

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD AUGUST 2, 1972.

Present at meeting. The Tippecanoe County Drainage Board held it's regular meeting on August 2, 1972, at 9:00 o'clock am.. with the following members present: Bruce Osborn, Dale Remaly, Edward Shaw, Dan Ruth, Fred Hoffman, John Garrott and Gladys Ridder.

Minutes Approved Upon motion of Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, the minutes of the July 5, 1972 meeting were approved as read.

Other Business of the Board A petition was submitted to the Board from National HOMes Construction Corporation by their attorney, Thomas McCully, and reads as follows:

STATE OF INDIANA )  
                          ) SS:  
TIPPECANOE COUNTY)

To: The Tippecanoe County Drainage Board  
      Court House  
      Lafayette, Indiana

PETITION

National Homes Construction Corporation, hereinafter referred to as the Petitioner, respectfully shows and petitions the Board as follows:

1. The Petitioner is the owner of a certain tract of land located in the City of Lafayette, Indiana, shown on Exhibit A filed herewith. Said real estate is bounded by South Eighteenth Street on the west, the Penn Central Railroad on the northeast, and Elliott Ditch, a legal open ditch, on the south.

2. The Petitioner proposes to develop the westerly portion of said real estate for multi-family housing and the easterly portion for single family housing as shown on Exhibit A.

3. There is presently a statutory 75' right-of-way in favor of the Board extending from the top edge of the bank of such ditch on which no permanent structures may be placed.

4. This Board may modify said right-of-way and in the opinion of the Petitioner the same may be modified from 75' to 50' without adversely affecting the public interest or the rights of the Board.

5. Such modification of the right-of-way to 50' from the top edge of the bank will permit development of the real estate as set forth on Exhibit A.

WHEREFORE, the Petitioner requests that the Board:

(a) Modify the statutory right-of-way from 75' to 50' along the north side of Elliott Ditch from South Eighteenth Street easterly to the Penn Central Railroad.

(b) Permit construction of a roadway as a permanent structure within said 50' right-of-way as shown on Exhibit A.

NATIONAL HOMES CONSTRUCTION CORPORATION

By /S/ Thomas R. McCully  
Thomas R. McCully, Its Attorney

STUART, BRANIGIN, RICKS & SCHILLING  
801 The Life Building  
Lafayette, Indiana 47902  
317+742-8485

Attorneys for Petitioner

It was the decision of the Board to reject this petition.

Drains Referred The Board referred the following ditches to the Engineer to prepare for maintenance funds: Charles E. Daugherty, Lauramie Township, County Farm Ditch, Tippecanoe and Wabash Townships, Simeon G. Yeager, Wabash Township, and Isaac Gowen, Tippecanoe Township, in Tippecanoe County and Prairie Township, in White County.

9:30 a.m. Hearing on Fred Haffner Ditch The Engineer opened the hearing on the Fred Haffner Drain by reading his report and making his recommendations to the Board. There had been no remonstrances and no charges against this ditch. The only one attending was Carl Hendrickson who farms the Eva Palmore ground. Mr. Hendrickson had a question on the West Branch where he said the SCS had done some extension. Because considerable tile has been added, Mr. Ruth suggested walking and measuring the 3770 Feet of the legal ditch and find exactly where the ditch ends, possible the North line of the Haan property.  
Upon motion by Dale Remaly, seconded by Bruce Osborn and made unanimous by Edward Shaw, the Board voted to establish a \$1.00 per acre maintenance fund.

10:30 a.m. Hearing on the Grant D. Cole Ditch The Engineer opened the hearing on the Grant D. Cole Ditch by reading to the Board his report and making his recommendations. Landowners in attendance were Carl Hendrickson and Fred Trost. The Trost acreage was in error and the Board voted to change it from 120 Acres to 65 acres. There were no remonstrances and no charges against this ditch. Those present were in favor of a fund to maintain the ditch so upon motion by Bruce Osborn seconded by Dale Remaly and made unanimous by Edward Shaw the Board voted to establish a \$1.00 per acre assessment.

11:30 a.m. Hearing on Wesley Mahin Ditch The Engineer opened the hearing on the Wesley Mahin ditch by reading his report and making his recommendations to the Board. Those in attendance were Mrs. Rose Mae Glass, Charles Bohart and Marian Bohart. Mr. Bohart said they were assessed on both the Mahin and Walters ditch for the same acreage and after discussing the situation it was decided he belonged on the Walters ditch so the acreage was removed from the Mahin assessment list. Mr. Bohart also reported water problems that did not have any bearing on the legal drain but resulted from what seemed to be a highway ditch. Mr. Osborn asked John Garrott, the surveyor to check the situation and report back to the Board of Commissioners at their regular meeting on Monday August 7, 1972.

At 1:30 p.m., the Engineer opened the hearing on the William J. Walters Ditch by reading his report and making his recommendations. Many remonstrances were received and read aloud. As many of the people in this watershed area were also assessed on other drains in the same area, it was agreed to revise the legal description of the William J. Walters drain. Those in attendance were: Simon J. Lehe, Andy Klinkhamer, Gwin Robinson, Virgil Shultz, Donald W. Brown, Richard W. North and Northwestern Farms, Inc. by their attorney Edward Chosnek, Kenneth Calloway, William W. Peneton, John Warner, Frank Harner, K. Kensinger, Francis H. Davis, Maxine Taylor and James Milligan, White County Surveyor.

The new legal description will be

After much discussion, the Board decided to recess this hearing until the regular meeting on October 4th, 1972, at 1:30 p.m. The secretary was instructed to re-notify all land-owners of the new time and place for the continued hearing.

After the hearings were completed the Board then signed the order and findings and the certificates of assessment on the ditches where maintenance funds were established. Upon motion by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, the Board adjourned.

Bruce Osborn  
Bruce Osborn, Chairman

Dale Remaly  
Dale Remaly, Vice Chairman

Edward J. Shaw  
Edward Shaw, Board Member

ATTEST:

Gladys Ridder  
Gladys Ridder, Secretary

The regular meeting of the Tippecanoe County Drainage Board held its meeting in the County Commissioners Room in the Tippecanoe County Court House at 9:00 a.m., on Wednesday, February 7, 1973. Present at the meeting were: Bruce Osborn, Robert Fields, Edward Shaw, Dan Ruth, Fred Hoffman and Gladys Ridder.

Minutes Approved

Upon motion by Edward Shaw, seconded by Bruce Osborn and made unanimous by Robert Fields the minutes of the January 3rd, 1973 meeting be approved as read.

Ditches  
Referred to  
Engineer

Several Ditches were referred to the Engineer to set up for a maintenance fund. The Alexander Ross ditch in Fairfield and Wea Twps, the Martin V. Erwin Ditch, in Shelby Twp., James Sheets ditch in Tippecanoe Twp. the County Farm Ditch in Tipp. and Wabash Twps. and the Joseph Sterrett ditch in Tippecanoe Twp.

Abe Smith  
Ditch Maintenance  
Hearing  
9:30a.m.

The Engineer opened the hearing on the Abe Smith ditch located in Perry Twp. His report and recommendations were as follows:

MAINTENANCE REPORT  
ABE SMITH LEGAL DRAIN

After spending considerable time on the site of the ditch, and discussing the ditch with a number of the property owners in the area it is the judgement of the Surveyor that a maintenance fund should be established on this ditch with the following provisions.

The Drainage Board should classify that portion of the main ditch west of road 850E and open ditch and extend the reconstructed branch to it. This could be accomplished over a period of years with maintenance funds as they became available.

This ditch consists of 5439 Feet of main line tile and approximately 1000 feet of branch at the present time there is no open tile on this ditch.

The area served by this ditch is 306.68 acres and will bring in \$319.38 per year.

At the present time there are no charges against this drain.

/S/ A. D. Ruth, Jr.  
A. D. Ruth, Jr., Tippecanoe  
County Surveyor

Those in attendance were: Alva Stime, Clarence Behringer, Omer Murphy, Dale Remaly and Dich Welch.

Many personal conflicts entered into this ditch hearing as was brought out in the oral remonstrances. No remonstrance had been filed prior to the hearing. After

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listening to all who wished to voice their opinion and after it was clear that on their own they could never reach any decision, the Board decided to do what they felt best for all and voted to establish a maintenance fund of \$1.00 per acre.

The Engineer suggested that the tile run 40' West of 800E and recommended the following corrections in acreage: Omer Murphy's 3A assessment in the NE of Sec. 2 be removed and out of a 47.86A tract only 15A drain into the Smith and out of a 50.56A tract only 5A drain into the Smith Ditch.

John C. Amstutz  
Ditch  
Hearing  
10:15a.m.

The Engineer opened the hearing on the John C. Amstutz ditch by reading his report and making his recommendations to the Board. He suggested including the following acres in this watershed for they are drained by this ditch:

- McCormick, Mary F.
- East Tipp School Bldg. Corp.
- Scharer, Daniel & Penelope A.
- Chaney, Larry J & Sue L.
- Fisher, Thomas R & Lillian J.
- Martin, Buel C & Wanda C.
- Temple, Robert H & Hazel
- Temple, Richard G. & Beverly A.
- Martin, Samuel L & Mabel
- Fields, Robert F & Faye L.
- Tipp. School Corp.
- Payne, James W & Frances A.
- Martin, Samuel L & Mabel

After much discussion the Board moved to continue this hearing so that the additional landowners could be notified and instructed the secretary to set up a new hearing at a later date.

McClure or Cuppy  
Ditch Hearing  
11:00 a.m.

The engineer opened the hearing on the McClure or Cuppy ditch by reading his report and making his recommendations to the Board. He also read all the remonstrances that had been filed on this ditch. Those in attendance were: Roland Halleck, Wayne Shamo, Spencer Congram, Charles R. Vaughan, Ruth and Ray Scifres, Robert W. Maier, John Schmitt, E. V. Lamberson and Robert C. Garrison.

Mr. Vaughan reported that he had 27A of ground under water because of the golf course. As this ditch does not go through this ground, the Engineer suggested that he tiled to this ditch to get the relief needed.

The new Hilton Motel being built in this district and a proposed lake in this drainage area was discussed.

The Engineer said that he had examined the area from the State Police barracks north and that stretch of the tile was in very bad condition.

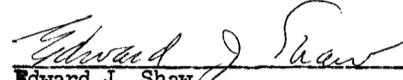
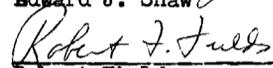
The farm landowners felt that to assess this ditch by acres was unfair for most of the property owners along the Highway 52 were benefitted as much as the farm land but would be assessed much less. They felt to assess according to the amount benefitted would be a much fairer way to assess all landowners.

The Board moved to continue this hearing until many more answers could be acquired and then set a new hearing.

Order & Findings  
& Certificate of  
Assessments Signed

Upon the establishment of a maintenance fund on the Abe Smith ditch, the Board signed the Order and Findings and the Certificate of Assessments.

With no more business the Board moved to adjourn.

  
Edward J. Shaw  
  
Robert Fields  
  
Bruce Osborn

ATTEST:

  
Gladys Ridder, Exec. Secretary

The regular meeting of the Tippecanoe County Drainage Board was held in the County Council Room in the Tippecanoe County Court House at 9:00 a.m., on Wednesday, March 7, 1973. Present at the meeting were: Edward Shaw, Robert Fields, Bruce Osborn, A. D. Ruth, Jr., Fred Hoffman and Gladys Ridder.

Minutes Approved Upon motion by Edward Shaw, seconded by Bruce Osborn and made unanimous by Robert Fields, the board approved the minutes of the February 7, 1973 meeting as read.

Ditches Referred The Board referred the following ditches to the Engineer for Maintenance Fund set up: Brady vs Nash, Wea Twp., John Brose, Shelby Twp. in Tipp. County and Round Grove Twp. in White County, Cochran VS Holms, Wea Twp., Jesse A. Cripe, Washington Twp., County Farm, Wabash Twp. & Alonzo Taylor, Jackson & Wayne Twps.

Other Business Mr. Hoffman reported to the Board that Mr. Floweres had called and complained about water backing up after the repairs to the Elliott ditch had been made. He said he had contacted Mr. Donahue who in turn informed his client and the situation was now being taken care of. He asked Mr. Ruth to please contact Mr. Flowers and inform him of same.

Mr. Ruth told the board he had met with John Tse. His plan for the lakes on the McClure ditch were far in the future and Mr. Ruth felt the hearing should be set for a maintenance fund on McClure ditch possibly May 6, 1973. Mr. Francis Albrechts discussed the possibility of placing a breather in the side ditch of I-65 and Fellbaum branch of the Berlovitz ditch to alleviate a ponding there. Board granted permission and said if the breather created trouble elsewhere it could always be removed.

9:30 a.m. Hearing on Alexander Ross Ditch The Engineer opened the hearing on the Alexander Ross ditch by reading his report and making recommendations. Those in attendance were: Walter Pendleton, Pete Keiser, George Hatke, Frances Albrechts and Dick Smith.

Mr. Keiser reported that water was standing on top of the Ross ditch on the Ferrall land and this situation had only began since I-65 was built. Mr. Ruth said he would look into the situation and if the problem was created by the State Highway, he would notify them of same and they would have to correct it.

Mr. Pete Keiser said the acreage in Sec. 25 of 5.22 A that he had sold VanMeeter was assessed on the Berlovitz ditch but that before he had sold it, he had placed new tile on that land and drained that acreage to the Alexander Ross ditch. He suggested removing the acreage from Berlovitz and placing it on the Alexander Ross Ditch. The Board agreed and instructed the Secretary to do so.

Discussion followed among those present as the amount of per acre assessment. As the majority felt \$.75 per acre would be adequate, the Board moved to establish a \$.75 per acre assessment.

10:30a.m. Hearing on John VanNatta Ditch The Engineer opened the hearing on the John VanNatta Ditch by reading his report and making his recommendations. Those in attendance were: Charles R. VanNatta, Charles R. VanNatta, Jr., M.P. Plumlee, Ward W. Smith and Douglas McGill.

The Engineer read a letter from Mr. Plumlee, Don Brown, Ted Hunt and Charles VanNatta. The point being they had taken such good care of the ditch they felt \$.35 would be adequate. They asked for a portion of the tile ditch be made into a grass waterway. They also said they would continue to take care of their ditch even though a maintenance was established.

Because of their great concern for each other's needs and perfect cooperation, the Board moved to establish a \$.35 per acre assessment as requested.

11:30 a.m. Hearing on Joseph Sterrett Ditch The Engineer opened the hearing on the Joseph Sterrett ditch by reading his report and making his recommendations to the Board. Those in attendance were: Charles R. VanNatta, Harry W. Hampton, Douglas McGill, and Charles R. VanNatta, Jr.

Mr. Ruth read a letter from Mr. Charles Van Natta and Harry Hampton stating that this drain was so well designed and installed that their maintenance over the years had been very small. They asked for a \$.25 per acre assessment. Mr. Ruth said he felt this was too small. The landowners present said if it proved too small, they would gladly consent to a new hearing for the purpose of raising the amount.

Mr. Charles VanNatta said in Sec. I out of a 175A tract only 50A drained instead of 80A as assessed. The Board asked Mr. Ruth to check and correct the acreage after elevations were taken. The final decision was A.

After a bit of a discussion the Board moved to establish a \$.35 per acre assessment.

Order & Findings and Certificate of Assessments After establishing a maintenance fund on the Alexander Ross, the John VanNatta and the Joseph Sterrett ditches, the Board signed the Order and Findings and the Certificates of Assessments.

Upon motion made and carried the Board adjourned.

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

ATTEST:  
*Gladys Ridder*  
Gladys Ridder, Exec. Secretary

The regular meeting of the Tippecanoe County Drainage Board was held on April 4, 1973 in the County Commissioner's Room in the Tippecanoe County Court House at 9:00 a.m. with the following members present: Edward Shaw, Robert Fields, Bruce Osborn, A. D. Ruth, Jr., Fred Hoffman and Gladys Ridder.

Minutes Approved

Upon motion by Bruce Osborn, seconded by Robert Fields and made unanimous by Edward Shaw, the Board accepted the minutes of the March 6, 1973 meeting as read.

ORDER & FINDINGS AND CERTIFICATES OF ASSESSMENT

\* After establishing the maintenance funds on the County Farm ditch, the Alonzo Taylor and the Jesse A. Cripe ditches, the Board then signed the Order and Findings and the Certificates of Assessment.

GENERAL BUSINESS

Mr. Ruth submitted a drawing by the SCS office showing the installation of additional tile serving the Purdue Agronomy Farm and outletting in the N.W. Box Ditch. Mr. Ruth assured the Board that the ditch could well handle the additional water and the additional acreage would be added to the watershed area when the Surveyor's office sets this ditch up for a maintenance fund. The area described is in Section 32, Township 24, Range 5,

Mr. Lewis Beeler requested a petition for the continuation of the Ilgenfritz ditch. Mr. Hoffman, County Attorney, said he would prepare same. Mr. Ruth said the Surveyor's office would supply Mr. Beeler with a list of names of those in the watershed area.

Mr. Ruth made a report to the Board on the progress of the repairs being made in the Dannie's Mobile Home area.

Mr. Ruth also informed the Board of his use of the Emergency Employment Act employees and the progress being made on the Train Coe ditch reconstruction.

9:30 a.m.  
COUNTY FARM  
DITCH

The Engineer opened the maintenance hearing on the County Farm ditch by reading his report and making his recommendations to the Board. Mr. Ruth felt with an indebtedness of \$777.39 against this ditch that any less than \$1.00 per acre assessment would not be adequate to support the ditch and repay the General Drain fund. No one appeared in behalf of the ditch. Motion was made by Edward Shaw, seconded by Robert Fields and made unanimous by Bruce Osborn to establish a one dollar per acre assessment on this ditch.

10:30 A.M.  
ALONZO TAYLOR  
DITCH

The Engineer opened the hearing on the Alonzo Taylor ditch by reading his report and making his recommendations to the Board. Those in attendance were: Lloyd Taylor and George Howey. Mr. Howey was representing the Marks farms. Both men were in favor of the establishment of a \$1.00 per acre assessment. Upon motion by Bruce Osborn, seconded by Edward Shaw and made unanimous by Robert Fields the Board moved to establish a one dollar per acre assessment.

11:30 A.M.  
JESSE A. CRIPE DITCH

The Engineer opened the hearing on the Jesse A. Cripe ditch by reading his report and making his recommendations to the Board. Attending the hearing were: Ralph Wise and Richard Welch both wanting the Board to establish a maintenance fund but felt the one dollar assessment was too high. The Surveyor assured the Board that this ditch was in good shape and that the \$0.50 per acre figure they were asking for would be adequate. (see below) \*\* Upon motion by Bruce Osborn, seconded by Robert Fields and made unanimous by Edward Shaw, the Board moved to establish a \$0.50 per acre assessment. \*\*Upon recommendation by the Co. Surveyor, the Board moved to reduce the assessment of Donald Brubaker in the S NE of Section 25, Township 24, Section 3 from 80A to 65A.

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

*Edward J. Shaw*  
Edward J. Shaw

*Robert Fields*  
Robert Fields

*Bruce Osborn*  
Bruce Osborn

ATTEST:  
*Gladys Ridder*  
Gladys Ridder, Exec. Secretary

## REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD APRIL 3, 1974

The Tippecanoe County Drainage Board met in regular session in the Tippecanoe County Court House in the County Commissioner's room at 9:00 a.m., on Wednesday, April 3rd 1974 with the following members present: Bruce Osborn, Edward Shaw, and Richard L. Smith, setting in for Robert Fields, A. D. Ruth, Jr., Fred Hoffman and Gladys Ridder.

INFORMAL MEETING AT  
9:00 a.m.

Mr. Audley Oshier came before the Board with a problem of a bridge across the McFarland ditch on his property. The construction of the bridge with no steel being used rendered the capacity of this bridge very poor. The Board told him they could not by law use any of McFarland's maintenance money to reconstruct a bridge and that they were sorry but the problem was his and the county could not help him. Mr. Allen Orr sent his request by Mr. A. D. Ruth to re-route a part of the Morin ditch on his farm, (he's buying on contract from Mary Sherwin). He had a need to get around a peat bog. The Board O.K.'d the re-routing if Mr. Orr would comply with Mr. Ruth's requirements.

Fred Blair ask Mr. Ruth to report his problem on a private tile being cut by a trailer park and then reconnected the tile above his tile. The Board said this was a matter for an attorney unless it was a branch of the Elliott legal drain and they would look into it.

J. KELLY O'NEALL  
MAINTENANCE HEARING  
9:30 a.m.

The Engineer opened the hearing on the J. Kelly O'Neill maintenance fund hearing by reading his report and asking the Board to include a spur as a part of the legal drain. Those in attendance were: Walter Holtman, Kiley Sterrett, Jr., William Richardson, Harley Roudebush and LaVaughn Crull. All those present were much in favor of a maintenance fund of one dollar per acre and the sooner the better. The ditch is in need of dredging but there was an open ditch that was not a part of the legal description that they all felt should be made a part of the legal ditch. Again the attorney said that to add another branch to the legal required a new hearing and another advertising for the benefit of all involved. Many felt that government moved too slowly and they would take it upon themselves to repair this part to be added and then appeal for the maintenance. The Board so moved to continue this hearing in June, 1974.

JOHN C. AMSTUTZ  
MAINTENANCE HEARING  
10:00 a.m.

The engineer opened the maintenance hearing on the John C. Amstutz by explaining to those there that the new hearing was called to add a part of Section 9 that had been omitted from the original assessment role. Those present were: Dale Remaly, Omer Murphy, Ralph Patrick, Hazel Temple and Robert Temple. Many of those present were of the opinion that their acreage assessment was in error. Mr. Ruth told the Board that he had been out there on at least three occasions and had asked for the help of the Soil and Water Conservation Service aerial photos to try and determine a proper assessment. He asked the Board to remove the assessment against Ralph H. & Shirley Patrick and Omer P. & Lorraine B. Murphy because their water went west. He also asked to reduce Mabel Martin's acreage from 6.49 to 2.50. The Board so agreed. Mr. Dale Remaly and Mrs. Temple felt Clarence Behringer's property should all have been assessed in this watershed instead of only half in the SE quarter of section four (4). Because this acreage needed to be added to the watershed and Mr. Behringer notified, the Board moved to establish a \$1.00 per acre assessment unless Mr. Behringer objected to the assessment and then a new hearing would be held in June, 1974.

ARTHUR RICKERD MAINTENANCE  
HEARING  
10:30

The Engineer opened the maintenance hearing on the Arthur Rickerd ditch by reading his report and making his recommendations to the Board. There were none of the landowners in this watershed present. As there are only seven people involved and because the Board takes the attitude that if no one remonstrates or attends it must mean that they are in agreement with the notice sent them. Mr. Edward Shaw made the motion to establish a \$1.00 per acre assessment, Mr. Richard L. Smith seconded the motion and Mr. Bruce Osborn made it unanimous.

## ORDER AND FINDINGS

After establishing a maintenance fund on the Arthur Rickerd ditch, the Board signed the Order and Findings and Certificate of Assessments.

## Willard Plumlee

Mr. Willard Plumlee came before the Board asking their permission to reroute that part of the County Farm Ditch that came through his farm for the purpose of making a small pond on his farm. The Board said they would not pay for any part of the re-routing out of the maintenance fund and would like to look the situation over before they gave any written consent.

The following orders were received to appoint a special member of the Board in Robert F. Fields place due to the fact of him being a property owner on two of the above ditches.

IN THE MATTER OF THE JOHN C. AMSTUTZ DITCH

ORDER

Comes now the Tippecanoe County Drainage Board by its Secretary, and certifies that it will be necessary to have a special member to act in the proceedings concerning the John C. Amstutz Ditch scheduled to begin on April 3, 1974, and being further advised finds in the premises that Richard L. Smith is a resident freeholder of the County and is qualified to act as a special member of the Board.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Richard L. Smith be and is hereby appointed a special member of the Tippecanoe County Drainage Board to serve as a special member in all proceedings concerning the John C. Amstutz Ditch.

/S/ Warren B. Thompson  
Warren B. Thompson  
Judge, Tippecanoe Circuit Court

IN THE MATTER OF THE ARTHUR E. RICKERD DITCH  
ORDER

Comes now the Tippecanoe County Drainage Board by its Secretary, and certifies that it will be necessary to have a special member to act in the proceedings concerning the Arthur E. Rickerd Ditch scheduled to begin on April 3, 1974, and being further advised finds in the premises that Richard L. Smith is a resident freeholder of the County and is qualified to act as a special member of the Board.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Richard L. Smith be and is hereby appointed a special member of the Tippecanoe County Drainage Board to serve as a special member in all proceedings concerning the Arthur E. Rickerd Ditch.

/S/ Warren B. Thompson  
 Warren B. Thompson  
 Judge, Tippecanoe Circuit Court

Upon motion made and carried the Board adjourned.

Richard L. Smith  
 Robert F. Fields, by Richard L. Smith

Bruce Osborn  
 Bruce Osborn

Edward J. Shaw  
 Edward J. Shaw

ATTEST:

Gladys K. Ridder  
 Gladys K. Ridder, Executive Secretary

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

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

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

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

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January 8, 1986 Regular Meeting Continued

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

986  
ASSESS-  
MENTS

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  
OUTH

WOODRIDGE SOUTH

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

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

JAMES  
KIRPATRICK  
DITCH

JAMES KIRPATRICK DITCH

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

MCLAUGHLIN  
DITCH

MCLAUGHLIN, JOHN DITCH

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

ELLIOTT  
DITCH

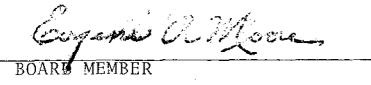
ELLIOTT DITCH

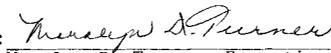
A hearing will be set sometime in 1986 for increasing maintenance fund on the Elliott ditch.

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

  
CHAIRMAN

  
BOARD MEMBER

  
BOARD MEMBER

ATTEST:   
Maralyn D. Turner, Executive Secretary

The Tippecanoe County Drainage board met Wednesday, August 6, 1986, at 8:30 A.M. in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, IN 47901

The meeting was called to order by Vice-Chairman Eugene R. Moore, others in attendance were: Sue W. Scholer, Board Member, Michael J. Spencer Surveyor, George Schulte Drainage Board Engineer, Fredrick Hoffman Attorney, and Maralyn D. Turner Executive Secretary, others in attendance are on file.

CHEKER COMMERCIAL SUBDIVISION

CHEKER  
COMMERCIAL

Richard Boehning attorney and John Fisher engineer for the project representing Imerial Marketing which has an interest and successor to Cheker Oil Company and Carl Ritchie a motel developer from Indianapolis, Indiana. Mr. Ritchie is interested in purchasing one lot of the two lots of the Cheker Commercial Subdivision. Property is located near the Cheker Oil company on State Road 26 East near Howard Johnson, legal description is: A Part of the NW¼ of the NW¼ of Sec. 25 Township 23, Range 4, Fairfield Township, Tippecanoe County. Drainage Plans were submitted to the Drainage Board in 1982 at that time the plans were approved, the project was dropped, now is is being reinstated. The basin subdivision plan is exactly the same as it was in 1982 with the exception that based on the recommendation of the Technical Highway Committee and the Area Plan Commission the road way has been substantially modified and upgraded in order to meet all requirements, this would have an impact on the drainage. Updated calculations have been furnished, the old calculations based on the 1982 plans were outdated because of the change in plan. Mr. Boehning has discussed the project with Michael Spencer Surveyor and George Schulte Drainage Engineer, today he is asking for preliminary approval of the drainage plans, in order to get final approval Mr. Schulte has ask that the developer submit a final site plan showing the parking lot, the motel site, elevations etc. so the drainage engineer can make a judgement as to the final approval.

Sue W. Scholer moved to give preliminary approval for the drainage on Cheker Commercial Subdivision, seconded by Eugene R. Moore, motion carried.

SHEPHERDS  
POINT  
SUBDIVISION

SHEPHERDS POINT SUBDIVISION

Al Buckley developer for Sheperds Point Subdivision at County Farm Road and 500 North, legal description: A part of East ½ of Section 31, Township 24 North, Range 4 W., Wabash Township, Tippecanoe County consisting of 3.43 acres. Mr. Buckley is asking for Drainage Board approval prior to the submission of the final plat for four lots. Mr. Moore askif he had any houses at the site, the answer is no, there are two houses, but they are out side of this particular area with this site and the other two houses already in the areas will make 6 (six) building sites. Mr. Spencer ask if they were contemplating going further with more building? Answer, if they would go further they would have to go through a major subdivision. Mr. Hoffman ask where the water was going to go from these four houses, answer-goes down the side ditches at the present time. Mr. Hoffman ask, will it increase the flow in the side ditch? Mr. Buckley feels that it will reduce the flow as it will be grassed. At the present time it is just farm land, water runs off of it immediately. Mr. Spencer stated technically it probably does since it is hard surface, adverse effect Mr. Spencer wasn't sure. Mr. Hoffman ask, is it going to cause erosion in the side ditch? Answer-NO, as the ditches are sodded. Mr. Hoffman feels that if they come back at a later time this project wouldn't be able to be incorporated in drainage plans. Mr. Schulte ask if this is still being farmed, answer-YES. Mrs. Scholer ask about the corner, the corner is being filled as dirt is excavated out from the houses in the area. This is at the very corner of 500 N and 50 W, which is the low spot, the developer has put a new breather in this section. County Farm tile which is a legal drain is further east. Mr. Spencer stated the water from this area runs down to Burnett's Creek that runs through the County Farm. The area is drained by an open ditch. Mr. Spencer and Mr. Schulte have no problems in giving approval. Mr. Hoffman stated that if the board gives approval they will not be able to correct rectoactive when they decide to so something with the other lots. If there is any problems to the side ditches is a concern of Mr. Hoffman. Mr. Buckley stated that the water for the area will have to eventually drain to the side ditches in any event. Mrs. Scholer ask if Mr. Spencer and Mr. Schulte were comfortable with the drainage that is going north, answer-YES(correction) Mr. Spencer stated this is the natural flow.

Sue W. Scholer moved to give approval for Sheperds Point Subdivision drainage subject to Michael J. Spencer surveyor, inspecting and approving the drainage, seconded by Eugene R. Moore, motion carried.

CRACKER BARREL, OLD COUNTRY STORE, INC.

CRACKER  
BARREL,  
OLD  
COUNTRY  
STORE,  
INC.

George Schulte representing H. Stewart Kline and Associates, Inc. presented drainage plans for the developer of Cracker Barrel, Old Country Store, Inc. location of property is East of I-65 on State Road 26 and Frontage Road, containing 1.7 acre. To analyse the storm drainage the plans were drawn to break into 3 basins, basin #3 is uncontrolled runoff which would run into side ditch along Frontage Road going down under a pipe, basin#2 would drain into an underground storage system basin#1 would drain into an underground storage system. The developer did not want to use the parking lot for storage and did not want to provide any detention storage above ground, therefore the only way to go with drainage would be underground. System is set up to storerunoff from a 100 year storm event, basin #1 has 2 underground pipes 66" diameter corrugated metal pipe perforated, water will drain through inlets into the pipe, then drain to a side ditch, same for basin#2 draining through a 30" corrugated pipe and eventually go to the Wildcat Creek, drains down through a gully to the creek. Mr. Moore ask if there was an underground storage there before? This is the first application that Mr. Schulte is aware of, basically it is the same theory as an open storage. Mr. Hoffman ask if there was some way to avoid the drainage through the side ditch? Mr. Schulte answered he doesn't know as it has been draining there at the present time. Ditches are quite deep in the area, reason for side ditches is to get surface drainage away. Drainage system will be maintained by Cracker Barrel. Man holes have been provided into underground system so they can get into to flush them out. Bottom of the pipe is lower than the outlet, reason for this is so the silt, sand etc. used for maintenance for the parking lot can be flushed out. Mr. Hoffman is concerned about side ditch, but Mr. Spencer stated the release rate complies with the ordinances. Mr. Schulte stated the peak runoff is being decreased into side ditch.

Sue W. Scholer moved to give final approval for the drainage plans for Cracker Barrel, Old Country Store Inc., seconded by Eugene R. Moore, motion carried.

ELLIOT  
DITCH

ELLIOT DITCH

Mr. Hoffman ask what had been done toward getting notices out on the Elliot ditch. This broughtup much discussion. Maintenance Fund for the Elliot Ditch is in the red in the amounty of \$45,946.26, and again it was explained as in previous minutes that the Drainage Board has every thing ready for the Data Processing department, but since they have had a big turn over in programmers we were holding up on mailings. Eugene Moore stated that he had been approached by Chamber of Commerce in regards to the Elliot ditch, he and Mr. Spencer had presented all information we have, the tax rate per Industrial, Agriculture, Lots, Local Business, Residential, and General Business. This is a big project, there is 7,500 acres in the watershed area. Question could we borrow from General Drain or would there be a possibilty to go to the State to get a grant? Mr. Hoffman is to check into getting a grant or a Cumulative Fund for the project. It was pointed out that the top farmers(Landowners) are the ones hurt by the holding ponds. The Elliot ditch is not a legal drain west of Nineth Street. Mr. Hoffman stated it should be a legal drain clear to the Wea Creek, matter of courtesy the board should contact the Department of Natural Resources. Mr. Hoffman would like for the Elliot to get on next years taxes. Current tax rate brings in about \$55,000.00 in one year with minimum assessment according to zoning based on runoff.

HOFFMAN  
DITCH

HOFFMAN DITCH

A hearing had been scheduled for the Hoffman ditch, but due to Carroll County not being able to advertise the legal ad, the hearing had to be postponed. A hearing is scheduled fro Wednesday, Spetember 10, 1986 at 9:00 A.M. Michael Spencer stated that our representative Bruce Osborn would be unable to attend because of illness,therefore he will talk with Bruce in regards to resigning and then another member will be appointed. Carroll and Clinton Counties have received letters of confirmation and instruction to put in their respective newspapers. This letter is on ifle.

MCCUTHEON  
HEIGHTS  
PART II

MCCUTHEON HEIGHTS PART II

Mr. John Fisher was not present. Michael Spencer surveyor stated that the board had construction plans for McCutheon Heights Part II, there were nine items presented to Mr. Fisher for requirementto meet ordinance standards, to this date they have not complied to the request. The nine items are:

1. Who is going to maintain the facility?
2. What is the flood elevation for Wea Creek as established by the flood insurance study?
3. Details for orfice plate and outfall structure from the detention basin.
4. Need professional seal on site grading plan and insection details and drainage study plan.
- 5.What datum was used to determine contour elevation?
6. Access to proposed detention basin for future maintenance?
7. Need to increase storage by 6% to comply with ordinance.
8. Should the energy dissipator have reinforcing steel?
9. Offsite Basin?

RIVER  
BLUFFS  
D

RIVER BLUFFS SUBDIVISION

Mr. Hoffman stated he opposed the boards decision of granting no detention basin. He ask for a copy of letter received from David M. Stevenson, he now has a copy. Mr. Hoffman wants to see letter for recording when received.

There being no further business to come before the board at this time, meeting adjourned at 10:00 A.M.

*Bruce V. Osborn* (Not Present)

*Sue W. Schuler*, Board Member

*Eugene A. Moore*, Board Member

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

TIPPECANOE COUNTY DRAINAGE BOARD  
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## January 6, 1988 Drainage Board Meeting Continued

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

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

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

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

Many questions need to be answered before action is taken.

## VALLEY FORGE

Valley Forge

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

## MEETING TIME CHANGE

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

## JOHN HOFFMAN DITCH

JOHN HOFFMAN DITCH

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

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

Mr. Hoffman conducted election of officers.

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

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

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

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

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

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

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

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

Mr. Spencer asked for questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Moore asked the feeling of the property owner.

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

Malcomb Miller supports Mr. Frey's statement.

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

Michael stated they would be maintaining what there is now.

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

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

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

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

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

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

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

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

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

Michael stated the grade can be checked.

Mr. Barr would agree to keep the water going.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Bruce V. Osborn*

Bruce V. Osborn, Chairman

*Sue W. Scholer*

Sue W. Scholer, Boardmember

*Eugene R. Moore*

Eugene R. Moore, Boardmember

ATTEST:

*Maralyn D. Turner*

Maralyn D. Turner  
Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
WEDNESDAY, JANUARY 4, 1989

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOFFMAN  
DITCH

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

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

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

*Eugene R. Moore*

Eugene R. Moore, Chairman

*Bruce V. Osborn*

Bruce V. Osborn, Board Member

*Sue W. Scholer*

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

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR Meeting January 3, 1990

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

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

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

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

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

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

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

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

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

Ditches that are In Active are: John Amstutz, Dempsey Baker, Nellie Ball, N.W. Box, Alfred Burkhalter, Floyd Coe, Grant, Cole, J. A. Cripe, Fannie Devault, Marion Dunkin, Jess 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 PARK

## ORCHARD PARK

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

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

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

The services that were included are:

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

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

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

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

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

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

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

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

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

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

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

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

**CARROLL COUNTY JOINT DRAIN**

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

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

Hubert Yount, seconded. Motion carried.

**DRAINAGE BOARD ATTORNEY CONTRACT**

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

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

Nola J. Gentry, seconded. Motion carried.

**ACTIVE AND INACTIVE DITCHES**

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

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

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

41 Johnson, E. Eugene	\$10,745.28	Inactive	Inactive
42 Kellerman, James	\$1,043.52	Active	Inactive
43 Kerschner, Floyd	\$1,844.20	Inactive	Inactive
44 Kirkpatrick, Amanda	\$2,677.36	Inactive	Inactive
45 Kirkpatrick, Frank	\$4,226.80	Active	Inactive
46 Kirkpatrick, James	\$16,637.76	Inactive	Active
47 Kuhns, John A	\$1,226.96	Active	Inactive
48 Lesley, Calvin	\$3,787.76	Inactive	Active
50 McCoy, John	\$2,194.72	Inactive	Inactive
51 McFarland, John	\$7,649.12	Active	Inactive
52 McKinny, Mary	\$4,287.52	Inactive	Inactive
53 Mahin, Wesley	\$3,467.68	Active	Active
54 Marsh, Samuel (Montgomery Co)		Inactive	Inactive
55 Miller, Absalm	\$3,236.00	Inactive	Active
56 Montgomery, Ann	\$4,614.56	Active	Inactive
57 Morin, F.E.	\$1,434.72	Active	Active
58 Motsinger, Hester	\$2,000.00	Active	Active
59 O'Neal, J. Kelly	\$13,848.00	Active	Active
60 Oshier, Aduley	\$1,624.88	Active	Active
61 Parker, Lane	\$2,141.44	Inactive	Active
62 Parlon, James	\$1,649.96	Inactive	Active
63 Peters, Calvin	\$828.00	Inactive	Inactive
64 Rayman, Emmett (White Co)		Active	Active
65 Resor, Franklin	\$3,407.60	Inactive	Active
66 Rettereth, Peter	\$1,120.32	Inactive	Inactive
67 Rickerd, 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. Motion carried, Commissioner Jones was elected.

APPOINTMENTS TO THE BOARD

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

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

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

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

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

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

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

1996 ACTIVE/INACTIVE DITCH LIST

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

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

1996 - ACTIVE/INACTIVE DITCH LIST

ACTIVE

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

INACTIVE

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

Commissioner Gentry mentioned the ditches that are in red:

COUNTY FARM, REBECCA GRIMES, FRANKLIN RESER, GUSTAV SWANSON

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

"December 29, 1995

Nola J. Gentry, President  
Board of Commissioners

Michael J. Spencer  
County Surveyor

Re: Interest on Drainage Funds

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

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

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

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

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

Sincerely,

Betty J. Michael"

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

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

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

#### APPROVAL OF MINUTES

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

#### BRENTWOOD COMMUNITY

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

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

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

#### SOUTHERN MEADOWS

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

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

Mr. Spencer explained the site drains to the pond.

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

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

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

#### VILLAGE PANTRY #564R

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

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

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

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

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

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

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

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

#### ALEXANDER ROSS DITCH EASEMENT REDUCTION

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

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

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

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

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

#### SANWIN APARTMENTS

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

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

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

Cuppy-McClure - update

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

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

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

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

DRAINAGE BOARD MINUTES      JANUARY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD  
 REGULAR MEETING  
 FEBRUARY 5, 1997

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

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

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

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

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

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

ACTIVE DITCH LIST 1997

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

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

INACTIVE DITCH LIST 1997

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

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

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

#### 1997 CONTRACTS

##### ENGINEERING CONTRACT

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

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

##### ATTORNEY CONTRACT

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

Commissioner Hudson read the paragraph that was added:

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

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

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

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

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

#### **OBSTRUCTION OF DRAINS**

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

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

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

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

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

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

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

#### MARCH DRAINAGE BOARD MEETING DATE

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

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

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

# TIPPECANOE COUNTY DRAINAGE BOARD

February 4, 1998

regular meeting

## **Those present were:**

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

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

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

## **MIKE MADRID COMPANY**

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

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

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

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

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

## **DRAINAGE BOARD 1998 CONTRACTS**

### **Attorney**

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

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

**Engineering Consultant**

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

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

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

**1998 ACTIVE AND INACTIVE DITCH LIST**

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

**ACTIVE DITCH LIST**

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

**INACTIVE DITCH LIST**

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

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

**OTHER BUSINESS**

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

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

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

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

**MINUTE BOOK**

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

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

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

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Ruth Shedd, President

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Shelli Muller, Secretary

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Kathleen Hudson, Vice President

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John Knochel, Member



# TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

**Those present were:**

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

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

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

ACTIVE

Delphine Anson Brown	Julius Berlowitz	Michael Binder	A.P.
Buck Creek Wetherhill	Train Coe	County Farm	Darby
Christ Fassnacht Hafner	Issac Gowen	Rebecca Grimes	Fred
E.F. Haywood Kirkpatrick	Harrison Meadows	Floyd Kerschner	Amanda
Frank Kirkpatrick McKinny	Calvin Lesley	John McFarland	Mary
Samuel Marsh Aduley Oshier	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 Tippecanoe County Drainage Board because of the outlet pipe into the **Elliott Ditch**. Mr. Fine informed the Board a DNR permit is pending for work in the floodway.

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

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

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

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Ruth Shedd, President

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Shelli Muller, Secretary

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Kathleen Hudson, Vice President

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John Knochel, Member

# TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

**Those present were:**

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

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

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

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

**CROSSPOINTE APARTMENTS SUBDIVISION**

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

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

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

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

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

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

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

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

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Steve Murray asked what is your construction schedule.

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

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

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

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

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

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

Mr. Luhman read the 2000 active and inactive ditch list

### ACTIVE

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

INACTIVE

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

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

**OTHER BUSINESS**

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

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

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

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

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

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

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

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

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

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

**CHICAGO TITLE INSURANCE COMPANY**

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

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

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

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Kathleen Hudson, President

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Doris Myers, Secretary

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John Knochel, Vice President

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Ruth Shedd, Member

**Tippecanoe County Drainage Board  
Minutes  
December 3, 2003  
Regular Meeting**

**Those present were:**

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

**Approval of November 5, 2003 Minutes**

KD Benson motioned to accept the November 5<sup>th</sup>, 2003 minutes as written. Ruth Shedd seconded the motion and the minutes were accepted as presented.

**Raineybrook Part 2 Section 2 Offsite Improvements**

Mr. Pat Jarboe from T-Bird Designs appeared before the Board to present Raineybrook Part 2 Section 2 Offsite Improvements and request final approval. The project was located on the north side of County Road 500 South between County Road 175 West and New U.S. 231 in Wea Township. Pat presented plans to the Board for reconstruction of the entrance road at Wharfside Parkway/Cardinal Drive. The reconstruction involved installation of four (4) curb inlets (for runoff collection from the road only) and the replacement of a 36-inch RCP culvert under Wharfside Parkway at County Road 500 South.

Utilizing the new GIS Website, Shelli Muller showed the location while Pat reviewed the project for the Board. Pat pointed out that the roundabout was located at the edge of the flood plain. It was noted the roundabout would indeed be a County maintained road. He informed the Board a permit was obtained from IDNR as required, and Soil Conservation Services was consulted. Pat added it would be very useful for flood plain information to be accessible on the County's Website. KD Benson stated that information would be added in the future. The Surveyor added the FEMA maps were not highly accurate, however there was specific flood plain information that would be added as part of the drainage layers or Area Plan's layers.

The Surveyor recommended final approval with conditions as listed on the December 4, 2003 Burke review memo. KD Benson motioned to grant final approval with conditions as stated on the December 4, 2003 Burke memo and Ruth Shedd seconded the motion. Raineybrook Part 2 Section 2 Offsite Improvements was granted final approval with the conditions as stated.

**Regal Valley Place Phase 2**

Alan Jacobson represented Cedar Run Limited and appeared before the Board requesting final approval for Regal Valley Place Phase 2. The project was a continuation of the construction of a private 2-lane roadway that connected Regal Valley Drive to County Road 150 East (South 18<sup>th</sup> Street). The site was located south of County Road 350 South and east of South 18<sup>th</sup> Street within the City of Lafayette. All of the stormwater facilities would outlet at the **J. N. Kirkpatrick Regulated Drain**. The Regulated Drain was undergoing reconstruction from a closed tile to an open ditch along the south boundary of the project.

The developer requested a waiver from the standard stormwater detention requirements. The construction included the installation of stormwater facilities to serve the undeveloped Lot 6 and a portion of Lot 5. A culvert would be installed where Regal Valley place crossed the east side along South 18<sup>th</sup> Street. A temporary swale constructed during Phase 1 would be continued with a southerly extension. Strategically placed catch basins were required. Alan stated the City was prepared to accept the construction plans as presented by the end of the week.

The Surveyor stated that Alan was aware detention storage may be required as the site developed depending on the impervious area. In response to the Surveyor's request, an additional forty feet (40') immediately north of the North bank's seventy-five foot (75') Drainage Easement was provided. It would be indicated as a Drainage, Utility and Landscape Easement on the final plat. A total of twenty feet (20') within the forty feet (40') Easement is for drain maintenance access.

The Surveyor recommended final approval to the Board with the conditions stated on the December 5, 2003 Burke memo and those indicated today. KD Benson moved to grant a waiver for the standard stormwater detention requirements for Regal Valley Place Phase 2. Ruth Shedd seconded the motion and the waiver for the standard stormwater detention requirements for Regal Valley Place Phase 2 was granted. KD Benson also moved to give final approval with the conditions as stated and those noted on the December 5, 2003 Burke memo. Ruth Shedd seconded the motion and Regal Valley Place Phase 2 was granted final approval with the conditions as noted.

## **Steve Murray**

### **Berlowitz Drain**

Hawthorne Meadows Subdivision and Hawthorne Lakes Subdivision were located within the Berlowitz Regulated Drain watershed area. Berlowitz, currently a tile, also contains the Felbaum branch. He reminded the Board a preliminary list was presented to them in January of 2003 which listed the Berlowitz as an urban drain in need of reconstruction. Resulting from studies done by Burke in the late 1980's and early 1990's it was determined the drain would need to be reconstructed from an agricultural tile to an open channel with a series of regional detention ponds. Designs were in place for the reconstruction and regional detention. With the design in place, funding was being looked at.

Section 18 of the Drainage Ordinance allow the Board to classify certain areas as Impact Drainage Areas. He then read Section 18 to the Board. The Surveyor requested permission to pursue the preparation of a resolution in accordance with this section for Berlowitz. Based on current estimates and the amount of acre-feet of storage, it appeared the contribution for detention storage for the developments in this area would be in the range of \$15000.00 to \$18000.00 per acre-foot. The exact dollar rate would be determined from bids. **F-Lake's** current rate was set at \$15000.00 per acre-foot. KD Benson and Ruth Shedd gave the Board's approval to move forward on the preparation of a resolution in accordance with Section 18 of the Drainage Ordinance.

### **Hawthorne Meadows Subdivision**

Brandon Fulk from the Schneider Corporation appeared before the Board requesting final approval for Hawthorne Meadows Planned Development. The project was located on the west side of County Road 550 East, south of County Road 50 South. The project contained 178 residential lots on approximately 43 acres. The site drainage was southward into the **Berlowitz Regulated Drain**. As the development was designed with no onsite detention, storm water runoff from the development would drain into one of the proposed Regional Detention Basins to be constructed along the southern property boundary. As stated previously by Mr. Murray the Berlowitz Drain would undergo future reconstruction and the basins were part of that plan. A portion of the site would discharge into storm inlets previously constructed with the Arlington Commons Development along the north boundary line of the site. Catch Basins would be located to decrease debris to the basin.

Brandon stated they would present the construction of the project in phases as a contingency plan in the event the portion between County Road 550 East and I65 was not constructed at the same time as the **Berlowitz project**. The hope was that both would be constructed simultaneously. Therefore he would present the overall project in 3 (three) Sections. Mr. Fulk requested final approval for Sections 1 (one) and 2 (two). Section 1 (northwestern part of the project) contained 66 lots and 49 lots south of Section 1 was designated as Section 2. He then requested preliminary approval for the entire project noting he would return for the Board's final approval of Section 3 at a later date.

In response to KD's inquiry, the Surveyor stated the outlets for the above project were contingent on the Berlowitz project. He felt a portion of the **Berlowitz** reconstruction potentially could start next year. **Berlowitz Ditch** bordered the project on the Southeast. While the plan and partial funding were in place, a funding review was ongoing as this was approximately a \$5,000,000.00 project. He stated they would like to start the section between I65 and 50 South. The Surveyor stated the December 9<sup>th</sup>, 2003 Burke Review Memo covered all concerns and would be addressed during the construction phases. Mr. Fulk then confirmed the 4.13-acre foot of storage indicated on the plans was for the entire development. Construction was anticipated to start in the spring of 2004 and the site would be accessed from South Brookfield Drive. The Surveyor recommended final approval for Hawthorne Meadows Section 1 and 2 with the conditions as stated on the December 9, 2003 Burke memo in addition to recommending preliminary approval of the overall Hawthorne Development.

KD Benson motioned to grant final approval for Sections 1 and 2 of Hawthorne Meadows Subdivision with conditions stated on the December 9, 2003 Burke Memo as well as preliminary approval of the overall Hawthorne Development. Ruth Shedd seconded her motion. Hawthorne Meadows Section 1 and Section 2 was granted final approval with the conditions as stated on the Burke December 9, 2003 Memo. Hawthorne Meadows overall Planned Development was granted preliminary approval as well.

## **Hawthorne Lakes**

Brandon Fulk of the Schneider Corporation appeared before the Board to request final approval of the Hawthorne Lakes Subdivision. The project was located on 43 acres east of County Road 550 East and north of the future extension of McCarty Lane. The project contained 178 residential lots. No onsite detention would be provided. The **Felbaum Regulated Tile Drain** crosses the site. The drain would be relocated and routed around the newly developed subdivision parallel to its east and north property lines before outletting into the **Berlowitz Regional Detention Basin**. As with the Hawthorne Meadows project, catch basins would be placed strategically to reduce debris.

The western half of the project would be developed first. This included a main trunk line that would service the entire site, which tied into the **Berlowitz** Basin. Mr. Fulk stated Schneider Corp. and the Surveyor have been working together on the relocation of tile. He then requested final approval along with approval for relocation of the Felbaum Regulated Tile.

In response to KD's inquiry, a waiver would not be required, as the **Berlowitz** Detention facility would be utilized if in place or the developer would have to provide temporary detention storage. As part of the conditions, payment would be required for the use of the **Berlowitz** Detention facility for both Hawthorne Lakes and Hawthorne Meadows.

The Surveyor recommended final approval with the conditions as stated on the December 9, 2003 Burke memo and to include payment for detention storage if needed. KD Benson made the motion to grant final approval for Hawthorne Lakes Subdivision with the conditions stated on the December 9, 2003 Burke memo and the condition of payment for detention storage. Ruth Shedd seconded the motion and final approval was granted.

## **Steve Murray**

### ***Winding Creek Section 1 Relocation of Legal Drain Easement***

The Surveyor informed the Board repair work had been done recently on the **County Farm Regulated Drain**. While doing the repair, it was discovered a branch of the drain cuts through the very southwest corner of Winding Creek Section 1 Subdivision. Upon review of the file, it was found that the final plat of Winding Creek Section Subdivision did not indicate the **County Farm's tile Easement**. In addition, no request for reduction of Easement was found. After discussion with the developer and Mr. Coutts, a plat was prepared to indicate the location and reduction of Regulated Drain Easement for Lots 45, 46 and 47 in Section 1 and the reduction from seventy-five foot (75') half width Easement to fifteen feet (15') on the Northeast side. A legal description was also provided. Once the reduction was granted, an Easement dedication to the Drainage Board for public record would be submitted. The Surveyor recommended to the Board grant the reduction of the Regulated Drain Easement for the **County Farm Regulated Drain** as shown on the survey from C&S Engineering. The Easement reduction pertained to Lots 45, 46 and 47.

KD Benson moved to approve the reduction of the **County Farm Legal Drain Easement** on Lots 45,46 and 47 in Winding Creek Subdivision Section 1 as reflected on the December 5, 2003 Survey provided by C&S Engineering.

## **OTHER BUSINESS**

### **2004 Drainage Board Meeting Dates**

The Board was presented with a list of Drainage Board meeting dates in 2004. The dates reflected the first Wednesday of each month at 10:00 a.m.

KD Benson motioned to approve the list with the revision of the December 1 to December 8<sup>th</sup>. (This was due to the 2004 Commissioners Conference.) Ruth Shedd seconded the motion to adopt the Drainage Board Meeting Dates as noted.

The following dates were adopted:

January 7, 2004

February 4, 2004

March 3, 2004

April 7, 2004

May 5, 2004

June 2, 2004

July 7, 2004

August 4, 2004

September 1, 2004

October 6, 2004

November 3, 2004

December 8, 2004

#### **Public Comment**

Alan Jacobson thanked the Board for their service this past year and stated he looked forward to working with them in the future. Pat Jarboe shared his enthusiasm with the new County GIS website's availability and looked forward to the future addition of layers such as the flood plain information.

With no other business before the Board, Ruth made the motion to adjourn. The meeting was adjourned

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Ruth E. Shedd, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**April 7, 2004**  
**Regular Meeting**

**Those present were:**

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

**Approval of March 3, 2004 Minutes**

KD Benson motioned to approve the minutes of the March 3, 2004 regular meeting and minutes of the March 3, 2004 Obstruction Hearing as written. Ruth Shedd seconded the motion and the minutes of the March 3, 2004 regular meeting and the Obstruction Hearing minutes were approved as written.

**Tippecanoe Shoppes Subdivision Lot 1**

Steve Murray stated this was a new lot in the Meijer area inside the city of Lafayette's limits. The concern was it discharged into a pond, which was part of the Alexander Ross Regulated Drain. While the submitted plan was reviewed by the Surveyor's office, the intent was not to present it to the Drainage Board. The pond was designed originally to handle future development and based upon the submittal, the original drainage plan for the Meijer property was followed. KD Benson made a motion to withdrawal Tippecanoe Shoppes from the agenda. Ruth Shedd seconded the motion. The motion was granted.

**Avalon Bluffs Section 1**

Brandon Fulk from the Schneider Corporation appeared before the Board to request a variance on the post-developed release rates and final approval for Avalon Bluffs Subdivision Section 1. This section was a part of the overall Avalon Bluffs Development. In addition to Section 1, a conceptual plan was submitted for the overall development.

The project was located on the south end of the County, east of County Road 250 East (Concord Road) between County Roads 450 South and 500 South. Benjamin Crossing Development was located directly north of this site. Brandon stated there were five (5) separate off-site release points for the overall development. The northern portion of the site drained to the Kirkpatrick Regulated Drain watershed and the southern portion of the site drained to the Kenny Ditch, which was a part of the Wea Creek Watershed. Brandon pointed out that a private tile in the northwest corner of the site would not be used for discharge. The proposed site would have three discharge points. Section 1 and Section 2 discharge point was located in the northeast corner with a minimal of direct discharge and utilized a detention pond. The outlet ran parallel to and conveyed under County Road 450 South and continued approximately 350 feet (350') east to Benjamin Crossing Development's site. Section 3 was in the conceptual stage at this point, and would drain to the south. Brandon stated the developer was aware of the surrounding landowner's concerns regarding the existing pond and ecosystem south of 500 South. The developer had directed Schneider to be proactive in meeting those concerns. All downstream owners would be contacted when they were closer to developing that portion of the site. A meeting would be held with the landowners for review of the plans.

Brandon stated they conferred with the conditions on the April 2, 2004 Burke memo, but did need to clarify #4 regarding the variance for the post development runoff deviation. When Benjamin Crossing Development was analyzed, basins W1 and W2 were one basin. That basin was split in two and the methodology was revised. A model of the total system to include the Benjamin Crossing site would be documented to show no adverse impact on the adjoining landowners by the decision to split the basin. He stated the Surveyor's office request for signage and boat ramp accessibility would be provided.

The Surveyor recommended granting a variance for the direct discharge into the Benjamin Crossing storm system. The discharge would not be on a downstream landowner. The developer had control of the property, which would receive the discharge, and the storm system was designed to handle it. Dave Eichelberger informed the Board; the increase occurred when you compared the ten-year post developed to the two-year pre developed which was the first stage and the second stage was one hundred year to the ten year.

Steve felt it would be prudent to grant the variance subject to the Surveyor's office final review. KD Benson motioned to grant the variance request subject to the condition as stated by the Surveyor. Ruth Shedd seconded the motion and the variance was granted. Steve stated he was prepared to recommend final approval with the conditions as stated on the April 2, 2004 Burke memo as well as the rerouting the Kirkpatrick Regulated Drain around the detention pond at the northeast side of the Benjamin Crossing development, including the installation of two ten inch (10") pipes for outlets and correction of the erosion and sediment problems at the conspan located at Concord Road and Kirkpatrick Ditch. Brandon stated they concurred with that. KD Benson motioned to grant final approval with the conditions noted on the April 2, 2004 Burke memo in addition to those noted by the Surveyor. Ruth Shedd seconded the motion. Avalon Bluffs Section 1 was granted a direct discharge variance and final approval with conditions. Those conditions were noted on the April 2, 2004 Burke memo, as well as rerouting the Kirkpatrick Regulated drain, installation of two ten inch (10") outlets for the pond in the northeast corner of the Benjamin Crossing development and erosion and sediment correction.

### **Boothe Farms Subdivision**

Robert Gross of R.W. Gross and Associates represented Greg Sutter and appeared before the Board to request a variance of the standard stormwater detention requirements and final approval for the Boothe Farms Subdivision project. The site consisted of ten and one tenth (10.1) acres located on the north side of County Road 700 North about one fourth (1/4) mile east of County Road 775 East in Washington Township and would contain five (5) residential lots. Wentworth Lane, a twenty-foot (20') wide paved road, would provide access from County Road 700 North. Most of the site discharged to an existing open ravine at the northwest corner of the property, then approximately three fourths (¾) of a mile north to the Wabash River. A 24" culvert conveyed runoff from the northeastern portion of the site to the west side of Wentworth Lane and eventually discharged into the ravine through a stormwater swale. Due to the amount of runoff from the site, a variance was requested. When modeling the project small changes were noted on the existing conditions to the proposed conditions. The runoff would increase slightly. The two-year runoff was increased from 21 cfs to 23 cfs, ten-year from 42 cfs to 46 cfs, and the 100-year from 71 cfs to 80 cfs. A rock dam to minimize erosion would be installed at the most upstream portion of the open ravine.

The Surveyor recommended granting the variance subject to the installation of riprap to help stabilize the ravine in addition to a covenant to restrict the amount of impervious area. KD Benson made a motion to grant the waiver subject to the Surveyor's conditions. Ruth Shedd seconded the motion and the variance was granted. The Surveyor recommended final approval with conditions as stated on the April 2, 2004 Burke memo. KD Benson motioned to grant final approval with the conditions stated on the April 2, 2004 Burke memo. Ruth Shedd seconded the motion. Boothe Farms Subdivision was granted final approval with the conditions stated on the April 2, 2004 Burke memo.

### **OTHER BUSINESS**

#### **Revised NPDES Phase II Stormwater Quality Management Plan and Permit Contract**

The Surveyor presented to the Board a revised NPDES Phase II Stormwater Quality Management Plan and Permit contract with Christopher B. Burke Engineering for additional fees. The cost was shared between Tippecanoe County, City of Lafayette, City of West Lafayette and Purdue University. When the original contract was executed approximately two years ago, Rule 13 was not finished and deadlines were moved back. The NPDES project team had reviewed the revision to the contract. The cost covered additional meeting attendance, technical guidance through the process, development assistance of the Phase II website (program requirement), as well as reformatting the individual ordinances into one comprehensive ordinance. Tippecanoe County's portion of the revised contract amount would be \$22,000.00, City of Lafayette's \$16,000.00, City of West Lafayette's \$12,000.00, and Purdue University's portion would be \$10,000.00. The two cities and the University were in the process of executing the revision at the present time. As the monies were available, the Surveyor recommended granting the increase in the contract for Phase II with Christopher B. Burke Engineering. KD Benson motioned to approve the contract revision with Christopher B. Burke Engineering and Ruth Shedd seconded the motion.

**Winding Creek Section 1/Reduction of Drainage Easement/ County Farm Regulated Drain**

A request to modify the Legal Drain Easement of the County Farm Regulated Drain had been received by the Surveyor’s office for a part of Lots 45 and 46 of Winding Creek Section 1 Subdivision. The request involved the reduction of the current seventy-five feet (75’) Easement to fifteen feet from the centerline of the tile across lots 45 and 46 in Winding Creek Section 1 Subdivision. Dave Luhman had reviewed the request and stated since the parties had not signed it, the Board should approve the form itself. Once the parties submitted a signed request the Board could then sign it. KD Benson moved to approve the form and authorize the signing of the Easement once received with proper signatures. Ruth Shedd seconded the motion and the modification of the Legal Drain Easement was granted once the proper signatures were obtained.

**Boland Heights/ Reduction of Easement/ Branch 1 of Branch 4 of S.W. Elliott Regulated Drain**

The Surveyor presented a request to modify the Regulated Drain Easement for a portion of Branch 1 of Branch 4 of the S.W. Elliott Regulated Drain located in Boland Heights Subdivision. The requested modification was to reduce the existing seventy-five feet (75’) from the tile’s centerline to fifteen feet (15’) each side of the centerline of the tile for a total of a thirty-foot (30’) overall Easement. The portion of the Branch in question was located in Section 17, Township 22 North and Range 3 West and also a part of tract fourteen (14) and nineteen (19), as shown on the Plat of Survey recorded Document Number 98-06220.

KD Benson motioned to grant the Easement Reduction as presented by the Surveyor. Ruth Shedd seconded the motion and an Easement Reduction for a portion of Branch one (1) of Branch four (4) of the S.W. Elliott Regulated Drain was granted as presented to the Board by the Surveyor.

As there was no other business before the Board, KD Benson motioned to adjourn. Ruth Shedd seconded the motion and the meeting was adjourned.

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John Knochel, President

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KD Benson, Vice President

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Brenda Garrison, Secretary

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Ruth Shedd, Member

**Tippecanoe County Drainage Board**  
**Minutes**  
**February 2, 2005**  
**Regular Meeting**

**Those present were:**

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

**Approval of January 5, 2005 Minutes**

John Knochel stated the January 5, 2005 minutes reflected his attendance. As he was absent for that meeting, he made a motion to approve the minutes with a correction indicating his absence. KD seconded the motion and the January 5, 2005 Drainage Board Regular minutes were approved with the correction as stated.

**Comprehensive Stormwater Management Ordinance**

Steve Murray updated the Board regarding compliance with the Federal Clean Water Act through Rule 13 and Rule 5 in Indiana. Part C was to be filed November 4, 2004. However an extension was requested and IDEM (Indiana Department of Environmental Management) granted an additional ninety days. February 4, 2005 was the extended deadline. IDEM granted an additional thirty-day extension. The filing deadline of Part C was now March 4, 2005. The following entities were on track to adopt and pass the Comprehensive Stormwater Management Ordinance in accordance with the federal guidelines; Lafayette, West Lafayette, Dayton and Battleground, as well as Tippecanoe County. Cost sharing was utilized between the entities.

The ordinance was patterned off of the existing Stormwater Ordinance, which addressed stormwater quantity. Provisions were added to address stormwater quality, and the various control measures as required by the aforementioned rules. A steering committee, project team and subcommittee reviewed technical standards. The Surveyor stated a majority of the local engineering companies were included in this process. Implementation of the federal guidelines had been a two to three - year process. The Drainage Board Attorney and Surveyor reviewed the ordinance and made appropriate corrections. The Surveyor stated he felt the ordinance was a good product for the community.

Pat Jarboe approached the Board and asked when the ordinance would be implemented and what would be the length of the interim period. The Surveyor stated he was unable to answer, as it was a federal mandate and would depend on legal aspects of the federal guidelines. The Surveyor felt once the ordinance had passed both readings, it would take precedence over the existing ordinance at that time. Copies of the proposed ordinance were available for public review at this time. It was discussed whether it should be on the web page, however the Surveyor felt it should be available by CD at this time only.

At that time, the Surveyor presented Ordinance No. 2005-04-CM amending Tippecanoe County Code, repealing Section 155.01, and adding the new Section 155.01 Comprehensive Stormwater Management Ordinance. Exhibit A was the Stormwater Ordinance guidelines as well as the Technical Standards Manual. John Knochel made a motion to approve and pass Ordinance No. 2005-04-CM on first reading. KD Benson seconded the motion. The following voted as indicated: KD Benson- yes, John Knochel-yes, Ruth Shedd-yes. Ordinance No. 2005-04-CM regarding Comprehensive Stormwater Management was passed on first reading unanimously. It was agreed to place the ordinance on the next Drainage Board meeting agenda for the second reading, followed by a Special Commissioners' Meeting for a second reading also.

**Water Safety Committee**

Mike Wylie of Schneider Engineering approached the Board as a member of the previously established Water Safety Committee. He stated he was in attendance to today give an update to the Board on the Committee's progress. The committee was formed to look at public safety issues, both in design and education. A design subcommittee and an educational (outreach to schools etc.) subcommittee were formed out of the main committee members. Mike stated he would like to review the outcome of these committees at the next Drainage Board meeting in March. A Power point presentation would likely be made at that time. The Surveyor stated safety recommendations from the subcommittee were included in Ordinance No. 2005-04-CM. The Surveyor also stated Mike would be added to the March meeting Agenda of the Drainage Board.

## **Other Business**

### **Classification of Drains**

In accordance with I.C. 36-9-27-34, the Surveyor presented a Report of Drains to the Board. The report listed classification of drains, drains in need of reconstruction, urban drains, drains in need of periodic maintenance, and drains with insufficient maintenance funds. He then reviewed the report for the Board. (A copy of which would be included in the official minutes book.)

*Drains in need of Reconstruction:* He stated reconstruction for the Berlowitz Drain was in the initial process. He noted an informal meeting regarding the Jakes Ditch had been held this past year with the benefited landowners. The original tile had eroded out and an open ditch had been created at the lower end. The upper end of the tile was exposed. Elliott Ditch had been a part of an ongoing planning process, specifically Branch #11 and the F-Lake detention facility behind Ivy Tech. Branch #11 of S.W. Elliott Ditch had been designed and would go to construction in the near future. J.N. Kirkpatrick's lower end had been reconstructed. In anticipation of a large industrial park near the upper end, a preliminary plan was in place for reconstruction from Concord Road to 450 East for the J.N. Kirkpatrick. Investigation of the Anson drain had been done. It was anticipated the drain would be presented for reconstruction or an assessment rate increase sometime this year. The J.B. Anderson, which served Clarks Hill, had another round of flooding the past couple of weeks. The Frank Kirkpatrick drain was also in need of reconstruction.

*Urban Drains:* In accordance with Indiana Code, the Surveyor designated drains that are in need of reconstruction and served an urban or urbanized area as Urban Drains. The drains listed were: S.W. Elliott, Berlowitz, J.N. Kirkpatrick, and the Alexander Ross which ran roughly behind the Super Wal-Mart located on S.R. 26.

*Drains in need of Periodic Maintenance:* The D. Anson, J. Blickenstaff, A. Brown, Burkhalter, T. Coe, County Farm, C. Daugherty, M. Dunkin, T. Ellis, M. Erwin, R. Grimes, F. Haffner, E.F. Haywood, L. Jakes, F. Kerschner, A. Kirkpatrick, F. Kirkpatrick, C. Lesley, F.E. Morin, H. Mottsinger, F. Resor, M. Southworth, J. Vvannata, and the H.B. Wallace were all drains listed in need of periodic maintenance. The Surveyor stated for the most part, these drains had their assessment rates set in the late 1960's. The present and future costs of construction projects required an increase of assessment rates from roughly \$1.00 an acre closer to \$2.00 - \$3.00 an acre, for adequate maintenance. KD Benson requested a GIS presentation of the drains listed on the report in the near future as time permits. John Knochel made a motion to accept the 2005 Report of Drains submitted by the Surveyor. KD Benson seconded the motion and the Board accepted the 2005 Report of Drains as submitted by the Surveyor.

The Surveyor presented Tippecanoe County Drainage Board Resolution No. 2005 – 01-DB to the Board for their approval. In accordance with I.C. 36-9-27-42, the Resolution increased assessments by twenty-five percent (25%) for the following drains: J. Blickenstaff, A. Brown, T. Coe, C. Daugherty, M. Dunkin, T. Ellis, M. Erwin, F. Haffner, F. Kerschner, A. Kirkpatrick, C. Lesley, H. Wallace, and S. Yeager. The drain had an insufficient maintenance funds in place. The Surveyor stated either the tile was in need of a significant amount of maintenance, or cleanout of the open ditch was warranted. He stated every ten to twelve years an open ditch should be cleaned out. In response to K.D.'s inquiry, the Surveyor stated a letter would be sent to White County regarding their acceptance of the proposed assessment increase of the Andrew Brown Joint Drain. John Knochel made a motion to adopt Resolution No.2005-01-DB as presented. KD. Benson seconded the motion. The Board adopted Resolution No.2005-01-DB, a Resolution Increasing Assessments for the Periodic Maintenance of Regulated Drains.

### **Maintenance Bonds**

*Prophets Ridge Phase 1 / Prophets View Subdivision Phase 1 / Paramount Lakeshore Subdivision*

The Surveyor presented the following three Maintenance Bonds for acceptance; Maintenance Bond No.4175907 in the amount of \$37,060.00 for Prophets RIDGE Subdivision Phase 1 from Fairfield Contractors, Maintenance Bond No. 69839855 in the amount of \$2000.00 for Prophets VIEW Subdivision Phase 1 (located on Pretty Prairie Road) from Norma G. & Rita A. Deboy, and Maintenance Bond No. 400TF4545 in the amount of \$23, 329.70 for Paramount Lakeshore Subdivision from Milestone Contractors. The Surveyor stated the subdivisions had been completed and approved. John Knochel made a motion to accept the three Maintenance Bonds as presented by the Surveyor. K.D. Benson seconded the motion. The Drainage Board accepted the aforementioned Maintenance Bonds.

**Professional Engineering Services for Engineering Review Contract**

The Surveyor presented the annual contract from Christopher B. Burke Engineering for professional engineering review service. The cost of their service was in turn billed to the developer of projects submitted for review. Dave Eichelberger from Christopher B. Burke Engineering stated the rate per hour was raised from \$70.00 per hour to \$75.00 per hour. John Knochel made a motion to approve the contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD. as presented. K.D. Benson seconded the motion. The contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD. was approved as presented to the Board.

**Lewis Jakes Ditch**

While researching the status and condition of Jakes Ditch, it was discovered the Drainage Board approved a rate increase from \$1.00 an acre to \$2.00 an acre in April of 1983. Research indicated the present assessment of \$1.00 per acre was never changed accordingly. After conferring with the Board’s attorney, it was agreed the rate of \$2.00 per acre set in the April 1983 meeting was valid. The Surveyor requested a formal vote in order for the increase to be activated by the Auditor’s office. John Knochel made a motion to approve the \$2.00 per acre assessment rate as set in the April 1983 Drainage Board meeting. In addition the said rate be in effect starting with the 2005 tax season. K.D. Benson seconded the motion. The Lewis Jakes Regulated Drain assessment of \$2.00 per acre was formally approved beginning with the 2005 tax season.

**Public Comment**

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

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Ruth Shedd, Vice 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**  
**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**  
**January 7, 2009**  
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

**Approval of Minutes**

John Knochel called the meeting to order. David Byers made a motion to approve the December 2, 2008 Regular Drainage Board minutes as written. Thomas Murtaugh seconded the motion. The December 2, 2008 Regular Drainage Board meeting minutes were approved as written.

**Election of Officers**

Drainage Board Attorney David Luhman opened the floor for the election of officers. David Byers nominated Thomas Murtaugh as President. John Knochel seconded the nomination. There were no other nominations. Thomas Murtaugh was elected President for the 2009 Drainage Board. John Knochel nominated David Byers as Vice President. Thomas Murtaugh seconded the nomination. There were no other nominations. David Byers was elected Vice President for the 2009 Drainage Board.

**Appointment of Drainage Board Attorney**

John Knochel made a motion to appoint Hoffman Luhman and Masson as Drainage Board legal counsel. David Byers seconded the motion. The Surveyor recommended signing the 2009 Legal Services contract presented by Hoffman Luhman and Masson. David Byers made a motion to accept the contract as presented. John Knochel seconded the motion. The firm of Hoffman Luhman and Masson was appointed the 2009 Drainage Board Legal Counsel.

**Appointment of Executive Secretary**

John Knochel made a motion to appoint Brenda Garrison as Drainage Board Secretary. David Byers seconded the motion. Brenda Garrison was appointed the 2009 Drainage Board Secretary.

**McCutcheon H.S. Advanced Studies Addition**

Patrick Williams and Pat Jarboe representing TBird Designs appeared before the Board to request final approval for the McCutcheon H.S. Advanced Studies project. The High School was located north of the intersection of C.R. East 500S and Old US 231 on the east side of Old US 231. A 30,000 square foot advanced studies center with parking and sidewalk was planned. The Advanced Studies Center would be constructed on the east side of the existing High School replacing an exiting parking area. A parking lot expansion on the southwest corner of the High School was planned as well. Pat Williams noted a Master Drainage Plan was completed in Dec. 2004. Improvements for McCutcheon Campus and the Mayflower Elementary School were anticipated at that time. The Stormwater infrastructure would outlet to Wea Creek located immediately east of the site. Stormwater detention was not necessary, primarily due to the size of the watershed and the allowance of direct release. Improvements would drain into an existing stormceptor unit and receive Stormwater quality treatment. The parking lot on the east side of the existing south parking lot would drain overland across the existing practice fields from west to east entering an existing vegetated swale heading north and ultimately drain to the Wea Creek. Pat stated they concurred with the January 2, 2009 Burke memo and requested final approval with the conditions as stated on the Jan. 2, 2009 Burke memo. Responding to David Byers, the Surveyor reiterated the school corporation had prepared a master plan for both McCutcheon and Harrison Campuses previously and they had anticipated Stormwater quality and quantity for the future. Responding to John Knochel's inquiry, the Surveyor noted a number of existing schools were constructed prior to the new Stormwater Ordinance. (Pat Jarboe noted there was a small portion of the southwest corner of the McCutcheon campus which flowed to the west.) There was no public comment. The Surveyor recommended final approval with the conditions as stated on the January 2, 2009 Burke memo. David Byers made a motion to grant final approval with conditions as stated on the January 2, 2009 Burke memo for the McCutcheon H.S. Advanced Studies project. John Knochel seconded the motion. The McCutcheon H.S. Advanced Studies project was granted final approval with conditions as stated on the January 2, 2009 Burke memo.

## **Other Business**

### **2009 Drainage Board Meeting Dates**

David Byers made a motion to approve the 2009 Drainage Board meetings dates as presented with the exception of moving the July meeting date to July 15, 2009. John Knochel seconded the motion. There was no public comment. The 2009 Drainage Board meeting dates were approved as follows: February 4th, March 4th, April 1st, May 6th, June 3rd, July 15th, August 5th, September 2nd, Oct. 7th, Nov. 4th, Dec. 2nd, 2009 at 10:00 am.

## **Steve Murray**

### ***Petitions:***

#### ***Lafayette Meadows PD***

The Surveyor stated he had several petitions to present to the Board. The first was a Petition to Encroach on the Alexander Ross Regulated Drain submitted by Residential Care XII LLC. The project (Lafayette Meadows) had previously received approval with conditions. He explained the new facility would have a detention pond to the north which would encroach on the Alexander Ross Regulated Drain. They would be replacing the existing tile with new and there would be a berm between the two ponds so there would be protection for the Regulated Drain. They would relocate a small portion of the said drain to the west of their site as well. The Surveyor then recommended the acceptance of the **Petition to Encroach on the Alexander Ross Regulated Drain**. Brandon Fulk with Schneider Corporation approached the Board and reviewed the project site and the Ross Regulated Drain location on the site utilizing GIS. He stated he had met with the existing landowners involved and they had waived their rights to the portion of the drain involved. (Letters waiving their rights were included with the petition's supporting documents) A **Petition to Vacate Alexander Ross Regulated Drain Branches 8, 9, and a portion of Branch 10** was submitted for acceptance by the Board. The Surveyor noted this was predicated on the fact the individuals upstream were releasing their right to the drain tile. The Surveyor stated he was satisfied granting the encroachment would not cause any hardship for drainage as far as Alexander Ross Regulated Drain was concerned. He stated this project was located within the City of Lafayette and the Board was reviewing the drainage portion only to include any regulated drains. The Surveyor recommended the Board approve the Petition to Encroach on the Alexander Ross Regulated Drain. David Byers made a motion to accept the Petition to Encroach on the Alexander Ross Regulated Drain for Lafayette Meadows PD. John Knochel seconded the motion. **The Petition to Encroach on the Alexander Ross Regulated Drain** was approved as submitted. The Surveyor then presented a **Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated Drain** to the Board for approval. David Byers made a motion to approve the Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated drain with the stipulation a signed revised petition would be submitted for recording. John Knochel seconded the motion. There were no objections. A signed revised Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated drain was approved by the Board.

#### ***Indiana American Water***

The Surveyor informed the Board Indiana American Water was in the process of extending their water mains from their new plant on North Ninth Street. Phase I involved a main transmission line starting at C.R. 50W running east along the north side of 500N to SR 43 to Burnett Road to Ninth Street on the west side to the new Davis Ferry Water Treatment Facility. Phase II involved a transmission line starting at CR.50W at 500N ran west to 140W down to Kalberer Road. In the course of installing the extensions they would cross multiple County Regulated Drains, therefore petitions to encroach on the regulated drains were in order. The first was a **Petition to Encroach on the Hadley Lake Regulated Drain located on 140W**. He recommended the Board approve the Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 140W. There were no public comments. David Byers made a motion to approve the Petition to Encroach on the Hadley Lake Regulated Drain located at 140W. John Knochel seconded the motion. The Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 140W was approved as submitted. The Surveyor presented the 2<sup>nd</sup> Petition submitted by Indiana American Water. He recommended approval for the Petition to Encroach on the Hadley Lake Regulated Drain located at CR.500N. David Byers made a motion to approve the Petition to Encroach on the Hadley Lake Drain located at CR. 500N. John Knochel seconded the motion. There was no public comment. **The Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 500N** was approved as submitted. The 3<sup>rd</sup> Petition submitted by Indiana American Water was the Petition to Encroach on the County Farm Regulated Drain located at 500N. The Surveyor noted the main transmission line would be required to be set 2 feet below the existing tile location for future maintenance. He recommended the Board grant the Petition to Encroach on the County Farm Regulated Drain. David Byers made a motion to grant approval of the **Petition to Encroach on the County Farm Regulated Drain located at CR. 500N**. John Knochel seconded the motion. There were no public comments. The Petition to Encroach on the County Farm Regulated Drain located at CR.500N was approved as submitted.

#### ***Performance Bonds***

The Surveyor presented Performance Bond #0923274 from McKenzie Properties for Lot 4 Concord Plaza/Kentucky Fried Chicken in the amount of \$18,500.00. Performance Bond #002570631 from Infrastructure Systems Inc. for Indiana American Water's SR 43 Water Main Transmission Phase I (This bond would insure proper erosion control measures) in the amount of

\$50,000.00. Performance Bond #B0321455 from F&K Construction for the Indiana American Water's Water Main Transmission Phase II Co. Rd. 500N & 140W. The Surveyor then recommended the Board accept the Performance Bonds as submitted. David Byers made a motion to accept the Performance bonds as submitted by the Surveyor. John Knochel seconded the motion. There was no public comment. Performance Bond #0923274 from McKenzie Properties for Lot 4 Concord Plaza/Kentucky Fried Chicken in the amount of \$18,500.00, Performance Bond #002570631 from Infrastructure Systems Inc. for Indiana American Water's SR 43 Water Main Transmission Phase I amount of \$50,000.00 and Performance Bond #B0321455 from F&K Construction for the Phase II Water Main Transmission was accepted by the Board.

**Public Comment**

There was no public comment. Thomas Murtaugh read an email from Indiana Department of Environmental Mgmt. recognizing the Tippecanoe County MS4 group for work regarding the NPDES Phase II Stormwater. The partnership between Tippecanoe County, Purdue University, Ivy Tech Community College, Battleground, Dayton, West Lafayette, and Lafayette was recognized by IDEM for their accomplishments. They were recognized as having one of if not THE best program in the state. Mr. Murtaugh congratulated the Surveyor regarding his coordination of the program.

There was no other business before the Board. The meeting was adjourned.

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Thomas Murtaugh, President

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David Byers, Vice President

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Brenda Garrison, Secretary

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John Knochel, Member