

The regular meeting of the Tippecanoe County Drainage Board met in the County Commissioners Room at 9:00 a.m., on Wednesday, May 2, 1973 with the following members present: Bruce Osborn, Robert Fields, Edward Shaw, A. D. Ruth, Jr., Fred Hoffman and Gladys Ridder.

Minutes Approved Upon motion by Bruce Osborn, seconded by Edward Shaw and made unanimous by Robert Fields, the minutes of the April 4, 1973 meeting were approved as read.

General Business The Board moved to share the cost of the highway on the extension of the Dunkin ditch. Mr. Ruth reported the Friendly Village had promised plans for the proposed water line but as yet had not submitted them. John Fisher, inspector for the county, has reported very poor supervision on the part of the contractor on this project and that a corrugated pipe should have been covered when leaving the project, but because it was not covered had partially filled with mud.

Mr. Hoffman suggested a permit should be required before any one could hook into a legal drain. The Board was much in favor also.

Ditches Referred The Board referred the following ditches to the Engineer for a maintenance fund, The Richard B. Wetherill ditch, Shelby Twp. in Tippecanoe County and Boliver Twp., in Benton County, Peter Saltzman ditch, in Perry and Washington Twps. in Tippecanoe County and Clay Township in Carroll County.

9:30 Maintenance Hearing on the E. Eugene Johnson Ditch The Surveyor read his report and made his recommendations on the Eugene Johnson ditch. He then read a remonstrance from: Ora S. & Mary E. Gish, Allen C. Boots, Bertha M. Criss, Harold E & Mary J. Sipple, Raymond L & Mildred L. Bradley, Otto Steiner and Malcolm Stingley. The basis of their objection was due to N & W railroad's need to construct a tile under their right-of-way to allow use of the outlet. Mr. Hoffman, the County Attorney, said he would contact the Attorney of the Railroad and suggested a postponement of this hearing until these problems could be resolved. Upon motion by Bruce Osborn, seconded by Robert Fields and made unanimous by Edward Shaw the Board moved to continue this hearing in the September 5, 1973 regular meeting. The only two who attended the hearing were: E. Eugene Johnson and Ora Gish.

10:15 Maintenance Hearing on the Martin V. Erwin Ditch The Surveyor opened the hearing on the Martin V. Erwin ditch by reading his report and making his recommendations to the Board. He read to the Board a letter of remonstrance by the Norfolk and Western Railroad stating they could not possibly be benefited by this drain. Mr. Ruth said he felt the acreage we had assessed them was possibly a little high, but that he felt part of their right-of-way did drain to this ditch. Those in attendance were: M. Gleason Morehouse and Walter Shackelford. Mr. Ruth reported that the telephone Company had damaged some of the tile and that he would notify them of same. Mr. Morehouse reported that the outlet was in need of repair and that he and Mrs. Kelly had fixed several tile on their own. Both men in attendance were of the opinion that this ditch was mostly 12" tile although the record shows only 6" tile. Mr. Ruth planned to meet Mr. Morehouse and again walk the ditch and determine exactly what the legal drain included. The Board so moved to continue this hearing next month at the regular meeting.

11:00 Maintenance Hearing on the Lane Parker Ditch The Engineer opened the maintenance hearing on the Lane Parker Ditch by reading his report and making his recommendations to the Board. No one appeared in behalf of this ditch. The farm manager for Edith Kelly Carr, Hugh Pence, was in the surveyor's office on Friday of last week stating that the acreage we had assessed Mrs. Carr was not adequate. He stated that when the soil conservation service rebuilt a portion of the ditch, more of this land was included in the watershed area. The acreage was changed to 152.32A out of a 154.32A tract and 64.809 acres out of a 66.809A tract.

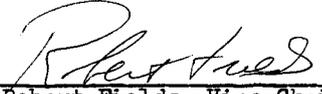
Upon motion by Bruce Osborn, seconded by Edward Shaw and made unanimous by Robert F. Fields, the Board moved to establish a \$1.00 per acre assessment on the Lane Parker.

Order and Findings Certificate of Assess. After establishing a maintenance fund on the Lane Parker Ditch, the Board signed the Order and findings and the Certificate of assessments.

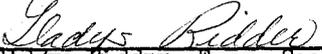
The Board had as guests six students from the West Lafayette High School government class. They were to observe the operation of the Surveyor's office as their project. Mr. Ruth relayed to them the work and responsibilities of the office.

Upon motion made and carried the Board adjourned.

  
Edward J. Shaw, Chairman

  
Robert Fields, Vice Chairman

ATTEST:

  
Gladys Ridder, Exec. Secretary

  
Bruce Osborn, Board Member

MINUTES OF THE APRIL 2, 1975 TIPPECANOE COUNTY DRAINAGE BOARD MEETING

The Tippecanoe County Drainage Board held it's regular meeting on April 2nd, 1975 at 9:30 a.m., with the following members present: Robert F. Fields, William Vanderveen, Bruce Osborn, Robert L. Martin and Gladys Ridder. ( no attorney present)

Minutes Signed

Upon reading the minutes of the March 5th, 1975 meeting, a motion to accept the minutes as read was made by Bruce Osborn, seconded by Robert Fields and made unanimous by William Vanderveen.

9:30 a.m. Maintenance hearing on Lena Wilder Drain

The Surveyor opened the hearing on the Lena Wilder ditch by reading his report and making his recommendations to the Board. Those in attendance were: Tom Carter, Marvin Stewart, White County Commissioners, James Milligan, Surveyor of White County plus Clarence J. Martin, Merrill Christopher, Wayne Christopher, Don E. Morehouse, Russell Morehouse and Josephine Schreyer. Clarence J. Martin spoke of the grass waterway through his land that took a lot of surface water out of this ditch but that there were many holes in it and that the ditch was built around curves so that it lost much of it's efficiency. He said there were many holes in the ditch through his land. Merrill and Wayne Christopher spoke for Mr. Wagner and said they were in favor of a maintenance however they questioned the amount of acreage assessed against Myrtle Christopher and asked the Surveyor to check the acreage in this watershed again. Mrs. Schreyer was not in favor of the \$ 1.00 per acre assessment. With prices as they are the Surveyors and the two Boards felt anything less would prove inadequate. Mr. Martin said he knew the lower end was much in need of repair and would work toward that end as soon as there were funds available. All of those present were in favor of a maintenance fund so upon motion of Bruce Osborn, seconded by William Vanderveen and made unanimous by Robert Fields, the Board established a maintenance fund of \$1.00 per acre. Mr. Wagner's tenant asked permission to fix an air well on the Wagner farm and turn in his claim for labor and materials. Permission was granted. He said he would also pull out the old bridge abutments at the outlet.

E. Eugene Johnson

Between the two maintenance hearings, Mr. E. Eugene Johnson appeared before the Board asking them to consider setting a maintenance fund for the E. Eugene Johnson ditch for it was much in need of repair. He also asked if the Surveyor would check the legal description of the Floyd Coe and the E. Eugene Johnson ditches to see if a small stretch of open waterway belonged to either of these two ditches and if not could the Board make that waterway a part of the Johnson ditch at the time a maintenance fund was established. The Board said if it was not a part of either of these two ditches that those people involved would have to petition the Board. The secretary would need thirty days, as required by law, to notify all those in the watershed. The Surveyor said he would check it out and notify Mr. Johnson of his findings.

10:30 hearing of Franklin Yoe Ditch

The Surveyor opened the hearing on the Franklin Yoe ditch by reading his report and making his recommendations to the Board. Those in attendance were: Richard Welch, representing himself and Birl Wolf. Mr. Welch said the ditch was in need of repair and he was in favor of establishing a fund to take care of it. With no remonstrances and the drain in need, William Vanderveen moved to establish a \$1.00 per acre maintenance fund. The motion was seconded by Bruce Osborn and made unanimous by Robert Fields.

Order & Findings and Certificate of Assessments

With the establishment of a maintenance fund on the Lena Wilder and the Franklin Yoe ditches, the Board signed the Order and Findings and the Certificate of Assessments/

Staley Co.

Mr. <sup>R</sup>Argie Barnett appeared before the Board to ask a few questions concerning the drainage proposed for the new Staley plant. He said almost all of the problems had been worked out such as a Railroad yard, Disposition of their run-off water, etc. He presented the Board with a plan for the drainage by John Fisher. The Board found no fault with them. Robert Fields suggested that Mr. Barnett work with the County Surveyor to attain the necessary letters showing approval of the drainage. Mr. Martin asked Mr. Barnett for a letter asking for the approval.

At 11: 30 a.m., the meeting adjourned.

Robert F. Fields  
Robert F. Fields, Chairman  
William Vanderveen  
William Vanderveen, Vice Chairman  
Bruce Osborn  
Bruce Osborn, Board Member

ATTEST:

Gladys Ridder  
Gladys Ridder, Exec. Sec'y.

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD MEETING HELD JUNE 4, 1975

The regular meeting of the Tippecanoe County Drainage Board was held at 9:15 a.m., in the County Council Room with the following members present: Bruce Osborn, Martin Galema, sitting in for Robert Fields, Robert L. Martin, Fred Hoffman and Gladys Ridder.

Minutes Upon the reading of the minutes of the May 7th, 1975 meeting, Bruce Osborn moved to accept the minutes  
Approved as read. The motion was seconded by Martin Galema.

Floyd Wilcox Mr. Floyd Wilcox came before the Board to alert the Board of the preparation being made to construct a dam over a portion of the Waples-McDill legal tile drain. He said he was not against the dam being there as long as it did not dump water over on him or in any way damage the flow of the legal drain. The Board thanked him for his concern and brought it to their attention and assured him that they would keep check on the situation.

Letter from The following letter was received by the Drainage Board:  
Richard

Boehning

Tippecanoe County Drainage Board  
Court House  
Lafayette, Indiana 47901

RE: Friendly Village Mobile Home Park

Dear Sirs:

I represent Mobile Communities, Inc. the owner and developer of Friendly Village Mobile Home Park. The front of Friendly Village Mobile Home Park is located near old U. S. Highway 52 and new U. S. Highway 51 relatively close to the old Ross Annex.

Mr. Paul Fleming, Vice President of Mobile Communities, Inc. has informed me about a drainage situation involving their development and some adjoining tracts. I believe that you are also familiar with this drainage situation involving the property to the South of the mobile home park.

The present problem involves the question of several drain tile connecting on to the legal drain, and whether such connection will result in the discharge to the legal drain of liquid waste that would cause or contribute to pollution of the Elliott ditch.

Several weeks ago representatives of the developer met with the owner of the property to the South to discuss the dilemma. It was mutually suggested at that time that the County Board of Health review the situation to determine what the quality of the discharge to the legal drain will be if it is connected. If the connection would result in a discharge to the legal drain of liquid waste that would cause or contribute to pollution of the Elliott Ditch, it would be my opinion that the Drainage Board would be in a dilemma because of IC-19-4-6-7 which pertains to involvement of the Indiana Stream Pollution Control Board.

As developers, we would request that the Drainage Board aid in giving us some direction in solution of the problem. We would suggest that you request the County Health Board to issue you a report. After the report has been issued, I would suggest that I be given the opportunity to discuss the matter with you so that the viable alternatives can be considered.

Many thanks for your cooperation and I would appreciate being advised as to the suggestions set forth above.

Many thanks.

Sincerely,  
BENNETT, BOEHNING & POYNTER

Richard A. Boehning

RAB:skh

bcc: Mr. Paul A. Fleming  
Mr. John Fisher

The Board instructed the Secretary to write a letter to Mr. Boehning stating their feelings on this matter. Any private tile that empties into a legal drain, when it has been disconnected by anyone bears a legal responsibility to reconnect same. As to what flows in those tiles, that responsibility rests totally with the State Board of Health.

Marty Dwyer  
For General  
Foods

Because of the Board's reluctance to vacate a portion of Branch No. 14 of the S. W. Elliott ditch without first protecting those people on the upper end who need an outlet for their portion of the Elliott ditch, Mr. Marty Dwyer appeared on behalf of the General Foods plant to relate the position of his company. He said they were willing to maintain their drainage system, constructed at their own expense, but they were not willing to maintain the upper part that used them as an outlet. Mr. Osborn informed Mr. Dwyer that General Foods had cut into the S. W. Elliott Legal Drain without permission of the Drainage Board and had a certain responsibility to see that those people were assured an outlet in the future.

Mr. Osborn also said he felt that those wanting the vacation must work with General Foods on a permanent easement showing permission to use General Foods drain as their outlet and record that easement in the Tippecanoe County Recorder's office. Then, he said, he would be more willing to grant the vacation of that part of the Elliott ditch as was requested.

Richard H.  
Smith

Mr. Richard H. Smith appeared before the Board and handed each member a copy of a letter he had written. It reads as follows:

Tippecanoe County Drainage Board  
Tippecanoe County Surveyor

Dear Sir (s):

I now have approximately sixty acres of land under water. Despite the fact that this drainage problem was brought to your attention over eighteen months ago and numerous times since, pursuit of the cause in this area of the Elliott ditch has never been made.

Over twelve months ago and numerous other times since, a detailed explanation of serious, obvious and easily corrected deficiencies in the IlgenFritz ditch have been brought to your attention. You have intentionally neglected to make any effort to correct the problem. The means and opportunity have been yours many times over.

Your refusal to have this work done constitutes a deliberate and malicious diversion by you of water from one drainage system to another which is in worse condition.

How can you possibly dream of justification for the deliberate destruction of my land, my crops and my opportunity to make a profit from my farm?

/s/Richard H. Smith

An attempt had been made to clean and repair the Ilgenfritz ditch but the Board was threatened with a suit by Mr. Alvin Pillotte. Mr. Osborn instructed the Secretary to set up a meeting on Friday 13th, 1975 at 11:00 a.m., with all of those in the Ilgenfritz watershed. The purpose of the meeting to discuss with all people involved the needs of repairing and cleaning of the Ilgenfritz Legal Drain.

9:30 a.m.  
Maintenance  
hearing  
James S.  
Kellerman  
Drain  
including  
John H. Skinner

Mr. Bruce Osborn opened the hearing on the James S. Kellerman ditch by asking the Surveyor to read his report and make his recommendations. Mr. Martin showed this ditch to be all tile and that this hearing was to include the John H. Skinner ditch or branch. Mr. James S. Kellerman was the only person in the watershed who appeared. He asked the Board who the trees in the banks of an open ditch belonged to and the Board said they belonged to the farmer unless otherwise specified in a bid. Mr. Kellerman also reported that a breather needed repair on the ditch one half mile west of the elevator west of Romney. The Board asked if the proposed one dollar per acre was agreeable with him and Mr. Kellerman asked if that was the amount on the notification. The Secretary erroneously answered in the affirmative. The Board then moved to establish the one dollar. In checking the notices further, the Secretary found she had erred and had notified those people in the watershed of only fifty cents per acre. To establish the one dollar per acre assessment would require a new hearing so legally the amount had to be left at fifty cents per acre. The move to establish had come from Bruce Osborn and was seconded by Martin Galema.

10:30 a.m.  
Maintenance  
Hearing on  
E. Eugene  
Johnson  
ditch

Mr. Osborn opened the hearing on the E. Eugene Johnson ditch by asking the Surveyor to read his report and make his recommendations. Robert Martin explained the reason for including the extension that needed to be cared for along with the Johnson ditch for it's their outlet. He also recommended a one dollar assessment. Those in attendance were Malcolm Stingley, Ora Gish and E. Eugene Johnson. Mr. Johnson said he was much in favor of a maintenance fund because the ditch was much in need of repairs. Ora Gish said he had petitioned against a maintenance fund when the ditch was up for a hearing but that this time he was in favor of a maintenance fund although his problem was an outlet under the R/R. He also said he had contacted the Railroad and found their charge would be \$7,000.00 to give his the necessary outlet. Mr. Hoffman said he would contact the attorney for the Railroad again and see what assistance he could get for them. Mr. Gish said any help would certainly be appreciated.

Upon motion of Mr. Osborn, seconded by Mr. Galema the Board moved to establish a \$1.00 per acre assessment on the E. Eugene Johnson ditch including the proposed extension.

Order &  
Findings and  
Certificate of  
Assessments

Upon the establishment of a maintenance fund on the James S. Kellerman and the E. Eugene Johnson ditches, the Board signed the Order and Findings and the Certificate of Assessments for both ditches.

Sewage Plant  
at Clarks Hill

It was brought to the attention of the Drainage Board that their orders in a meeting of October 2, 1975 when a request to empty effluence from the new Clarks Hill disposal plant was denied have been violated. Mr. Osborn left the meeting to call Mr. John Gambs, attorney for the Disposal Plant, and received confirmation that this was true and asked the County Attorney to start proceedings to place an injunction against them.

*Robert F. Fields (absent)*

Robert F. Fields, Chairman

*William Vandervoren*

William Vandervoren, Vice Chairman

*Bruce Osborn*

Bruce Osborn, Board Member

ATTEST:

*Gladys Ridder*

Gladys Ridder, Executive Secretary

Martin L. Galema, Sub. Board Member

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD AUGUST 6, 1975.

The Tippecanoe County Drainage Board met in the County Council Room on August 6, 1975 with the following members present: Robert Fields, Bruce Osborn, William Vanderveen, Robert L. Martin, Fred Hoffman and Gladys Ridder.

Minutes  
Approved Upon the reading of the minutes of the July 2nd, 1975 meeting, a motion made by William Vanderveen, seconded by Robert Fields and made unanimous by Bruce Osborn to accept the minutes as read.

The following letter was received by the Executive Secretary:

9:30 a.m.  
Vacation of Pts.  
Cuppy/McClure Gladys Ridder, Executive Secretary  
Tippecanoe County Drainage Board  
Tippecanoe County Court House  
Lafayette, Indiana 47901

Subject: Vacation of a Portion of the Cuppy/McClure Ditch

Dear Mrs. Ridder:

The land owners of the Purdue Research Park desire to have vacated the portions of branches # 12, 13, 14, and 15 of the Cuppy/McClure ditch lying north and east of U. S. Highway # 52 ( Sagamore Parkway). These portions of the ditch no longer function and are of no value. The area is now drained by West Lafayette storm sewers which discharge into a retention pond and then into a section of the ditch not being vacated.

Very truly yours,

/s/  
Rex Bowman  
Civil Engineer

RB/sj

Rex Bowman was the only person present at the hearing and there were no remonstrances filed in the County Surveyor's office, so upon motion made by Bruce Osborn, seconded by William Vanderveen and made unanimous by Robert Fields the Board so moved to declare that that portion of this ditch be vacated.

Robert Fields opened the informal reconstruction hearing on the Michael Binder ditch. He explained to the group that the Surveyor needed to know how many of the people in this watershed were in agreement on the reconstruction of this ditch before he did all of the field work necessary.

9:35 a.m.  
Informal meeting  
Reconstruction Those in attendance were Robert Ade, Mr. and Mrs. Raymond Bennett, Sr., Norman Bennett, John Sheets, Eleanor Frost, Paul W. Ade, Raymond C. Bender and Charley Shelby.

M. Binder  
Ditch The name Binder was discussed. Raymond Bender said Michael Binder was his grandfather and Binder was the German spelling. Future generations went to court and had the name changed to Bender. The correct pronunciation is Binder.

Mr. Martin asked the group to please feel free to express their feelings on the project before he got started doing the field work. Mr. Norman Bennett said on his property the tile portion was completely broken down. John Sheets said there was a need of cleaning at least a part of Pine Creek to get enough fall for an outlet for the new ditch. Mr. Robert Bender said the lower end was full of willows. He also said that when the ditch was built in 1894, a fifteen inch tile was used with a grassed waterway over the tile to catch the surface water and it had proven most successful until some farmer decided to plow over it.

## REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD OF AUGUST 6TH, 1975 ( CONTINUED)

Mr. Osborn suggested a committee work along with Mr. Martin be formed to acquire answers to: the fall, adequate outlet, how much of Pine Creek would have to be dredged, etc. Mr. John Sheets had first suggested that several of them walk this ditch together when the crops were out of the fields. Mr. Martin said he would call them and set up the committee.

Mr. Robert Ade suggested the new committee check for a lower spot for the outlet and asked if a lower place was located could the outlet be changed. The County Attorney said as long as they followed the law and did the proper advertising there would be no problem.

All were informed that when the Surveyor was finished with his work, a new hearing with the results would be called. ✓

St. Rd.#26  
Widening

The County Surveyor received the following letter:

Mr. Robert L. Martin, L.S.  
Tippecanoe County Surveyor  
Court House  
Lafayette, Indiana 47901

July 25, 1975

Dear Sir:

I wish to acknowledge your letter of July 14, 1975, pertaining to drainage problems on State Road 26, from U. S. 52 to I-65.

The proposed improvement project on State Road 26 by the Indiana State Highway Commission will not create a drainage problem any worse than currently exists. Any drainage problem currently existing cannot be corrected within the limits of the proposed new right-of-way. The Indiana State Commission does not have the authority to secure this necessary outlet. Therefore, if it is to be corrected a suitable outlet must be provided outside of State right-of-way.

The Tippecanoe County Drainage Board recognized in 1971 that an overall master drainage plan was necessary. It is clearly the responsibility of the County Drainage Board to provide such a plan. We understand that since that time the City of Lafayette has annexed a portion of the area, and would also be involved in the final solution to the drainage problem.

It appears that we are not arriving at any resolution of the currently existing drainage problem. This leaves the State Highway Commission with the alternative of delaying the improvement project on State Road 26 or possibly an effort to incorporate a cross-pipe or other drainage feature that would later be incorporated as a part of the overall drainage plan. Please advise if you and the County Drainage Board are requesting that the State Road 26 improvement project from U. S. 52 to I-65 be delayed until an overall drainage plan is formulated and a permanent solution arrived at.

Very truly yours,

/s/  
G. K. Hallock  
Chief Highway Engineer

GKH:s

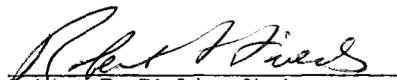
Mr. A. D. Ruth, Jr., Highway Engineer, who had been involved with this project while he was Tippecanoe County Surveyor had drafted a letter to the state. Mr. Ruth felt the statements on the letter were untrue and felt the state should be so informed. The Commissioners fully agreed and so did Mr. Martin.

Mr. Ruth said he would have his secretary type his letter but sign the surveyor's name because the letter had been directed to the Surveyor. Mr. Martin said he would show a copy sent to Mr. Ruth. Mr. Osborn suggested a called meeting between Maurice Callahan, City of Lafayette Engineer, Dan Ruth, County Highway Engineer, Robert L. Martin, County Surveyor, G. K. Hallock, State Highway Engineer and the Drainage Board. Mr. Osborn asked Mrs. Ridder to set up this meeting.

R/R &  
E. Eugene  
Johnson  
Ditch

The County Attorney informed the Board that he had received a letter from the Railroad in answer to his request that they fix the tile going under their road bed on the Ora Gish property. In his letter the Railroad said they had originally installed the tile under the roadbed with an assurance that it would release them from any future obligation. Mr. Osborn asked the Attorney if he would write to them and ask for a copy of that agreement. Mr. Gish needs the drainage provided by that tile under the Railroad that is obviously not performing. Mr. Hoffman assured the Board he would write again and request the copy.

All business taken care of, Mr. William Vanderveen moved to adjourn. Motion seconded by Bruce Osborn and made unanimous by Robert Fields.

  
Robert F. Fields, Chairman

  
William Vanderveen, Vice Chairman

  
Bruce Osborn, Board Member

ATTEST:

  
Gladys Ridder, Executive Sec'y.

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

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

Minutes Approved

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

9:30 a.m. Maintenance hearing

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

J. Lofland ditch

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

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

Richard Donahue for

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

R. Gurnick

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

Eugene Johnson for Daugherty ditch

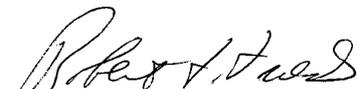
E. Eugene Johnson came before the Board with a request to replace approximately 1000 feet of tile on the Chas. Daugherty ditch and replace it in a new location close to the legal drain but in a place where the coverage would be better. It was discussed as to whether Mr. Johnson would take it upon himself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

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

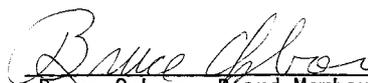
Arthur Waddell on Anderson branch

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

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

  
Robert F. Fields, Chairman

  
William Vanderveen, Vice Chairman

  
Bruce Osborn, Board Member

ATTEST:

  
Gladys Ridder, Executive Secretary

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

Minutes  
Approved

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

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

Sanitary  
Landfill

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

The letter reads:

November 3rd, 1976

Dear

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

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

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

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

Minutes  
Approved

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

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

Sanitary  
Landfill

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

The letter reads:

November 3rd, 1976

Dear

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

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

REGULAR MEETING OF NOVEMBER 3, 1976 CONTINUED

letter continued

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

Very truly yours,

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

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

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

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

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

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

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

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

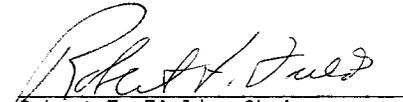
F. Coe  
ditch

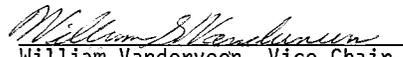
Robert Fields asked the Surveyor what had been done towards the Nellie Ball ditch for the petition had been brought before the Board in October of 1975. The surveyor said nothing had been done as yet but he would get it into operation.

Nellie Ball  
ditch

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

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

  
Robert F. Fields, Chairman

  
William Vanderveen, Vice Chair.

  
Bruce Osborn, Board Member

ATTEST:

  
Gladys Ridder, Exec. Secretary

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Part of  
Michael  
Layden  
Branch of the  
Elliott  
ditch

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

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

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

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

RECESS

Board adjourned until 1:45 p.m.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Norman Skoog, Chairman of the Joint Board

*William J. Vanderveen*  
William Vanderveen, Chairman

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

*Robert F. Fields*  
Robert F. Fields, Vice Chairman

*Bruce V. Osborn*  
Bruce V. Osborn, Board Member

*Bruce Osborn*  
Bruce V. Osborn, Board Member

Wayne Anderson, Board Member

ATTEST:

Dave Baxter, Board Member

*Gladys Ridder*  
Gladys Ridder, Exec. Secretary

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

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

Waddell Branch of the J. B. Anderson

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

Michael Binder ditch

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

E. Eugene Johnson ditch

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

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

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

The regular meeting of the Tippecanoe County Drainage Board met on Wednesday, May 18, 1977 (instead of it's regular first Wednesday) in the County Council Room of the Tippecanoe County Court House with the following members present: William Vanderveen, Robert F. Fields, Bruce Osborn, Fred Hoffman, Robert L. Martin, Kenneth A. Miller and Gladys Ridder.

Upon the reading of the minutes of the April 6th, 1977 meeting, a motion was made by Bruce Osborn, seconded by William Vanderveen and made unanimous by Robert Fields to accept the minutes as read. Minutes

The Chairman opened the maintenance hearing on the Rebecca Grimes ditch by asking those present if they understood why this meeting was called and if there were any objections to the proposed increase from one dollar per acre assessment to a three dollar per acre assessment. He explained with the ditches needs and the rising cost of repairs the present one dollar assessment was just not adequate. 9:30 a.m.

Those present were Isaac Hoss, Mr and Mrs. Paul Kerkhoff and Mr. and Mrs. Fred Klinker. All were in favor of the increase for all were in favor of keeping their ditch repaired. General discussion as to the outlet needing to be cleaned and what could be done about the cement culvert that was a problem where the tile emptied, etc., ensued. Mr. William Stovall was called in because of the highway being directly involved. Bill said the highway would cooperate in what ever way was necessary. It was decided that the Surveyor and the Highway Supervisor get together and decide the best way to solve the problem. Rebecca Grimes Ditch

Upon motion of Bruce Osborn, seconded by Robert Fields and made unanimous by William Vanderveen, the Board moved to accept the new maintenance assessment of three dollars per acre.

Don Barker, Malcolm Stingley and his son appeared in behalf of the Gustav Isfalt branch of the Davis chain. They had requested a reconstruction hearing in the April 6th, 1977 drainage board meeting. The Chairman asked the County Surveyor if he had figures on this ditch and he said his estimate of \$ 39,435 or roughly \$143 per acre for a tile ditch and he still would not guarantee it would work properly. Mr. Barker said they all would prefer an open ditch from road 500E to the Kirkpatrick ditch. The Kirkpatrick ditch spoken of was formerly the Horney Davis ditch rebuilt by the SCS Office. 10:00 a.m. Isfalt

The Board suggested to the surveyor that when he had figures on an open ditch compiled to hold a new legal hearing with all people notified of the findings.

Mr. Ralph Jackson, farm manager for the Faye Hoffman property came before the Board requesting the reconstruction of the Calvin Peters legal drain. The Board then referred the Peters ditch to the Surveyor. Calvin Peters Ditch

Mr. Norman Bennett came before the Board asking the Board to please re-advertise for bids on the Michael Binder ditch. He said he had checked with the SCS office and some other contractors and found the amount of the bids, although they exceeded the Surveyor's estimate, to be fairly priced. Michael Binder Ditch

Robert F. Fields instructed the Secretary to advertise once again for bids based on the specifications now on file in the Surveyor's office in hope to find a bidder closer to the Surveyor's estimate. He recalled the second time bids were asked for on another ditch, they had received one that was lower.

It was moved by Robert Fields, seconded by William Vanderveen and made unanimous by Bruce Osborn to readvertise for bids and the letting date would be June 13, 1977 at 10:00 a.m. in the County Commissioners meeting.

The Chairman opened the new hearing on the E. Eugene Johnson ditch by explaining the reason for calling the new hearing; namely that the funds were not adequate to handle the work to be done on the ditch. A bid of \$9,500.00 by Willard Merkel to clean out the outlet had been let and the maintenance funds were not great enough to handle the expense. Eugene Johnson ditch

The Surveyor explained the amount of \$9,500 would be borne by the Johnson, Daugherty and Coe ditches but the percentage to each he could not give at this time.

Mr. Johnson questioned whether the cleanout was going far enough and it was agreed that all interested persons meet at the site and with the Surveyor's instruments would make the final determination.

Mr. Osborn suggested they meet on May 25, 1977 at 8:30 a.m. When questioned as to when the work would be completed, the Surveyor said November 30, 1977.

Johnson ditch continued Mr. Vanderveen urged all present, although there were two remonstrances filed that totaled about 45% of the total acreage, to accept the three dollar assessment. He also said he favored going ahead with boring under the railroad to get immediate relief for Mr. Ora Gish.

William Vanderveen moved to accept the three dollar per acre assessment. Robert Fields seconded the motion and Bruce Osborn said he would make it unanimous if along with the motion was the instruction to the Surveyor to begin immediately to get relief under the railroad.

Because the bid for reconstruction on branch No. 5 of the Jacob M. Taylor ditch had gone over the Surveyor's estimate a new hearing had to be called asking those in the watershed if they would be willing to accept the lowest bid, that of Bob Hodgen at \$14,480.60.

In attendance were Larry C. Wagner, Ruth Berneice Oteham, Alberta Taylor Bennett, Wayne Anderson for the Giffin farms, Hal Davis, Larry Carlson and Orville Carlson.

All had been notified of the increase in assessment thirty days prior to the meeting and all in attendance were in favor of accepting the bid of Mr. Bob Hodgen.

Bruce Osborn moved to accept the bid of Bob Hodgen, the motion was seconded by William Vanderveen and made unanimous by Robert Fields.

The Board, with the exception of Robert Fields, signed a contract with John E. Fisher, L.S., for the purpose of developing a design and reconstruction plans for the western portion of developing a design an reconstruction plans for the western portion of the watershed located in parts of Section 22,23,25,26,27,34,35 and 36, located in Fairfield Township, Tippecanoe County, Indiana.

COMMISSION CONTRACT

The TIPPECANOE COUNTY DRAINAGE BOARD, hereinafter referred to as "Board", does hereby commission John E. Fisher, L.S., hereinafter referred to as "SURVEYOR", to develop a scheme for the surface water management of a portion of the earth's surface in Tippecanoe County, Indiana, which is parts of Sections Twenty-two (22), Twenty-three (23), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Thirty-four (34), Thirty-five (35), and Thirty-six (36). More specifically, the watershed that lies within the above mentioned sections of real estate and which is tributary to the Wilson Branch of the Elliott Ditch.

The scope of this work shall, chronologically, accomplish the following items.

1. To develop a technique or basic design, preliminary cost estimates, and review some of the environmental impact problems of this basic design, and work to accomplish the best possible and mutual agreement among everyone involved in this problem.
2. After the Board has satisfied itself that the scheme to be employed is our best possible option and after considering all the input from owners and other governmental agencies, then the Surveyor shall go upon the grounds and make any necessary surveys and calculations required to design the structure in its entirety, along with the necessary specifications, and obtain any additional approvals required from other governmental agencies, such as the Department of Natural Resources, Division of Water, and County Surveyor, etc. The Construction Plans shall also take into consideration land acquisition and the specific location of boundaries so as to develop the proper plans, keeping with standard engineering techniques. Inasmuch as this work shall be done on a per diem basis, it is the Surveyor's intent to very closely coordinate this work with the Board, or any of the Board's personnel, so that the Board may, at it's discretion, use it's own personnel in conjunction with the preparation of property owner lists, sending out advertisements, and other related functions. In the development of the construction plans, there will be a schedule establishing the design criteria for the structure with certain limitations pursuant to various areas within the watershed and where these sub-basins have been predesigned to enter the main channel.
3. After proper review of these Construction Plans and Specifications by the Board, and after it has satisfied itself to their adequacy pursuant to the management of the water of this part of the subject watershed, the Surveyor, at the Board's request, will advertise the work for bid, as prescribed by law, and if a contract is awarded, the Surveyor will assist the Board, at it's request, pursuant to the construction of the facility.
4. The Surveyor's compensation for performance of the above-described services shall be in the amount of Four Thousand Nine Hundred Dollars (\$4,900.00) and shall be payable by the Board in monthly draws based on the number of hours actually worked times the hourly rates found on the attached fee schedule, plus the cost of material, determined at cost.
5. The Surveyor shall, at his expense, provide the insurance, as prescribed by law. The Board hereby agrees to furnish all necessary permission and assist the Surveyor in acquiring permits, if necessary, such as road crossings, etc., for the subject work.
6. Either party to this Contract may terminate the contract by written notice, sent by certified mail, ten (10) days prior to the date of termination.
7. It is believed that this work should be completed in twelve (12) months from the date of this Contract. However, if, due to unforeseen delays, the work has not been completed within this time, this Contract may be extended by a Letter of Extension by the Board.

Made this 21st day of April, 1977.

TIPPECANOE COUNTY DRAINAGE BOARD

BY /s/ William Vanderveen, President

/s/ Bruce Osborn, Member

/s/ John E. Fisher, L.S.

With the increase of maintenance funds on the Rebecca Grimes and the E. Eugene Johnson ditches, the Board signed the Order and Findings forms and the Certificate of Assessments for both ditches.

Upon the completion of the days business, William Vanderveen moved to adjourn. The motion was seconded by Bruce Osborn and made unanimous by Robert Fields.

William J. Vanderveen  
William Vanderveen, Chairman

Robert F. Fields  
Robert F. Fields, Vice Chairman

Bruce V. Osborn  
Bruce V. Osborn, Board Member

ATTEST:  
Gladys A. Ridder  
Gladys A. Ridder, Executive Secretary

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JUNE 7, 1978

The regular meeting of the Tippecanoe County Drainage Board met in the Community Meeting Room in the County Office Building at 9:30 a.m. with the following members present: William Vanderveen, Bruce Osborn, Robert F. Fields, J. Frederick Hoffman, Michael Spencer, Kenneth Miller, Dan Ruth and Ethel Kersey.

The minutes of the May 3, 1978 meeting were read and approved.

Minutes  
Approved

The Tippecanoe County Drainage Board all read a copy of the Petition to Reconstruct a portion of Branch No. 14 of the S. W. Elliott Ditch and the Waiver of Notice and Consent. The Petition and Waiver of Notice and Consent were filed with the Surveyor and read as follows:

STATE OF INDIANA        )  
                              ) SS:               BEFORE THE TIPPECANOE COUNTY  
TIPPECANOE COUNTY     )

Branch #14  
S.W.Elliott  
Ditch

IN THE MATTER OF THE        )  
RECONSTRUCTION OF A PORTION )  
OF BRANCH NO. 14 OF THE     )  
S. W. ELLIOTT DITCH.        )

PETITION TO RECONSTRUCT DRAIN

The undersigned Petitioners respectfully petition The Tippecanoe County Drainage Board and show the Board as follows:

1. This Petition is filed pursuant to Section 110 of The Indiana Drainage Code (IC 19-4-1-10).

2. Petitioner The First National Bank of East Chicago is the owner, and Petitioner Richard E. Cochran is the purchaser under a binding offer to purchase, of a 4.09-acre tract in the Southeast Quarter of Section 3, Township 22 North, Range 4 West, Wea Township, Tippecanoe County,

Indiana. A legal description of said tract is annexed hereto as Exhibit A.

A plat of survey of said tract is annexed hereto as Exhibit B.

3. Petitioners' tract, like all of the real estate which adjoins it, is zoned for use for industrial purposes. Most of said adjoining land is presently being used for industrial purposes. The remained, like Petitioners' tract, is lying idle, awaiting development for industrial purposes.

4. As shown on said plat of survey, a portion of the tiled drain known as Branch No. 14 of the S. W. Elliott Ditch runs through the middle of Petitioners' tract, and renders the same unusable for industrial purposes.

5. Petitioners propose that the course of that portion of Branch No. 14 which runs across Petitioners' tract be relocated to run along a line which is parallel to and ten (10) feet east of the entire west line of said tract of real estate. Petitioners further propose to install therein new tile or corrugated pipe having a capacity at least as great as that of the present drain and to connect it up to existing portions of Branch No. 14 at the north and south lines of their tract, and to do so at their sole expense and in accordance with plans and specifications approved by the Board or its representative.

6. Petitioners submit that none of the other lands drained by Branch No. 14 will be in any way affected by the proposed change in course and reconstruction of that portion of said Branch No. 14 which runs through their tract.

7. Petitioners further request the Board to narrow the right-of-way provided by Section 601 of The Indiana Drainage Code (IC 19-4-6-1) to a forty (40) foot strip of even width, lying ten (10) feet on the west side and thirty (30) feet on the east side of the relocated centerline of that portion of Branch No. 14 which runs across their tract, and to permit the construction of permanent structures on any and all parts of their tract except said forty (40) foot strip. Petitioners submit that said forty (40) foot strip is more than adequate to provide for inspection and maintenance of Branch No. 14.

8. As stated above, Petitioners submit that the reconstruction of Branch No. 14 of the S. W. Elliott Ditch and the narrowing of the statutory right-of-way, as prayed for herein, will make their tract usable for industrial purposes and will have no effect whatsoever on any other lands served by Branch No. 14, and that therefore the granting of this Petition by the Board will serve the public welfare.

9. The Petitioners wish to have the date on which the matter will be referred to the Surveyor for report advanced in accordance with Section 110 (g) of The Indiana Drainage Code (IC 19-4-1-10 (g)).

10. The Petitioners will not be represented by counsel in this proceeding.

WHEREFORE, the Petitioners pray that the Board

a. Serve notice of intention to reconstruct that portion of

Branch No. 14 of the S. W. Elliott Ditch described above on the owners of land affected by said reconstruction;

b. Advance the date on which the matter will be referred to the Surveyor for report;

c. Fix a date for and hold a hearing on the proposed reconstruction;

d. Issue an order (i) relocating that portion of Branch No. 14 of the S. W. Elliott Ditch which runs across Petitioners' tract along the new route prayed for herein, and (ii) narrowing the statutory right-of-way provided by Section 601 of The Indiana Drainage Code to a strip of land forty (40) feet in width, lying ten (10) feet along the west side and thirty (30) feet along the east side of said relocated drain.

THE FIRST NATIONAL BANK OF EAST  
CHICAGO

By /S/ Edward D. Ryan  
Edward D. Ryan, Sr. Vice President

Attest: /S/ Ronald D. Sevier  
Ronald D. Sevier  
Assistant Cashier

/S/ Richard E. Cochran  
Richard E. Cochran

STATE OF INDIANA )  
                  ) SS:  
TIPPECANOE COUNTY )

BEFORE THE TIPPECANOE COUNTY  
DRAINAGE BOARD

IN THE MATTER OF THE )  
RECONSTRUCTION OF A PORTION )  
OF BRANCH NO. 14 OF THE )  
S. W. ELLIOTT DITCH )

WAIVER OF NOTICE AND CONSENT

The undersigned is the owner of real estate affected by the petition to reconstruct drain filed by The First Nation Bank of East Chicago, regarding the reconstruction of a portion of the Branch No. 14 of the S. W. Elliott Ditch; The undersigned has received and read a copy of the petition to reconstruct drain, is agreeable to such reconstruction and waives all notice of hearing on such petition and consents to an order by the Tippecanoe County Drainage Board, granting the relief sought in said petition and the reconstruction of said drain, such reconstruction is to be done entirely at the cost of Petitioner.

/S/ Fairfield Mfg. Co, Inc.

/S/ Charles E. Kramer  
President

Robert F. Fields made a motion to approve the Petition along with that we, Tippecanoe County Drainage Board have an inspector and they, The Petitioner pay for the inspection. Bruce Osborn, seconded the motion and made unanimous by William Vanderveen.

After approving the Petition the Board signed the "Order and Findings".

Mr. Alvin Pilotte was again present at the Drainage Board meeting. William Vanderveen asked Pilotte what he would like to talk about and of course it was the Ilgenfritz Ditch. Mr. Pilotte started out by complaining about the tile ditch he said is under the open ditch, which his property is still draining into. Apparently in his opinion when the open ditch was cleaned out there were some tile at the bottom of the ditch that were broken and this is letting the tile ditch fill up with dirt so that his property is not draining. Mike Spencer reported that the legal description for the Ilgenfritz was all an open ditch. Alvin insisted and repeated that there was only a waterway over the tile ditch but didn't know if the tile ditch is a legal or private drain. Ilgenfritz Alvin Pilotte

After a discussion about the work that had been done on the Ilgenfritz ditch and the work that is to be done, the above complaint of Mr. Pilotte was dropped and the meeting returned to the problem of the obstruction that Pilotte had placed in the ditch. After, Alvin talked for awhile, he was reminded by Mr. Vanderveen that he had been order to remove the obstruction. He said he would take the culvert out and then asked when he could look forward for a bridge. He was told in the next four years.

Mr. Hoffman told Mr. Pilotte he could have fifteen (15) days to removed the obstruction and that he would tell the Judge.

William Vanderveen opened the informal reconstruction hearing on the Michae<sub>l</sub> Binder ditch.

Some of the people of this ditch asked for the hearing and the Surveyor needed to know how many of the people in this watershed were in agreement on the reconstruction of this ditch and what was there opinion of the report of the SCS concerning this ditch before he did all of the field work necessary.

Informal Reconstruction Hearing Michael Binder Ditch

Those in attendance were: Raymond C. Bender, Charles Shelby, John Shelby, Raymond Bennett Ser., Norman Bennett Doug Sheets, Charles E. Kerber, Paul W. Ade, Robert C. Ade and Ralph W. Patrick, Ann Clark and Mark De Poy from SCS.

The property owners and the Surveyor's office had both asked the Soil Conservation Service for any technical assistance their agency may be able to provide in reviewing or any changes that may provide for the reconstruction of this drain. The property owners was mailed a copy of the report from SCS along with the notice of the informal reconstruction hearing. Job Investigation

A discussion on the pros and cons of reconstructing the drain, with most of the question being answer by Ralph Patrick. Mr. John Shelby was the only one that had an objection to the reconstruction plans. He was objecting to the open ditch on his property, because he would be losing some farm ground.

Mr. Vanderveen asked for a show of hands from those in favor of going ahead with the plans to reconstruct the Michael Binder Ditch. The vote was unanimous.

All were informed that when the Surveyor was finished with his work, a new hearing with the results would be called. The Surveyor is to recheck the watershed.

Branch #5 J.N. Kirkpatrick Ditch

Pat Cunningham, Representing David Price, came before the Drainage Board asking permission to relocate a portion of Branch #5 of the James N. Kirkpatrick Ditch, the Board approved the proposed relocation with the following conditions:

1. That the owner petition to reconstructed a portion of Branch #5 of the James N. Kirkpatrick ditch.
2. That the expense of creating this legal entity as well as the installation of the improvements be borne by the petitioner.
3. That the construction plans for said legal drainage be approved by the Tippecanoe County Drainage Board.
4. That the owners' up stream be notified by the legal notice procedure or have a Waiver of Notice and Consent signed.

Eugene Johnson Ditch

The repair work under the railroad on the Eugene Johnson Ditch, came under reconstruction not maintenance. Meeting for Reconstruction before work is done.

Upon motion made and carried the meeting adjourned.

*William G. Vanderveen*

William G. Vanderveen, Chairman

*Bruce Osborn*

Bruce Osborn, Vice Chairman

*Robert F. Fields*

Robert F. Fields, Board Member

ATTEST:

*Ethel Kersey*  
Ethel Kersey, Exec. Secretary

A Letter from the Tippecanoe School Corporation reads as follows;

June 1, 1978

Board of Commissioners County of Tippecanoe  
County Office Building  
20 North Third Street  
Lafayette, Indiana 47901

Gentlemen:

Subject to your approval and the approval of the Tippecanoe County Drainage Board, the Tippecanoe School Corporation will construct and thereafter maintain a storm water drainage system to serve Battle Ground Junior High School located in Tippecanoe Township, Tippecanoe County, Indiana, in accordance with the plans and specifications for such drainage system prepared by Fanning/Howey Associates, Inc., which plans and specifications have been submitted to and approved by you.

It is understood and agreed that Tippecanoe School Corporation shall be solely responsible for the construction and future maintenance of the drainage system and will save and hold harmless the County of Tippecanoe from any expenses, damages, and/or causes of action arising from the construction, maintenance, or lack of maintenance of said storm water drainage system.

TIPPECANOE SCHOOL CORPORATION

By: /S/ Richard W. Harlow  
President

Attest /S/ Mary I. Sherwin  
Secretary

Battle Ground Junior High School

TIPPECANOE COUNTY DRAINAGE BOARD  
WEDNESDAY, MARCH 16, 1988,

HEARING FOR TOWN OF KIRKPATRICK DITCH 9:00 A.M. Community Room of the Tippecanoe County Office Building 20 North Third Street, Lafayette, Indiana.

Bruce Osborn called the meeting to order stating that the purpose of the meeting was to organize Joint Board of Montgomery and Tippecanoe Counties for the hearing of the Town of Kirkpatrick ditch.

Mr. Hoffman drainage attorney swore the board members in to serve the Joint Board of the Kirkpatrick One drain they are Commissioners Robert Thayer and Marion Kirtley, Montgomery County, Bruce V. Osborn and Eugene Moore Tippecanoe County, and Don Kremer from White County.

Michael stated he has three other ditches by the name of Kirkpatrick and that is the reason for naming this ditch Town of Kirkpatrick. Mr. Osborn and Mr Hoffman felt that the ditch should be called Kirkpatrick One.

Mr. Hoffman conducted election of officers. Robert Thayer nominated Bruce V. Osborn as President, seconded by Marion Kirtley there being no other nominations, Bruce V. Osborn was elected President of the board.

Eugene Moore nominated Robert Thayer as Vice -President, seconded by Don Kremer, White County Commissioners.

Mr. Osborn asked Maralyn D. Turner to serve as secretary and Mr. Hoffman as drainage attorney.

Those present were: Michael Spencer Tippecanoe County Surveyor, Russ Nelson Montgomery County Surveyor, Eugene Moore and Bruce V. Osborn Tippecanoe County Commissioners, Don Kremer White County Commissioner, Robert Thayer and Marion Kirtley Montgomery County Commissioners. Others present are on file.

Mr. Osborn stated there was a new law passed that on a Joint Drainage Board there has to be five members, this is the reason for Mr. Don Kremer, White County Commissioner serving on the board.

Michael J. Spencer stated that a petition was received from property owners January 12, 1987 in the Kirkpatrick One watershed area. Petition was to establish a maintenance fund from County Road 1300 South to Town of Kirkpatrick. The amount to be established \$1.00 per acre to maintain the open drain along the existing route and not the tile drains that feed into it. There are problems with some of the headwalls where the tile system comes into the open ditch. There's approximately 3700 acres in the watershed area. There is a maintenance fund which has been voluntarily set up since the ditch was built in 1959. The latest that any maintenance has been done was back in 1972, this is per records of the Soil Conservation. Michael walked the ditch in February, there are some areas that need immediate attention if it becomes a County drain. When the ditch was built there was an old tile system, they left both ends of tile where they cross the ditch. When there is low water flow, water actually goes out of the open ditch into those tiles, this is causing alot of problems. Montgomery county has alot of tile wholes, banks are being blown out along the open ditch. Railroad side ditch south and west of Kirkpatrick has alot of silt and needs attention. If the property owners would want to put the tile system on the maintenance fund they could petition to do so.

Keith Stingley asked how come they are running this clear down to the road where the Perry Davis ditch runs? How's come they are not starting where they tore out the old tile? Michael answered the only reason he sent notices out to that point was that was the way the petition was presented. Mr. Stingley stated that it could be ran three miles more and catch everybody. Mr. Stingley objects as they are not hooked into it, they are hooked into the Isfelt drain. Mr. Stingley stated the Perry Davis ditch was built many years before the Kirkpatrick.

Mr. Hoffman stated if they are going to add they will have to have a petition to establish extending the legal drain. Michael stated the only thing he has to check with is the Soil Conservation records. Bruce asked if it went to the Wea drain? Michael feels that it does as well as up to the E.E. Johnson ditch.

Mr. Stingley stated there are no problems with the Perry Davis ditch, the fall is good. The only trouble with the Isfelt ditch is that he has tried for 10 years to drain it, it is all plugged up, tile is flat and it is a County ditch. He feels it isn't right to run the Kirkpatrick ditch to the other road. He feels it should start at the old tile. On further down he feels that it is cutting in on everybody else.

Mr. Osborn asked Michael to check on the legal description.

After checking Mr. Hoffman stated that it appears that the drain is longer. Michael stated the clean out was started at road 1300 South, when the drain was originally extended they started along the existing open ditch at a point approximately 3000' North and East of County Road 1300 South, then South along existing open ditch to a point where they took off with a new open ditch and dug the old tile out, along the railroad track down to the Town of Kirkpatrick. In looking at this the legal drain will have to start at the point where they started the reconstruction in 1959.

Mr. Hoffman stated since the people on the top section of the watershed area didn't get notices of this meeting another hearing will have to be held.

Barry Virgin asked how the voting among the landowners regulated if a maintenance fund is established. Who makes a decision of whether the ditch becomes a County ditch? Mr. Hoffman stated that it is already a County ditch (legal drain). Mr. Virgin stated there is money from a private drain. Mr. Hoffman stated he understands there has been money put into a voluntary fund to maintain the ditch. Since there is a voluntary fund something will have to be worked out in credits to the assessments. Mr. Hoffman stated that he assumes everyone knows how much they have put into the fund.

Mr. Osborn asked Eldon Horney if everyone knows how much they have paid into this fund?

Mr. Horney stated they have paid \$1.50 per acre since 1984 and paid for three years. Fund is in the Linden State Bank drawing interest at this time there is \$10,835.00. Mr. Osborn asked if this could be passed backed to the owners.

Mr. Horney stated that there has been changes in landowners in some cases. Mr. Hoffman stated the money would go with the land. Mr. Horney stated he would rather have it credited to the land that it came with. This will have to be taken under advisement. They have only used out of the fund one time. Mr. Horney stated there are records of the fund. Mr. Hoffman stated that after the maintenance fund is established that whoever represents the fund they should set down with the auditor, commissioners and surveyors to determine how to treat this fund. Mr. Horney stated he would personally like to see it turned over to the board and they decide how to distribute.

Mr. Keith Stingley asked if this is fair to the people on down the stream who have not had a vote on this yet? Mr. Osborn stated that notices will have to be sent out and another hearing be held.

Mr. Stingley asked if payment is made on the ditch according to how far you go up to the Kirkpatrick? If you are way down stream and don't fill in any sediment do you have to pay in? Mr. Hoffman again explained that it is on an acreage bases of acreage benefited within the watershed area. Mr. Stingley feels this is rotten, for the people downstream don't fill in, but all the blume ground up through Kirkpatrick is all filled in every five years. Mr. Hoffman stated everybody's water is going through that portion of the drain, Mr. Stingley stated not his.

Fred Klinker asked that the meeting be set after corn planting time.

After much discussion a Special meeting for a hearing was set for May 18, 1988 at 9:00 A.M.

There being no further business the meeting adjourned at 9:35 A.M.

Bruce V. Osborn  
Bruce V. Osborn, President

Eugene R. Moore  
Eugene R. Moore Boardmember

Robert Thayer, Vice-President

Marion Kirtley, Boardmember

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

Don Kremer, Boardmember

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 (Carrroll County), Train Coe, County Farm, Darby Wetherill (Benton County), Marion Dunkin, Crist/Fassnacht, Issac Gowen (White County), Martin Gray, E. F. Haywood, Thomas Haywood, Harrison Meadows, Jenkins, James Kellerman, Frank Kirkpatrick, Mary McKinney, Wesley Mahin, Samuel Marsh (Montgomery County), Hester Motsinger, Aduley Oshier, Emmett Raymon (White County), Arthur Richerd, Abe Smith, Mary Southworth, Gustavel Swanson, Treece meadows, Wilson-Nixon (Fountain County), Simeon Yeager, S.W. Elliott, Dismal Creek, Shawnee Creek.

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

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

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

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

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

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

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

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

HOFFMAN  
DITCH

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

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

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

*Eugene R. Moore*

Eugene R. Moore, Chairman

*Bruce V. Osborn*

Bruce V. Osborn, Board Member

*Sue W. Scholer*

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

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR Meeting January 3, 1990

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

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

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

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

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

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

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

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

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

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

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

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

COUNTRY CHARMS

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

TRASH TRANSFER

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

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

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

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

Sue W. Scholer stated there are two recommendations made.

1. The erosion control. 2. The calculations.

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

COUNTRY  
CHARMS

TRASH  
TRANSFER

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

✓  
DIMMENSION

DIMENSION CABLE

CABLE

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

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

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

George stated they are asking for final drainage approval.

Mr. Hoffman asked if George's client would be willing to participate in the cost of a more substantial drainage improvement in the area. Mr. Shulte stated he could not answer that question, but he feels he would be willing. Bruce asked if conditions had been met? Michael Spencer answered, no, there is one other conditions and that is that the City of Lafayette review this project, as of January 2, 1990 this area is in side the City Limits as is Wal-Mart. Mr. Sooby has not seen the plans presented. Discussion continued.

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

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

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

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

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

WAL-MART

WAL- MART

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

WAL-MART CONTINUED  
JANUARY 3, 1990 DRAINAGE BOARD MEETING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## STATE ROAD

## STATE ROAD 38 PROJECT AGREEMENT

## 38 PROJECT AGREEMENT

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

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

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

## ORCHARD

## ORCHARD PARK

## PARK

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

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

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

The services that were included are:

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

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

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

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

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

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

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

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

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

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

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

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

**CARROLL COUNTY JOINT DRAIN**

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

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

Hubert Yount, seconded. Motion carried.

**DRAINAGE BOARD ATTORNEY CONTRACT**

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

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

Nola J. Gentry, seconded. Motion carried.

**ACTIVE AND INACTIVE DITCHES**

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

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

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

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

#### DISCUSSION ON TILE BIDS

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

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

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

#### JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

#### TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

#### HADLEY LAKE DRAIN

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

#### PINE VIEW FARMS

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

Discussion followed.

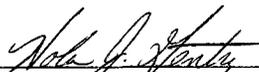
Mike Spencer recommended preliminary approval to the Board.

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

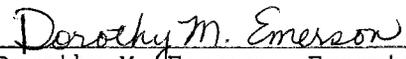
Hubert Yount, seconded. Motion carried.

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

  
Keith E. McMillin, Chairman

  
Nola J. Gentry, Member

  
Hubert D. Yount, Member

ATTEST:   
Dorothy M. Emerson, Executive Secretary

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

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

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

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

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

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

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

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

**Hire the Attorney**

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

**Active and Inactive Ditches for 1993**

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

**ACTIVE DITCHES**

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

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

INACTIVE DITCHES

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

**Storm Water Drainage Improvement Plan**

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.

  
William D. Haan, President

  
Nola Gentry, Vice President

  
Hubert Yount, Member

ATTES:   
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD  
REGULAR MEETING  
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 Rickerd	F.E. Morin Emmett Rayman	Hester Motsinger Franklin Reser	J.Kelly O'Neal Aurthur
Joseph Sterrett Walters	Gustav Swanson	Jacob Taylor	William
Wilson Nixon Creek	Simeon Yeager	Jesse Dickens	Dismal
Kirkpatrick One Lateral	John Hoffman	Sophia Brum	HW Moore
Mary Thomas	Arbegust-Young	Jesse Anderson	

INACTIVE

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

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

\_\_\_\_\_  
Shelli Muller, Secretary

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

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

# TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

**Those present were:**

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

The Tippecanoe County Drainage Board met Wednesday, February 9, 2000, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 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

December 18, 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 Doug Masson, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Surveyor's office Project Manager James Butcher and G.I.S. Technician Evan Warner were also in attendance.

### Approval of Minutes

David Byers made a motion to approve the November 6, 2013 regular minutes and the November 6, 2013 Hester Motsinger Regulated Drain Hearing Minutes. John Knochel seconded the motion. The November 6, 2013 Hearing and Regular meeting minutes were approved as written.

### Contracts

#### Eugene Johnson #41 Regulated Drain Maintenance

The Attorney Doug Masson opened the contract bids received for the Eugene Johnson Regulated Drain #41 Maintenance project. The bid amounts were stated as follows: Rinehart Excavating: \$42,970.50- Anderson Tree Company: \$41,159.50- Fairfield Contractors Inc.: \$16,001.00- Tony Garriott: \$26,563.00- F&K Contractors: \$64,467.00. David Byers made a motion to take the bids under advisement. John Knochel seconded the motion.

#### Moses Baker #114 Regulated Drain Maintenance

The Attorney Doug Masson opened the contract bids received for the Moses Baker Regulated Drain #114 Maintenance project. The bids were stated as follows: Tony Garriott: \$35,475.00- Rinehart Excavating: \$94,738.50- Fairfield Contractors Inc.: \$50,625.00- F&K Contractors: \$152,659.50- Heartland Excavating: \$57,697.00. John Knochel made a motion to take the bids under advisement. David Byers seconded the motion. The President stated the maintenance project (s) bids would be tabulated by the Surveyor's Office Project Manager during this meeting. The contracts once reviewed for compliance would be awarded at the end of today's meeting. Continued-

### Faith Ministries East Campus Master Plan

Jim Pence from Schneider Corporation appeared before the Board to present Faith Ministries East Campus Master Plan. The East Campus site was located on the northeast corner of St. Rd. 26 and Co. Rd. 550 East and consisted of approximately 45 acres. An additional 90 acres to the northeast of the site was acquired by Faith Ministries. He stated the Master Drainage plan was prepared to analyze the existing conditions and to provide guidance for future expansions. Multiple buildings and ball fields were planned to be added in the future. The existing pond on the original site would be expanded to facilitate additional improvements on the Campus site. The Master Drainage Plan included 5 ponds for the entire site. Mr. Pence noted the current site drained four separate directions; Northeast, Southeast, West and South. Any other future development within the site would require Drainage Board approval. Mr. Pence stated their client agreed with the comments stated on the December 12, 2013 Burke memo and requested Drainage Board approval at that time. He noted Mr. Joe Blake of Faith Ministries was in attendance today. The Surveyor asked the Board for any questions. Responding to Dave Byers inquiry, Mr. Pence stated currently four of the five ponds were dry ponds; however one of the ponds would have a two foot water surface to be used to convey the runoff to the natural ravine onsite. The Surveyor recommended conditional approval as stated on the December 12, 2013 Burke memo. David Byers made a motion to grant the conditional approval stated on the December 12, 2013 Burke Review memo. John Knochel seconded the motion. There was no public comment. Faith Ministries East Campus Master Plan was granted conditional approval as set within the December 12, 2013 Burke Review Memo.

### Zach Beasley

#### 2014 Drainage Board Hearing Dates

The Surveyor proposed 2014 Drainage Board Meeting Dates for approval. John Knochel made a motion to approve the 2014 Drainage Board Meeting Dates as presented. David Byers seconded the motion. The 2014 Drainage Board Meeting dates were approved as presented by the Surveyor (The list will appear immediately following the December Meeting minutes in the official Drainage Board Minutes book).

#### Petition to Vacate Br. #08 S.W. Elliott Regulated Drain #100

The Surveyor presented a Petition to Vacate regarding the S.W. Elliott Regulated Drain #100 Branch #08 and located on the TKO Graphix project site. He noted the TKO Graphix project was previously approved by the Board. This Vacation Petition was a condition for approval set by the Board at time of conditional approval. John Knochel made a motion to approve the

Petition to Vacate Branch #08 of the S.W. Elliott Regulated Drain #100 located on the TKO Graphix project site. David Byers seconded the motion. The vacation of Branch #08 of the S.W. Elliott Regulated Drain #100 located on the TKO Graphix site was approved by the Board. There was no public comment.

**Bonds/Letters of Credit**

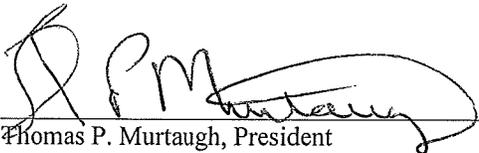
The Surveyor presented Maintenance Bond #5040959, dated Dec. 2, 2013, in the amount of \$14,627 and submitted by Bond Safeguard Ins. Co. regarding the Hawthorne Lakes Sec 3 project for approval. John Knochel made a motion to approve Maintenance Bond #5040959, dated December 2, 2013, in the amount of \$14,627 and submitted by Bond Safeguard Ins. Co. regarding the Hawthorne Lakes Sec 3. David Byers seconded the motion. The Surveyor presented Letter of Credit #S503912, dated December 5, 2013, in the amount of \$40,000, submitted by Fifth Third Bank regarding the Pro-Axis 2<sup>nd</sup> Expansion project. David Byers made a motion to approve the Letter of Credit #S503912, dated December 5, 2013, in the amount of \$40,000, submitted by Fifth Third Bank regarding the Pro-Axis 2<sup>nd</sup> Expansion. John Knochel seconded the motion. Maintenance Bond #5040959 and Letter of Credit #S503912 were approved as presented.

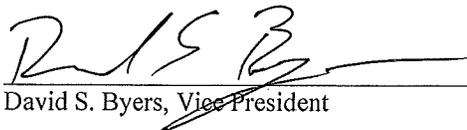
**Hearing Request/Mary McKinney #52 Regulated Drain**

The Surveyor requested a landowner hearing regarding reconstruction of the Mary McKinney #52 Regulated Drain. He requested to hold the hearing directly following the March 5, 2014 regular meeting of the Board. He stated the drain was located just south of the town of Otterbein on the northwest side of the County. He stated he had met with many of the landowners. This was roughly a \$300,000 project, approximately one and half miles of 18 and 24 inch tile and potentially approximately \$325 per acre cost. He stated approximately 78% of the affected landowners were in favor of the project. David Byers made a motion to set a landowner hearing on March 5, 2014 regarding reconstruction of the Mary McKinney #52 Regulated Drain. John Knochel seconded the motion. A landowner hearing regarding reconstruction of the Mary McKinney #52 Regulated Drain was set for March 5, 2014. It would be held directly following the regular 10:00 a.m. meeting of the Board.

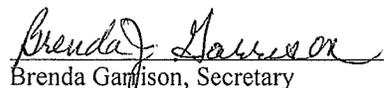
**Contracts-continued**

The Surveyor's Office Project Manager James Butcher reviewed the submitted regulated drain maintenance contract bids and found them in compliance. He stated the following low bids as follows: Eugene Johnson #41 Regulated Drain maintenance project bid submitted by Fairfield Contractors at \$16,001.00 and the Moses Baker #114 Regulated Drain maintenance project bid submitted by Tony Garriott at \$35,175.00. John Knochel made a motion to award Fairfield Contractors Inc. the Eugene Johnson Regulated Drain #41 Maintenance project and Tony Garriott the Moses Baker Regulated Drain #114 maintenance project. David Byers seconded the motion. There was no public comment.

  
Thomas P. Murtaugh, President

  
David S. Byers, Vice President

  
John Knochel, Member

  
Brenda Garrison, Secretary

Tippecanoe County Drainage Board  
20 North Third Street  
Lafayette Indiana 47901  
765-423-9228  
surveyor@county.tippecanoe.in.gov



201313027839 8 \*  
201313027839  
FILED FOR RECORD IN  
TIPPECANOE COUNTY, IN  
ONETA TOLLE, RECORDER  
12/20/2013 11:01:24AM  
MISCELLANEOUS 27.00

**Petition to Partially Vacate**  
**BRANCH #08 of**  
**S.W. Elliott Regulated Drain #100**  
**Submitted by:**  
**TKO Graphix**

**Dated November 27, 2013**

Approved and accepted this 18<sup>th</sup> day of Dec. 2013

Thomas P. Murtaugh, President

David S. Byers, Vice President

John Knochel, member

Attest:

Brenda Garrison, Secretary

DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER.

DEC 20 2013

*nm*

AUDITOR OF TIPPECANOE CO.

STATE OF INDIANA ) BEFORE THE BOARD DRAINAGE BOARD  
 )SS: OF TIPPECANOE COUNTY  
COUNTY OF INDIANA )

**PETITION FOR PARTIAL VACATION**  
**OF BRANCH #8 OF THE SW ELLIOTT REGULATED DRAIN #100**

TO THE DRAINAGE BOARD OF TIPPECANOE COUNTY:

SMT Properties, LLC, by Gary Meunier, Member, respectfully petitions the Drainage Board of Tippecanoe County and shows the following:

1. Your Petitioner is the Owner of 100% certain real estate described in Exhibit A attached hereto and incorporated herein by reference.
2. That said real estate constitutes all of the TKO Graphix Lafayette Operations development. The proposed drainage plan for the development has received conditional approval from this Board.
3. Your Petitioner petitions the Drainage Board to vacate that portion of the Drain that runs across the legal description attached hereto as Exhibit A and which portion of the Drain is more particularly shown by the drawings on Exhibits B, C and D which has attached thereto a legal description (Exhibit E).
4. That the Drain, as currently constructed, will not be adequate to hold post-development runoff for this development and will no longer perform the purpose for which it was intended, but that the drainage design to be approved by the Developer and the Board will do so.
5. Any reconstruction of the Drain will cost more than the benefits to be derived from the reconstruction.
6. This abandonment will not be detrimental to the public welfare.
7. No persons other than the Petitioner will be directly affected by this vacation.
8. The Representative for Petitioner is Todd A. Starr of the firm STARR ASSOCIATES, LLC, 413 Teal Road, Lafayette, Indiana 47905, telephone (765) 471-8813.



## **EXHIBIT "A"**

**Parcel No.: 118-01700-0035 (Parent Tract)**

**A part of a tract of land owned by McAlpine, LLC as recorded in Document Number 05013094 as recorded in the Office of the Recorder of Tippecanoe County, Indiana (ORTCI), and being a part of the East Half of the Fractional Northwest Quarter of Section 18, Township 22 North, Range 3 West, Sheffield Township, Tippecanoe County, Indiana, described as follows: Beginning at a Starr Capped Rebar marking the Southeast corner of the Fractional Northwest Quarter of said Section 18; thence North  $89^{\circ} 56' 28''$  West (Bearings are based on WGS84) 831.04 feet along the South line of the East Half of the Fractional Northwest Quarter of said Section 18 and the approximate center line of County Road 450 South to a Mag Spike; thence North  $00^{\circ} 05' 04''$  West 1,572.48 feet to a Starr Capped Rebar and the South line of a tract of land owned by The Revocable Trust of Betty H. McKinnis as recorded in Document Number 201111007988 (ORTCI); thence South  $89^{\circ} 56' 28''$  East 831.04 feet along the South line of the McKinnis property to a Starr Capped Rebar on the East line of the Fractional Northwest Quarter of said Section 18; thence South  $00^{\circ} 05' 04''$  East 1,572.48 feet along the East line of the Fractional Northwest Quarter of said Section 18 to the Point of Beginning and containing 30.000 Acres.**

PROPOSED VACATION

BRANCH #8 OF SW ELLIOTT  
REGULATED DRAIN #100

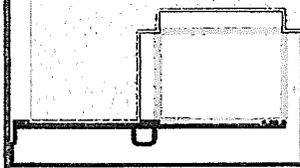
TKO GRAPHIX

30.00 ACRES

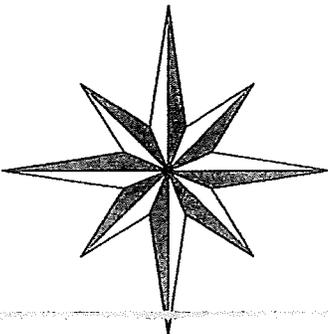


Scale 1" = 200'

PREPARED FOR: TKO GRAPHIX  
PROJECT #20134111  
11/15/13 E.J.F



COUNTY ROAD 450 SOUTH



PARTIAL VACATION - EXHIBIT B  
BRANCH #8 OF SW ELLIOTT REGULATED DRAIN #100

**STARR ASSOCIATES**

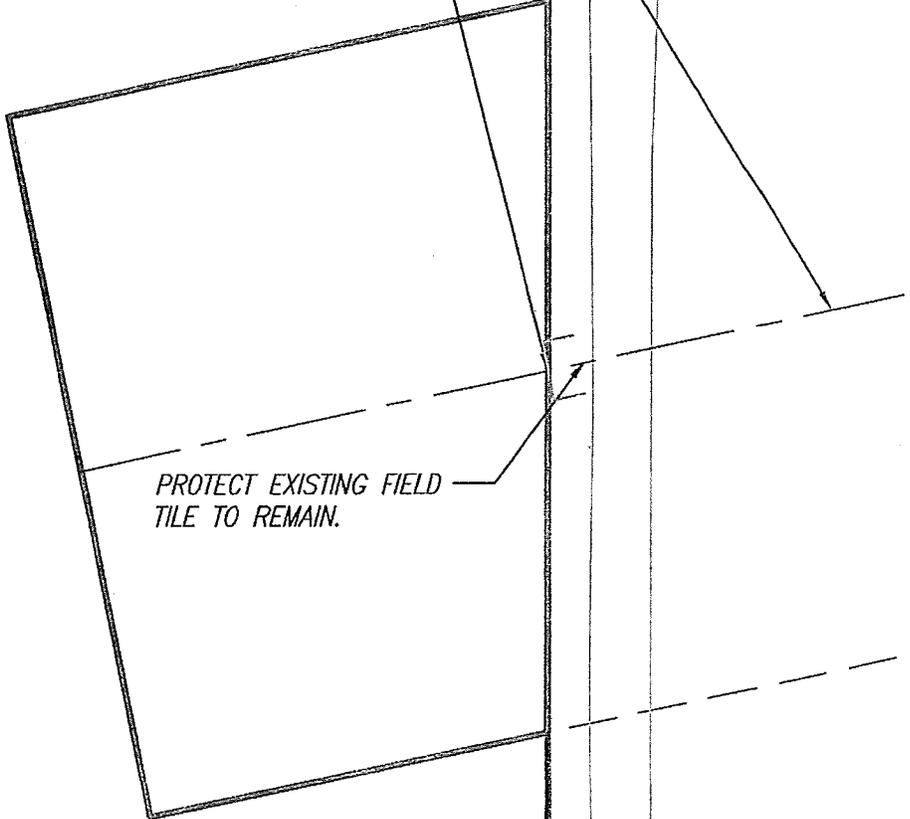
LAND SURVEYING & CIVIL ENGINEERING

413 TEAL ROAD  
LAFAYETTE, INDIANA 47905  
(765) 471-8813



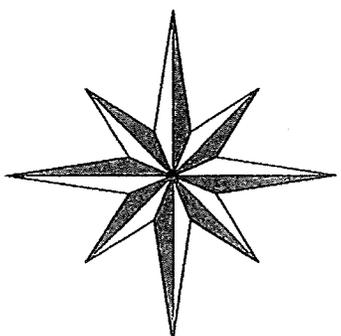
☐ BRANCH #8 OF SW ELLIOTT  
REGULATED DRAIN #100

FIELD-VERIFY LOCATION AND SIZE OF EXISTING TILE; EXCAVATE  
AND REMOVE PIPE TO EAST PROPERTY LINE AND CAP WITH  
APPROPRIATE SIZE AND MATERIAL. COORDINATE WORK WITH  
COUNTY SURVEYOR AND DOCUMENT PROCESS WITH PHOTOGRAPHS.



Scale 1" = 40'  
PREPARED FOR: TKO GRAPHIX  
PROJECT #20134111  
11/15/13 EJF

SE CORNER, FRACTIONAL NW 1/4,  
SECTION 18-22-3



PARTIAL VACATION - EXHIBIT D  
BRANCH #8 OF SW ELLIOTT REGULATED DRAIN #100

**STARR ASSOCIATES**  
LAND SURVEYING & CIVIL ENGINEERING

413 TEAL ROAD  
LAFAYETTE, INDIANA 47905  
(765) 471-8813  
(765) 471-0365 FAX

## **EXHIBIT "E"**

### **Legal Description (Portion of Branch #8 of the SW Elliott Regulated Drain #100 to be Vacated)**

**A portion of Branch #8 of the SW Elliott Regulated Drain and associated 150' County Drainage Easement lying within a part of the East Half of the Fractional Northwest Quarter of Section 18, Township 22 North, Range 3 West, Sheffield Township, Tippecanoe County, Indiana, described as follows: Commencing at the Southeast corner of the Fractional Northwest Quarter of said Section 18; thence North 00° 05' 04" West (Bearings are based on WGS84) 1,298.43 feet along the East line of the Fractional Northwest Quarter of said Section 18 to the Point of Beginning of this description; thence South 78° 09' 46" West 85.95 feet; thence North 11° 50' 14" West 150.00 feet; thence North 78° 09' 46" East 117.15 feet to the East line of the Fractional Northwest Quarter of said Section 18; thence South 00° 05' 04" East 153.21 feet along the East line of the Fractional Northwest Quarter of said Section 18 to the Point of Beginning and containing 0.35 of an Acre.**

**The above description is based upon record information and is intended to include, abandon, and vacate that entire portion of Branch #8 of the SW Elliott Regulated Drain #100 lying within the Overall Land Description found in Exhibit "A".**

**Tippecanoe County Drainage Board**  
**February 3, 2015**  
**Regular Meeting Minutes**

**Those present were:**

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

**Approval of Minutes**

Thomas P. Murtaugh made a motion to approve the January 6, 2016 regular meeting minutes as written. Tracy Brown seconded the motion. Motion carried.

**Eugene Johnson #41 Open Ditch Maintenance Bid Opening**

The President referred to the Board's Attorney for the reading of the submitted Eugene Johnson #41 Open Ditch Maintenance Bids. Attorney Masson read the following bid amounts to the attendees: Frank James Excavating in the amount of \$51,832.25; Fairfield Contractors in the amount of 64,246.00; Heartland Excavating Inc. in the amount of \$50,900.16; Tony Garriott in the amount of \$72,251.38. He recommended the bids be taken under advisement and award the project at end of today's meeting if all documents were in order and referred back to the Board.

Thomas P. Murtaugh made a motion to take the submitted bids under advisement and award the project at end of today's meeting if all documents were in order. Tracy Brown seconded the motion. Motion carried.

**2016 Contract Engineer Reviews/Christopher B. Burke Engineering LLC.**

The Surveyor presented the 2016 Engineer Review Contract submitted by Christopher B. Burke Engineering LLC. He noted the per hour rate was the same as last year.. Having been approached by two or three local firms regarding the possibility of conducting the reviews in office in the hopes of lowering fees, he researched the review fees for the last 14 years. He found that to provide the service based on current work flow it would take two positions in office for review services only. One would have to be a licensed individual with experience and one would be a technician with considerable amount of experience. The first position would be an approximate minimum salary of \$80,000 (as a registered individual) and with benefits would add up to be over \$104,000. The second in house position would be an approximate salary of \$40,000 (range could be \$40-\$60,000) and with benefits would add up to over \$56,000. This would be an additional cost of over \$160,000 yearly to the county. He stated he reviewed the last fourteen years of development submittals and the review fees paid. He then averaged the number of developments reviewed and costs associated. He found the average yearly amount paid was \$77,188.69. This amount was considerably lower than having the positions in house. He stated if the service was in house it would cost twice as much to review the same number of developments for compliance with the Tippecanoe County Stormwater Quality Ordinance and IDEM rulings. He noted, based on conversations with council members, they did not feel taxpayers should have to pay for a development's review. With this being the case, the council would more than likely expect a fee to cover their salaries. This would cause reviews fees to be twice the current cost (taking in account the salaries paid yearly). He recommended approval of the submitted Engineer Review contract as presented. Thomas P. Murtaugh thanked the Surveyor for researching this issue.

Thomas P. Murtaugh made a motion to approve the 2016 Engineer Review Contract with Christopher B. Burke Engineering LLC. Tracy Brown seconded the motion. Motion carried.

**Zach Beasley/Classification Report/Drain Status List**

The Surveyor reviewed the Drainage Board Code regarding submission of a classification report and annual drain status list to the Board. He noted the County Surveyor is required to submit a drain status list annually. This list states whether the drain would be on or off assessment for the current year. He explained the statutory requirements for assessment status: active and inactive. Each and every one of the drains is represented on the status list for the current year- active means on assessment and inactive means off assessment. When a drain has a total balance in its individual account below the 4, 6 or 8 year collective total then it is automatically on assessment (active). When it is over the 4, 6 or 8 year collective total then it is off assessment (inactive) for the current year.

He explained the Surveyor's Classification of Drains Report is pursuant to Indiana Drainage Code 36-9-27-34. He referred to it as a drain inventory list. The Indiana Drainage Code requires an annual review of each drain. The Surveyor then must

recommend to the Board whether the particular drain is in need of reconstruction, maintenance, vacation or requires a landowner hearing to establish higher rate. It also indicates whether the drain should be classified as an Urban and those drains in need of periodic maintenance and those referred to Surveyor by the Board for a report. He noted Exhibit "A" to the Classification Report lists each drain, its history, current needs and current status.

Responding to Tracy Brown's inquiry of the Reconstruction list portion, the Surveyor stated there were two ways to get on the reconstruction list. One: A landowner submits a petition to reconstruct with benefitted landowners signatures –the surveyor presents it to the Board who then refer it back to him for a reconstruction report. His office handles them in the order they are received. Two: If the drain is not functioning as designed, the Surveyor has the authority to put it on the classification list as in need of reconstruction. For those particular drains he reaches out to each landowner to see if they are interested in signing a petition to reconstruct that drain and if they are not interested in doing that, it basically stays on the list. Responding to Thomas P. Murtaugh's inquiry he stated the drain could be on that list for several years before reconstruction is completed. He reiterated that being on the classification report and specifically listed as in need of reconstruction does not necessarily mean it will be reconstructed that same year. The President thanked the Surveyor for his classification report, exhibit and the 2016 Drain Status List.

Thomas P. Murtaugh made a motion to approve the Regulated Drain Classification Report as submitted. Tracy Brown seconded the motion. Motion carried. Thomas P. Murtaugh made a motion to approve the 2016 Regulated Drain Status List as presented. Tracy Brown seconded the motion. Motion carried.

#### **Eugene Johnson #41 Regulated Drain Open Ditch Maintenance Bid Award**

With all the documents in order, Thomas P. Murtaugh made a motion to award the bid for the Eugene Johnson #41 Regulated Drain Open Ditch Maintenance to Heartland Excavating Inc. in the amount of \$50,900.16. Tracy Brown seconded the motion. The motion carried. The Vice President thanked those who participated in the process.

#### **March Meeting Rescheduled**

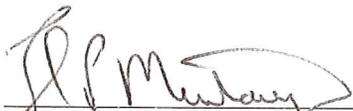
The President stated there was a scheduling conflict in March. Therefore the meeting to be held on March 2, 2016 was rescheduled to March 3, 2016 at 10am in the Tippecanoe Room of the County Office Building where it is normally held. Thomas P. Murtaugh made a motion to reschedule the aforementioned meeting to March 3, 2016 at 10a.m. Tracy Brown seconded the motion. Motion carried.

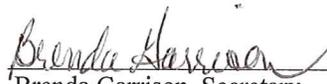
#### **Public Comment**

Mr. Michael Daugherty 8309 East 900 South Lafayette Indiana 47909 asked the Board for the per hour Engineer review rates presented as well as the total review fees paid by the county for the years 2014 and 2015. The attorney provided Mr. Daugherty with a copy of the Christopher B. Burke Engineering LLC Review Fee Contract and the 2014 (\$69,638.75) and 2015 (\$69,755.00) totals were provided to Mr. Daugherty by the Surveyor as requested. He had no other questions.

As there was no other comment, Thomas P. Murtaugh made a motion to adjourn. The meeting was adjourned.

  
Tracy Brown, President

  
Thomas P. Murtaugh, Vice President

  
Brenda Garrison, Secretary

  
David S. Byers, Member

**Tippecanoe County Drainage Board**  
**June 1, 2016**  
**Regular Meeting Minutes**

**Those present were:**

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

**Approval of Minutes**

David Byers made a motion to approve the May 4, 2016 regular meeting minutes. Thomas Murtaugh seconded the motion. Motion carried. David Byers made a motion to approve the May 4 and 18, 2016 J.N. Kirkpatrick Upper End Extension minutes as written. Thomas Murtaugh seconded the motion. Motion carried.

**Zach Beasley**

**INDOT Reimbursement Agreement JN Kirkpatrick #46 Upper End Extension Project**

The Surveyor presented an INDOT agreement with the County Drainage Board for reimbursement of the County's cost to jack and bore a 54 inch tile under U.S. 52 within INDOT's right of way. He noted the amount was not to exceed \$208,000.00 and recommended approval by the Board. Thomas Murtaugh made a motion to approve the INDOT reimbursement agreement regarding the Upper End Extension of the J.N. Kirkpatrick Regulated Drain #46 as presented by the Surveyor. David Byers seconded the motion. Motion carried.

**Drain Project (s) Update:**

**Eugene Johnson #41 2016 Dredging project**

The Surveyor stated the Eugene Johnson #41 Dredging Project located at CR. 1300 South and CR 700 East was 90% complete. Inspection of the project was forthcoming. Heartland Excavating was the Contractor for this project.

**Moses Baker #114 Phase II Dredging Project**

The Surveyor stated Phase II of the Moses Baker #114 Dredging Project was located CR. 575 East and CR700 East was nearly 100% complete. An inspection of the project was forthcoming. Huey Excavating was the Contractor for this project.

**Waples McDill #85**

The Surveyor noted the Waples McDill #85 Reconstruction started today by crossing CR275East and setting up the large machine to be ready to go by first of week. He stated a new machine was being used to lay the large pipe. The machine was called TexMek and would be viewed in action by many across the Midwest during this job. It was one of the largest tile machines in existence. He informed the Board to his knowledge, this was the largest AGRICULTURAL tile project ever constructed in Tippecanoe County. He offered to accompany the Board to view the installation. Maxwell Farm Drainage was the Contractor for this project.

**John Hoffman #101 Joint Regulated Drain**

The Surveyor stated a meeting should be scheduled for the John Hoffman #101 Regulated Joint drain with Clinton and Carroll County's. He recommended the joint meeting follow the Board's regular meeting on August 3, 2016. The Board agreed to hold the John Hoffman Joint Regulated Drain #101 on August 3, 2016 immediately following the regular scheduled meeting on that date.

**Resolution 2016-02-DB: Certification of Assessments Waples McDill #85 Reconstruction**

Attorney Doug Masson recommended the removal of the Waples McDill #85 Resolution which was on today's Agenda- as there were revisions warranted. He stated a revised Resolution would be presented to the Board at a later date.

**Public Comment**

David Byers made a motion to adjourn. The meeting was adjourned.

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Tracy Brown, President

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Thomas P. Murtaugh, Vice President

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Brenda Garrison, Secretary

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David S. Byers, Member