairman

  
Dale Remaly, Vice Chairman

  
Edward Shaw, Board Member

ATTEST:

  
Gladys Ridder, Secretary

REGULAR MEETING OF  
TIPPECANOE COUNTY DRAINAGE BOARD  
MARCH 7, 1984

The Tippecanoe County Drainage Board met in regular session Wednesday, March 7, 1984, at 8:30 a.m. in the Community Room of the Tippecanoe County Office Building.

In Attendance: Bruce Osborn, Chairman, Eugene Moore and Sue Reser, Boardmembers, Michael Spencer, Surveyor, Dan Ruth, County Highway Engineer, Fred Hoffman, Attorney, George Schulte, Engineer, and Maralyn D. Turner, Secretary.

I Tile Bids - 1984

Mike Spencer made recommendation to accept both tile bids for 1984 previously submitted by Economy Tile Company, P.O.Box 157, Economy, In 47339, and from Reed's Quality Tile Company, 10 West Hoop Street, Flora, In 46929, motion made by Eugene Moore to accept both bids, seconded by Bruce Osborn. The Tippecanoe County Drainage Board unanimously approved the motion.

Tile Bids

II LOCKWOOD III

LockwoodIII

Robert Grove, representing Tippecanoe Builders requested final approval on revised final drainage plan.

Major Changes: Storm Event and Lockwood Drive Culvert

Mr. Grove stated that old plan was based on 100 year storm event, would like to base new plan on 50 year storm event, changing anticendant moisture condition from 3 to 2. Mr. Grove purposed to use existing pipe and add 48" pipe beside it. Mr. Schulte agreed with quantity run off, but feels a 54" diameter pipe size would carry the run off, reason would be better maintenance and long term performance. Mike Spencer agreed to 1 - 54" diameter pipe. Dan Ruth stated: It isn't standard practice to use two different pipe sizes, feels he is not in position yet to make a decision, needs more information on subject. George Schulte recommended removal of small pipe, pipe can be salvaged without any problem and used elsewhere. Mr. Grove ask acceptance of 50 year criterion design, George said ordinance calls for 50 year design and normally a designer should check for 100 year to see what it does to local area and difference between 100 year high water and the house pad elivation, safety valves should be here. Chris Kovich asked who was going to pay for the removal of the pipe? Pipe was put in by developer, much discussion was given to who the 18" pipe belongs to, since it is County right of way, replacing with a different pipe size makes different condition. Mr. Kovich said, "if the County can use pipe elsewhere, fine", or if county will reaffirm what was state in letter. Mr. Bruce Osborn read letter dated November 22, 1983

Gentlemen:

This is to advise that Tippecanoe County Highway Department will assist in the purchasing and installation of Structure # 2 as shown on the construction plans of Lockwood Subdivision, Part 3.

Said Structure # 2 is in Lockwood Part 2 and consists of 90" of 54" C.M.P.

The County will pay \$2,500.00 and replace the asphalt base and surface where siad pips is placed.

Signed by, Bruce V. Osborn, President, Board of Commissioners of the County of Tippecanoe.

Letter to  
Tippecanoe  
Builders  
Lockwood

Gene Moore ask if changing pipe size would save builders lots. George Schulte answered question, that this would save buildrs lots, reason for replacing the existing eighteen inch (18") pipe is to

provide a positive outlet capable of passing the runoff from 100 year storm event from land upstream (offsite), as well as to provide a positive outlet from land owned by the builders. By replacing the eighteen inch pipe with a larger pipe Tippecanoe Builders gave up only one lot instead of three or four lots as originally planned to meet the drainage ordinance requirements. After much discussion Tippecanoe Builders are willing to go along with design and the County agreement. County will accept 18" pipe, pay the builder \$2,500.00 and replace the asphalt base and surface.

kbord III Blackbird Pond - Robert Grove Representing John Smith Developer

Property is located west of West Lafayette, Indiana, between Lindbergh Rd and McCormick Road west of Cherry Lane. The site contains 80 acres which is proposed for residential planned development. An impervious surface ratio of 45 percent is usually used and acceptable with Area Plan Commission. Site contains an existing eight acre pond. This pond receives runoff from approximately 300 Acres including the 80 Acre site the major portion of the upstream watershed is in agricultural use. The 80 Acres site is also in agricultural use at this time, runoff from this upstream area is conveyed to the site under Linbergh Road by two culverts; as 60 inch and 15 inch. The soils in this water shed range from Carlisle muck near the pond to a well drained Russell silt loam in the north portion of the watershed. The topography is near flat to slightly sloping with an overall difference in elevation in the watershed of 31 foot in 5,000 foot. The area is slow draining with a time concentration of one hour used for the upstream 225 acres. The existing pond is now drained to the southwest under McCormick Rd, through a 24 inch corrugated metal pipe. This pipe is almost entirely blocked. Therefore, it is not uncommon for water to overflow McCormick Rd at the discharge pipe. The difference in elevation between the Proposed Drainage Plan consists of piping storm water from the 80 Acres development for 10-year, one-hour storm to the existing pond, plus piping and channeling the 50 year storm runoff north of Lindbergh Road through the development to the pond. The only modification proposed for the pond is to clean out the existing 24" discharge pipe under McCormick Rd. The existing pond provides a large amount of storage, this being the basis of complete run off, effect on the pond. If 24" culvert were cleaned out the invert of culvert is elevation of 669, difference between the depth of water as result of the development the elevation raised 3.6". Mr. Robert Grove ask the Drainage Board to waive the following requirements as stated in Drainage Ordinance.

1. Since the pond in its natural condition supports fish, we are requesting that the ten foot depth requirement be waived.
2. Request that the natural slopes be accepted as stable.
3. Since the natural pond bottom and adjacent shoreline have a low gradient, request that the safety and maintenance ledge requirement be waived. We are proposing to provide a surface treatment such as stone from the permanent pool elevation to at least the 100 year storm high water elevation.
4. Since the pond now receives runoff from over 300 Acres, it is very unlikely that the pond would dry up. We are requesting that the means of maintaining the designed water level during prolonged dry periods be waived.
5. Since the pond is not man-made, it does not drain naturally. The only way to empty the pond would be by pumping over an extended period of time. We are requesting that the requirements for auxiliary means of draining the pond be waived.
6. Since the pond surface area is in excess of eight acres, natural aeration occurs which is evident from the existing aquatic life, therefore we are requesting that the aeration facilities requirement be waived.

Mr. John Leitner whose property is south of the proposed 80 Acres development was present and pointed out that drainage from the Purdue dairy farm property comes around and gets into pond, not sure amount of flow. Mr. Leitner would like to keep tile size the same (24") and requested to have Purdue clean their ditch, doing this would permit an even flow out of the pond and across his property. Drainage Board requested time to study the Drainage Ordinance before taking action. Things to be left open - Size of pipe, (may want to change from 24" to 36",) would be up to the developer that there is a good positive outlet downstream to get rid of the water. Board will take letter of 7 points under advisement and get back with the developer.

wood IV Willowood East Part III

t Part I Final approval has been reviewed by Mike Spencer and George Schulte.  
Major Changes:

Revisions made in overall drainage plan, detention plan based on new 100 year flood elevation 616 from Department of Natural Resources.

Pipe under Strawsma drive problem with side ditch on east side of 400 E. pipes are undersized. George Schulte recommended it should carry a 25 year storm event. 40 Acres can get into ditch designed with 65 c.f.s. Water goes North to Railroad tracks and east across gully. Developer Galema & Strawsma. Property south of development is the problem. Drainage from the South through waterway was cut off with the First or Second section of subdivision. Maintenance of basin is a concern. Galema & Strawsma are willing to work with board for legal drain easement, put an access road (gravel to outlet structure.) Creek or stream that runs through development is extension of Crist Fassnacht ditch. Fassnacht ditch a tile ditch stops on Richard Harlow property on 500 E. south of 300 N. Mr. Hoffman asked if Fassnacht ditch was big enough to handle another legal ditch, this being one mile west and downstream from Fassnacht tile outlet. Developers are purposing to make legal drain within the Subdivision, giving county the right to go in and maintain basin and storm drainage structures. Developers must petition for a legal drain. Watershed would be Subdivision. Discussion of drainage problems which were created back 15 years with First Subdivion. Some of the area runs off directly, most of it is piped directly to the basin which requires 6" orifice plate to meet requirements, would like to crank it up to 8" the net discharge 2 c.f.s. George Schulte recommended 8". There being many problems, after much discussion board advised Mr. Grove to conduct further study on project and get back with board in two(2) weeks.

berry V Woodberry - Plan Development

lopment Mr. Hoffman asked to be excused since he had worked with Mr. Moore on this project.  
Mr. Grove requested final approval. These items are to be taken care of before final approval will be given.

1. Detention basin to be made a legal drain.
2. Revised easement is wider on upper detention basin.
3. Show that he has increased storage volume by 6%.
4. Need calculations and report sealed by Personal Engineer and Registered Land Surveyor.
5. Show detention storage data on plans.
6. Index to plans.

Woodbury Plan Development approval contingent of the 6 items being changed to Drainage Board satisfaction.

## VI Hearing on Dismal, Ilgenfritz, and Luther Lucas Ditches

Dismal,  
Ilgenfritz  
Luther Lucas  
Ditches

Mr. Bruce Osborn read items to be considered in the Hearing:

1. Hear a Petition to establish the Dismal Creek as a Legal Drain.
2. Establish a maintenance fund for the Dismal Creek.
3. Combine the above noted drains into a single drainage system.

Dismal  
Ilgenfritz  
Luther  
Lucas  
Ditches

Names of those landowners at the meeting. H. LeRoy Moor, Woodberry Plan Development, James VaNess, Lafayette Engineers, Thelma Clearwater, Patricia L. House, Florence Moore, John C. Rice, Robert McCabe, Alan Kemper, Ralph Jackson, Lafayette, National Bank, Farm Manager, representing the Robert Wallace farm, Mary L. Kerkhoff, Robert C. Lahrman, Raul L. Hamman, P.O.A. representing Helen F. Kepner, Klaus & Martha Peters, Cathy Blue, Marjorie E. Phillips, Mrs. Charles McDonald, Duane McDonald, Weldon E. Vaughn, Agnes Vaughan, Louis P. Vaughan, Harold Boesch, Tom Sosbe, Ram Cloyd, and Jim Cloyd.

Mr. Hoffman, Attorney read petition:

Petition:  
Dismal Creek

IN THE MATTER OF THE DISMAL CREEK  
IN THE MATTER OF THE DISMAL CREEK DRAIN PETITION

Petition  
Dismal  
Creek

Robert Lahrman, petitioner, by his counsel, David A. Rosenthal of Rosenthal, Greives & O'Bryan and the undersigned petitioners are each qualified to file this petition, pursuant to I.C. 36-9-27-54 to establish a new regulated drain known as the Dismal Ditch which is now the existing Dismal Creek which runs from U.S.52 to the Wea Creek, entirely in Tippecanoe.

That the area affected by such drain is set forth on the map attached hereto.

That in the opinion of petitioners the proposed drain will;

- (1) improve the public health;
- (2) benefit a public highway in a county or a public street in a municipality;
- (3) drain the grounds of a public school; or
- (4) be of public utility as follows:
  - (a) to prevent serious erosion to valuable farm land;
  - (b) better drainage for tiled land which have outlets below ditch level;
  - (c) better maintenance for the ditch which has been neglected in the past;
  - (d) To establish a maintenance fund to correct any problems that may arise.

That in the opinion of petitioners the costs, damages, and expenses of the proposed drain will be less than the benefits accruing to the owners of land likely to be benefited by the drain.

It is understood that the petitioner shall pay the cost of notice and all legal costs, if the petition is dismissed. Signed by the following Landowners. Steven R. Hankins, Ray Jackson das Harold Boesch's petition, Robert Kochert, Donald L. Hankins, Louis R. Vaughan, Robert L. Peabody, Robert McCabe, Ruth V. Stewart, Mary Louise Kerkhoff, Kenny Farms, Inc., Charles I. Kenny, Jr., Thomas Price, Harold Boesch, Weldon E. Vaughn, Florence K. Moore, Betty Peabody, Agnes Marie Vaughan, John L. Miller, James J. Pilotte, Larry A. Schultz, Vincent Hatke, William R. Yost, Ruhl Robbins, Dan Dexter, H. Kenneth Hart, Karen Mellady, Lloyd J. Fidler.

Copy of letter of those who remonstrated.

Letters of  
Remonstrat-  
monce.

February 16, 1984

IN THE MATTER OF THE FOLLOWING DITCHES OR DRAINS Dismal Creek, George Ilgenfritz, Luth Lucas  
Gentlemen:

Reference is made to your Notice of Hearing dated January 20, 1984 addressed to Elias McCoy, 6423 S. 300 E., Lafayette, Indiana, indicating that 132 Acres located in Section 26, Township 22, Range 4, in the name of Elias McCoy is located in the watershed of one of the above ditches or drains and is subject to assessment for maintenance costs.

Elias McCoy is now deceased. Keltie McCoy Pendleton is the executrix of his estate and is the sole heir who is now the owner of the land described within the proposed Dismal Creek Legal Drain for the reason that the land described in the Notice is not in the Dismal Creek watershed but is on the Wea Creek watershed. All surface water from the land, and all water flowing through existing tile from the land, drains into Wea Creek and not into Dismal Creek.

Since the land in question is not to be benefitted by the proposed Dismal Creek Drain, it is inappropriate that it is assessed for maintenance.

Keltie McCoy Pendleton  
Executrix of the Estate of Elias McCoy and Landowner  
By: Paul D. Ewan, her attorney

March 2, 1984

To: Tippecanoe County Drainage Board

We are the owners of 11 Acres in which the Dismal Ditch runs through a portion of our property. Our objection to this is our concern what may gain from this action. We intend to use the land for wildlife. And our concern is about any future work to the ditch which may disturb the trees and wildlife. We are also interested in what right of ways we maybe subject to in the event any work is ever to be done. We will be in attendance on the hearing date, March 7, 1984.

Signed by: Mr. and Mrs. Thomas P. Sosbe

February 27, 1984

Tippecanoe County Drainage Board

Dear Sirs:

This letter is in reference to the S E ¼ N W ¼ of Sec 28, Twp.22, Range 3.

I am objecting to my land being placed in the Dismal Creek watershed. I have never seen the 40 Acres in question drain South or West. It was tiled in 1910 (approximately) into the Hopper Ditch that was never put under assessment by the Tippecanoe County Drainage Board. The 40 Acre tract was owned in the early 1900's by a woman named Hopper.

About 4 or 5 years ago, I retiled this 40 acre tract and hooked into the existing Hopper Ditch Main. This Main goes north and east coming out on Wyandotte Road by I -65. For the above reasons, I feel I am in the Dismal Creek Watershed. I would appreciate your removing this tract (S E ¼ of N W ¼, Sec. 28 Twp. 22 Range 3) from the assessment and clear up your records.

Sincerely,  
Lewis J. Beeler

Dismal, Ilgenfrita, and Luther Lucas Ditches Continued.

Letter of In Favor: One letter received was in favor and reads as follows:  
January 30, 1984

Tippecanoe County Drainage Board  
County Office Building  
20 N. 3rd St.  
Lafayette, In 47901

Attention: Mike Spencer

Dear Sirs:

I have received a notice of the meeting to be held regarding work to be done on the ditches in Wea Township. Since I am leaving tomorrow to go to Florida, where I expect to remain until the first of April, I wish to be recorded as favoring the making of the ditches into a court ditch. The suggested cost of \$1.00 per drained acre seems to be reasonable.

I have 78.6 in fee simple and a life estate in 320 Acres. Robert C. Lahrman farms these acres. If there is anything else I can do in this cause, please let me know. My Florida address is: 1188 Pomper Lane, Naples, Florida, 33940

Very truly yours,  
Ruth V. Stewart

Mike Spencer, County Surveyor, explained the water shed area was taken from a map that the Soil & Water Conservation had drawn up in 1948 for the Dismal Creek area, he could see where that could be incorrect and ask the landowners who have problems or think their land doesn't drain into the ditch give their names and address, as soon as the weather permits he will be out in the area and work with them as well as go to the Soil Conservation, since they actually had drawn up the map in 1948. Soil Conservation has new aerial photographs. Mr. Klaus Peters had though his land was out of the area, but finds that the land is in the area, all his land drains to the west. Mrs. Catherine Blue joins Mr. Peters. Robert Lahrman reported that as they drove over the area they found alot of land that isn't on the 1948 map that is in the Dismal Creek ditch area. Mr. Hoffman as the landowners to give their names and address to Mike Spencer as he requested. Ralph Jackson representing Robert Wallace Farm Sec.19, Twp. 22, Range 3, containing 76.77 acres is assessed in both the George Ilgenfritz and the Dismal Creek Drainage, he requested this to be on record. Alan Kemper feels that 1/2 of his water goes into Wea Creek, legal description of property Pt s 1/2 SE 1/4 Sec 26, Twp 22 Rge. 4. Forest Johnson said he thinks State Highway should have more acres, and he should have less acres. Bob McCabe same problem. Mr. Hoffman pointed out that would be taken out, but would have to check with the Highway. State Highway has 8 1/2 Acres in Dismal Creek, Highway does have some acreage in Ilgenfritz watershed. Board of Commissioners 41 Acres. Harold Boesch wants acreage checked. Harold Cloyd, Route 3, NorthManchester, Indiana wants acreage checked. Bruce ask Robert Lahrman to identify acreage that had been misses. Marie Crouse 40 Acres, check neighbor on west side of Crouse, check Kenny Farms on 450 road, ditch drains into Dismal goes to Road 500. Florence Moore requested her acreage be checked. Mike assured all that acreage would be checked and changes made accordingly.

Mr. Hoffman, Attorney, Stated: To make a legal drain a petition must be signed by 10% of the acreage involved or 25 % of assessed valuation. Total acres of the signed petition in favor was 1,596.224. Total acreage 6,857.154. The petition is good.

Mrs. James Phillips asked about weeds and willows in Ilgenfritz ditch and why Dismal was not a legal drain even though it has legal drains draining into it? Mr. Hoffman stated you can make anything a legal drain, unfortunately in the past alot of legal drains were made legal drains that didn't have a positive outlet, policy of Drainage Board now is to not permit that, they have to drain into the Wea Creek or the Wabash River so the water can get away, now the board has extended them to get an outlet, this is what the board has done to get the Dismal a legal drain. Ilgenfritz and Luther Lucas have a positive outlet.

Mr. Robert Lahrman gave an example and ask for verification of an Illegal Drain. Example: People have farmland, they survey it, it would not drain into these ditches, but by installing tile and running to the ditch getting water out that would not normally run that way. Would this be an illegal attachment to legal drain? Do they have to get permission to hook onto that? If they do, aren't they a part of that drain? Mr. Hoffman said, yes. Code specifically says that you can not attach onto a legal drain without the permission of the Drainage Board. Drainage act went into affect 1965, wasn't really working till the 1970's.

John Rice ask what benefits were going to be? Mr. Hoffman said he had traveled the ditch with Mike Spencer, found beaver dams and debris blocking ditches. Mr. Hoffman stated there would be no benefits till these items were cleaned out. Forest Johnson ask Bruce Osborn if it had been mentioned that Luther Lucas and Ilgenfritz ditches were in conjunction with Dismal? Answer yes. Luther Lucas and Ilgenfritz ditches are legal ditches? Answer yes. Why hasn't the outlet been cleaned out, due to the fact that there has been a maintenance fund for these two ditches? Maintenance Fund has legal description, point to point, beginning and end in water shed area, by law that's only place money had been spent on that particular ditch. Mr. Forest Johnson ask if any money had been spent and how does landowner go about maintaining the ditches? Answer to Mr. Johnson's questions. It is up to the Landowner to notify the Surveyor or Drainage Board of any problems or needs of maintenance to the ditches.

Mrs. Donald McDonald ask how much of a right-way is Drainage Board requesting? 75' on each side of ditch. Will ditch be straightened? Not under maintenance, maintenance only takes care of what is there. That would come under reconstruction. Mrs. Blue had questions about checking Widmer ground she feared lots would drain into her pasture land. Mike to check it out.

Eugene Moore moved the Board establish Dismal as a legal drain and establish a maintenance fund of \$1.00 per acre for the Dismal Creek, seconded by Sue Reser. Unanimously accepted by the Tippecanoe County Drainage Board.

Bruce Osborn ask that the ditch have a single name. Ditch will be known as Dismal Creek Ditch with branches of Ilgenfritz and Luther Lucas.

The proposed assessment is as follows:

PROPOSED ASSESSMENT METHOD TO EQUALIZE ACCOUNTS FOR DRAIN COMBINATION

The Luther Lucas Drain and the George Ilgenfritz Drain are established Legal Drains and have established maintenance funds with monies previously collected in these funds. The Dismal Creek has no funds. A method has therefore been proposed to equalize the amount per acre balance of these three accounts over

Dismal Creek, Continued

over a five year period.

Note: The drain watershed to which your property is being assessed is underlined at the top of your Hearing Notice.

By dividing the dollar amount in each drain account by the total number of assessed acres in that drain's watershed, the following balances are derived:

Dismal Creek	\$0.00 per acre balance
Luther Lucas	\$3.00 per acre balance
George Ilgenfritz	\$5.00 per acre balance

To equalize these three account balances, the following is proposed:

Dismal Creek, Landowners in the Dismal Creek watershed will pay assessments ( at the rate of \$1.00 per acre) for two (2) consecutive years, reaching a \$5.00 per acre balance at the end of this five year period.

Luther Lucas, Landowners in the Luther Lucas watershed will pay assessments (at the rate of \$1.00 per acre) for two (2) consecutive years, reaching a \$5.00 per acre balance. No assessments will be paid for the remaining three years of the five year period.

George Ilgenfritz, Landowners in the George Ilgenfritz watershed will pay no assessments during the five year period, since this account already had a \$5.00 per acre balance. At the end of the five year period, the three accounts will then be equalized at the \$5.00 per acre collected balance. Assessments collected after this five year period will be per Indiana Drainage Code as applicable to all Legal Drains.

Bruce Osborn ask for volunteers from lower end, upper and middle end of ditch to form a committee to help the Surveyor.

Alan Kemper ask question on bridges. Who is to maintain crossings on the ditch? Mike said, Landowners maintain their own crossing.

There being no further business to come before the board, the meeting was adjourned at 10:45 a.m.

*Bruce V. Osborn*  
*Eugene A. Moore*

BRUCE OSBORN, CHAIRMAN

EUGENE MOORE, BOARDMEMBER

*Sue M. Reser*  
 SUE RESER, BOARDMEMBER

ATTEST:

*Maralyn D. Turner*  
 MARALYN D. TURNER, SECRETARY

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

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

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

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

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January 8, 1986 Regular Meeting Continued

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

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ENTS

1986 ASSESSMENTS:

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

ODRIDGE  
UTH

WOODRIDGE SOUTH

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

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

JAMES  
KIRPAT-  
CK  
DITCH

JAMES KIRPATRICK DITCH

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

MCLAUGHLIN  
IN  
DITCH

MCLAUGHLIN, JOHN DITCH

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

ELLIOTT  
DITCH

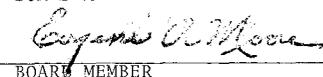
ELLIOTT DITCH

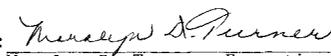
A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

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

  
CHAIRMAN

  
BOARD MEMBER

  
BOARD MEMBER

ATTEST:   
Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Michael stated he had received a letter from Benton County in regards to the Darby Wetherhill ditch and he asked the board to appoint a representative and alternates for this ditch.

Sue W. Scholer is representative, first alternate Eugene R. Moore, second alternate Bruce V. Osborn.

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

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

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

## January 6, 1988 Drainage Board Meeting Continued

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

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

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

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

Many questions need to be answered before action is taken.

## VALLEY FORGE

Valley Forge

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

## MEETING TIME CHANGE

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

## JOHN HOFFMAN DITCH

JOHN HOFFMAN DITCH

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

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

Mr. Hoffman conducted election of officers.

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

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

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

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

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

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

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

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

Mr. Spencer asked for questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Moore asked the feeling of the property owner.

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

Malcomb Miller supports Mr. Frey's statement.

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

Michael stated they would be maintaining what there is now.

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

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

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

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

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

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

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

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

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

Michael stated the grade can be checked.

Mr. Barr would agree to keep the water going.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Bruce V. Osborn*

Bruce V. Osborn, Chairman

*Sue W. Scholer*

Sue W. Scholer, Boardmember

*Eugene R. Moore*

Eugene R. Moore, Boardmember

ATTEST:

*Maralyn D. Turner*

Maralyn D. Turner  
Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
WEDNESDAY, JANUARY 4, 1989

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOFFMAN  
DITCH

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

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

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

*Eugene R. Moore*

Eugene R. Moore, Chairman

*Bruce V. Osborn*

Bruce V. Osborn, Board Member

*Sue W. Scholer*

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

TIPPECANOE COUNTY DRAINAGE BOARD  
WEDNESDAY, MAY 3, 1989

The Tippecanoe County Drainage Board met Wednesday, May 3, 1989 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Chairman Eugene R. Moore called the meeting to order at 9:00 A.M. with the following being present: Bruce V. Osborn and Sue W. Scholer, Boardmembers; Michael J. Spencer, County Surveyor; J. Frederick Hoffman, Drainage Attorney; and Maralyn D. Turner Executive Secretary; others present are on file.

SHERWOOD FOREST III

Robert Grove engineer for Sherwood Forest Part III requested final drainage approval. Michael Spencer stated that previous questions were in regards to downstream channel, since that time Mr. Sherwood has purchased that piece of property from the adjoining neighbor.

Mr. Hoffman had looked at Mr. Sherwood's restrictive covenants and they are OK. Mr. Hoffman asked if they had been recorded or will they be recorded with the plat?

Michael stated they have not been recorded as they can't be recorded until the final plat is recorded.

Bruce V. Osborn moved to give final drainage approval to Sherwood Forest Part III subject to the recording of the covenants, seconded by Sue W. Scholer, unanimous approval.

WILLOWOOD PART III SECTION I

Jeff Tyrie property owner of Lot 27 in Willowood Subdivision Part III, Section I requested reduction in easement at back of his lot as he is putting in a swimming pool.

Michael stated there had been an easement recorded along existing creek which was called the Crist Fassnacht ditch easement. Michael looked at the legal description and finds that it does not come down that far, but since the easement was platted and recorded Michael asked Mr. Tyrie to come before the board.

Mr. Hoffman asked if this was something that we would need in the future? Would the ditch come down that far? Michael stated the pool would be 50 feet away, so he is asking to reduce the easement from 75 feet to 50 feet. Michael has looked at the lot. Michael stated he feels it would be sufficient for establishing the ditch. There is farm fields on the other side and the area they are talking about is all rear yards. Mr. Tyrie's property is on the west side of the ditch. Discussion.

Sue W. Scholer moved to grant reduction of easement to 50' for Lot 27 in Willowood Part III Section I, seconded by Bruce V. Osborn, unanimous approval.

Michael stated he will send a letter to Area Plan that this has been granted.

ORCHARD PARK

Robert Grove representing the developer requested final drainage approval and to discuss the off-site proposed work. The off-site work involved, at the present time there are two existing in-lets in the street then a 15 inch pipe that makes a right angle into a man hole, a 24 inch comes from the south and ties into the whole system putting the system under pressure this causes water to build up in the street; flows across into a property causing damage to foundation. They are proposing to re-route downstream on the west side of the Dilling home. They will rip-rap, but will have to get permission from property owner to extend rip-rap. DeLuxe Homes did not create the problem. Opposition is due to the increase of flow; however they are not going to allow it to pond up into the street or flow over the property owners lawn, it is delayed some before it gets into the ditch.

Erosion will be stopped behind the homeowners property.  
Much discussion.

Michael stated that David Dilling and James Stroethers are supportive of the proposal. Mr. Dible downstream is not supportive. Discussion.

Mr. David Dilling has signed agreement to grant easement.

Michael again stressed his only problem is the uncontrolled run-off. They are over detaining, to meet the ordinance to make up for the uncontrolled run-off.

Developer has agreed to rip-rap beyond the curve until the channel straightens out.

Sue W. Scholer moved to give final drainage plan approval for Orchard Park Subdivision, seconded by Bruce V. Osborn, unanimous approval.

DRAINAGE STUDY WILSON BRANCH/S.W. ELLIOTT DITCH

Michael Spencer introduced Christopher B. Burke of Christopher B. Engineering, LTD who did the drainage study for the county on the flood control facilities along the Elliott Ditch and the Wilson Branch.

Chris stated that they had submitted on April 23, 1989 a final draft copy of the Results of Flood Control Feasibility Study. the purpose of the study was to determine the effectiveness of two proposed flood control reservoirs within the watershed. This is a

follow up of a study done January 1988 on the master plan for controlling flood flows in the watershed area. At that time they studied the entire Elliott Ditch watershed area. This consists of three watershed areas, the Kirkpatrick ditch which is fairly independent, the Elliott Ditch itself, and the Wilson Branch.

They investigated how much water was getting into the various ditches and waterways and how high the water got with the channel, and mapped out the 100 year flood plan on the Elliott Ditch. The goal in the 1988 study was to identify the location and size of flood control facilities which would be required to reduce current flooding down stream and determine what will be the impact in the short range and long term future of the watershed. The County recognized that there will be a lot of development in the watershed area and realize that something is going to have to be done to control the flooding.

They looked at two scenarios +5 year and +40 year development scenario and to determine what it would take to provide regional detention storage. They provided some recommendations in the study and identified the optional location for flood control facilities. They looked at upstream and down stream storage availability and determined that the only effective way was to provide some facility. A question may be asked why not the Kirkpatrick? The Kirkpatrick ditch comes in at a very steep grade in, no benefits to provide regional storage within the Kirkpatrick ditch. They then focused on what kind of storage, size of storage, and how the storage facilities should be operated.

Branch 13 is being re-routed out of the Wilson Branch watershed into the Elliott ditch watershed. Land use and the area had to be separated out from the files that they developed from the original study.

A lot of area is now going into the Elliott ditch that didn't go into the Wilson branch what is the impact on that. What does that do to the flows and water surface elevation? This is another study they under took.

They wanted to focus in on some property that was identified by Maple Point Enterprises. They were hired by Maple Point Enterprises in 1988 to focus on the effectiveness of one flood control facility in reducing and accommodating detention and compensatory storage. Later the County asked them to do a study of a piece of property adjacent to the Elliott ditch upstream of Ross Road. They realized that both these facilities could be designed to provide flood control benefits.

First facility is an 18 acre triangular parcel located on the Wilson Branch. The site is bordered on the southeast by the proposed Creasy Lane extension right-of way and Hobby ditch along the north side, US 52 on the west. They did topographic survey, soil boring, they then focused on determining how this could be configured. Compensatory storage required and detention storage required. Example was given; if Wilson Branch comes in and exits under Highway 52 what happens if they would just allow that water when it gets high to fill in the reservoir and pass on through. They determined that the site had little potential. Big pond, water comes in, water goes out. What doesn't go out fills up the pond simple approach. That approach would provide all the detention in compensatory storage necessary for the developments, but would not provide any flood control benefits. The next thing they identified was to determine how they would have to figure the reservoir so it would provide flood control benefits. There will be a berm along the side of Wilson branch and a structure placed upstream of the 52 crossing. Doing this they can provide flood control benefits down stream. Flood control benefits mean that they reduce water surface elevations down stream. Detention storage means that storage required for off setting impacts from developments. Compensatory storage is within the flood plan it has a given amount of natural storage, if that area is filled that storage is displaced and must be compensated for. Detention storage and compensatory storage which are a County and DNR requirement, and a flood control storage which is a focus of their original study of what are flood control benefits. Benefits, there is existing elevation now, reducing the elevation and assigned some benefits to that reduction of water surface elevation.

A part of their analysis is a channel that goes upstream to Ross Road that is to be widened, and cleaned out so that they can get the water efficiently into the reservoir. Their recommended plan for the Wilson branch is; they are recommending the configuration of the reservoir and the widening of the channel from the north side of the reservoir to Ross Road. That would be a 4 to 5 foot wide channel at the bottom with 4-1 side slopes on either side.

The Wilson Branch will be relieved of over 200 acres, Branch 13 will be re routed to Elliott ditch. Refer to Page 3 in report.

They looked at +5 - +40 years. In the future this site can be used for regional detention. There is adequate storage for the future. Wilson branch reservoir holds some promise if it is coupled with the Elliott ditch reservoir.

George Schulte asked if what he was saying the Wilson Branch reservoir is adequate for 40 year growth rate without any detention being required up stream of that basin. Correct. As long as the drainage systems etc. are large enough to get the water to the reservoir.

In the 1988 study there were two choices. One, you can require on site storage as you are. Two, people can buy into regional facility, and the regional facility would require that all channels and sewers in and a long the Wilson ditch be big enough to get the water to the reservoir.

The other flood control facility is the Elliott ditch, directly upstream from Ross Road. Border on the south by Elliott ditch. The facility is currently a farm field, they propose a wet bottom or lake type reservoir. Explanation of hydrologic continued. There are several options. One would be to drop the lake subject to the soil conditions.

Making it a wetland this would eliminate traditional type maintenance and could possibly become a university biology class project. The focused in on the twin 66-inch diameter concrete diversion pipes along the eastern side of Ross Road from the Point East Mobile Home Park in the existing Wilson sub-watershed to Elliott Ditch just upstream of Ross Road. When fully constructed this project will redirect 0.43 square miles (275) acres of drainage area from the Wilson sub-watershed to the Elliott Ditch watershed. Details are in the report.

If two flood control reservoirs on line one on Wilson and one on Elliott what does it do for today's conditions is summarized in the report, it has up to two feet of reduction of water surface elevation downstream, less frequent cover road ways, reductions of flood damages downstream.

Summary is that the two flood control proposals will comply and provide benefits with the original recommended plan.

Sue W. Scholer asked if he had stated the Wilson Branch would take care of the 5-40 year, but that is assuming if the other flood control reservoir was apart of the system? Answer no, it would if it stood alone just for the Wilson sub area. Doesn't have benefits downstream. It does have regional benefits. Two reasons -1. would diverse water out. 2-A lot of the area is developed. This they could do without raising elevations too high.

Sue asked how much additional capacity is needed on the other reservoir? Have 325-acre-foot + 40 year land use, and 36 acre feet + 5 year detention. This assuming that they can get the water through the ditch. They haven't looked into detail behind some of the structures. Downstream where they are really concerned they have looked at the ponding behind the structures and what will happen. Upstream they are assuming to replace any undersized bridge and make the channels big enough. Chris pointed out that there are two ways to get that additional 36 for the 325 acres feet two ways, either go out or go down. Michael Spencer stated or to have another pond somewhere else.

Mr. Hoffman asked if they go down they can't have the swamp? Chris answered yes, it would be that the swamp would be under water, just have to do more pumping.

Robert McGinn asked how many bridges are you talking about? They only studied the area which have bridges with a lot of traffic. Michael stated the area Bob had asked about doesn't have many bridges. The crossing at 38 and upstream from there is underground field tile system. In development these would have to be replaced with sufficient channel capacity.

Bill Long stated assuming upstream structures remain relatively the same, and the development of 5-40 year assumes constant structures, what is the capacity of the reservoir? Basically if people provide detention storage upstream then by virtue the county ordinance you can't increase flow rate off your site. Therefore, the reservoir is adequate. Further explanation.

Gordon Kingma stated the original study indicated a certain amount of storage to resolve the problem Elliott ditch for 40-100 year system with the construction of these two facilities for clarification what percentage of that flow of the original flow would be resolved by these two structures?

Chris stated there are two answers. At the time of the original study they were only able to determine what storage was needed to have for the different scenarios. To compare what they had before to what they now are providing he can't do that and doesn't want to because the effectiveness of those facilities was not investigated and in the interim period from when they make a recommendation today they have DNR coming in with recommendations. Chris had recommended approximately 400 acre feet of storage. The volume is not as important as how the reservoirs operate. Continued explanation.

Roger Maickel had questions in regards to the Plus 5 and Plus 40. Discussion and explanation continued.

George Schulte stated on the Wilson Branch watershed you are talking +40 years in +40 years that watershed will probably be predominately developed. Basically if you look at it that way that will efficiently serve that area up to its full developed potentials. Chris answered yes, two reasons to get this channel big enough. 1. Approaching the flood plan. 2. Make sure have adequate capacity. This they have developed.

George stated the county will have to improve up off the Treece drain across from McCarty Lane, across Creasy Lane.

Mr. Hoffman stated that does that only if you take out Branch 13 and put it directly into Elliott ditch. Correct. Discussion.

Case I is existing, Case II is with Branch 13 eliminate, Case III with the flood control facility in place.

Joe Gerrety asked if the most benefit would be downstream? Yes, flood control is downstream.

MAY 3, 1989 Drainage Board Meeting Continued.

Chris pointed out that the County wanted a policy decision process. Do we continue to require the person to do what you are doing right now, provide detention according to the Drainage Ordinance ,put it on site and be done with it. Second option would be to be more restrictive. Third option would be the regional facilities to provide not only the flood control benefit, but also some of the detention storage. Recapturing money is another option. Discussion continued.

Larry O'Connell; the configuration shown today of the Wilson Branch that upstream detention is not going to be required, in addition what is already in place would remain, but future detention on future development would not be required. Correct. Larry stated going to the triangular piece in there is also a figure that would take away for assignments or Maple Point Enterprises from them having to do on site detention storage. Question is that 23 acre feet? There is a regulatory or statutory for storage. Discussion.

Larry stated his questions, if this takes place in the triangular that would take the burden off Maple Point Enterprises and work with other developers.

Bill Long asked question of land upstream that has a straight shot you are not going to have County ordinance in effect with the detention storage? Answer to Bill's question is that would be a policy decision. Discussion.

Sue Scholar stated if these two facilities were in place we would be looking at the fact for the Wilson Branch for future developments rather than the existing ordinance we would be needing to change guarantee that there was access to the facility and some sort of funding mechanism rather than the on site detention that is now required. There will be some over all policy decisions and ordinance changes to be made. On the other Elliott ditch structure of the watershed we would still be looking at on site detention for future development and solving some existing problems. Correct, unless another site was found for another regional basin. Discussion continued.

Francis Albrechts had question in regards to the natural storage ponds that hold water 2-3 days? Michael stated they were talking about the farm fields that have catch basins that hold the water for that length of time. Chris stated they looked at those areas. For the future they put a sewer system or ditch that will get it there allot faster, plus it is no longer agricultural, its residential. Discussion continued.

Michael asked with the Wilson Branch with this pond in place on the Wilson you can discount all natural storage or that needs to be retained? Chris stated at Caterpillar the storage has to be there. Chris thinks all the natural storage was eliminated. In Elliott ditch you can't get rid of the Smith pond.

Mr. Hoffman stated the farmers are still going to have the same drainage problems. Correct.

Steve Norfleet asked about the ponds on Maple Point Enterprises and the proposed development what the capacity is? 23 acre feet approximately 10% Discussion continued.

Sue asked Chris to address Branch 13 and how it works into the whole scenario.

Chris stated that Exhibit Six in the report identifies the area. The exhibit shows the area that is being diverted out Wilson Branch and into the Elliott ditch watershed. The twin 66" pipes version was remodeled and simulated what kind of flows would be coming through there. If the 66" pipe has something else that can be done to it they will address it.

Mr. Hoffman asked where are you going to put it when you get it over in the other watershed? At present it exits downstream from the pond, fills up the bridge backs up the water which allows the water to spill into the reservoir. Michael stated the bridge at Ross Road is the controlling structure for those 66" pipes. Discussion continued.

Jim Shook had question in regards to size of Wilson Branch.

Steve Norfleet asked about impact fee on upstream development. Discussion on recapture fee continued.

Discussion continued report is on file in the Surveyor's office.

There being no further business the meeting adjourned at 10:45 A.M.

*Eugene R. Moore*

Eugene R. Moore, Chairman

*Bruce V. Osborn*

Bruce V. Osborn, Boardmember

*Sue W. Scholar*

Sue W. Scholar, Boardmember

ATTEST:

*Maralyn D. Turner*

Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR Meeting January 3, 1990

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

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

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

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

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

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

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

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

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

Ditches that are In Active are: John Amstutz, Dempsey Baker, Nellie Ball, N.W. Box, Alfred Burkhalter, Floyd Coe, Grant, Cole, J. A. Cripe, Fannie Devault, Marion Dunkin, Jess Dickesn, 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 Richerd, Alexander Ross, James Shepherdson, John Saltzman, Ray Skinner, Joseph C. Sterrett, Wm A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohey, John VanNatta, Harrison Wallace, Sussana Walters, McDill Waples, J. & J. Wilson, Franklin Yoe, and Shawnee Creek.

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

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

COUNTRY CHARMS

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

TRASH TRANSFER

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

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

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

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

Sue W. Scholer stated there are two recommendations made.

1. The erosion control. 2. The calculations.

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

COUNTRY  
CHARMS

TRASH  
TRANSFER

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

## ORCHARD PARK

## PARK

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

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

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

The services that were included are:

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

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

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

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

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

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

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

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

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

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

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

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

**CARROLL COUNTY JOINT DRAIN**

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

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

Hubert Yount, seconded. Motion carried.

**DRAINAGE BOARD ATTORNEY CONTRACT**

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

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

Nola J. Gentry, seconded. Motion carried.

**ACTIVE AND INACTIVE DITCHES**

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

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

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

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

#### DISCUSSION ON TILE BIDS

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

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

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

#### JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

#### TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

**HADLEY LAKE DRAIN**

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

**PINE VIEW FARMS**

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

Discussion followed.

Mike Spencer recommended preliminary approval to the Board.

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

Hubert Yount, seconded. Motion carried.

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

Keith E. McMillin  
Keith E. McMillin, Chairman

Nola J. Gentry  
Nola J. Gentry, Member

Hubert D. Yount  
Hubert D. Yount, Member

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

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

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

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

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

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

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

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

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

**Hire the Attorney**

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

**Active and Inactive Ditches for 1993**

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

**ACTIVE DITCHES**

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

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

INACTIVE DITCHES

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

**Storm Water Drainage Improvement Plan**

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.

  
William D. Haan, President

  
Nola Gentry, Vice President

  
Hubert Yount, Member

ATTES:   
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
JANUARY 5, 1994

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

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

ELECTION OF 1994 OFFICERS

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

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

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

-APPOINTMENTS-

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

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

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

-MEETING DATES FOR 1994-

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

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

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

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

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

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

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

#### HAWKS NEST SUBDIVISION, PHASE I

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

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

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

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

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

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

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

#### TRIPLE J POINTE SUBDIVISION

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

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

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

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

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

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

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

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

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

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

#### HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

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

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

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

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

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

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

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

ACTIVE DITCHES FOR 1994

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

INACTIVE DITCHES FOR 1994

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

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

OTHER BUSINESS

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

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

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

**GREAT LAKES CHEMICAL**

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

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

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

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

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

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

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

TIPPECANOE COUNTY DRAINAGE BOARD  
 REGULAR MEETING  
 FEBRUARY 1, 1995

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

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

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

ACTIVE AND INACTIVE DITCH LIST 1995

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

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

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

Mr. Luhman read the inactive ditch list into the minutes

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

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

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

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

#### CHRISTOPHER B. BURKE ENGINEERING CONTRACT

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

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

#### OTHER BUSINESS

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

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

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
JANUARY 3, 1996

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

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

ELECTION OF OFFICERS

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

Mr. Hoffman opened the floor to nominations for President.

Commissioner Haan nominated Commissioner Gentry.

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

Mr. Hoffman turned the meeting over to the President.

Commissioner Gentry asked for nominations for Vice President.

Commissioner Haan nominated Commissioner Jones for Vice President.

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

APPOINTMENTS TO THE BOARD

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

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

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

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

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

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

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

1996 ACTIVE/INACTIVE DITCH LIST

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

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

1996 - ACTIVE/INACTIVE DITCH LIST

ACTIVE

E.W. ANDREW, ANSON-DEPHINE, JULIUS BERLOWITZ, BEUTLER-GOSMA, ANDREW BROWN, TRAIN COE, COUNTY FARM, THOMAS ELLIS, FASSNACHT-CRIST, REBECCA GRIMES, HARRISON MEADOWS, EUGENE JOHNSON, JAMES KELLERMAN, AMANDA KIRKPATRICK, FRANK KIRKPATRICK, JAMES KIRKPATRICK, CALVIN LESLEY, MARY MCKINNEY, F.E. MORIN, KESTER 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.

\_\_\_\_\_  
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	F.E. Morin Emmett Rayman	Hester Motsinger Franklin Reser	J.Kelly O'Neal Aurthur
Rickerd Joseph Sterrett	Gustav Swanson	Jacob Taylor	William
Walters Wilson Nixon	Simeon Yeager	Jesse Dickens	Dismal
Creek Kirkpatrick One	John Hoffman	Sophia Brum	HW Moore
Lateral 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	George Inskeep	Lewis Jakes	Eugene
Johnson			
James Kellerman	James Kirkpatrick	John Kuhns	John
McCoy			
Wesley Mahin	Absalm Miller	Ann Montgomery	Parker
Lane			

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

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

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

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

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

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

**SEASONS FOUR SUBDIVISION, PHASE III**

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

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

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

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

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

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Shelli Muller, Secretary

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

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

# TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

**Those present were:**

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

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

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

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

**CROSSPOINTE APARTMENTS SUBDIVISION**

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

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

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

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

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

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

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

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

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Steve Murray asked what is your construction schedule.

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

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

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

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

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

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

Mr. Luhman read the 2000 active and inactive ditch list

### ACTIVE

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

INACTIVE

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

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

**OTHER BUSINESS**

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

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

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

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

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

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

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

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

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

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

**CHICAGO TITLE INSURANCE COMPANY**

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

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

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

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Kathleen Hudson, President

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Doris Myers, Secretary

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John Knochel, Vice President

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Ruth Shedd, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**December 7, 2005**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison and GIS Technician Shelli Muller, member KD Benson was absent.

**Approval of Minutes**

John Knochel made a motion to approve the Nov. 2, 2005 Drainage Board minutes as written. Ruth Shedd seconded the motion. The Nov. 2, 2005 Drainage Board Meeting minutes were approved as written.

**Hadley Moors PD**

A requested continuance by the developer was granted for Hadley Moors PD.

**Lauren Lakes Section 2**

Brandon Fulk of Schneider Engineering appeared before the Board to request final approval for Lauren Lakes Section 2 Subdivision. The 24-acre site was located on the south side of County Road 500 North west of County Road 75 East and east of Prophets Ridge Subdivision. This section was a continuation of the previously approved Lauren Lakes Subdivision and outlet through an un-named tributary to Burnett Creek along the east boundary. The County Farm Regulated Drain existed in the southwestern portion of the site. A system of swales and storm sewers directed into an onsite detention basin would collect the site's drainage.

Brandon stated offsite flow of runoff would be redirected around the project site and outlet to the unnamed tributary. Prophets Ridge outfall would be left as is and would not be impeded. The detention facility was designed to handle water quality by the use of four bays and elongating the drain time of the pond. Brandon stated the overall drainage design had been previously approved. He concurred with the December 2, 2005 Burke memo and at this time was requesting final approval for Section Two. In response to the Surveyor's inquiry, Brandon explained the path of the rerouted offsite drainage. The Surveyor stated a letter of concurrence from Mr. Ratcliff would be necessary for the file (while not made a condition), as he owned property adjacent to the project. He was prepared to recommend final approval for Lauren Lakes Section 2 with the conditions as stated on the December 2, 2005 Burke memo. John Knochel made a motion to grant final approval for Lauren Lakes Section 2 subject to the conditions on the December 2, 2005 Burke memo. Ruth Shedd seconded the motion. Lauren Lakes Section 2 was granted final approval with conditions as stated on the December 2, 2005 Burke memo.

**Meadowgate Estates Section 2**

Paul Coutts of C&S Engineering appeared before the Board to request final approval for Meadowgate Estates Section 2. Mr. Fred Kuipers developer of the site was in attendance. Paul submitted an acceptance of fees- associated with the Stormwater Phase II program and drainage review- letter from Mr. Kuipers, N.O.I. and proof of publication documentation. The 23-acre site was located east of County Road 75 East north of County Road 500 North and a continuation of the Meadowgate Estates Subdivision. An existing lane known as Shooting Star would provide access to the proposed 10-lot section of the overall Subdivision project. Paul explained part of the site drained under County Road 500 North and part drained northwest under said access drive. Runoff of the development would drain to a natural tributary of the Wabash River or to an on-site tributary to Burnett Creek. Under the present conditions, natural drainage outlets would not be altered. Paul stated there was no detention storage required and water quality was the focus today. The existing drainage swales, dry detention storage as well as the addition of a second buffer strip and additional dry detention storage would maintain the water quality for the area. At that time Paul stated they concurred with the December 2, 2005 Burke memo conditions and requested final approval. He added the site would be served by septic systems. Lots 15, 16 and 17 soils were the most critical and could possibly require perimeter drains. Easements were acquired. The Surveyor asked Paul to take a second look at the sanitary system design stopping short of making it a condition. In the event of a malfunction some kind of treatment for septic drains should be in place. The Surveyor recommended final approval subject to the conditions as stated on the December 2, 2005 Burke memo for Meadowgate Estates Section Two. Ruth Shedd seconded the motion. Meadowgate Estates Section Two was approved subject to conditions as stated on the December 2, 2005 Burke memo.

### **Roadworks Manufacturing**

Alan Jacobsen of Hannum Wagle and Cline appeared before the Board and requested final approval for Roadworks Manufacturing. The former Aertz Airport site was located on the south side of County Road 300 North and east of State Road 25 North. A system of swales would direct the site's drainage to a dry detention basin in the northwest corner which outlet to the right of way of County Road 300 North and conveyed into the state highway drainage system ultimately discharging to the west in Wildcat Creek. At the request of Commissioner Knochel, GIS was utilized for review of the site. Alan stated a new driveway entrance off County Road 300 North would be utilized as access for construction vehicles. Construction of a well and septic was planned. No land disturbing activity south of the existing runway was proposed. Hannum Wagle and Cline had previously contracted Vester and Associates to complete the initial drainage analysis and technical report. Alan stated as a result of the capacity constraint of the collection point for the State Highway drainage system, the site's release rate was reduced proportionately. The actual release rate for this site was considerably less than required by the ordinance. Water quality treatment structures would be utilized as well and located at the northwest corner. All water would be routed through the storm structure devise. An easement was acquired for the devise location and would be accessible for maintenance purposes. The Surveyor stated it was a BMP for water quality. Alan concurred with the December 2, 2005 Burke memo conditions and requested final approval for Roadworks Manufacturing. The Surveyor asked if the septic system would require a perimeter drain. Alan stated they were in the process of approval and a review by the State Department of Health. The Surveyor stated if a perimeter or curtain drain outlet to the detention facility, a second look at the system design would be warranted. Alan concurred they would be willing to review the design as needed. The Surveyor then stated due to the absence of easements around the treatment or detention facility, a covenant would be required to maintain the facilities. In response to Alan's inquiry, the Surveyor stated either an easement or the covenant would suffice. The Surveyor recommended final approval subject to the conditions stated on the December 2, 2005 Burke memo as well as the added condition of the provision of drainage easements around the detention facility and BMP or execute a covenant for maintenance. John Knochel made a motion to grant final approval of Roadworks Manufacturing subject to the conditions stated on the December 2, 2005 Burke memo as well as the added condition of the provision of drainage easements around the detention facility and BMP or execute a covenant for maintenance. Ruth Shedd seconded the motion. Roadworks manufacturing was granted final approval with the conditions on the December 2, 2005 Burke memo as well as the aforementioned added condition.

### **Weathersfield PD**

Robert Gross of R.W. Gross and Associates appeared before the Board to request final approval for Weathersfield PD. The developer Gregg Sutter was in attendance as well. The site was located on the east side of County Road 800 East south of County Road 150 South. A single private access drive with side ditches was planned. On site drainage would discharge to a branch of the South Fork Wildcat Creek that meandered to the west toward County Road 800 East along the north property line. Detention would not be required for the development, as the natural drainage of the site would not be altered and runoff was reduced as much as fifty percent. The Surveyor stated he walked the site with the developer and Mr. Gross. He asked if perimeter or curtain drains were needed. Mr. Gross stated the lots needing perimeter drains were all located along the ravine. The Surveyor noted his concern that possible malfunction of the drains would require some treatment before entering into the drainage system. Mr. Gross stated they would confer with him on the requirements and he was willing to make any additions to the design. The Surveyor recommended final approval subject to the conditions on the December 2, 2005 Burke memo. John Knochel made a motion to grant final approval with the conditions stated on the December 2, 2005 Burke memo. Ruth Shedd seconded the motion. Weathersfield PD was granted final approval with the conditions as stated on the December 2, 2005 Burke memo.

### **Bridge Mill Subdivision Phase 1**

Tim Beyer of Vester and Associates appeared before the Board to request final approval for Bridge Mill Subdivision Phase 1. He presented a map of the entire site for review by the Board. Farmington Subdivision was located to the West and Northridge Subdivision was located to the South of the Subdivision. The developer Brian Keene was in attendance as well as several landowners. The 147-acre site was located on the north side of County Road 200 North between County Roads 400 East and 500 East. The majority of the property drained to the north into a branch of Dry Run (Crist-Fassnacht Ditch) and eventually discharged to Wildcat Creek. The remaining portion of the site drained southerly to Wildcat Creek. Four stormwater detention ponds were proposed for the overall development. Pond A would be constructed immediately northwest of Phase 1 of the overall development and would be developed during Phase 1. The remaining detention ponds would be constructed during future phases of the development. Curbed streets, storm sewers and drainage swales would also accommodate the site's drainage. Phase 1 of the development lied within the southeast corner of the overall site and consisted of 42 lots. A conceptual drainage plan was previously provided. A portion of the site would drain into an existing culvert

under County Road 200 North then into a drainage swale which eventually ran into a depressional area to the south of the site. Currently approximately 13 acres drain into the existing culvert and upon development that amount would be reduced to approximately 8 acres. The remaining five would drain to Pond A. Pond A was designed as a stormwater quality measure and combined with the onsite drainage swales would achieve the required sediment removal. At that time Mr. Beyer requested final approval from the Board. Ruth Shedd then asked for Public Comment.

Brian Elmore 4619 Foxmoor Lane- The Meadows at Northridge Subdivision approached the Board and discussed his concerns with the project. He expressed concern of the overall development's drainage. Tim stated there were three accesses from the property to adjoining streets. Foxmoor Lane would be continued to the development in Phase 1. Mr. Beyer stated there would be eight phases to the development. The planned cluster system located immediately to the west of Phase 1 would eventually be replaced with municipal sanitary lines. Mr. Elmore then expressed concern that eventually the mound or cluster system would be built upon. He stated he knew the Board's review today was drainage; however he wanted to clarify the overall plan and phases of this development. Jon Huston 40 Huntington Way of Northridge Subdivision approached the Board. His property was located across County Road 200 North. He stated runoff from the site drained to a retention area in the corner of his property. Mr. Spencer had visited the site several times in the past due to flooding of their cul-de-sac. He asked if the culvert under 200 North would be replaced. In response to Mr. Knochel's inquiry, Mr. Spencer stated it was not demonstrated to him runoff would be increased therefore the culvert would not be replaced. Mr. Beyer stated they felt it would be simpler to decrease the amount of runoff than replace the culvert. Mr. Huston then asked if the mound system required a perimeter drain. The Surveyor stated at this point it was unknown as there was no design to review. He stated the Highway Department and the Surveyor's office would not sign the construction plans until the design for the sanitary system was presented and reviewed. Mr. Beyer stated the State Health Department would review the sanitary plans. The Surveyor explained the concern was possible conflict between the sanitary lines and the road and drainage infrastructure. As far as the actual sanitary system's technical design, they do not approve it however; the Surveyor/Drainage Board would approve the location and grade. Doug Excell 42 Hillshire Court Northridge Subdivision approached the Board. He stated his home back up to the detention area. In seven years he had seen two one hundred -year storms. He had seen the runoff cross County Road 200 North then run through back yards on occasion and felt the drainage in that area was inadequate already. His concerns were the additional increase of the area's drainage as well as the septic/sanitary system's drainage impact the new development may cause. He felt unless there was some other way of diverting the runoff, he felt the current system could not manage the flow. He had seen (in the last five years) the detention pond area fill up within twenty feet of the back door of a home. In response to John Knochel inquiry, Mr. Excell stated the detention pond had been mowed and the cattails had been cleaned out in the past. The Surveyor asked Mr. Beyer if he had reviewed the original design of Northridge Subdivision. He stated he had not. The Surveyor stated the original drainage study of Northridge Subdivision should indicate the amount of runoff entering the system and would answer some of these inquiries. He had made a site visit the day before and the swale and pond could benefit from additional maintenance. Mr. Beyer stated he felt the drainage plans for Bridge Mill PD would improve the current conditions. Richard Harlow 4609 East 300 North, trustee for his father's estate north of the project site's location approached the Board. In response to Mr. Harlow's inquiry Mr. Beyer stated Pond A would be constructed during Phase 1 and serve more than Phase 1. He stated if perimeter drains were required they would ultimately drain to Pond A. In the event additional lots were warranted, Pond B would be constructed with a future phase. In response to Mr. Excell's inquiry, the Surveyor stated he had not walked the north end of the site. Mr. Excell stated north of Pond A the land is "loaded with natural springs." He wanted the Board to know the previous landowner watered his cattle with the spring. The water ran continuously and was present at this time. John Knochel then indicated on GIS the location of the natural spring, as he was aware of it. The Surveyor stated wet bottom ponds would pick up the water and would help the water quality of the pond. Pond A was planned to be a wet bottom pond. Donna Props 4529 East 200 North Lafayette approached the Board. She stated Gunstra Builders informed her the culvert size would be increased. She also was concerned with the additional runoff and had experienced flooding. The Surveyor stated while he was prepared to recommend final approval with conditions today, as the total acreage runoff was decreased, he did have concerns with the drainage. Ruth Shedd asked if a continuance to January's meeting was warranted. John Knochel noted he agreed with Ruth Shedd and reiterated the Surveyor would not sign construction plans until sanitary/septic plans were submitted for review. He asked how far away the submission was. Mr. Beyer referred to Brian Keene, developer. Mr. Keene stated he was looking at different options for a septic/sanitary design. The Surveyor interjected the question today was the 42 lots of this phase. Mr. Keene responded a mound system would be constructed however the type was the question. The Surveyor stated he would like to see Vesters review the Northridge Subdivision Drainage Study to. This would answer the question whether the existing conveyance (including the existing pond) from County Road 200 North through the various phases of Northridge Subdivision was capable of handling the new development. He thought it was capable. John Knochel made a motion to move for continuance of Bridge Mill Phase 1 until the January meeting. Ruth Shedd seconded the motion. Bridge Mill Phase 1 was continued to the January 2006 meeting. John Knochel noted if the landowners of Northridge Subdivision would review the maintenance of the pond, it could assist the Board in their decision.

## **Other Business**

### **Buffalo Wild Wings Encroachment Petition**

Brandon Fulk of Schneider Engineering appeared before the Board and presented a Petition to Encroach upon the SW Elliott Regulated Drain. The encroachment was located at the Buffalo Wild Wings site. The Attorney had prepared a Resolution granting the Encroachment Petition. The Surveyor recommended to the Board approval of Resolution 2005-03-DB approving encroachment on the SW Elliott Regulated Drain for Buffalo Wild Wings. John Knochel made a motion to approve Resolution #2005-03-DB for the encroachment on the SW Elliott Regulated Drain. KD Benson seconded the motion. Resolution #2005-03-DB granting the encroachment on the SW Elliott Regulated Drain as petitioned was passed. Recorded copies would be provided to the Surveyor Office for the record.

### **Lewis Jakes Reconstruction/Maintenance Amended Assessments**

The Surveyor stated he had investigated concerns of landowners at the August 29<sup>th</sup> Landowner Hearing as well as concerns of the Auditor office. As a result of the investigation he was presenting an amended landowner assessment list for approval and certification to the County Auditor. The Attorney stated the parcels which were omitted from the revised assessments would not change the remaining assessments. The revision would not increase or decrease said remaining assessments. Only the following stated parcels would be removed, as they were found not to be located within the Lewis Jakes watershed. The following parcels were within series: 13203800- #61, #260, #237, #259, #292, #248, #226, and #40 within series 13204900-#159 and within series 13204400-#210, #209. The Surveyor stated the parcels were located north of 850 North and a portion of Larry Underwood's property which was tiled and ran to the east. John Knochel made a motion to approve the amended drain assessments for the Lewis Jakes Regulated Drain as submitted. Ruth Shedd seconded the motion. The amended Lewis Jakes Regulated Drain Assessments were approved as submitted and would be certified by the Board for collection starting in May 2006.

### **Marshall Branch / Box Ditch Petition to Encroach**

The Surveyor stated this was not on the Agenda; however a Petition to Encroach on the Box Ditch by Purdue University was presented for action. He stated the encroachment was reviewed in detail with the petitioners and his office was satisfied with the depth of the encroachment. Resolution #2005-04-DB was submitted for approval as petitioned. John Knochel made a motion to approve Resolution #2005-04-DB regarding the Encroachment of the Marshall Branch on the Box Regulated Open Ditch with Purdue University as the petitioner. Ruth Shedd seconded the motion. Resolution #2005-04-DB was passed as presented. It was noted a recorded copy would be required to be submitted to the Surveyor office for the file.

### **Ordinance #2005-51-CMDB/ 1<sup>st</sup> Reading**

#### **Ordinance establishing a fee schedule for stormwater quality management permits and inspections**

The Attorney stated the Board felt it would be prudent and of interest to the public to present this ordinance at both the Commissioners meeting and the Drainage Board meeting for 1<sup>st</sup> reading. Therefore he presented Ordinance #2005-51-CMDB for 1<sup>st</sup> reading by the Drainage Board today. The Commissioners had previously approved the ordinance on 1<sup>st</sup> reading and would approve said ordinance on 2d reading Dec. 19<sup>th</sup>, 2005 at 10 a.m. He stated any amendments would be stated at that time depending on public comments. Either the Surveyor or he was available for questions by the public. John Knochel made a motion to approve Ordinance #2005-51-CMDB on 1<sup>st</sup> reading. Roll Call: Ruth Shedd/Yes John Knochel/Yes KD Benson/ Absent. Ordinance #2005-51-CMDB was passed on Drainage Board 1<sup>st</sup> reading.

### **Steve Murray**

#### **Proposal for Professional Engineering Services on the Upper end of the JN Kirkpatrick Regulated Drain Design**

The Surveyor presented a contract for professional services on the Upper end of the JN Kirkpatrick Regulated Drain for approval by the Board. Since there were major projects pending at the upper end of the said drain it was agreed to convert the agricultural tile at the upper end to an open ditch. The Surveyor noted the preliminary regional concept design was completed a couple years ago. The estimated fee of the contract was \$77, 240.00; the Surveyor noted the fee was very reasonable. The Board Attorney had asked for some changes on the contract and those changes had been completed. The Attorney stated Burke had incorporated their standard conditions into this contract. The Surveyor then requested approval of the contract for the Upper JN Kirkpatrick Stormwater Drainage channel as presented. John Knochel made a motion to approve the proposal for Professional Engineering Services on the Upper JN Kirkpatrick Stormwater Drainage channel (open ditch). Ruth Shedd seconded the motion. The contract as presented was approved.

**Lindberg Village Phase 4/Letter of Credit #291**

The Surveyor presented the following for acceptance: Letter of Credit #291 in the amount of \$9205.00 through Lafayette Savings Bank from A&K Construction written by Lafayette Savings Bank for Lindberg Village Phase 4 and Maintenance Bond # 1752954 in the amount of \$10700.00 from Atlas Excavating written by Shore West Security Services Inc. for Stonehenge Subdivision Phases 2&3. John Knochel made a motion to accept Letter of Credit #291 and Maintenance Bond #1752954 as presented by the Surveyor. Ruth Shedd seconded the motion. Letter of Credit #291 and Maintenance Bond # 1752954 was accepted by the Board.

**2006 Drainage Board Meetings Dates**

John Knochel made a motion to accept the January 4, 2006 meeting date only at this time due to the absence of Commissioner Benson. Ruth Shedd seconded the motion. January 4, 2006 10 a.m. would be the next meeting date and time.

**Public Comment**

As there was no public comment, John Knochel made a motion to adjourn. Ruth Shedd seconded the motion. The meeting was adjourned.

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Ruth 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**  
**March 24, 2006**  
**SPECIAL Meeting**

**Those present were:**

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

**Classification of Drains (Partial)**

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

He reviewed his report with the Board as follows:

1.) Drains in need of Reconstruction

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

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

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

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

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

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

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

1. F-Lake Detention Facility

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

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

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

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

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

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

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

2.) Hearing and rates established in 2005

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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KD Benson, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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Ruth Shedd, Member



**Tippecanoe County Drainage Board**  
**Minutes**  
**December 5, 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 November Regular Drainage Board minutes as written. KD Benson seconded the motion. The November 7, 2007 Drainage Board meeting minutes were approved as written.

**First Reformed Church of Lafayette**

Patrick Williams of T-Bird Design Services appeared before the Board to request final approval for First Reformed Church of Lafayette. The overall site consisted of approximately 36 acres with the present project on approximately 6.5 acres near the southeast corner of the overall site. The overall site was located northwest of the intersection of County Roads 300 North and 400 East on the north side of County Road 300 North. Pat stated in the existing conditions, the majority of the west half of the site was farmed for row crop and the east half (with some wooded areas in the northeast) was a grass pasture and used for recreation purposes. There was an unregulated portion of the Crist Fassnaught Regulated Drain which ran south to north into Dry Run Creek and ultimately to the Wabash River. In addition to site engineering, some floodway and floodplain mapping for that portion of the Crist Fassnaught Drain which had been approved by the I. D.N.R. (Indiana Dept. of Natural Resources) was performed. Construction of a sanctuary and future building additions as well as pertinent drives and parking areas was planned. In the proposed condition onsite runoff would generally drain west to east via overland flow or the proposed perimeter drainage swales. Perimeter drainage swales were located along the west, north and south sides of the site and outlet into a proposed dry detention basin. The proposed detention facility would serve for storm water quantity management. The runoff rate was controlled into Crist Fassnaught Regulated Drain via an eight inch orifice plate. Pat noted they were utilizing the granular soils onsite resulting in the detention basin serving as an infiltration basin as well. In doing this it would provide stormwater quality above and beyond the ordinance requirements. He stated the design met the requirements of the ordinance and requested final approval subject to the conditions outlined in the November 28, 2007 Burke memo. In response to KD Benson's inquiry Pat stated the pond would be located on the east side of the property. He noted the bottom of the pond was actually a foot above the 100 year elevation at its connection to the flood plain.

The Surveyor recommended final approval with conditions as stated on the November 28, 2007 Burke memo. He noted since there was no published flood plain information for the ditch, T-Bird Design Services were required to send the information to I.D.N.R. T-Bird did receive approval from I.D.N.R. and the Surveyor's office has copies in the file. There was no public comment. Ruth Shedd made a motion to grant final approval with the conditions on the November 28, 2007 Burke memo. KD Benson seconded the motion. First Reformed Church of Lafayette received final approval with the conditions as stated on the November 28, 2007 Burke memo.

**Candlewood Suites**

Clem Kuns of T-Bird Design Services appeared before the Board to request final approval for the Candlewood Suites project. The site was located within the City of Lafayette limits south of the I-65/ State Road 26 interchange, commonly known as Lot 7 of the 26 Crossing Commercial Subdivision and approximately 2.5 acres. Approximately half of the site's runoff routed to an I-65 ditch which in turn outlet to the Alexander Ross Regulated Drain (open ditch) which then routes to the regional detention facility. The remaining easterly side drained directly into the A. Ross Regulated Drain. To develop the site, a proposed relocation of the A. Ross Regulated Drain from an onsite open ditch to dual 60 inch pipes underground was proposed. They were sized in excess of the 100 year flow rate. He requested final approval and stated he was in agreement with the conditions as stated on the November 30, 2007 Burke memo. He noted they were working with the Surveyor on the final location of the Alexander Ross Regulated Drain pipes proposed. They were also presently in the review process with the City of Lafayette at this time.

The Surveyor noted several people had looked at relocating the open ditch which connected the outfall from the west side to the pond in 26 Crossings. He stated he was satisfied the proposed pipes would handle the flow. Emergency routing was addressed as well. He stated the steps for the relocation of the drain should follow Indiana Code 36-9-27-52.5. (Relocation of a regulated drain by an owner on his own site at his own expense) He stated a recorded relocation and vacation petition of the regulated drain was required for final approval of the project. The exhibit with the said petition should show the existing easement and the proposed easement. The proposed drives which cross the regulated drain would require encroachment agreements as well. Since this was in the city limits stormwater quality would be reviewed by them. Responding to KD's inquiry, Clem stated part of the runoff of the site would route straight into the pond and part into the proposed pipes upstream. Dave Luhman, Attorney stated a Petition to Relocate and Vacate as well as a Petition to Encroach would be an additional condition.

The Surveyor recommended final approval with the conditions as stated on the November 30, 2007 Burke memo with the additional condition of a submission of a signed and recorded Petition to Vacate and Relocate and a Petition to Encroach regarding the Alexander Ross Regulated Drain. There was no public comment. Ruth Shedd made a motion to grant final approval with the conditions as stated on the November 30, 2007 Burke memo with the additional condition of the submission of a signed and recorded Petition to Vacate and Relocate and a Petition to Encroach concerning the Alexander Ross Regulated Drain. KD Benson seconded the motion. Candlewood Suites received final approval with the conditions as stated on the November 30, 2007 Burke memo with the added condition of the submission of a signed, recorded Petition to Vacate and Relocate and a Petition to Encroach concerning the Alexander Ross Regulated Drain.

#### **Steve Murray F-Lake Regional Detention Pond Signature for Cover Sheet**

The Surveyor presented the cover sheet for the F-Lake Regional Detention Pond Plans for signatures by the Board. The project plans and wage scale were complete. The projected time to receive bids was February which would be in time for the start of the construction season. He noted the project had been in the works since the 1980's. Responding to KD's inquiry, the Surveyor stated the project did not impinge on the Ivy Tech Community College parking lot expansion. The F-Lake property was approximately 17 acres and was part of land swap between Judy Hammond, Ivy Tech. and the County during the mall expansion project. Responding to KD inquiry concerning the naming of F-Lake, the Surveyor stated in the old files a hand drawn diagram was located and it indicated various parcels of ground labeled from A-F. The piece that was designated for regional detention was parcel F, thus the name F-Lake.

#### **Elliott Ditch Hydraulic Analysis/Feasibility of Revision**

The Surveyor stated several months ago Christopher Burke was contracted to review a portion of the Elliott Regulated Drain which involved the portion upstream of Concord Road and Brady Lane, to see if there was any possibilities to model that portion of the ditch and lower the 100 year flood elevation and floodway. The analysis was now complete. Mr. Eichelberger, the Surveyor and Dave Knight from I.D.N.R. met and discussed possibilities- most of which I.D.N.R. did not feel they could support. The Surveyor felt the Board should be brought up to date with the final analysis. He referred to Dave Eichelberger for the report.

Dave stated they had performed an analysis for another party on the ditch between Concord Road and US 52. The results of the analysis showed numbers were unrealistic based on what had been seen over a period of 20-30 years. They reviewed the data. They requested I.D.N.R. to review to see if there was anything which could be done to get the modeling to show something more realistic in the area. They also took a look at the hydrology to see if the discharge could be lowered. The reasonable floodplain reported to them was an elevation of approximately 640-641 in that area and they were getting elevations of approximately 642.5 to 644.5. The reduction would have to be 2.5 to 3.5 feet to get a more reasonable result. The discharge (received from I.D.N.R.) used in the original analysis was approximately 1900 cfs. Discharge it would take to get it down to that level would be approx. 1100 cfs. The 2000 Watershed Study indicated 1400 cfs. which was closer to a reasonable discharge, however it was not down to a level to get a reasonable floodplain. There was nothing they could have done which was acceptable by I.D.N.R. They took a look at the hydraulic modeling, downstream bridges which had been put in, and the routing at the railroads using a study state modeling and even spoke with I.D.N.R. about it. The conclusion was to install stream gages to calibrate the models to an actual event and rerun those models with a 100 year storm. This would result with amounts more realistic which I.D.N.R. could approve. There was nothing that could be done as exists presently. The Surveyor noted there were large depressional areas upstream, individual retention, detention ponds required by Ordinance. I. D.N.R. would not allow the areas to be counted as storage for the study. Dave stated the 2000 study was a

working study. As changes occur; regional plans, watershed plans it could be and had been used as a base model. I.D.N.R. is very conservative and that is why they have 1900 cfs. One can not go lower than that and follow the requirements set by I.D.N.R. As the 1400 cfs resulting from the study included every detention pond within the watershed that Burke was aware of to include the existing depressional storage. Responding to KD's inquiry, Dave stated a significant rain event data accumulated by the gages could be used to perform the modeling. The Surveyor stated the gages would cost approximately \$15,000.00 per unit and 2 units would be needed. Dave stated one could get by with only one gage however two would be more efficient. Cost sharing could also be used. KD stated since the County Highway, Extension Office and the rest of the potential developments were located in the area she felt the Board should go ahead with the stream gages. It potentially could save the County money. The present situation had negative impacts on Ivy Tech parking lot and other areas of potential growth or development. The Board felt it was worthwhile to install the gages within the ditch. Dave then stated this was not an isolated incident as the Town of Peru was in the process of using stream gages as well.

The Surveyor stated based on the results of the Burke analysis and 3 known properties adversely affected by the unreasonable floodplain elevation, he suggested considering the upper or entire Elliott Regulated Drain Watershed as an Impact Area. He did not believe maintenance funds could be used for the cost of stream gages. The Attorney agreed the cost of the stream gages could not be paid for with drain maintenance funds. The Surveyor noted the original watershed study was completed in 1988 by Christopher Burke himself. One portion of the watershed which was previously discussed and known that an impact area should be declared was a branch of the Elliott by Best Way Disposal at C.R. 350 South east of C.R. 500 East. He noted that area definitely had an inadequate outlet. He noted declaring it an impact area could also limit the development's discharge and allow additional conditions not listed in the ordinance. The Attorney reiterated declaring an impact area allowed the Board to give additional restrictions to the developer/landowner due to additional discharge which could add to the existing problem. He stated the problem could be an economic development issue. Responding to Ruth Shedd's inquiry, the Surveyor noted he thought EDIT and Drainage funds might be available for use as well as cost sharing by others. He noted the delineation of flood plains was the function of F.E.M.A. and I.D.N.R. and the Surveyor's office was not in the business of doing such. Ruth Shedd stated it would benefit everybody to install the gages within the ditch and continue on the path. Pat Jarboe of T-Bird Design Services approached the Board and stated he felt the benefit outweighed the cost and it could be possible to discuss cost sharing with some of his clients. He stated some cities depend on calibrations to get correct data. He suggested continuing to set the path in this community to have correct data for more accurate designs for hydrology and hydraulics.

### **2008 Drainage Board Meeting Dates**

Ruth Shedd made a motion to accept the 2008 Drainage Board Meetings as submitted. KD Benson seconded the motion. The 2008 Drainage Board Meetings was accepted as submitted.

### **Public Comments**

There was no 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**  
**February 1, 2017**  
**Regular Meeting Minutes**

**Those present were:**

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

**Approval of Minutes**

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

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

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

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

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

**Drainage Board 2017 Professional Engineering Assistance Contract**

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

**Lafayette YMCA**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Classification of Drains**

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

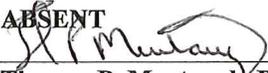
**February 2017**

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

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

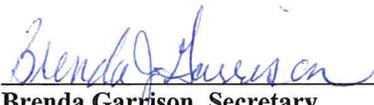
- r. Ray Skinner (#71)
  - s. Abe Smith (#72)
  - t. William Stewart (#75)
  - u. John Toohey (#79)
- 7.) Drain Assessments recommended to be raised 25% starting May 2015  
No Maintained Regulated Drains Applicable in 2017
  - 8.) Petition for New Regulated Drain referred to Surveyor
    - a. Huffman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

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

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

  
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**David S. Byers, Vice President**

  
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**Tracy Brown, Member**

  
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**Brenda Garrison, Secretary**

## **Tippecanoe County Drainage Board**

**April 1, 2015**

### **Regular Meeting Minutes**

#### **Those present were:**

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

#### **Approval of Minutes**

Tracy Brown made a motion to approve the March 4, 2015 regular minutes as written. David Byers seconded the motion. Motion carried. Tracy Brown made a motion to approve the March 4, 2015 Clymer Norris #122 landowner Hearing Minutes as written. David Byers seconded the motion. Motion carried.

#### **I65 North Segment Road Improvements**

Chris Schultz with CHA (Clough, Harbour and Assoc. LLP) appeared before the Board to present the I-65 North Segment Road Improvements project for approval. The project consisted of added travel lanes to north and south bound Interstate 65 for approximately 3.20 miles and consisted of approximately 12.5 acres. The project would begin north of State Road 26 and end north of State Road 25. This portion will be known as the north segment and constructed in 2015. The area known as the south segment would be constructed in 2016. He noted work would start with the median's lane first, second switch traffic to the south bound side while constructing the north bound added lane and third the south bound lanes would be constructed while traffic utilized the north bound lanes. The pavement would be widened from 38 feet to 56 feet in each direction. He noted there were several direct outlets into the Wildcat Creek however there were no County Regulated Drains involved within the north segment. A total of two detention ponds were planned. The first would be located in the northwest quadrant at St. Rd. 25. The second detention pond - a ditch detention check would be located just north of Dry Run Creek. Vegetative swales throughout would provide water quality volume as well. He stated they agreed with the March 25, 2015 Burke Memo conditions with the exception of comments #2 and #3 under "4.0 General Conditions". The Surveyor agreed those comments did not apply for this project. Mr. Schultz asked for approval of the project. As a result of Commissioner Byer's inquiry it was noted the existing bridge over the Wildcat Creek would be widened with a new deck and sides. The Surveyor stated for the record that INDOT, CHA and Walsh Construction have been very good to work with and he appreciated that greatly. He noted stormwater quantity and quality were addressed with the design of the two detention basins and vegetative swales. He recommended conditional approval as stated on the March 27, 2015 Burke memo. Tracy Brown made a motion to grant conditional approval for the I65 North Segment Road Improvements. David Byers seconded the motion. Motion carried.

#### **Auburn Meadows Preliminary Approval**

Jim Pence appeared before the Board to request preliminary approval for the Auburn Meadows Subdivision project. The site was located on the east side of Co. Rd 50 West south of Co. Rd. 500 North and consisted of approximately 85.77 acres. He stated they were working along with the Surveyor's office regarding the offsite drainage and emergency routing for the project. Due to the site's discharge into an unnamed tributary of Cole Ditch (a tributary to Burnett Creek), DNR approval was required. He noted they agreed with the March 27, 2015 Burke memo and requested conditional approval from the Board. The Surveyor reiterated the request was for preliminary approval only at this time. He then recommended preliminary approval as stated on the March 27, 2015 Burke memo and noted the project would be back in front of the board next month for conditional approval. Tracy Brown made a motion to grant preliminary approval with the conditions as stated on the March 27, 2015 Burke memo. David Byers seconded the motion. Motion carried.

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

##### **Crist Fassnacht County Regulated Drain #29**

The Surveyor requested the Board set a date and time for a landowner hearing on the Crist-Fassnacht County Regulated Drain regarding a maintenance increase. He asked the Board to set June 3, 2015 immediately following the regular meeting of the Board as the date. Tracy Brown motioned June 3, 2015 immediately following the regular scheduled Drainage Board

meeting a landowner hearing was to be held for the Crist Fassnacht County Regulated Drain Maintenance increase. David Byers seconded the motion. Motion carried.

**Hester Mottsinger #58 County Regulated Drain**

The Surveyor updated the Board on the Hester Mottsinger #58 Regulated Drain project. He noted the maintenance rate was increased in 2014. Tony Garriott was awarded the project. He has installed 1400 feet of 24" HDPE perforated tile immediately north of Co. Rd. 500North on Otto Doering's tract along the grassed waterway to the north/south fence row on the west side of the tract. They are finishing up removing old tile, connecting laterals and installing the riprap storm basin at the outlet immediately west of the cross country subsurface gas line. Responding to David Byers inquiry, the Surveyor noted once this project was paid in full- approximately 8-9 years- maintenance was planned to start where this project left off and proceed north. The scope of the next phase would depend on cost. This phase was not designed to date. He noted in the last several years the very downstream portion of this tile system had been in very poor condition. The tile was dilapidated and a lot of "Band-Aid" maintenance had been completed through these years. The lower portion from the fence row to the outlet was the worse condition of the tile system; and required immediate work in this location. He stated due to the construction, a majority of the pressure on this tile was relieved and it was flowing very well upon his inspection. He discussed general information for maintenance on tiles along with his views of efficient use of maintenance monies with the Board.

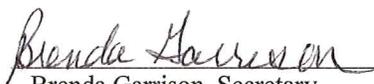
**Public Comment**

As there was no public comment, Tracy Brown moved to adjourn. The meeting was adjourned.

  
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David S. Byers, President

  
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Tracy Brown, Vice President

  
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Thomas P. Murtaugh, Member

  
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Brenda Garrison, Secretary

**Tippecanoe County Drainage Board**  
**June 3, 2015**  
**Crist Fassnacht #29 Regulated Drain Maintenance**  
**Landowner Hearing Minutes**

**Those present were:**

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

President David Byers opened the Crist Fassnacht #29 Regulated Drain Maintenance Hearing. He referred to the Surveyor for his maintenance report on said drain. The Surveyor stated the following: Maintenance Report of the Crist Fassnacht #29 Regulated Drain Tippecanoe County Drainage Board dated April 15, 2015- The Crist-Fassnacht #29 Regulated Drain is made up of the Carl K. Crist Ditch and the Christopher Fassnacht Ditch. The Carl K. Crist was originally established by the Tippecanoe County Superior Court Case No. 1491 and built in 1922. The Christopher Fassnacht was originally established by the Tippecanoe County Superior Court Case No 7843 and built in 1903. The Drain and its watershed are located in Sections 5, 6, 7 and 8 of Township 23 North and Range 3 West in the political township of Perry, Tippecanoe County, Indiana. The Crist Fassnacht drain maintenance fund was established by the Tippecanoe County Drainage Board on August 3, 1971 at a rate of \$0.50 per acre. There is 15,235 lineal feet of main tile and 20,830 lineal feet of branch tile. Pipe sizes range from 6 inch up to and including 24 inch which is all to be maintained by this maintenance fund. The watershed contains 959.849 acres. It is the judgement of the Tippecanoe County Surveyor that a sum of \$31,167.04 is needed to maintain the existing tile system. An assessment of \$3.75 per acre and a \$10.00 minimum over an 8 year period is recommended. This will generate \$31,055.92 over an 8 year period. It is the opinion of the Tippecanoe County Surveyor this rate increase will allow for routine tile maintenance and ensure that monies will be generated for future repairs on maintenance of the system. Respectfully submitted by Zachariah Beasley Tippecanoe County Surveyor. The President asked for public comment. There was none. He then referred to the Attorney for the Board's findings and orders.

The Attorney read the Findings and Order of the Board as follows: BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD IN THE MATTER OF THE CRIST FASSNACHT #29 REGULATED DRAIN: FINDINGS AND ORDER (ANNUAL MAINTENANCE) This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on April 15, 2015. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana were filed. Remonstrances were not filed. Evidence was presented by the Tippecanoe County Surveyor. A list of those present is filed herewith. After consideration of all the evidence, the Board does now FIND THAT:

- (1) The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on April 15, 2015.
- (2) Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
- (3) Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
- (4) The legal drain consists of 0 feet of open ditch and 15,235 lineal feet of main tile and 20,830 lineal feet of branch tile.
- (5) The present condition of the ditch is in poor condition and in need of repair.
- (6) The ditch needs the following maintenance at present: Main and branch tile repair
- (7) There is now \$0.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 959.849 acres total.
- (9) Estimated annual cost of maintenance is \$3881.99.
- (10) Estimated annual benefits the land drained exceeds repair and maintenance costs.
- (11) A fund for annual maintenance should be established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: \$3.75per acre with a\$10.00 minimum over an 8 year period of collection.

- (13) The assessment list filed herewith should not be amended as follows:
- (14) The assessment list filed herewith is fair and equitable and should be adopted.
- (15) The assessment should be collected with the May 10, 2016 taxes.

NOW, THEREFORE, IT IS ORDERED THAT:

- (1) A maintenance fund be established for the Crist Fassnacht #29 Regulated Drain at the annual rate of \$3.75 per acre with a \$10.00 minimum benefited.
- (2) The Schedule of Assessments filed herewith are adopted and made a part thereof.
- (3) The first annual assessment shall be collected with the May 10, 2016 taxes.

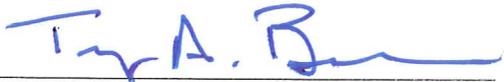
Dated at Lafayette, Indiana this 3<sup>rd</sup> day of June 2015 with the County Drainage Board signature line and attested by the Secretary.

Commissioner Brown made a motion to approve the Findings and Order of the Drainage Board as read into the record by the Attorney. Commissioner Murtaugh seconded the motion. Motion carried.

Commissioner Murtaugh made a motion to adjourn. The Hearing was adjourned.



David S. Byers, President



Tracy Brown, Vice President



Thomas P. Murtaugh, 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