Tippecanoe County Drainage Board
February 1, 2017
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

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

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

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

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

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

Drainage Board 2017 Professional Engineering Assistance Contract

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

Lafayette YMCA

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

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

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

Belle Tire (Lot 4A 26 Crossing Subdivision)

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

USGS Geological Stream Gages WREC Contract Support

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

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

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

2017 Classification Report/2017 Drain Assessment Activity Report

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

Zach Beasley/Other Business

Appointment of Drainage Board member to Tri-County Board

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

Outstanding Reconstruction Assessments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ABSENT

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member

TIPPECANOE COUNTY DRAINAGE BOARD
December 5, 2017
Drainage Board Meeting Minutes

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

Approval of Minutes
David Byers made a motion to approve the November 1, 2017 Regular minutes, the November 1, 2017 J.B. Anderson #02 Drain Maintenance Hearing minutes and the November 1, 2017 John Hengst #117 Drain Maintenance Hearing minutes as written. Tracy Brown seconded the motion. Motion carried.

Contracts:
Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids
President Thomas Murtaugh referred to the Attorney to read the submitted bids for the Beutler Gosma #95 Regulated Drain Dredging project. Attorney Masson read the Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids into the record as follows: Huey Excavating Inc. total quote of $33,334.00/ total quote of Garriott Trades $31,938.00. President Thomas Murtaugh stated the bids would be taken under advisement and awarded at the end of today's meeting.

Copper Moon Building Expansion
Faluso Alofe from American Structurepoint Inc. approached the Board to present the Copper Moon Expansion project for approval. The expansion project consisted of approximately 1.8 acres located within the City of Lafayette, more specifically at 1503 Veterans Memorial Parkway East. The Board's review today was for the site's stormwater quality and quantity purposes only. The site outlet to the Berlowitz Regulated Drain via an infiltrated basin. The site's drainage was included within the previously approved J.B. Berlowitz Regional Detention System Master Drainage Plan. The developer would be required to pay the Berlowitz Regional Detention Facility storage fee for 0.11 acre-feet of storage. Mr. Alofe requested approval for the expansion. The Surveyor reviewed the site for the Board. He stated the Board was approving discharge into the Berlowitz regulated drain only. He recommended construction approval for the Copper Moon Expansion with the conditions as stated on the November 21, 2017 Burke memo. Tracy Brown made a motion to grant construction approval for the Copper Moon Expansion project with the conditions as stated on the November 21, 2017 Burke memo. David Byers seconded the motion. Motion carried.

Foxfire at Valley Lakes Phase 2
As there was no representative to present the Foxfire at Valley Lakes Phase 2, the project was postponed until the January 2018 meeting of the Board.

Tippecanoe Crematory and Memory Garden
Kyle Betz from Fisher and Associates appeared before the Board to present the Tippecanoe Crematory and Memory Garden project for approval. The project's site consisted of approximately 4 acres located on the northeast corner of Co. Rd. 350 North and Morehouse Road- north of the existing mausoleum building. Kyle stated the site outlet into Hadley Lake via the Baker Dempsey#05 Regulated Drain. A new wet detention basin was to be constructed on the eastern portion of the site. He noted there would be no flow rate increase into the tile. He stated they reduced the discharge rate from the current condition and requested approval at that time. The Surveyor utilizing G.I.S., reviewed the site for the Board. He stated the design complied with the Indian Creek Drainage Impact area restricted release rates and as such there would be no negative impact to the Baker Dempsey County Regulated Drain. He noted a Petition to Encroach on the drain required action by the Board as well. He recommended approval with the conditions as stated on the November 29, 2017 Burke memo. David Byers made a motion to approve the Petition to Encroach on the Baker Dempsey Regulated Drain. Tracy Brown seconded the motion. Motion carried. David Byers made a motion to grant construction approval with the conditions on the the November 29, 2017 Burke memo. Tracy Brown seconded the motion. Motion carried.

Clarks Hill Convenience Mart
President Thomas Murtaugh informed the developer asked to remove the Clarks Hill COnvenince Mart project from today's Agenda. The project would not be considered by the Board at todays meeting.

Zach Beasley
Petitions:
The Surveyor presented a Petition to Encroach on the Crist Fassnacht Regulated Drain submitted by James Todd and Kimberly Westin for approval by the Board. He stated he had reviewed the document recommended approval by the Board. Tracy Brown made a motion to grant approval of the Petition to Encroach on the Crist Fassnacht Regulated Drain as recommended by the Surveyor. David Byers seconded the motion. Motion carried.

Bonds:
The Surveyor presented Maintenance Bond#106805768, dated November 17, 2017 regarding the Auburn Meadows Section 1 project and submitted by Fairfield Contractors in the amount of $48,480 for approval. Tracy Brown made a motion to approve the Maintenance Bond as presented by the Surveyor. David Byers seconded the motion. Motion carried.

Contracts:
Beutler Gosma #95 Regulated Drain 2017 Dredging Project Bids
David Byers made a motion to accept the Garriott Trades Bid of $31,938 for the Beutler Gosma #97 Regulated Drain 2017 Dredging project. Tracy Brown seconded the motion. Motion carried. President Murtaugh and Zach Beasley thanked the contractors for their bids.

Miscellaneous
The Surveyor presented a presented a list for the 2018 Drainage Board meeting dates. Tracy Brown made a motion to approve the 2018 Drainage Board meeting dates as presented by the Surveyor. David Byers seconded the motion. Motion carried. The dates would be posted for public viewing.

Julius Berlowitz#08 Regulated Drain Maintenance Hearing Reschedule
The Surveyor requested the Julius Berlowitz #08 Regulated Drain Maintenance Hearing be postponed until February 7, 2018 to follow the regular scheduled meeting that morning. David Byers made a motion to reschedule the J. Berlowitz Regulated Drain #08 Maintenance Hearing to February 7, 2018 immediately following the regular Drainage Board meeting that morning. Tracy Brown seconded the motion. Motion carried.

Petition to Reconstruct Mary McBeth Regulated Drain
The Surveyor presented a Petition to Reconstruct on the Mary McBeth Regulated Drain to the Board. The Petition was submitted to his office by landowner Chuck Shelby and had approximately 12% of the benefited landowners within the watershed signatures. He recommended the Board accept the Petition and refer to him for a report per I.C. Tracy Brown made a motion to accept the Petition to Reconstruct the Mary McBeth Regulated Drain and direct the Surveyor to prepare his report to the Board. David Byers seconded the motion. Motion carried.

Joint County Membership payments
David Byers stated Commissioners who are appointed to a joint drainage board should be compensated for their time as other counties do and the Indiana Code allows. Attorney Masson stated he would review the code and make a recommendation at the next Drainage Board meeting.

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member

TIPPECANOE COUNTY DRAINAGE BOARD
July 11, 2018
Drainage Board Meeting Minutes

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

Approval of Minutes
Thomas Murtaugh made a motion to approve the June 6, 2018 Drainage Board Meeting Minutes. Tracy Brown seconded the motion. Motion carried.

Belle Terra Subdivision
Justin Frazier with TBird Design Services appeared before the Board to present Belle Terra Subdivision for approval. The site was located at the intersection of Co. Rd 75 East and Co. Rd. 600 North in the northwest quadrant and consisted of approximately 27.6 acres. The site drained northwest through a swale into a tributary of Burnett Creek. The subdivision was residential and consisted of 77 lots with an outlot for a clubhouse and pool. The infrastructure included a detention pond in the northwest corner which would provide storm water quantity and peak discharge control as well as storm water quality. Responding to Thomas Murtaugh's inquiry, Justin stated there was a single pond which was the outlet for the clubhouse. He requested construction approval at that time. The Surveyor noted the notification of downstream owners had not been submitted for record. Mr. Frazier stated he had the notification with him today and would submit it to the secretary for the record. The Surveyor then recommended construction approval with conditions as stated in the July 2, 2018 Burke memo. There was no public comment. Thomas Murtaugh made a motion to grant construction approval with conditions as stated in the July 2,2018 Burke memo. Tracy Brown seconded the motion. Motion carried.

Wea Township Fire Department Accessory Building
Justin Frazier with TBird Design Services appeared before the Board to present the Wea Township Fire Department Accessory Building for construction approval. The project was an addition to the rear of the fire department existing building. Access to the site would be from the east side of the existing department site. The building would consist of 5000 square feet. A detention pond would be located in the eastern portion of the site and provide storm water quality as well as some detention. He noted they did not object to any of the comments on the July 5, 2018 Burke memo and requested approval at that time. The Surveyor noted there was a row of trees in the eastern portion of lot where the project was planned, and those trees would be left as is. The site was allowed to direct release into Wea Creek due to the proximity of the site to the Creek While the detention pond in the northeastern corner of the site was mainly for storm water quality, it would also detain water. The normal drainage path was along the north side to the roadside ditch. He recommended construction approval with conditions for the Wea Township Fire Department Accessory Building as stated in the July 5, 2018 Burke memo. Responding to Thomas Murtaugh's inquiry, Mr. Frazier stated the project would not involve the flood plain issue and would not include any of that area. There was no public comment. Tracy Brown made a motion to grant construction approval for the Wea Township Fire Department Accessory Building with conditions as stated in the July 5, 2018 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Venture Site Improvements (formally TRW)
Roger Ward with Roger Ward Engineering appeared before the Board to present the Venture Site Improvement project for approval. Venture Improvement project site was previously known as TRW Steering Facility. The existing site was located within the Ichiya Industrial Subdivision on a portion of Tract A and on the entire Tract B. This project would consist of approximately 4.27 acres for the planned improvements. Mr. Ward stated the drainage pattern would not be changed as previously approved in the Master Plan. Runoff would continue to flow to the existing detention basins via sheet flow and through existing swales. No detention was required. The site has an indirect outlet to the J.N. Kirkpatrick Regulated Drain. Parking to the east side was previously approved by the Board. Mr. Ward requested construction approval from the Board. The Surveyor stated in the initial design and review process detention basins were formally approved and allowed for additional expansion. He recommended construction approval with the conditions as stated on the June 29, 2018 Burke memo. There was no public comment. Tracy Brown made a motion to grant construction approval with the conditions as stated in the June 29, 2018 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Three Meadows Section 1 Phase II
Kyle Betz with Fishers and Associates appeared before the Board to present Three Meadows Section 1 Phase II for approval. The site was located on the east side of Co. Rd 300 West (Klondike Road) south of the Lindberg Road intersection and will consist of 30 lots on approximately 12 acres. Mr. Betz stated the previously approved Phase I portion of the project included the drainage infrastructure for Phase II. He stated the majority of Phase II's runoff would drain south to Phase 1 drainage infrastructure. The remaining runoff would drain into a ravine along the eastern edge of the site. The offsite areas from the north and the west would bypass the development through unnamed tributaries. Developed runoff would be collected into inlets and storm sewers routed through a series of three dry detention basins. The site would ultimately discharge into an unnamed tributary to Jordan Creek at the southeast portion of site. This was the same drainage design previously approved by the Board with Phase I. Mr. Betz stated they agreed with the July 2, 2018 Burke memo and requested construction approval from the Board. Responding to the Surveyor's inquiry regarding the pad elevation of Lot 63, Mr. Betz stated the design was changed on the Phase 1 construction plans for Lot 63 due to this issue. He encouraged the Surveyor to check for the change when he signed the construction plans for Phase 1. There was no public comment. The Surveyor recommended construction approval with the conditions on the July 2, 2018 Burke memo. Thomas Murtaugh made a motion to grant construction approval for Three Meadows Section 1 Phase II with the conditions as stated on the July 2, 2018 Burke memo. Tracy Brown seconded the motion. Motion carried.

F-Lake Detention Facility Detention Agreement
Raintree Apartments/Gary Schroeder
The Attorney stated this was a modified F-Lake Detention Agreement approved in March 2018 by the Board for Raintree Apartments (Gary Schroeder). He noted a couple of minor changes were made and agreed upon since the March approval. The substance stayed the same. It stated the remaining acreage on the site would need 5.25-acre feet of detention in the F-Lake facility at $15,000 per acre foot which would be paid when the site was developed. The changes were simply that Raintree assigns would be covered under this agreement and clarification of language regarding the transporting of water to F-Lake Facility and the responsibility of owners in the future for payment. He stated Mr. Schroeder had signed the modified agreement and the Board at their discretion was free to sign as well. The agreement today replaced the agreement approved in March of 2018. Gary Schroeder of Raintree Apartments approached the Board. He stated he appreciated the work on this matter and thanked the Surveyor for his time on the issue. The Surveyor stated this agreement was 20 years in the making and was pleased the parties were able to work out the details and finalize the agreement. The document would be recorded by Mr. Schroeder once signed. There was no other public comment. Tracy Brown made motion to approve the new agreement as presented today between the Tippecanoe County Drainage Board and Raintree Apt's. Thomas Murtaugh seconded the motion. Motion carried.

Mary McBeth Regulated Drain Hearing Request
The Surveyor requested a Reconstruction Hearing for October 3, 2018 contingent upon discussion with Montgomery County Surveyor Office/Drainage Board regarding this drain. Less than 200 acres of the overall approximately 1600 acres watershed was located in Montgomery County. He planned to request a waiver of rights to Montgomery County due to the small amount of acreage in their county. However, he would like to get the hearing scheduled today. Tracy Brown made a motion to set a Reconstruction Hearing for the Mary McBeth Joint Regulated Drain on October 3, 2018 immediately following the regular 10:00 am meeting of that day. There was no public comment. Thomas Murtaugh seconded the motion. Motion carried.

Public Comment
As there was no public comment, Thomas Murtaugh made a motion to adjourn. The meeting was adjourned.

David S. Byers, President

Absent
Tracy A. Brown, Vice President

Brenda Garrison
Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

TIPPECANOE COUNTY DRAINAGE BOARD
October 3, 2018
Drainage Board HEARING Minutes
Mary McBeth #128 Bi-County Regulated Drain Maintenance

Those present were:

Tippecanoe County Drainage Board Vice President Tracy Brown, member Thomas P. Murtaugh, County Surveyor Zachariah Beasley, Drainage Board Attorney Doug Masson and Drainage Board Executive Administrator Brenda Garrison. James Butcher-Project Manager was also in attendance. President David Byers was absent.

Vice President Tracy Brown opened the Mary McBeth Regulated Drain Hearing and referred to the Surveyor for his report. The Surveyor stated the following:

Maintenance Report Mary McBeth #128 Regulated Drain Tippecanoe County Drainage Board August 20, 2018
The Mary McBeth county regulated drain was originally constructed in 1909 as a branch of the John S. Lofland drain per Tippecanoe County Superior Court Cause 9171, Box No. 394. The drain and its watershed are located in Sections 26 and 35 of Township 21 North and Range 5 West in the political township of Randolph and Sections 27, 33 and 34 of Township 21 North and Range 5 West in the political township of Jackson, Tippecanoe County and Sections 3 and 4 of Township 20 North and Range 5 West in the political township of Coal Creek, Montgomery County, Indiana. (* A waiver of this Hearing was requested and received from Montgomery County Drainage Board)

Per the records in the County Surveyor's office there has been two previous unsuccessful attempts made to establish a maintenance fund for the Mary McBeth. Once in 1986 and again in 2006. A petition signed by landowners representing approximately 12% of the benefitted acres was filed in the County Surveyor's office in November 2017 and accepted by the Drainage Board on the 5th of December 2017. Since then the Surveyor has conducted an informal meeting with landowners representing over 70% of the benefitted watershed acres. These landowners verbally agreed to support the maintenance rate hearing and project. Currently there are zero (0) lineal feet of open ditch and 12,310 lineal feet of tile. Based on the existing severe erosion conditions on the downstream end of the drain landowners have requested the lower end be converted into an open ditch for 2,250 lineal feet. Approximately 1300 lineal feet of tile will be replaced. Upon completion of the maintenance project there will be 2,250 lineal feet of open ditch and a total of 10,060 lineal feet of tile to be maintained by this maintenance fund. The watershed contains 1,526.06 acres. It is the judgment of the Tippecanoe County Surveyor that a sum of $80,355.00 is needed to perform the much-needed maintenance on this system. An assessment of $6.50 per acre and a $20.00 minimum over an 8-year period is recommended. This will generate $80,273.12 over an 8-year period. It is the professional opinion of the Tippecanoe County Surveyor this rate will allow for the long overdue maintenance work and ensure that monies will be generated for future maintenance on this system. Respectfully submitted by Zach Beasley

The Surveyor noted he had an informal meeting with the major agricultural tract(s) landowners within the watershed. Discussion was held, and county maintenance of this drain was supported by all those landowners who attended. (a copy of the sign in sheet will be a part of the official record) Many of those landowners are in attendance today. Currently this system is tile and outlets into the Lofland open ditch. He referred to GIS watershed map (showing the tile and the open ditch) for the Board to follow. If this maintenance is approved today, he would look at options to remove the southern branch of the drain off the main line and create two outlets to take pressure off the main tile. This would allow the northern and southern sub-basins within the overall watershed area to drain better. He thanked the landowners in attendance today. He then referred to the Board for any questions. The Board had no questions.

Vice President Brown opened the floor for public comment. Bob Devault 3200 SR 28 East Lafayette Indiana 47981 approached the Board. Mr. Devault stated the following: His father was the landowner who diligently worked in 1986 to get this drain a maintenance fund with the County. He noted since this did not go through at that time, they since tiled their farm to service their needs of the ground they owned. He stated he would like to meet with the Surveyor after this hearing to inform him where the private tile is located on his farm. Due to this technically they are not using the McBeth tile today, however they do use the Lofland ditch as an outlet for the private submain tile. He stated he was not against this maintenance fund, however the private tile was located close to the McBeth main tile and the Surveyor's office needed to be aware of this. Unfortunately, in 1986 the work would have been cheaper however he is in support of the project as the area is in need. No other landowners approached the Board.

Vice President Brown referred to the Attorney to present the Board's proposed Findings and Order for the record. Attorney Masson read the following into the record: Before the Tippecanoe County Drainage Board in the matter of the Mary McBeth #128 Bi-County Regulated Drain Findings and Order (Annual Maintenance) This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on August 20, 2018. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. Notice of publication of time and place of

hearing in the Journal and Courier, Lafayette Indiana and the Journal Review of Montgomery County, Indiana were filed. Objections were filed by William Matthys 11958 North 400 West Romney Indiana 47981. Evidence was presented by the Tippecanoe County Surveyor and many of those landowners affected were present. A list of those present is filed herewith. After consideration of all the evidence, the Board does now FIND THAT:

(1) The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on August 20, 2018.
(2) Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
(3) Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
(4) The legal drain consists of 2,250 feet of open ditch and 10,060 lineal feet of tile.
(5) The present condition of the ditch is in need of repair.
(6) The ditch needs the following maintenance at present: Approximately 1,300 feet of tile replacement and the conversion of 2,550 feet of tile to open ditch
(7) There is now $0.00 owed to the General Drain Fund for past maintenance on this ditch.
(8) The ditch drains 1526.06 acres total.
(9) Estimated annual cost of maintenance is $10,034.14
(10) Estimated benefits to the land exceed repair and maintenance costs.
(11) A fund for annual maintenance should be established.
(12) In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: $6.50 per acre and a $20.00 minimum over an 8-year collection period.
(13) The assessment list filed herewith should not be amended as follows:
(14) The assessment list filed herewith is fair and equitable and should be adopted.
(15) The assessment should be collected with the May 10, 2019 taxes.
(16) Montgomery County waived their right to the drain maintenance proceeding in accordance with I.C. 36-9-27-14 (d).

Now therefore it is ordered that:

(1) A maintenance fund be established for the MARY MCBETH #128 Bi-County Regulated Drain at the annual rate of $6.50 per acre and $20.00 minimum.
(2) The Schedule of Assessments filed herewith are adopted and made a part thereof.
(3) The first annual assessment shall be collected with the May 10, 2019 taxes.

Thomas Murtaugh made a motion to approve the Maintenance Report, the Findings and Order stated by the Attorney and establish a maintenance fund for the Mary McBeth #128 Bi-County Regulated Drain. Tracy Brown seconded the motion.

Public Comment

Vice President Brown opened floor for final public comment.

Stuart Kellerman of Kellerman Turkey Farms Inc. 12515 South 175 West Romney Indiana 47981 approached the Board. Mr. Kellerman requested a copy of the Drain Watershed map. The Surveyor stated he would provide Mr. Kellerman and any other landowners the map as requested. The Surveyor explained to Mr. Kellerman, using the watershed tile map, the area which the tile would be removed and made into an open ditch.

Thomas Murtaugh made a motion to adjourn. The Mary McBeth #128 Bi-County Regulated Drain Hearing was adjourned.

David S. Byers, President

Tracy A. Brown, Vice President

Thomas P. Murtaugh, Member

Brenda Garrison, Executive Administrator