Tippecanoe County Drainage Board
June 5, 2013
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC.

Approval of Minutes

David Byers made a motion to approve the May 1, 2013 regular minutes as written. John Knochel seconded the motion. The May 1, 2013 regular meeting minutes was approved as written.

Market South Lots 3&4 Valley Lakes Shoppes Subdivision

Justin Frazier from TBIRD Design Services appeared before the board to present Market South Lots 3&4 project. The site was located within the City of Lafayette's limits and specifically the Valley Lakes Shoppes Subdivision (Regal Valley Place) on the Southwest corner of Veterans Memorial Parkway and Regal Valley Drive. The site consisted of approximately 3.80 acres. He stated the drainage infrastructure was constructed in 2003 with the Regal Valley Place project. The site was previously granted an onsite detention waiver in 2003. The site is presently in accordance with the 2003 waiver as granted by the Board. The Surveyor stated the project was reviewed due to the discharge into the JN Kirkpatrick Regulated Drain. He recommended approval to the Board with the conditions as stated on the May 21, 2013 Burke memo. David Byers made a motion to grant approval with the conditions as stated on the May 21, 2013 Burke memo. John Knochel seconded the motion. Market South Lots 3&4 Valley Lakes Shoppes Subdivision was granted conditional approval as stated on the May 21, 2013 Burke memo.

Southern Winds Apt's. Phase 2

Randy Peterson from Starr and Associates appeared before the board to present the Southern Winds Apt.s Phase 2 project. The site was located on the northeast corner of County Road 350S (Veterans Memorial Parkway) and U.S. 231. It consisted of approximately 4.58 acres of the overall 15.25 acre site. The site ultimately discharges to the non-regulated portion of the S.W. Elliott Ditch. Mr. Peterson stated this project had been ongoing for approximately a year and the latest memo recommendation from Christopher Burke Engineering (Burke) did not recommend approval of the project (memo dtd May 31, 2013). Mr. Peterson stated he had spoke with Mr. Eichelberger from Christopher Burke Engineering and discussed the two main issues along with the other comments stated on the memo. He noted the majority of the comments were drafting cleanup issues other than the aforementioned two main issues. Mr. Peterson explained those issues regarded emergency routing/pad grades and the size of the detention basin as planned. He informed the board revisions were made on the detention basin's size. (He noted he had an 8x11 drawing with him which reflected the change.) In respect to the emergency routing, the pad grades in question would be adjusted slightly to meet the ordinance as required. He then referred to the Board for comments. The Surveyor stated he had three issues to discuss specifically. He noted the May 31, 2013 memo had a total of 30 issues to be addressed prior to approval. The size of the detention pond was the first issue as it was not designed sufficiently for the site. The emergency routing and pad grades were the second issue. According to the most recent submitted drainage plan the emergency routing appeared to be directed at some of the buildings. The third issue was the project did not meet the Ordinance's allowable discharge rate. He stated the Surveyor's office was not ready to recommend approval at this time. He recommended the project be tabled by the Board until the July Drainage Board meeting. This would allow the consultant time to address these issues as well as the other issues listed on the May 31, 2013 Burke memo. Mr. Murtaugh stated these issues were major and he agreed the board should table until the July meeting as recommended by the Surveyor. Mr. Byers stated it seemed that some of the revisions were put together last minute and the Surveyor's office had not had time to review. Responding to Mr. Knochel's inquiry, Mr. Peterson stated he went through the comments of the May 31, 2013 memo and the Board would have to take his word that he did have the comments addressed. He noted the allowable release rate and pond design had been addressed and the pad elevations would be revised to what they have to be by Ordinance. (Note: a revised plan or revised drainage report has not been submitted for review to date -06.10.13) Mr. Peterson reiterated the Board would have to take his word that the issues were being revised and what needed adjusted would be adjusted. Mr. Peterson again requested conditional approval so they would not have to appear in front of the Board again. Mr. Murtaugh stated the issues were not small and it was unfortunate the revisions were not submitted to the Surveyor for

review prior to today's meeting. Mr. Byers made the motion to table the project until the July 10, 2013 meeting. John Knochel seconded the motion. Southern Winds Apt.'s Phase 2 was tabled until the July 10, 2013 Regular Drainage Board meeting- at which time the aforementioned project would be heard by the board.

Other Business/Zach Beasley

The Surveyor requested a Public Reconstruction Hearing on the E. K. Lois Private Drain as well as a Public Maintenance Hearing on the Harrison Wallace Regulated Drain #82 to directly follow the regular scheduled meeting set on August 7, 2013. John Knochel made a motion to schedule a Public Reconstruction Hearing on the E. K. Lois Private Drain and a Public Maintenance Hearing for Harrison Wallace Regulated Drain #82 to directly follow the regular scheduled meeting scheduled for August 7, 2013. David Byers seconded the motion. A Public Reconstruction Hearing on the E. K. Lois Private Drain as well as a Public Maintenance Hearing on the Harrison Wallace Regulated Drain #82 was scheduled for August 7, 2013 directly following the regular meeting on that date.

S.W. Elliott Regulated Drain#100 /Gaging Station Update

The Surveyor referred to Mr. Eichelberger for a status report to the Board on the S.W. Elliott Drain Gaging Station data. Mr. Eichelberger stated the recent rainfall received in April (15-18th) over the seven stations recorded was approximately 4-5 inches. There was 5.7 inches recorded at the West Lafayette station only. The rainfall events produced a discharge from the Elliott ditch at approximately 400cfs. He noted the peaks recorded (approximately 400cfs to 500cfs) were not sufficiently higher than previously obtained. He stated it did not produce significant data to present to DNR.

Public Comment

Sandy Kopf 1206 North 675 East appeared before the Board to complain about the flooding of her tract from surrounding property. She stated increased runoff had caused significant flooding and a substantial increase of mosquitoes. She noted she had lived in this location for approximately 12 years. She stated four residential lots (a Minor Subdivision) were constructed directly across from her tract on Co. Rd. 675E. in the last couple of years. Since the construction of the lots flooding had increased dramatically. She noted previously, the Co. Hwy. Supervisor and Co. Hwy. Engineer conducted a site visit. After inspection of the area, it was determined her tract was the low area of the surrounding properties and runoff naturally drained to ravines located on her property. They offered suggestions for improvements to the ravines and erosion of.. She stated the runoff would, at a high rate of speed, cross over the county road and "swirl" into the natural ditch behind her home causing damage to the ravine. She stated it was not legal to reroute water onto a neighbor's property and the Board approved the minor subdivision project in the first place so she felt that was the cause of the problem. Due to that, they should take care of the cost for improvements to her tract to improve the drainage and eliminate the erosion. She stated she is getting the runoff from both sides of the road and it was a massive problem. The Surveyor stated he had investigated this issue and spent time with Ms. Kopf discussing the issue in length. He noted they discussed different options to reduce any damage to the ravines and improve drainage for her property. He found it was a natural waterway for approximately 12 to 20 surrounding acres. The ravines located on her tract were the receiving ravines as it was the natural lay of the land and a natural erosion issue. She stated "Point is you guys are directing it to my property. The culverts under the road should be moved and it would not cost that much." She noted she had called the Co. Hwy. office 2 to 3 weeks ago and they had not responded to her call. The runoff which traveled under the road travels beside her driveway to the ravine in her yard. Mr. Murtaugh stated he would meet with the Highway Engineer and be in contact with her soon to discuss the issue further. She thanked the Board for their time.

As there was no further business before the Board, John Knochel made a motion to adjourn. The meeting was adjourned.

Thomas P. Murtaugh, President

David S. Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board

August 7, 2013
E.K. Lois #119 Regulated Drain
Landowner Hearing Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC.

President Tom Murtaugh opened the hearing and referred to the Surveyor for his report. The Surveyor stated landowners presented his office with a petition to establish a new drain with approximately 70-80 % of the affected landowner's signatures. He then read the Reconstruction Report for the E.K. Lois Drain as follows: Eldora K. Lois Reconstruction Report Tippecanoe County Drainage Board dated June 24, 2013.The Eldora K. Lois drain was originally constructed at an unknown date as a private tile drain. The drain and its watershed are located in Sections 6 & 7 of Township 21 North and Range 4 West and Sections 1, 11, 12, 13 & 14 of Township 21 North and Range 5 West in the political township of Randolph, Tippecanoe County, Indiana. It is the judgment of the County Surveyor based on testimony from the benefitted landowners and 2 foot contour information available in the year 2013 that the total benefitted watershed area is 1479.03 acres. From this day forward there are 14,434 lineal feet of main tile, 13,730 lineal feet of branch tile and 5260 lineal feet of open ditch under maintenance. It is the judgment of the Tippecanoe County Surveyor that a sum of $199,672.00 is needed to reconstruct the existing tile drainage system. A reconstruction assessment rate of $27.00 per acre and a $30.00 minimum over a (5) five year period are recommended. This will generate $199,684.75 over a (5) five year period. Assuming the reconstruction project has been completed after (5) five years, the per acre assessment will be lowered to a maintenance rate of $4.35 per acre and a $10.00 minimum over an (8) eight year period. This will generate $51,578.56 over an (8) eight year period. The maintenance rate shall not be charged during the (5) five year reconstruction period. It is the judgment of the Tippecanoe County Surveyor these rates will allow for the much needed reconstruction project and ensure that monies will be generated for future tile and open ditch maintenance. The Surveyor then reviewed the open ditch and tile system along with the watershed area utilizing GIS for the Board. He noted the main tile was in very poor shape in most places and nonexistent in some. The project of reconstruction would include clearing dredging approximately 1000 foot downstream from the headwall location. The tile work would start at headwall travel west along main line to the south side of Co. Rd. 925 South. The main line tile south of Co. Rd. 925 South was in decent shape and at this time did not need replaced. He felt this work would improve the drainage in that watershed area drastically. Responding to Mr. Byer's inquiry, he noted the tile work planned was based on the present condition of the main tile as well as the branches in the watershed as it was not functioning as intended. The landowners were mainly concerned about providing a functioning main tile and a positive outlet. He then referred back to the President. Tom Murtaugh asked for public comment. Emily Sturman 7040 N. Pennsylvania St. Indianapolis Indiana 46220 approached the Board. She asked how her property was determined to be benefited from the ditch when it is so far from it. The Surveyor then explained a watershed to her and specifically how her property was assessed. Natural lay of the land determined watershed boundaries and those inside those boundaries were benefited by that particular drain. She thanked the Board for the information. Dave Swank 2535 West 800 South approached the Board and stated he had farmed in the area for 40 years and surface water was a huge issue. He stated he owned the property where the headwall was located. He felt this project was warranted and he stated his appreciation of the Surveyors staff and thanked the Board. There was no other public comment. The attorney read into the record a letter of objection as follows: Tippecanoe County Drainage Board dated July 22; 2013. The letter I received in June on the E.K. Lois #119 Drain stating that I need to pay $271.62 and $43.76 annually thereafter is unacceptable. My property taxes were increased this year already for the same ditch, these funds should be sufficient to cover the issue. There is no reason that I should be taxed twice for the same problem. Sincerely Danny O. Thayer, Justine L. Thayer. He noted their assertion that the property taxes were increased for this ditch; however their current property ditch taxes regarded a different ditch. John Knochel made a motion to approve Drain #119 E.K. Lois into County Maintenance. Dave Byers seconded the motion. The E.K. Lois Drain #119 Reconstruction and Maintenance assessments were approved as presented. The Attorney read the findings and Order into the record as follows: BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD IN THE MATTER OF THE E.K. LOIS REGULATED DRAIN #119: FINDINGS AND ORDER (RECONSTRUCTION AND FUTURE MAINTENANCE) This matter came to be heard upon the Reconstruction and Maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on June 24, 2013. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed.
Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana were filed.
Remonstrances were filed. (Danny & Justine Thayer Letter filed) Evidence was presented by the Tippecanoe County Surveyor and landowners affected were present. A list of those present is filed herewith. After consideration of all the

evidence, the Board does now FIND THAT: The Reconstruction Report of the Tippecanoe County Surveyor and schedule of reconstruction assessments and annual maintenance assessments were filed in the office of the Surveyor on June 24, 2013.

(1) Notice of filing of the reconstruction report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
(2) Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
(3) The legal drain consists of 5260 lineal feet of open ditch and 14,434 lineal feet of main tile and 13,730 lineal feet of branch tile under maintenance.
(4) The present condition of the ditch is in need of reconstruction and maintenance.
(5) The ditch needs the following maintenance at present:
Replacement of tile and open ditch dredging
(6) There is now $1,567.00 owed to the General Drain Fund for past maintenance on this ditch.
(7) The ditch drains 1,479.03 acres total.
(8) Estimated annual benefits the land drained exceeds repair and reconstruction costs.
(9) After reconstruction costs have been paid in full, an annual maintenance assessment should be collected.
(10) In order to provide the necessary reconstruction and annual maintenance, the annual assessment per acre and lot benefited should be:
A reconstruction assessment rate of $27.00 per acre and a $30.00 minimum over a five (5) year period are recommended. This will generate $199,684.75 over a five (5) year period. Assuming the reconstruction project has been completed in five (5) years, the per acre assessment will be lowered to a maintenance rate of $4.35 per acre and a $10.00 minimum over an eight (8) year period. This will generate $51,578.56 over an eight (8) year period. The maintenance rate shall not be charged during the five (5) year reconstruction period.
(11) The assessment list filed herewith should not be amended.
(12) The assessment list filed herewith is fair and equitable and should be adopted.
(13) The assessment should be collected with the May 2014 taxes.

NOW, THERFORE, IT IS ORDERED THAT:

(1) A reconstruction assessment rate of $27.00 per acre and a $30.00 minimum over a five (5) year period are recommended. This will generate $199,684.75 over a five (5) year period. Assuming the reconstruction project has been completed in five (5) years, the per acre assessment will be lowered to a maintenance rate of $4.35 per acre and a $10.00 minimum over an eight (8) year period. This will generate $51,578.56 over an eight (8) year period. The maintenance rate shall not be charged during the five (5) year reconstruction period. (2.) The Schedule of Assessments filed herewith are adopted and made a part thereof. (3.) The first annual assessment shall be collected with the May 2014 taxes. DATED at Lafayette, Indiana this 7th day of August 2013.

The motion stood. The E.K. Lois Regulated Drain #119 was accepted by the Board as presented by the Surveyor for Reconstruction and annual maintenance after the reconstruction is paid.
The Hearing was adjourned.

Thomas P. Murtaugh, President

David S. Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
October 2, 2013
Regular Meeting Minutes

Those present were:
Tippecanoe County Drainage Board President Thomas Murtaugh, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Vice President David Byers was absent.

E.K. Lois Regulated Drain #119 Reconstruction
The President opened the meeting and referred to the Attorney for opening of the E.K. Lois Reconstruction Contracts received by the Board. He read the received Contract amounts as follows: Davidson Excavating total $228,925.25, Fairfield Contractors Inc. total $160,594.55, Central Indiana Drainage total $144,343.20, Maxwell Farm Drainage total $155,205.00, F&K Construction Inc. total $261,625.00. He noted the contract documents would be reviewed and the E.K. Lois #119 Regulated Drain Reconstruction Contract would be awarded at end of this meeting. John Knochel made a motion to award the E.K. Lois #119 Regulated Drain Reconstruction Contract after a compliance review of all submitted. Tom Murtaugh seconded the motion. Tom Murtaugh then thanked the Contractors for their submission.

Approval of Minutes
John Knochel made a motion to approve the Sept. 4, 2013 regular minutes as written. Tom Murtaugh seconded the motion. The September 4, 2013 regular meeting minutes was approved as written.

ProAxis 2nd Expansion
Joe Couts with C&S Surveying appeared before the Board and presented ProAxis 2nd Expansion for approval. The project site consisted of approximately 2.25 acres and located south of Burnett Road on the west side of North Ninth Street. A new entrance and building would be constructed on the south side of the current facility with additional parking planned. He stated they had reviewed the latest Burke memo dated September 26, 2013 and would comply with the conditions as stated. The Surveyor asked Mr. Couts to confirm downstream landowners had been notified of the project. Mr. Couts stated he had the certifications of the notifications with him and would turn in to secretary after the meeting. The Surveyor then stated he would recommend approval with the conditions as stated on the September 26, 2013 Burke memo. There was no public comment. John Knochel made a motion to grant approval with the conditions as stated on the September 26, 2013 Burke memo. Tom Murtaugh seconded the motion. ProAxis 2nd Expansion was granted approval with the conditions as stated on the September 26, 2013 Burke memo.

Stones Crossing Section 4 Revised
Kyle Betz with Fisher and Associates appeared before the Board to present Stones Crossing Section 4 Revised for approval. The project site consisted of approximately 54.8 acres and located north of Co. Rd. 430 South and west of Co. Rd. 250 East (Concord Road). The JN Kirkpatrick Regulated Drain was located along the north property line of the project site. This phase of the overall design was submitted and approved between 2000 and 2004; however market conditions did not allow construction at that time. The original Phase 4 planned 144 single family homes on 50.4 acres; the revised Phase 4 plan consisted of 162 single family homes on 54.8 acres. Overall changes were made to the street layout and the density of the lots. The project had 3 discharge points. He noted 2 existing discharge points tie into previously constructed systems. The newly planned discharge point would be located in the northwest corner directly into the J.N. Kirkpatrick Regulated Drain. There was no on-site detention for this development. He requested the approval of two variances noted in the September 26, 2013 Burke memo regarding Channel Protection Volume and Storm Water Quality treatment. A Petition to Vacate Branch #07 of the J. N. Kirkpatrick Regulated Drain #46 was also presented for approval by the Board. He explained most of the branch had been vacated or relocated. Currently a portion of said branch consisted of a 10 inch clay tile through the site. This branch would no longer serve a purpose. He formally presented a Petition to Vacate Branch #07 of the J.N. Kirkpatrick Drain to the Board. He stated his client agreed with the conditions on the September 26, 2013 Burke memo and requested approval at that time. The Surveyor stated he recommended approval of the Petition to Vacate Branch #07 J.N. Kirkpatrick Regulated Drain #46 as presented. He stated he recommended both variances be approved as requested. He noted regarding condition #02 under "Variances/Encroachments" on the September 26, 2013 Burke memo, he researched past phases of the development and the requirements therefore. In keeping with the previous Surveyor's requirements for the overall Stones Crossing Development; he recommended the Board waive the condition as stated on the memo. There was no public comment. John Knochel made a motion to accept the Petition to Vacate Branch #07 J.N. Kirkpatrick Regulated Drain #46 as presented. Tom Murtaugh seconded the motion. The Petition to Vacate Branch #07 J.N. Kirkpatrick Regulated Drain #46

was approved by the Board. John Knochel made a motion to grant both Variances as requested. Tom Murtaugh seconded the motion. Both Variances were approved as requested and recommended on the Sept. 26, 2013 Burke memo. John Knochel made a motion to grant conditional approval for Stones Crossing Phase 4 Revised as stated on the September 26, 2013 Burke memo. Tom Murtaugh seconded the motion. Stones Crossing Phase 4 Revised was granted conditional approval as stated on the September 26, 2013 Burke memo.

Lakeshore Subdivision Phase 2
Robert Grove with R. Grove Surveying appeared before the Board to present Lakeshore Subdivision Phase 2 for approval. The project site consisted of approximately 4.39 acres and located within the northeast portion of the overall Paramount Lakeshore Development west of Morehouse Road and US 52. Mr. Grove stated runoff would route through the existing storm sewer infrastructure and ultimately outletting into the Cuppy McClure Branch of the Hadley Lake Regulated Drain #104. Mr. Grove requested a variance regarding stormwater quality. The Surveyor stated based on the fact the overall development had an existing Master Drainage Plan which was implemented prior to the Stormwater Quality Ordinance in effect; he recommended the variance to the stormwater quality. The Surveyor then recommended approval with conditions as stated on the September 11, 2013 Burke memo. There was no public comment. John Knochel made a motion to grant the Stormwater Quality Variance as requested. Tom Murtaugh seconded the motion. The Stormwater Quality Variance was approved by the Board. John Knochel made a motion to grant approval with the conditions as stated on the September 11, 2013 Burke memo. Tom Murtaugh seconded the motion. Lakeshore Subdivision Phase 2 was granted approval with the conditions as stated on the September 11, 2013 Burke memo.

Zach Beasley/Other Business
The Surveyor presented Performance Bond # 2021900 written by West Bend Insurance in the amount of $90,000.00 for the Legacy Sports Club Phase 2 project. He recommended acceptance of the bond as presented. John Knochel made a motion to accept Performance Bond # 2021900 written by West Bend Insurance in the amount of $90,000.00 for Legacy Sports Club Phase 2. Tom Murtaugh seconded the motion. Performance Bond # 2021900 written by West Bend Insurance in the amount of $90,000.00 for the Legacy Sports Club Phase 2 project was accepted by the Board.

E. K. Lois #119 Regulated Drain /Reconstruction Contract Award
The Attorney stated the Contract Bids were reviewed and the lowest responsible bidder was Central Indiana Drainage in the amount of $144,343.20. John Knochel made a motion to award the Reconstruction Contract for the E.K. Lois Regulated Drain #119 to Central Indiana Drainage in the amount of $144,343.20. Tom Murtaugh seconded the motion. Central Indiana Drainage was awarded the Reconstruction Contract on the E.K. Lois Regulated Drain #119.

Public Comment
There was no public comment. John Knochel made a motion to adjourn. The meeting was adjourned.

Thomas P. Murtaugh, President

ABSENT
David S. Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

Tippecanoe County Drainage Board
January 8, 2014
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, Vice President John Knochel, member Tom Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Project Manager James Butcher and G.I.S. Technician Evan Warner were also in attendance.

Election of Officers

Drainage Board Attorney Dave Luhman opened the floor to accept nominations for 2014 Drainage Board President. John Knochel made a nomination of Dave Byers for President of the Drainage Board in 2014. Tom Murtaugh seconded the nomination. Dave Byers was elected as the 2014 President of the Tippecanoe County Drainage Board. Tom Murtaugh nominated John Knochel as the 2014 Vice President of the Drainage Board. Dave Byers seconded the nomination. John Knochel was elected as the 2014 Vice President of the Tippecanoe County Drainage Board. There was no public comment.

Annual Tile Bids

The Attorney stated due to County Commissioners declaring a Weather Emergency from which affected the mail delivery for two (2) days, the Board could defer the opening of the annual tile bids to the Feb. meeting. Bids received by the Surveyor Office postmarked on or before January 7th would be considered. The Attorney noted two bids had been received to date, one from CDI Supply and one from ADS. John Knochel made a motion to defer the opening of the Annual Tile Bids to February 5, 2014. Tom Murtaugh seconded the motion. The Annual Tile Bids received as aforementioned and those received with a postmark of January 7, 2014 or before would be opened at the Feb. 5, 2014 Drainage Board meeting. There was no public comment.

Appointment of Executive Secretary

Tom Murtaugh made a motion to appoint Brenda Garrison as the 2014 Tippecanoe County Drainage Board Executive Secretary. John Knochel seconded the motion. Brenda Garrison was appointed as the 2014 Tippecanoe County Drainage Board Executive Secretary. There was no public comment.

Approval of Minutes

Tom Murtaugh made a motion to approve the December 18, 2013 regular minutes as written. John Knochel seconded the motion. The December 18, 2013 regular meeting minutes were approved as written. Tom Murtaugh made a motion to approve the December 18, 2013 Franklin Resor #65 Regulated Drain Hearing minutes as written. John Knochel seconded the motion. The December 18, 2013 Franklin Resor #65 Regulated Drain Hearing minutes were approved as written.

Contract for Legal Services

The Attorney stated due to the recent snow emergency, the Legal Services Contract was not available for today's meeting. The contract would be presented at the Feb. 5, 2014 meeting of the Drainage Board for acceptance. John Knochel made a motion to defer the opening of the Legal Services Contract to the Feb. 5, 2014 meeting of the Board. Tom Murtaugh seconded the motion. The Contract for Legal Services would be presented at the Feb. 5, 2014 Drainage Board meeting for approval.

Contract Amendment S.W. Elliott Regulated Drain #100 Branch #11 Reconstruction Project

The Surveyor presented a Contract Amendment to the Christopher B. Burke Part Time Construction Observation of the S.W. Elliott Regulated Drain #100 Branch #11 Reconstruction to the Board for their approval. He stated the amendment to the current contract was due to Vectrens delay of relocating and lowering their gas main and the discovery of an unknown abandoned 6" gas line under State Road 38. These issues set the project back approximately 3-4 weeks. The Part Time Construction Observation Contract Amendment was in the amount of $17,000. This brought the total amount of the

Christopher B. Burke Part Time Construction Observation Contract for the S.W. Elliott #100 Regulated Drain Branch #11 Reconstruction to $57,000.00. He recommended approval by the board. John Knochel made a motion to approve the Contract Amendment to the Christopher B. Burke Part Time Construction Observation of the S.W. Elliott Regulated Drain #100 Branch #11 Reconstruction in the amount of $17,000. Tom Murtaugh seconded the motion. The Christopher B. Burke Part Time Construction Observation of the S.W. Elliott Regulated Drain #100 Branch #11 Reconstruction in the amount of $17,000 was approved as presented by the Surveyor.

Woodland Elementary School Additions and Renovations

Pat Jarboe of TBIRD Design appeared before the Board to present the Woodland Elementary School Additions and Renovations. The site was located on the north side of County Road 450 South and east of County Road 250 East. Additions to the existing building on the north and the south side as well as the playground area and drives were planned. Due to the project location within the J.N. Kirkpatrick Regulated Drain Impact Area, a variance to Chapters 6 and 8 Channel Protection Volume of the current Stormwater Ordinance was requested. The existing pond presently located on the northeast portion of the site would be expanded and the outfall of the pond would be relocated away from the school. The Surveyor noted the original project was approved by the Board prior to channel protection requirements. He recommended approval of the requested variance as well as the project with the conditions as stated on the January 3, 2014 Burke memo. John Knochel made a motion to grant the variance as requested. Tom Murtaugh seconded the motion. The variance to Chapters 6 and 8 regarding channel protection volumes was approved by the Board. John Knochel made a motion to grant approval with the conditions as stated on the January 3, 2014 Burke memo for the Woodland Elementary School Additions and Renovations project. Tom Murtaugh seconded the motion. Woodland Elementary School Additions and Renovations was granted approval with the conditions as stated on the January 3, 2014 Burke memo.

Zach Beasley

Eldora K. Lois Regulated Drain Reconstruction Update

The Surveyor stated this project was located approximately at County Road 125 West and County Road 925 South and southwest of the Southwestern Middle School. He stated approximately 5200 feet of 24" tile was installed by the Contractor. The project had been completed with the exception of a couple items to be completed as the weather allowed. He noted it was an interesting project to complete and landowners were satisfied with the work.

Public Comment

There was no public comment. John Knochel made a motion to adjourn the meeting. The meeting was adjourned.

David S. Byers, President

John Knochel, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board
February 1, 2017
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

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

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

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

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

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

Drainage Board 2017 Professional Engineering Assistance Contract

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

Lafayette YMCA

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

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

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

Belle Tire (Lot 4A 26 Crossing Subdivision)

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

USGS Geological Stream Gages WREC Contract Support

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

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

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

2017 Classification Report/2017 Drain Assessment Activity Report

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

Zach Beasley/Other Business

Appointment of Drainage Board member to Tri-County Board

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

Outstanding Reconstruction Assessments

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

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

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

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

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

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

Classification of Drains
Per IC 36-9-27-34
February 2017

1.) Drains in need of Reconstruction
   a. Elliott, S.W. (#100)
   b. J.B. Anderson (#02) (Clarks Hill Portion)
   c. Edwards (Not Maintained)
   d. McBeth (Not Maintained)
   e. F.E. Morin (#57)
   f. Marion Dunkin (#25)
   g. Huffman-Weimert (Not Maintained)

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

aa. James Kellerman (#42)
bb. Alonzo Taylor (#77)
cc. Clymer Norris (#122)
dd. Crist Fassnacht (#29)
ee. Peter Rettereth (#66)
ff. Ann Montgomery (#56)
gg. Gustav Swanson (#76)
hh. Nathaniel W. Box (#12)
ii. Lydia Hopper (#124)
jj. Amanda Kirkpatrick (#44)
kk. John McLaughlin (#97)
ll. Martin Erwin (#28)
mm. Waples McDill (#85)

3.) Urban Drains
(I.C. 36-9-27-68 Urban Drains are classified as in need of Reconstruction)
a. S.W. Elliott (#100)
b. Julius Berlowitz (#8) (Include Filbaum)
c. Alexander Ross (#48)
d. Cuppy McClure

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

5.) Insufficient Maintenance Funds
a. E.W. Andrews (#03)
b. Floyd Kerschner (#43)
c. F.E. Morin (#57)
d. John Saltzman (#70)
e. Ray Skinner (#71)
f. Abe Smith (#72)
g. Joseph Sterrett (#74)
h. William Stewart (#75)
i. John Toohey (#79)
j. John Vannatta (#81)
k. Suzanna Walters (#83)
l. J.B. Anderson (#02)
m. Dismal Creek (#93)
n. Moses Baker (#114)
o. Grant Cole (#19)
p. Shawnee Creek (#94)
q. Kirkpatrick One (#96)

6.) Proposed Drains for hearing in the near future / Request these drains be referred to Surveyor for preparation of Maintenance Report)
a. Andrew Brown (#13)
b. F.E. Morin (#57)
c. Parker Lane (#61)
d. John Vannatta (#81)
e. Dismal Creek (#93)
f. Beutler Gosma (#95)
g. Jacob Taylor (#78)
h. E.W. Andrews (#03)
i. Suzanna Walters (#83)
j. Jesse B. Anderson (#02)
k. Floyd Kerschner (#43)
l. Joe Sterrett (#74)
m. Moses Baker (#114)
n. Grant Cole (#19)
o. Shawnee Creek (#94)
p. Kirkpatrick One (#96)
q. John Saltzman (#70)

r. Ray Skinner (#71)
s. Abe Smith (#72)
t. William Stewart (#75)
u. John Toohey (#79)

7.) Drain Assessments recommended to be raised 25% starting May 2015
No Maintained Regulated Drains Applicable in 2017

8.) Petition for New Regulated Drain referred to Surveyor
a. Huffman Weimert Drain (Town of Buck Creek)

9.) Existing Drains referred to Surveyor for Report
a. Julius Berlovitz(#08) (Remaining Phases)
b. F.E. Morin (#57)
c. Huffman Weimert (Not Maintained)
d. Marion Dunkin (#25)

10.) Drain that should be vacated
a. That portion of the Felbaum Branch (Part of Julius Berlovitz #08 Regulated Drain) East of County Road 550East

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

ABSENT

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member