

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD SEPTEMBER 7, 1971.

The minutes of the regular meeting of the Tippecanoe County Drainage Board held in the Commissioners Room in the Court House at 9:00 a.m., on Tuesday, September 7, 1971.

- Present at Meeting Those present at the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, Dan Ruth, Dick Donahue, John Garrott, Larry Clerget, Byron Parvis, Gladys Ridder and Ruth Schneider.
- Minutes Approved Upon motion by Bruce Osborn seconded by Dale Remaly the minutes of the August 3, 1971 meeting were approved as read.
- Ditches Referred to Engineer Upon motion by Dale Remaly seconded by Edward Shaw the Board referred the following ditches to the Engineer to prepare for a maintenance report. Floyd Coe (Lauramie Township), Marian Dunkin (Jackson and Wayne Townships), John McCoy (Wea Township).
- Kepner Industrial Tract Mr. Ruth, Drainage Board Engineer, stated on August 5, 1971, Mr. Paul Hamman was in the office with regards to the Kepner property east of town. At that time Mr. Ruth stated, he told Mr. Hamman that a 60 inch pipe would be adequate in the area of the Kepner land if the other recommendations of Dr. Spooner's report were followed.
- Engineers Request Mr. Ruth suggested to the Board that one month we have a meeting but no public hearings. This was done so that we might catch up on uncompleted work. He preferred the month of December. The Board agreed to the suggestion and gave approval.
- John Dooley Maintenance Hearing 1:30 Those present for the maintenance hearing of the John Dooley Ditch were: H. Spencer Congram, Lawrence Treece, William P. Martin, Charles Brown, Iness L. Brown, Chester W. Dill, and Mr. and Mr. Keith McMillin. The engineer opened the hearing by reading the Engineer's report. Mrs. Keith McMillin and Larry Treece were the main objectors and spoke for the rest. They asked the Board not to establish a maintenance fund but to grant them a continuance without date.
- Replacement of Board Member Dale Remaly havein previously disqualified himself to serve in the proceedings concerning the Elmer E. Thomas Ditch and said fact having been duly certified to the judge of the Tippecanoe Circuit Court by Gladys Ridder, Board's Executive Secretary and Warren B. Thompson, Judge Tippecanoe Circuit Court having duly appointed Claude Acheson to serve as a special member of the Board in all proceedings concerning the Elmer E. Thomas Drain. The certification and order of appointment being shown in Judges Journal 138, at page 17, in the records of the Tippecanoe Circuit Court. Claude Acheson appearing is sworn and undertakes his duties and obligations as a member of the Tippecanoe County Drainage Board in the proceedings concerning the Elmer E. Thomas Ditch.
- Elmer E. Thomas Maintenance and Reconstruction Hearing 10:30 The engineer opened the hearing on the reconstruction report by explaining the plans and leaving the meeting open to a question and answer period. Those in attendance were: Dale Remaly, Roy Smith, Robert Gross, Dave E. Gross, Charles Scowden, Katherine and B. Norman DeBoy, Hazel Holmes Gephart, Lawrence Krug, C. Jeanette Dodson, Francis E. Ziegler, Marjorie A. Connolly, Nancy J. Keller, Floyd Lamb, Lucille Banes Williams, Patty W. Garrott, Chester S. Yerkes, R. J. Baker, E. E. Franklin, R. D. Franklin, E. L. Bryant, C. E. Floyd and R. D. Sterrett, of the State Department of Natural Resources, Robert Gross said if the engineer would promise him that the area would be drained and that it would take care of the spring water (that area has several springs) that he would definitely before it. Both Mr. Ruth and Mr. Martin assured them the plans were designed to take care of surface water and it would be up to the individual to see that his own spring water found its way to the drain. Floyd Lamb asked the Board to take his land out of the drainage area for he was sure none of his ground drained that way. The Engineer said he would check it and then inform him of his findings. After lengthy pro's and con's the Board decided to continue this hearing upon motion of Bruce Osborn, Seconded by Ed Shaw, they moved to continue this hearing at 9:30 a.m., on December 7, 1971. Mr. Remaly said if this area was not drained now he felt the situation would continue to get worse and eventually be a health hazard. Mr. Barnett felt if this land was properly drained it could be very valuable.
- Harrison B. Wallace 11:30 At 11:30 a.m. the engineer opened the hearing on the Harrison B. Wallace ditch by reading his report on the condition of this drain. Those in attendance were: Fred B. Pell, Lloyd Howey, representative of Home Investment Company, Inc.; Mrs. C. L. McCorkley, Mr. and Mrs. Harold Freed, and Roy A. Smith. Both the Howey's and the Pell's felt their acreage was in error and that they were double assessed, so the Engineer said we would check the records to see if this were true and notify them later. It was noted that some had taken beautiful care of their ditch while others had done nothing and that it wasn't quite fair to have to charge them all the same with the ditch in such good condition in some parts. The Board agreed to lower the assessment from \$1.00 to \$.75. Upon motion by Bruce Osborn, Seconded by Ed Shaw the maintenance fund was established.
- Mr. William K. Schroeder came to the Board with a personal problem between he and his neighbor and the Board took no action for this was not under their jurisdiction.
- The engineer opened the hearing on the Waples-McDill Drain at 1:30 p.m. by reading to the Board his recommendation. Mr. Floyd Wilcox came in prior to the hearing and ask the Engineer to check his acreage. In

Waples-McDill 1:30 doing so Mr. Ruth corrected the acreage in Section 16 from 120 acres to 40 acres due to a private ditch that drains the balance. Those attending were: Floyd Wilcox, Orville J. Parvis, Gladden Skinner, Ken Rauch, and Velma Brown. No objections had been filed so by motion of Bruce Osborn, seconded by Dale Remaly and made unanimous by Ed Shaw the sum of \$1.00 per acre was established.

Informal Meeting The engineer opened the informal hearing of the Train Coe Ditch by informing the Board that he felt the Train Coe Ditch could be reconstructed for not more than \$17.50 per acre.

Mr. *Cruik* informed the engineer that he had talked to Mr. Barton Maxwell and as he had quoted a good price for the installation of tile ask that a tile ditch be considered rather than an open ditch. He was informed that if there was any indication that a tile drain might be economical it would be given ever consideration.

The engineer told those in attendance and the Board that he would prepare plans and specifications and hold a public hearing; said hearing be perhaps early spring.

Upon motion be Bruce Osborn, seconded by Dale Remaly the Board adjourned.

Bruce Osborn
Bruce Osborn, Chairman

Dale Remaly
Dale Remaly, Vice Chairman

Edward J. Shaw
Edward Shaw, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Secretary

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

THE REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD AUGUST 3, 1977

The regular meeting of the Tippecanoe County Drainage Board met in the Commissioner's Room in the County Office Building with the following members present: William Vanderveen, Bruce Osborn, Robert L. Martin, Kenneth A. Miller, Fred Hoffman and Gladys Ridder.

Upon the reading of the minutes of the July 6, 1977 meeting, Bruce Osborn moved to accept the minutes as read. That motion was seconded by William Vanderveen. Minutes Approved

William Vanderveen opened the new maintenance hearing on the Wesley Mahin ditch by asking for the remonstrances filed. One from Dale E. Workman was read. No one appeared in favor of, or in objection to, the increase in per acre assessment as suggested by the Board.

With no one appearing the Board assumed all but Mr. Workman were in favor of the increase. With the total acreage so small and the indebtedness so great, Mr. Osborn moved to establish a \$3.00 per acre assessment for maintenance of the Wesley Mahin ditch. Wesley Mahin Ditch

With the establishment of a new maintenance fund assessment, the Board signed the Order and Findings and the Certificate of Assessments.

After the action was taken, Mr. Bruce Conrad, from the Indiana State Highway Commission appeared in behalf of the State for both ditch hearings to be held on August 3, 1977.

William Vanderveen opened the new hearing on the Jesse B. Anderson ditch by reading the remonstrance filed by John W. & Hester D. Marks.

Those in attendance were: Bruce Conrad, Glenn D. Heaton, Florence K. Moore, Eugene Johnson, James Thompson, and Joy Anderson.

Joy Anderson said he knew inflation made expenses much higher than were anticipated when the original fifty cent assessment was placed on the ditch, but that his greatest complaint was that on his branch to the west only one hundred twenty six dollars had been spent while several thousand had been spent elsewhere. Mr. Anderson also asked the Board if they intended to fix his problem at the Railroad and explained that his tile slopes uphill and are full of silt for at least sixty feet, and maybe more, that those tile need pressure to clean them out. He said the railroad blocks the force of water as it comes down so it can not clean out those tile. J. B. Anderson ditch

Mr. Osborn instructed the Surveyor and Kenneth Miller to take whatever equipment needed and take care of the problem. The Surveyor had been to the site a year ago and knew of the situation.

Mr. Osborn asked those present how they felt about a one dollar assessment. Joy Anderson said he thought it would be fine with him but he imagined in a year or so, they would have to come back for another increase. Others in attendance felt they would rather see how the one dollar assessment would do the job and if it was not adequate come back for another hearing.

Bruce Osborn so moved to establish a \$1.00 per acre assessment on the Jesse B. Anderson ditch. That motion was seconded by William Vanderveen. Floyd Wilcox

With a one dollar per acre maintenance assessment established, the Board signed the Order and Findings and the Certificate of Assessments. for pond

Mr. Floyd Wilcox came before the Board in connection with a letter from the SCS Service and their proposal for a wildlife habitat on the John Gams property. Mr. Wilcox said he wasn't against the project but he felt several points needed to come to the attention of the Board. One was in connection with the overflow of the proposed pond onto road 1000S that was under water at times anyway. Also it involved the Waples-McDill ditch Gams land and a branch of the legal ditch would have to be vacated.

The Board thanked Mr. Wilcox for bringing these things to their attention and assured him they would stay abreast of the conditions in that area.

In the afternoon session there were many people from the Old Romney Heights Subdivision in to attend a meeting between the Tippecanoe County Drainage Board and Jim Bailey, developer of Old Romney Heights SD. Most of those in attendance were angry and felt they had been pushed around. Too many promises had been made but not kept and they were ready for action.

Mr. Vanderveen told Mr. Bailey that the performance bond of \$80,000.00 had already been defaulted. Mr. Vanderveen said the seeding had not been done, the grading had not been done and when the Board stopped granting building permits they had a promise from Mr. Bailey that if they would allow building permits, the work would be completed promptly. He said at the present time the work is still undone.

Mr. Bailey said his contractor said this was not the time of year to seed anything and that that job would be done when the weather permits. Also Mr. Bailey said his contractor had far too many jobs going at the same time and did not get the work done. He also said when the Board shut down building permits, it slowed down the work that could be done. Old Romney Heights SD

Standing water and a drainage problem was discussed by Paul Coates from the John E. Fisher Office. Mr. Coates said a storm water study had been done and his suggestion was not to lower the existing tile but to use a grass waterway over the tile for storm water run-off.

Those in attendance said they had been there a year and still did not have sidewalks as promised. Mr. Bailey said eight new sidewalks had been installed this year. The response was, "Yes, down in front of the show homes!" Mr. Vanderveen said "That makes the show homes look better."

Al McClure, Attorney for Mr. Bailey asked the Board to consider a ninety day extension. Mr. Vanderveen informed Mr. James Bailey, developer of the Old Romney Heights SubDivision that he would require either Mr. John E. Fisher or Mr. James Bailey to report each Monday at the Board of Commissioner's Meeting to the Tippecanoe County Board of Commissioners of the progress being made in the Old Romney Heights SD. He also assured Mr. Bailey that if no progress had been made by September 1, 1977 that the Board would recall the \$80,000.00 bond on file.

Paul Coates presented the Board with the plans for Timber Ridge Estates. He told the Board he had checked the drainage with the Surveyor and now wanted to present it to them. The Board agreed to study the plans and give their approval at a later date. Timber Ridge Est.

With their business completed, Bruce Osborn moved to adjourn. That motion was seconded by William Vanderveen.

William Vanderveen

William Vanderveen, Chairman

/absent/

Robert F. Fisher

Robert F. Fisher, Vice Chairman

Bruce Osborn

Bruce V. Osborn, Board Member

ATTEST:

Gladys A. Ridder
Gladys A. Ridder, Exec. Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Michael stated he had received a letter from Benton County in regards to the Darby Wetherhill ditch and he asked the board to appoint a representative and alternates for this ditch.
Sue W. Scholer is representative, first alternate Eugene R. Moore, second alternate Bruce V. Osborn.

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

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

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

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

Many questions need to be answered before action is taken.

VALLEY FORGE

Valley Forge

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

MEETING TIME CHANGE

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

JOHN HOFFMAN DITCH

JOHN HOFFMAN DITCH

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

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

Mr. Hoffman conducted election of officers.

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

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

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

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

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

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

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

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

Mr. Spencer asked for questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Moore asked the feeling of the property owner.

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

Malcomb Miller supports Mr. Frey's statement.

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

Michael stated they would be maintaining what there is now.

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

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

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

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

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

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

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

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

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

Michael stated the grade can be checked.

Mr. Barr would agree to keep the water going.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Bruce V. Osborn

Bruce V. Osborn, Chairman

Sue W. Scholer

Sue W. Scholer, Boardmember

Eugene R. Moore

Eugene R. Moore, Boardmember

ATTEST:

Maralyn D. Turner

Maralyn D. Turner
Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 4, 1989

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOFFMAN
DITCH

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

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

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

Eugene R. Moore

Eugene R. Moore, Chairman

Bruce V. Osborn

Bruce V. Osborn, Board Member

Sue W. Scholer

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR Meeting January 3, 1990

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

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

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

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

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

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

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

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

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

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

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

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

COUNTRY CHARMS

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

TRASH TRANSFER

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

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

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

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

Sue W. Scholer stated there are two recommendations made.

1. The erosion control. 2. The calculations.

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

COUNTRY
CHARMS

TRASH
TRANSFER

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

✓
DIMMENSION

DIMENSION CABLE

CABLE

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

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

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

George stated they are asking for final drainage approval.

Mr. Hoffman asked if George's client would be willing to participate in the cost of a more substantial drainage improvement in the area. Mr. Shulte stated he could not answer that question, but he feels he would be willing.

Bruce asked if conditions had been met? Michael Spencer answered, no, there is one other conditions and that is that the City of Lafayette review this project, as of January 2, 1990 this area is in side the City Limits as is Wal-Mart.

Mr. Sooby has not seen the plans presented. Discussion continued.

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

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

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

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

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

WAL-MART

WAL- MART

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

WAL-MART CONTINUED
JANUARY 3, 1990 DRAINAGE BOARD MEETING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE ROAD

STATE ROAD 38 PROJECT AGREEMENT

38 PROJECT AGREEMENT

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

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

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

ORCHARD PARK

ORCHARD PARK

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

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

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

The services that were included are:

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

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

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

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

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

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

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

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

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

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

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

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

CARROLL COUNTY JOINT DRAIN

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

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

Hubert Yount, seconded. Motion carried.

DRAINAGE BOARD ATTORNEY CONTRACT

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

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

Nola J. Gentry, seconded. Motion carried.

ACTIVE AND INACTIVE DITCHES

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

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

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

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

DISCUSSION ON TILE BIDS

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

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

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

JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

HADLEY LAKE DRAIN

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

PINE VIEW FARMS

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

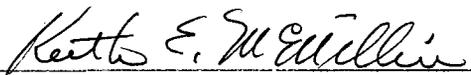
Discussion followed.

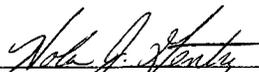
Mike Spencer recommended preliminary approval to the Board.

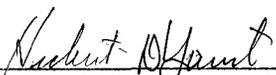
Nola moved to grant preliminary approval contingent on completion of restrictions and receipt of the recorded easements or agreements.

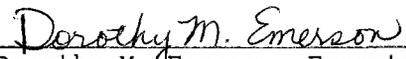
Hubert Yount, seconded. Motion carried.

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
94	Shawnee Creek	6639.28	-0-
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
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
94	Shawnee Creek		\$1.00	\$6,639.28	\$3,411.51
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 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

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

MIKE MADRID COMPANY

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

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

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

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

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

DRAINAGE BOARD 1998 CONTRACTS

Attorney

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

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

Engineering Consultant

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

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

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

1998 ACTIVE AND INACTIVE DITCH LIST

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

ACTIVE DITCH LIST

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

INACTIVE DITCH LIST

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

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

OTHER BUSINESS

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

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

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

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

MINUTE BOOK

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

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

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

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

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 3rd 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
Shawnee Creek			
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 3rd 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	Shawnee Creek	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.

Kathleen Hudson, President

Doris Myers, Secretary

John Knochel, Vice President

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
July 7, 2004
Regular Meeting

Those present were:

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

Approval of June 2, 2004 Minutes

KD Benson made the motion to approve the June 2, 2004 Regular Drainage Board minutes as written and Ruth Shedd seconded the motion. The June 2, 2004 Regular Drainage Board minutes were approved as written.

Lauramie Creek Watershed Plan Contract/ Christopher B. Burke Engineering LTD.

The Surveyor presented contract documents for the Lauramie Creek Watershed Plan with Christopher B. Burke Engineering LTD. Dave Luhman stated he had reviewed the contract and had no negative comments. The contract in the amount of \$94835.00 covered professional services for completing the Section 205(j) funded Watershed Management Plan for Lauramie Creek. There would be four main tasks: Public Outreach and Education, Developing a Quality Assurance Project Plan, Water Quality Monitoring and produce a Watershed Management Plan. The Surveyor then recommended the Drainage Board sign the contract with Christopher B. Burke Engineering LTD as presented. KD motioned to approve the Lauramie Creek Watershed Contract with Christopher B. Burke Engineering LTD in the amount of \$94835.00. Ruth Shedd seconded the motion and the Lauramie Creek Watershed Plan contract with Christopher B. Burke Engineering LTD was signed.

Drainage Issues (related to the recent rainfall amounts)
Anson Ditch

John Knochel opened the floor for public comment concerning any drainage issues as a result of the recent rainfall amounts. Joe Bumbleburg appeared before the Board and introduced Ernest Agee. Mr. Agee a professor of Meteorology, resided at 8533 N 100 West Cairo Indiana. He stated his concern for lack of drainage in that area. A farmer northwest of his property had installed a tile system which outlet on his property. The farmer had told him the work was approved. The actions of the farmer had caused an increase in drainage onto his farm. He shared his discontent with the farmer's actions and felt the farmer had not followed drainage laws. He felt due to the drainage assessment of the Anson drain; a solution to the area's problem should be forthcoming. He stated the ditches in that area were not cleaned out regularly. The Surveyor made several site visits to the area in the last few years. He stated along with the tiling (which he was unaware of) an extensive waterway network (through NRCS) was installed upstream of Mr. Agee as well. He had reviewed aerial photographs (from 1939 on), which indicated a significant increase of the wetland area, in particular, arials through the 1960s, 70's and 1980s. He reviewed the area on the overhead for the Board and attendees using GIS. Mr. Agee thanked the Board for their time. Mr. Bumbleburg again approached the Board and noted the attendees had been invited here today by Mr. Homer Shaffer to discuss the Anson Ditch and poor drainage of the area. Mr. Homer Shaffer 8448 North 100 West displayed several photographs for the Board. He stated he had lived on the "mosquito" farm for 35 years. He reviewed and discussed each photograph with the Board. Mr. Shaffer noted a photograph of Mr. Agee's property, north of 850 North, showed standing water 25 days after the May 16th one-inch rain. In his opinion a headwall located at the Brown and Dunbar property line with an open ditch through Agee's property would help alleviate the problem. He expressed his concern of what he thought was lack of maintenance on the Anson tile. Mr. John O'Connor of 8451 North 850 West approached the Board. He recently purchased the farm from his parents and felt the area's increased development had aggravated the drainage problem. His father had purchased the property in the 1940's and had extensive files of drainage work done in the 1950's. He offered his father's file for reference, however he would need time to produce it for the Surveyor if requested. John Gambs represented Will & Kate Crook and stated they would support whatever was needed to get the drain in working order. Herb Pietsch 7741 North 100 West approached the Board. He had lived in the area since 1988. He had approximately 7 acres with 2-3 under water. He stated the area's drainage had deteriorated the last 4 or 5 years and stressed the need for maintenance. Mr. Brice McCarty 14363 W 850 North appeared before the Board and also expressed his discontent with drainage on his farm. He

lived in that area for 38 years. He stated he had 10 acres under water and had been waiting for 30 years for something to be done about his drainage.

At that time the Drainage Board Attorney gave a summary of past and current drainage laws as well as the process of county drain maintenance. The Surveyor then stated drainage code also called for a periodic short and long-range plan to be submitted to the Drainage Board by the County Surveyor. Such a plan was presented to the Board in 2003 which reported the two top drains in need of major work (maintenance and/or reconstruction) as the Jakes ditch and Anson drain. The Anson drain had 44,238 feet of tile with a watershed of approximately 1250 acres. The Surveyor's office had started an investigation of the drain to determine the problems. The Anson drain was organized as a court drain and built in 1903. In the early 1970's an assessment was set up at \$1.00 per acre. The annual amount collected was \$1562.00. The Surveyor stated the amount was just enough to take care of blowholes and in the last ten years had been used for that purpose. He reviewed some of the known problems with the drain and costs associated with the repairs. He stated IDEM would not allow an open ditch through the wetland area. However repair of the tile at the existing route using the same size and same infiltration rate would be allowed by IDEM. Once the problems were thoroughly investigated by the Surveyor's office, a hearing would be called and the rate of assessment be raised to cover cost of improvements. Landowners would be notified by mail with all pertinent information relating to the proposed assessment in the letter. He then opened the floor for questions. Steve Wright from Bank One Farm Mgmt. represented the Anson farm. He asked the Surveyor if trees would be removed on the drain when the maintenance and/or reconstruction were underway. The Surveyor stated yes as tree roots cause a great deal of problems and the surface flow would be looked at also. Mr. Bumbleburg asked the Surveyor if he had an estimate of when the hearing would be scheduled. The Surveyor noted weather conditions and amount of work involved would determine when the meeting would be held. He felt the fall of this year was likely.

Celery Bog

Chuck Corn approached the Board and asked the Surveyor if he had a chance to arrange a meeting with the Great Lakes Chemical Corporation and West Lafayette concerning the Celery Bog. The Surveyor stated since the meeting last week with West Lafayette's Engineer, he had not spoke with anyone. The Surveyor stated water was no longer across Cumberland Avenue and was receding slowly. Mr. Corn stated he would stay on top of the situation.

At this time the public comments were ended. John Knochel thanked the landowners who had attended. Ruth Shedd suggested the Anson Ditch landowners come to an agreement on a fair figure for assessment.

Due to the recent rainfall, the following drains were noted by the Surveyor as in need of maintenance; J.R. Hoffman, J.N. Kirkpatrick, Anson, McKinney, Elliott, Waples McDill, Ann Montgomery, Kirkpatrick One, J. K. O'Neal and the Cuppy McClure which drained the celery bog. He stated his office had been out every day checking drains. There were also problems on Indiana Creek however DNR had the jurisdiction. There had been several subdivision drainage calls and his office was following up on those as well.

At that time as there was no other business before the Board, KD Benson motioned for an adjournment and Ruth Shedd seconded the motion. The meeting was adjourned.

John Knochel, President

KD Benson, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
August 1, 2012
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

Tom Murtaugh made a motion to approve the July 11, 2012 regular minutes as written. Dave Byers seconded the motion. The July 11, 2012 regular meeting minutes were approved as written.

Calvin Lesley #48 Regulated Drain/Tile Project Bid Opening

The President referred to the Attorney for the opening of the Calvin Lesley #48 Tile Project Contract submittals. Seven companies submitted contract bids for consideration. He read the following contract bids into the record: Dwenger Excavating in the amount of \$249,386.65: Fairfield Contractors in the amount of \$423,888.64: Lauramie Excavating in the amount of \$245,812.00: Merryman Excavation in the amount of \$527,782.00: Earth Resources in the amount of \$336,017.00: Maxwell Farm Drainage in the amount of \$195,303.36: Paul Pence/Viverde by Stonecraft in the amount of \$244,272.71. The Attorney then recommended the contract bids to be taken under advisement to assure compliance with the contract specifications. Tom Murtaugh made a motion to accept the submitted contract bids as presented for review of compliance with the contract specifications. Dave Byers seconded the motion. He thanked all the contractors for their submissions. The Calvin Lesley #48 Tile Project Contract submittals were accepted by the Board. The Surveyor would review the Contracts submitted for consideration to assure compliance with the contract specifications prior to awarding the Contract at a later date.

Petitions

Waples McDill #85 Petition for Reconstruction

The Surveyor presented a Petition to Reconstruct on the Waples McDill #85 Regulated Drain submitted by Bob Devault. He asked the Board to refer it to him to complete a Surveyors Reconstruction Report. Tom Murtaugh made a motion to refer the Petition for Reconstruction on the Waples McDill #85 Regulated Drain to the Surveyor for the completion of a reconstruction report. Dave Byers seconded the motion. The Petition to Reconstruct on the Waples McDill #85 Regulated Drain submitted by Bob Devault was referred to the Surveyor for a Reconstruction Report as requested.

Bonds

The Surveyor presented Maintenance Bond #9295545916 in the amount of \$16,775.00 from Milestone Contractors regarding Lindberg Village Phase 2 Part 2 to the Board. He recommended approval by the Board. Tom Murtaugh made a motion to approve the Maintenance Bond #9295545916 in the amount of \$16,775.00 from Milestone Contractors regarding Lindberg Village Phase 2 Part 2. Dave Byers seconded the motion. Maintenance Bond #9295545916 in the amount of \$16,775.00 from Milestone Contractors regarding Lindberg Village Phase 2 Part 2 was approved by the Board.

Other Business

The Surveyor presented an Amendment to Agreement submitted by Christopher B. Burke Engr. regarding the S.W. Elliott #100 Regulated Drain / Branch #11 reconstruction in the amount of \$25,732.00. He noted this was an amendment to the existing contract and recommended approval. Tom Murtaugh made a motion to approve the Amendment to an Agreement submitted by Christopher B. Burke Engr. regarding the S.W. Elliott #100 Regulated Drain /Branch #11 reconstruction in the amount of \$25,732.00. Dave Byers seconded the motion. The Amendment to an Agreement submitted by Christopher B. Burke Engr. regarding the S.W. Elliott #100 Regulated Drain /Branch #11 reconstruction in the amount of \$25,732.00 was approved as presented.

The Surveyor presented a contract submitted by Christopher B. Burke Engr. regarding the S.W. Elliott #100 Regulated Drain/Branch #11 Reconstruction Design in the amount of \$21,750. He noted this contract was to finalize construction plans and final contract documents for Branch #11 of the S.W. Elliott #100 Regulated Drain. Tom Murtaugh made a motion to approve the S.W. Elliott #100 Regulated Drain/Branch #11 Reconstruction Design Contract in the amount of \$21,750 submitted by Christopher B. Burke Engineering. Dave Byers seconded the motion. The S.W. Elliott #100 Regulated Drain/Branch #11 Reconstruction Design Contract in the amount of \$21,750 was approved as presented.

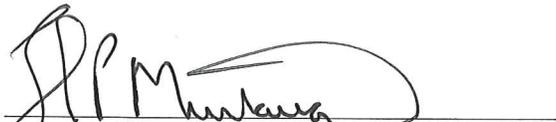
The Surveyor presented a contract submitted by Christopher B. Burke Engr. regarding the J.B. Anderson #08 Regulated Drain Preliminary Engineering and Grant Assistance Professional Svc. in the amount of \$53,500.00 to the Board. He recommended approval of said contract. Tom Murtaugh made a motion to grant approval for the J.B. Anderson #08 Regulated Drain Preliminary Engineering and Grant Asst. Professional Svc. contract in the amount of \$53,500.00. Dave Byers seconded the motion. The J.B. Anderson #08 Regulated Drain Preliminary Engineering and Grant Assistance Professional Svc. Contract with Christopher B. Burke Engineering in the amount of \$53,500.00 was approved as presented by the Surveyor.

Public Comment

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



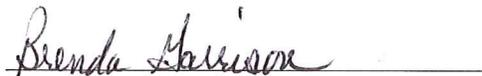
David S. Byers, President



Thomas P. Murtaugh, Vice President



John Knochel, Member



Brenda Garrison, Secretary

Tippecanoe County Drainage Board
January 06, 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.

Election of Officers

Attorney Doug Masson opened the floor to accept nominations for the 2016 Drainage Board President. David S. Byers made a motion to elect Tracy Brown as the 2016 Drainage Board President. Thomas P. Murtaugh seconded the motion. Motion carried. David S. Byers made a motion to elect Thomas P. Murtaugh as Vice President. Tracy Brown seconded the motion. Motion carried.

Appointment of Secretary

David S. Byers made a motion to appoint Brenda Garrison as the 2016 Drainage Board Secretary. Thomas P. Murtaugh seconded the motion. Motion carried.

2016 Legal Services Contract

Thomas P. Murtaugh made a motion to approve the 2016 Hoffman Luhman and Masson PC Legal Services Contract as presented. David S. Byers seconded the motion. Motion carried.

Approval of Minutes

David S. Byers made a motion to approve the December 9, 2015 Drainage Board Regular minutes as well as the December 9, 2015 Drainage Board Lydia Hopper #124 Regulated Drain Hearing. Thomas P. Murtaugh seconded the motion. Motion carried.

Kirkpatrick One #96 Regulated Drain Maintenance Contract Bid Opening

The Attorney stated the following regarding Maintenance Contract of the Kirkpatrick One #96 Regulated Drain. One bid was received by Tony Garriott in the amount of \$9,581.00. Thomas P. Murtaugh made a motion to take the bid under advisement and award at the end of meeting if all documents were in order. James Butcher, Surveyor's office Project Manager was to review the contract documents for approval by the Board. David S. Byers seconded the motion. Motion carried.

Samuel (S.W.) Elliott Regulated Drain #100-Branch #12 Maintenance Contract Bid opening

The Attorney reiterated the regulated drain was named Samuel W. Elliott not Southwest Elliott- as the drain has been referred to from time to time in the past. He stated the following contract bids were received for a maintenance contract of the S.W. Elliott #100 Branch #12; Milestone Contractors submitted a bid in the amount of \$18,895.00- Tony Garriott submitted a bid in the amount of \$3,835.00. Thomas P. Murtaugh made a motion to take the bids under advisement and award the maintenance contracts if all documents were in order at the end of meeting. James Butcher, Surveyor's office Project Manager was to review the contract documents for approval by the Board. David S. Byers seconded the motion. Motion carried.

Zach Beasley

S.W. Elliott Regulated Drain #100 Petition to Encroach

The Surveyor presented a Petition to Encroach and a Maintenance Agreement on the Wilson Branch (aka Treece Meadows) of the S.W. Elliott Regulated Drain #100 submitted to his office by Del Real Auto Sales owner Tony Del Real. Responding to Mr. Murtaugh's inquiry, the Surveyor stated he worked with Mr. Del Real on the petition. The area in question was the east bank of said ditch on the north side of State Road 38. The dealership put up multiple lights to curve vandalism. Due to a snafu in the process of construction, the poles were placed along the bank of the ditch prior to approval by the Surveyor office. It was agreed they would care and mow the ditch bank at their location. The Surveyor stated while it is closer than he liked to see, he felt it would not be a problem. This was similar to the Bob Rorhman site south of the Wilson Ditch. Twenty (20) feet has been the precedence set historically by the Board. The poles currently sit approximately 7 feet from top of bank. He requested approval of the Petition as presented. Thomas P. Murtaugh made a motion to approve the Petition to Encroach and Maintenance Agreement submitted by Tony Del Real for the Wilson Branch of the S.W. Elliott Regulated Drain #100.

David S. Byers seconded the motion. Motion carried. Responding to Tracy Brown, the Surveyor noted there were numerous areas along the S.W. Elliott Regulated Drain which the business owners mow the ditch bank in their location.

Drain Reconstruction projects

Waples-McDill and J.B. Anderson Regulated Drains

The Surveyor reviewed Indiana Drainage Code requirements for Reconstruction Assessment collections to the Board. He noted the ten (10) percent interest penalty assessed to the landowner (if their total assessment for reconstruction was not paid within the first twelve (12) months of receipt of mailing) was a hindrance to getting a reconstruction cost approved by the landowners. The cost of the project was not necessarily the issue; the ten (10) percent penalty if not paid in first twelve (12) months was the issue for the landowners. He stated other counties were looking at several funding sources for drain reconstructions to avoid a reconstruction payment penalty. After several requests from landowners, he met with Attorney Masson and discussed county funding sources which could possibly be used for drain reconstructions. The sources discussed but not limited to: EDIT, Rainey Day and possibly borrowing funds from a local bank.

He stated he would like direction given to him regarding pursuit of funding today if at all possible. He had a reconstruction planned for the Waples McDill Drain (Hearing to be set for April 2016 - landowners voted to proceed in an unofficial meeting Feb. 2016) with a \$475 per acre assessment for a total of approximately \$700,000.00. The Waples McDill Reconstruction would be the most expensive to date since he took office. He noted the benefited landowners expressed their desire to reconstruct the drain in such a way that many future generations benefit from good drainage as well. They did say however they preferred to funding from a different source than the General Drain Improvement Fund (GDIF). Even if that meant borrowing from a bank and pay the bank back at a lesser interest rate. They implored the Surveyor to investigate additional ways of funding these projects. He stated he would like to offer a different funding source if at all possible for the reconstruction.

He noted the future J.B. Anderson Reconstruction project was not as urgent. He reiterated until a way of financing is found without interest penalty; the benefited landowners would not approve the project. He stated until he has an answer for another source of funding he would not be meeting with the landowners benefited as it would not be favorable.

Responding to Thomas P. Murtaugh's inquiry, the Surveyor noted there was no current legislation to lower the rate in the future. Just last year the Bartholomew County Drainage Board and their County Surveyor (25 years plus in office) drafted legislation eliminating the ten (10) percent interest penalty within the Drainage Code reconstruction process. It did not see the light of day. Responding to Thomas P. Murtaugh's inquiry, the Surveyor stated due to smaller or rural county's lack of financing of the General Drain Improvement- use of these monies by depositing them in their General Drain Improvement Fund accounts discouraged any change in the CODE at this time. He referred to Attorney Masson for further discussion. Attorney Masson reviewed the financial reconstruction payments process-payable in one year or spread over five (5) years with interest penalty. The Code also provides an alternative for a construction loan from a bank. This alternative keeps the five (5) year repayment schedule, however the County may choose to absorb the interest charges of the bank loan thereby saving the landowner's interest fees. Regarding repayment over five (5) years, there is a section in the Code which discusses the use of bonds – along with all the government bureaucracy to go with it (expensive option). He noted with the General Drain Improvement fund the Code allows gifts and grants from sources to the fund to assist with fees regarding drain maintenances and reconstructions. Council appropriating the funds from EDIT to the General Drain Improvement funds would be considered in this category. Another option would be to use Economic Development funds. Using EDIT funds would still require going through the legal reconstruction process and could include or exclude interest rates. Landowners would sign agreements set by the County Drainage Board regarding a repayment schedule of five (5) to ten (10) years. Those assessment monies would reimburse the EIDT fund from which the reconstruction was paid. The agreement could be written to account for the risk of interest rates changing over a ten (10) year period. The agreement would be offered to all benefited landowners on each specific project. He stated setting a policy on what cases would qualify and required steps to take when utilizing EDIT or Build Tippecanoe Funds should be established by the Board prior to utilizing a funding source other than the Drain funds. Discussion was then held on what the baseline requirements could be for use of funds other than Drain Funds. Another option would be to setup a revolving fund just for the large reconstruction projects that are upcoming in the near future. Responding to David S. Byers, the Surveyor noted the agricultural tiles currently in the ground have lasted twice their life expectancy; therefore this is a real issue at hand. He reminded the Board the GDIF was not exclusive for reconstructions. This fund also pays for maintenance on multiple county maintained regulated drains. When a drain's maintenance fund does not have enough money to pay for the maintenance, it would be paid from the GDIF and repaid as assessments are collected for that drain. So this fund does not only exist for reconstructions, it is also there to back up the maintenance funds for each drain. The amount of reconstruction costs are increasing due to size of pipes, size of watersheds and inflation. Responding to Mr. David S. Byer's inquiry, the Surveyor stated on an average year, the GDIF has a total of \$400-\$600,000 in expenditures and \$300-\$400,000 receipts. He noted the Urban Regulated Drain projects he planned on

using the Build Tippecanoe Funds for reconstructions. Historically for Economic Development purposes, we have used EDIT monies for these types of drains. The Attorney reiterated the process, an estimate is completed by the Surveyor which may or may not be the final cost. Each landowner is assessed a certain percentage depending on amount of benefited acreage indicating their portion to pay. Once assessments for a regulated drain reconstruction have been certified by the Auditor, the percentage and per acre/lot/minimum amount indicated on the certification is billed to the taxpayer. President Tracy Brown suggested the Surveyor contact his surveyors across the state to inquire if a policy has been set by their county similar to the needs at this time.

The Surveyor requested to form a subcommittee from the Board including himself, the Attorney and a Board representative to meet before the February Drainage Board meeting to discuss the issue, form verbiage for adoption of an ordinance and/or resolution for Reconstructions Funding Options. Thomas P. Murtaugh made a motion to nominate President Tracy Brown to serve on the subcommittee along with the Attorney and the Surveyor. David S. Byers seconded the motion. Motion carried.

Storage Fees Detention Basins

Regarding Drain Storage Basins, it was never the County's intention that the entire amount spent would be reimbursed. The required storage fees (\$15,000.00 per cubic foot) for developments are intended for future maintenance of that basin. On these particular reconstructions the monies come directly from EDIT or Build Tippecanoe Funds. Responding to Tracy Brown's inquiry, the Attorney stated the form of repayment would be stated within the Findings and Order of the Board.

Joint Board Request /Montgomery County

The Surveyor presented a letter received from the Montgomery County Drainage Board regarding the George Barnett/William Grimes Joint Legal Drains. The letter requested Tippecanoe County Drainage Board appoint two members to serve on a future Joint Drainage Board landowner hearing regarding the aforementioned drains. Responding to inquiry, the Surveyor noted, the letter did not state a date or time for the hearing. Thomas P. Murtaugh made a motion to grant the President authority to appoint two members from the Board once the date and time was confirmed. David Byers seconded the motion. Motion carried.

Waples McDill Regulated Drain Reconstruction Hearing

The Surveyor requested an April 2016 Drainage Board Reconstruction Hearing on the Waples McDill #85 Regulated Drain. Thomas P. Murtaugh made a motion to set the Waples McDill #85 Regulated Drain Reconstruction Hearing on April 6, 2016 to immediately follow the Regular Drainage Board meeting scheduled that day. David Byers seconded the motion. Motion carried.

Contract(s) Award

Kirkpatrick One #96 Regulated Drain Maintenance Contract Bid Opening

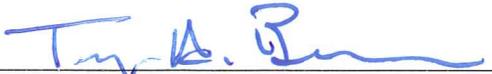
Thomas P. Murtaugh made a motion to award the maintenance contract regarding Kirkpatrick One #96 regulated drain maintenance to Tony Garriott in the amount of \$9,581.00. David Byers seconded the motion. Motion carried.

S.W. Elliott Regulated Drain #100-Branch #12 Maintenance Contract Bid

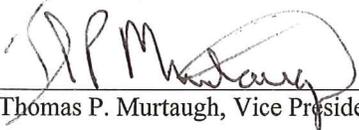
Thomas P. Murtaugh made a motion to award the maintenance contract for the S.W. Elliott Drain #100-Branch #12 regulated drain maintenance to Tony Garriott in the amount of \$3,835.00. David Byers seconded the motion. Motion carried.

Public Comment

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



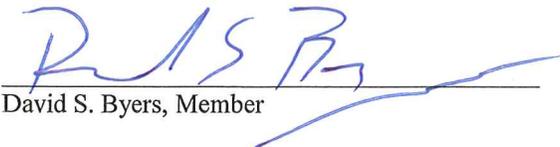
Tracy Brown, President



Thomas P. Murtaugh, Vice President



Brenda Garrison, Secretary



David S. Byers, Member

Tippecanoe County Drainage Board
April 6, 2016
WAPLES MCDILL #85 REGULATED DRAIN
RECONSTRUCTION HEARING 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, Evan Warner-G.I.S. Technician and James Butcher-Project Manager, both with the Surveyor Office, were also in attendance.

President Tracy Brown opened the Waples McDill #85 Regulated Drain Hearing and referred to the Surveyor for his report to the Board.

The Surveyor read the following: Waples McDill Regulated Drain #85 Reconstruction Report dated February 16, 2016 A Petition to Reconstruct the Waples McDill Regulated Drain #85 was accepted by the Tippecanoe County Drainage Board and referred to the County Surveyor for a Reconstruction Report on August 1, 2012. The Waples McDill Regulated Drain #85 and its watershed are located in Sections 10,11,14,15 and 22 of Township 21 North Range 4 West in the political township of Lauramie and Section 16 of Township 21 North Range 4 West in the political township of Randolph all being within Tippecanoe County, Indiana. The Waples McDill Regulated Drain #85 prior to 1936 was known as the Meigs Ditch. Per Tippecanoe County Superior Court Case No. 9632 File Box 451, a petition was filed by the landowners to repair and reconstruct the Meigs ditch. During this hearing in 1936 the name was also changed to Waples McDill Ditch. The watershed area is 1438.18 acres. A maintenance fund of \$1.00 per acre was established by the Tippecanoe County Drainage Board on the 9th day of September 1971. However, in 2012 the maintenance rate was increased 25% to \$1.25 per acre in accordance to I.C. 36-9-27-42. I have personally walked, drove, talked and met with landowners, and inspected the Waples McDill drainage system per the request of the landowners who signed the petition. Based on the wishes and needs of the petitioners in this watershed it is my professional judgement that the existing clay and concrete main tile be removed and replaced with a larger capacity new tile. To reach this goal 2900 lineal feet of 42" diameter tile, 1800 lineal feet of 36" diameter tile, 1400 lineal feet of 30" diameter tile, 2400 lineal feet of 24" diameter tile, 5090 lineal feet of 18" diameter tile, and 4590 lineal feet of 15" and 12" diameter tile will be installed combined with other miscellaneous items. It is the judgement of the Tippecanoe County Surveyor that a sum of approximately \$670,411.48 is needed to reconstruct and improve the Waples McDill regulated drainage system. After completion of the project there will be 700 lineal feet of open ditch, 10,480 lineal feet of main tile and 17,300 lineal feet of branch tile under maintenance. An assessment of \$94.00 per acre and a \$50.00 minimum over a five (5) year period is recommended. This will generate \$676,092.87 over a five (5) year period. Assuming the reconstruction and improvements are completed and the general drain fund has been repaid after the five (5) year period, the Tippecanoe County Surveyor recommends the per acre assessment be lowered to a maintenance rate of \$6.00 per acre and a \$30.00 minimum with an eight (8) year collection total. Respectfully submitted Zach Beasley

The Surveyor then reviewed the watershed and tile route maps for the Board. He noted the tracts owned by Kevin Schroeder (letter AF on tile map), James and Kathryn Redinbo letter Z on tile map) located immediately west of CR 200 East indicate the existing tile (by black dashed lines) cross these tracts at an angle. Based off of physical inspection, Survey work and meeting with the landowners, the best option for this area was to relocate the tile north of the two aforementioned tracts and relocate the new tile on the Kathryn Wilcox tract. Currently there exists a barn and home on the properties. It would be prudent to bypass these residential tracts with the new tile and relocate the new tile in agricultural ground which will better accommodate future maintenance of the tile. By this hearing the existing tile across the Redinbo and Schroeder property is hereby vacated as a county regulated portion of the drain. It would be connected to the newly constructed tile west of their properties and function as a private lateral in the future.

Public Comment

Mr. Robert Devault 3200 SR 28 Lafayette Indiana 47909 approached the Board to speak. He stated he represented robin Devault and Jerry Skinner as well as himself today. He stated there had been ongoing issues for 20 years in this watershed. He noted the tile was overloaded and stated he thought approximately over 50 acres were under water last year due to poor drainage with the overloaded tile. He stated it was 4 years in July that a petition was carried by himself to reconstruct this drain tile. Since then many informal meetings have been held between the Surveyor and the benefited landowners with discussion on the route, tile sizes etc. He noted the landowners realize the value of good drainage and the importance of doing a total tile reconstruction of the drain. He noted due to the watershed's lack of elevation, larger sized pipes would be

required to drain the area efficiently. The landowners are willing to be financially responsible for the reconstruction as proposed.

Gary Schroeder 5650 East 700 South Lafayette Indiana 47909 representing the *Kevin Schroeder properties* approached the Board. He stated there was no question upstream that there was ponding and the area needed improvement. He stated the question he had was how you determine benefits and damages- as it is not equal. People upstream will gain the benefit but the people downstream near the outlet really do not have a drainage issue. He stated he was not sure how to come up with the system, and maybe when these laws were activated people were not envisioning half million dollar projects. He stated this isn't the first time he has stated this issue. He noted there is a system to investigate benefits and damages other than just equally and knows it is very difficult. He thanked the Board for their time.

Responding to John Gambs inquiry, Attorney Doug Masson explained the following: Under the standard reconstruction process there is a ten percent interest if not paid in full within the first year of the five year reconstruction period. The total amount could be paid over five years however a ten percent interest would be added to the balance annually. The Commissioners and Drainage Board passed an ordinance last month which put in a reconstruction financing program. This will give landowners the following options: pay total amount due all at once, pay under the normal system over a five year period at ten percent, or sign an agreement whereby the interest rate would be five percent pursuant to contract. Under the reconstruction drainage code if the assessed amount is not paid all at once there is a ten percent interest per year added to the balance due annually. The landowner assessment notification letters state the assessed amount due for their tracts and do not include interest that may or may not accrue depending on how the amount is paid. In special circumstances; such as a high cost project, the reconstruction financing program is an option available to landowners to consider.

Greg Gilbert 9320 South 200East Lafayette Indiana 47909 (representing Gilbert and Wilcox farms) approached the Board. He stated he felt the project needed to move forward and asked the Board to approve the Reconstruction as the Surveyor has presented. The Surveyor noted Mr. Redinbo10538 S 200East Lafayette Indiana called him and stated he was in favor of the project as well. There were no letters against the reconstruction project received by the Surveyor office or Drainage Board.

Gary Bolander with Halderman Farm Mgmt. representing Sandra Lidster 8548 E Bowers Road Darlington Indiana 47940 approached the Board and stated she has approximately 11% of the benefited watershed acres. She is not opposed to the reconstruction as she is aware of the importance of good drainage. She did raise concern regarding the overall cost but was in favor of the project.

Responding to Commissioner Byer's inquiry, the Surveyor reviewed the route of tile: The outlet of the existing pipe is located on the west side of County Road S 275 East- north of County Road E1000 South. The new outlet would be located on the east side of County Road S 275 East -north of County Road E1000 South. The 42 inch tile would start at this location. The Surveyor noted he has had 2 informal meetings with most all of the benefitted landowners prior to this hearing. Based off these meetings the intention is to publish a bid request ASAP and open and award the bid at the May meeting of the Drainage Board. He would like to start the actual reconstruction by the first of June this year and the landowners are aware of this plan. The project should be finished by fall of this year. He noted, the size of the watershed, diameter of the tile, and cost per acre to the benefitted landowner is by far the largest project the Drainage Board has seen to date. He noted there was only 700 feet of open ditch included with this reconstruction.

David Byers stated the farmers brought this project to the Board for approval and understand the cost associated with the planned reconstruction. Therefore he referred to the Attorney to read the suggested Findings and Order for the reconstruction of the Waples McDill Regulated Drain #85.

The Attorney read the following: This matter came to be heard upon the reconstruction report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on February 16, 2016. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana were filed. Remonstrances were not filed. Evidence was presented by the Tippecanoe County Surveyor 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 reconstruction report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on February 16, 2016.
- (2) Notice of filing of the reconstruction report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.

- (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 700 lineal feet of open ditch, 10,480 lineal feet of main tile and 17,300 lineal feet of branch tile under maintenance.
- (5) The present condition of the ditch is poor and inadequate.
- (6) The ditch needs the following reconstruction at present:
The existing clay and concrete main tile removed and replaced with a larger capacity new tile. To reach this goal 2900 lineal feet of 42" diameter tile, 1800 lineal feet of 36" diameter tile, 1400 lineal feet of 30" diameter tile, 2400 lineal feet of 24" diameter tile, 5090 lineal feet of 18" diameter tile, and 4590 lineal feet of 15" and 12" diameter tile will be installed combined with other miscellaneous items.
- (7) There is now \$4,811.70 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 1438.18 acres total.
- (9) Estimated annual cost of maintenance is \$8778.34.
- (10) Estimated annual benefits of the land drained exceeds repair and reconstruction costs.
- (11) A fund for reconstruction and annual maintenance should be established.
- (12) In order to provide the necessary reconstruction and maintenance fund, the annual assessment per acre and lot benefited should be: A \$94.00 per acre with a \$50.00 minimum over a five (5) year period is recommended for reconstruction. This will generate \$676,092.87 over a five (5) year period. Assuming the reconstruction and improvements are completed and the general drain fund has been repaid after the five (5) year period, the Tippecanoe County Surveyor recommends the per acre assessment be lowered to a maintenance rate of \$6.00 per acre and a \$30.00 minimum with an eight (8) year collection total.
- (13) The assessment list filed herewith should not be amended
- (14) The assessment list filed herewith is fair and equitable and should be adopted.
- (15) The assessment should be collected with the May 10, 2017 Taxes.
- (16) Due to the estimated cost per acre, the necessity of the project, the feasibility of the project, the overall cost of the project, and the availability of funds, this reconstruction project, Reconstruction Financing Assistance as provided for under Resolution 2016-01-DB should be made available to eligible landowners under the conditions set forth in Resolution 2016-01-DB

NOW, THEREFORE, IT IS ORDERED THAT:

- (1) A reconstruction and maintenance fund be established for the Waples McDill #85 Regulated Drain. The reconstruction fund is established at the annual rate of \$94.00 per acre and a \$50.00 minimum and the maintenance fund is established at the annual rate of \$6.00 per acre and \$30.00 minimum for an 8 year period. Maintenance assessments should start AFTER the five (5) year period of reconstruction is complete.
- (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, 2017 taxes.
- (4) This project is eligible for the Reconstruction Financing Assistance Program created by Drainage Board Resolution 2016-01-DB.

Mr. Robert Devault approached the Board and stated he felt since the drain will all be new he did not feel it was appropriate to increase the current maintenance rate of \$1.25 per acre to \$6.00 per acre on the drain. He questioned the Surveyor why the cost had to be so high on a brand new system and asked if a bond was required for the performance of the work. Discussion was held regarding a performance bond requirement of the contractor (the current contract requires a performance and maintenance bond to be submitted with the contract documents) a maintenance bond covers workmanship for 3 years after the reconstruction is completed. The Surveyor assured Mr. Devault his laterals would be tied into the new tile once all the private laterals were located. The Surveyor noted it is inevitable private tile connections would be missed as the office is not aware of the total amount of private laterals connected to the main on each farm. He stated sometimes these do not show up until the following fall or spring after the reconstruction has been completed. However once the farmer is aware a lateral has been missed, he should notify the Surveyor office and it will be reconnected to the new tile. The Surveyor then explained setting a maintenance rate to be collected after reconstruction is part of the process. He arrived at the \$6.00 amount based on a few factors: maintaining the open ditch - spraying dredging - and maintenance of the system's branches that would not be replaced in addition to new tile maintenance from time to time as well. He explained to the landowners present that monies collected for maintenance stay within that drain fund for which it was collected and used only on that specific drain. When the fund total reached the 8 year cap (approx. \$70,000), the maintenance assessment would not be collected again until it fell below the 8 year cap total. However if the landowners felt the maintenance assessment proposed was too high, it could be

lowered. The Attorney reiterated the maintenance would not start collection until after the five year reconstruction period. Discussion was held regarding Drainage Code requirements for maintenance and reconstruction processes. Mr. Devault stated they do want a balance in the maintenance fund in the event something went wrong and maintenance was needed, however he felt the \$6.00 per acre amount was excessive. He asked the Surveyor if he would consider lowering his recommendation of the proposed maintenance rate to the Board. The Surveyor stated the Board has the ability to lower the rate as proposed. He stated the Drainage Code allows a 4, 6 or 8 year collection period. However he felt the amount was based on solid information and it was up to the Board to approve the proposed rate or lower it if they felt it necessary. Mr. Gregory Gilbert stated the open ditch was not a large as in most watersheds and felt the maintenance rate should be cut in half due to this factor and the main tile being brand new.

David Byers made a motion to approve the Findings and Order as read by the Attorney with an amended maintenance assessment rate of \$4.00 per acre after the five year reconstruction period. Thomas Murtaugh seconded the motion. Motion carried. The Attorney reiterated the following amendment to the findings and order by the Board as follows:

Insert: (13.) The assessment list filed herewith should be amended as follows:

Assuming the reconstruction and improvements are completed and the general drain fund has been repaid after the five (5) year period, the Tippecanoe County Drainage Board recommends the per acre assessment be lowered to a maintenance rate of \$4.00 per acre and a \$30.00 minimum with an eight (8) year collection total.

NOW, THEREFORE, IT IS ORDERED THAT:

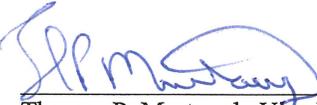
A reconstruction and maintenance fund be established for the Waples McDill #85 Regulated Drain. The reconstruction fund is established at the annual rate of \$94.00 per acre and a \$50.00 minimum and the maintenance fund is established at the annual rate of \$4.00 per acre and \$30.00 minimum for an 8 year period. Maintenance assessments should start AFTER the five (5) year period of reconstruction is complete. The Schedule of Assessments filed herewith are adopted and made a part thereof. The first annual assessment shall be collected with the May 10, 2017 taxes. This project is eligible for the Reconstruction Financing Assistance Program created by Drainage Board Resolution 2016-01-DB.

DATED at Lafayette, Indiana this 6th day of April 2016 Tippecanoe County Drainage Board.

The President thanked the landowners for their attendance. As there was no other public comment, David Byers 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
May 4, 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

Thomas Murtaugh made a motion to approve the April 6, 2016 regular meeting and April 6, 2016 Upper end extension of the JN Kirkpatrick Regulated Drain and the Waples McDill Reconstruction Hearing Minutes. David Byers seconded the motion. Motion carried.

Waples McDill #85 Regulated Drain Reconstruction Contract Bid Opening

President Tracy Brown referred to the Attorney to open contract bids submitted regarding the Waples McDill #85 Regulated Drain Reconstruction. Attorney Doug Masson read the following bids into record: RKN LLC total quote \$616,626.00; Dwenger Excavating total quote \$651,988.10; Maxwell Farm Drainage LLC total quote \$490,527.24; Rinehart Excavating \$574,148.74; Marvis Inc. total quote \$668,398.59. David Byers made a motion to take the bids under advisement. Thomas Murtaugh seconded the motion. Motion carried. The President noted the Surveyor's Project Manager would review the submitted documents and the contract would be awarded at the end of today's meeting.

Hawthorne Crossing Subdivision

Clem Kuns from TBird Design appeared before the Board to request approval for the Hawthorne Crossing Subdivision project. The site consisted of approximately 13 acres located just south of the previous Hawthorne Gardens project at the northwest corner of C.R. 550E and McCarty Lane. It is located within the City of Lafayette boundaries and will be multi-family apartment complex. The drainage was prominently east to west and released directly to the Berlowitz Regional Detention Facility via storm sewers and vegetative swales. He noted this project was located within the Berlowitz Master Drainage Plan and the design complied with the said plan. He presented a Petition to Encroach on the Berlowitz Regulated Drain Easement for approval on this project as well. He requested approval at that time.

The Surveyor reiterated this project directly released into the Berlowitz Regional Detention Facility and located within the City of Lafayette so the Board's review was the release rates into the Regional Detention Facility only. The City of Lafayette would review the sites infrastructure plan etc. He stated he had reviewed the Petition as submitted and it was in order. He recommended approval by the Board for the Petition to Encroach on the Berlowitz Regulated Drain Easement and approval of the project based on the April 15, 2016 Burke memo. There was no public comment.

Thomas Murtaugh made a motion to approve the as well as Petition to Encroach on the Berlowitz Regulated Drain. David Byers seconded the motion. Motion carried. Thomas Murtaugh made the motion to grant conditional approval as stated on the April 15, 2016 Burke memo. David Byers seconded the motion. Motion carried.

East Tipp. Middle School Improvements

Pat Jarboe of TBird Design appeared before the Board to request approval for the East Tipp. Middle School Improvements project. He stated he was happy to see all familiar faces and hoped this continued for a very long time. The project consisted of a future East Tipp. Middle School building addition as well as athletic field and track renovations. The site was located on the south side of C.R.300S at the intersection of CR.300S and CR. 750E. The existing track and field area would be moved to the south with upgrades and renovations due to a planned building addition on the southwest corner of the school. The site was developed in the 1950s prior to stormwater drainage guidelines within a drainage ordinance. However the area of the project was accommodated by a new drainage facility basin (detention pond). Inlets and storm sewers would be used to route the site's runoff to the dry detention pond that which ultimately would drain to the J. Amstutz Regulated Drain. Runoff release rates into the Amstutz Drain would not exceed the site's current discharge amount. The existing outfall remained the same and the existing drainage pattern would be maintained. He requested a variance to the technical standards of the ordinance particularly Chapter 8 Section A- regarding bmp measures. He noted the dry detention pond would act as the bmp treatment for this site. He requested approval of the project and stated they agreed with the April 26, 2016 Burke memo. The Surveyor stated the John Amstutz County Regulated Drain was located immediately east of the school's site as a County maintained open ditch and tile system. The ditch flowed to the south and as Mr. Jarboe indicated this drain was partially reconstructed. Some of the tile was removed and replaced with an open ditch was has increased its capacity. He noted the tile replacement was currently in the works regarding the residential area of the tile locations. He stated this was reviewed in

detail and felt there would be no downstream flooding issues. The release rates were well within the current Stormwater Ordinance. He reiterated the school project was completed in the 1950's. Due to this the designers had to retrofit their design to comply with the current ordinance regarding the stormwater quality portion as best as possible. He stated he recommended approval of the requested variance as the site would have water quality applications such as vegetated swales and grassed strips etc. in addition to the dry detention basin as well as conditional approval as stated on the April 26, 2015 Burke memo. There was no public comment.

Thomas Murtaugh made a motion to approve the variance as requested. David Byers seconded the motion. Motion carried. Thomas Murtaugh made a motion to grant conditional approval as stated in the April 26, 2016 Burke memo. David Byers seconded the motion. Motion carried.

Fort Quiatenon Trailhead and Overlook Archaeological Site

Andy Mix with Vester and Assoc. appeared before the Board on behalf of the Tippecanoe County Historical Association to present the Fort Quiatenon Overlook and Trailhead Archaeological Site project for approval. Mr. Mix stated the site was adjacent to South River Road between Patrick Lane and CR.350W and consisted of approximately 14.8 acres. He noted the top third portion of the site was relatively flat with a sloping ridge to the river. Two naturally curved swales on the east and west sides take the sheet flow from the site to the river. The proposed plan included an entrance to the site, a one way roadway, parking area for buses and cars with handicap parking and a concrete walkway/bicycle path. He further stated; prairie restoration would assist in the stormwater quality improvement of the site and the post development runoff was minuscule compared to pre-developed runoff. He requested approval of the project at that time.

The Surveyor stated this was a minor project, basically a few parking spots for the trailhead access and archeological site. He stated construction would all be completed on high ground of the overall project site. Everything south of the aforementioned slope (natural transition) of the tract was floodplain. There were no sanitary facilities for the site, existing slopes would be utilized as Mr. Mix stated and there are no piping systems planned. He noted this project was reviewed in house. Mr. Mix was aware the project required a completed SWPPP prior final approval.

The Surveyor then recommended approval per the Surveyor's Office Review Summary dated April 29th 2016. There was no public comment.

David Byers recommended approval with condition as stated within the April 29th 2016 Surveyor's Office Review Summary. Thomas Murtaugh seconded the motion. Motion carried.

Stonehenge Phase 4 P.D.A. and P.D.B.

Marc Tolliver with Vester and Assoc. appeared before the Board to present Stonehenge Ph. 4 P.D.A. and P.D.B. for approval. The overall Stonehenge Development was located on the southeast corner of the intersection at CR. 450N and 375W and consisted of approx. 134.6 acres. Phase 4 was located in the northeast region (17.8 acres). The existing P.D. region was located in the southeast region; however there a fringe lots that would be developed as part of the current project. The Stonehenge Development Master Drainage Plan was previously approved by the Board during the January 8, 1997 Drainage Board meeting. The site's detention pond was previously planned on its eastern extremities. He noted there was an existing county regulated drain along the northeast corner of the site known as the E.W. Andrews County Regulated Drain #03. The planned fringe lots to be developed were located immediately south and further southeast of the northeast region (Phase 4) of the project. (South of the existing pond) He reviewed the overall plan for the Board and stated there would be subsurface storm sewers with overland vegetated swales through the site. (49 lots total to be developed with 20 lots planned within the P.D.A. and P.D.B. regions) A variance was in order regarding the detention pond to act as a secondary post construction bmp treatment method. This was in addition to tail water bio swales for stormwater quality treatment. He noted two variances were requested. The first variance was for the reduction of existing easement for the E.W. Andrews Regulated Drain #03 and the second for the detention pond to act as a bmp treatment method. He then asked for approval of the project as stated. The Surveyor stated the applicant was here for preliminary approval only. The variances would not be acted upon today and the applicant was aware of this. The variances would be approved at a later date. The Surveyor stated the project's data at hand was reviewed with the 1997 Stonehenge Development Master Drainage Plan. He noted in general their plan complied with the master drainage plan as approved by the Board in 1997. He requested a meeting to discuss the regulated drain encroachment. He would like to discuss the amount of room needed for maintenance work of the said county regulated drain easement. This was due to a physical restriction in the area of CR.450N. A culvert routes under the said county road and the open ditch starts on the south side. There was a physical barrier on north side and another on the east side due to an existing driveway over the open portion of the drain. Other than the variances today, he recommended preliminary approval to the Board for Stonehenge Phase 4 P.D.A. and P.D.B. There was no public comment.

Thomas Murtaugh made a motion to grant preliminary approval for Stonehenge Phase 4 P.D.A. and P.D.B as stated in the April 27, 2016 Burke memo without acting on the variances as requested in said review memo. David Byers seconded the motion. Motion carried.

Zach Beasley/Other Business

The Surveyor presented Maintenance Bond # 1044914 in the amount of \$14,166.30 written by Hanover Insurance Company and submitted by Atlas Excavating regarding Hickory Ridge Phase 2 Subdivision for approval by the Board. David Byers seconded the motion. Motion carried.

Waples McDill #85 Regulated Drain Reconstruction Contract Award

Project Manager confirmed all Waples McDill #85 Regulated Drain Reconstruction contract documents were in order. David Byers made a motion to accept the Maxwell Farm Drainage contract for the Waples McDill #85 Regulated Drain Reconstruction in the amount of \$490,527.24. Thomas Murtaugh seconded the motion. Motion carried.

Public Comment

Lyle Bowman representing A.D.I. (Tile Company in area) approached the Board and stated the following: My Company submitted a bid on Monday via overnight. It arrived on Tuesday -election day- to this location and should have been received by the mailing authority at this location on Tuesday- in time to be read and accepted. The Surveyor's office Project Manager stated the office was aware of the bid and watching for it, however it was not delivered prior to the start of today's meeting. Mr. Bowman asked if he obtained a certification that the bid was delivered to this address prior to the start of the meeting would it still be considered. He stated it would have been the low bid by a significant amount. He asked if there would have been a place that accepted this delivery due to the election held at this location on Tuesday. Attorney Doug Masson stated if it would have to be a special circumstance as if it was not received prior to this meeting, it would not be considered by the Board. The Attorney stated the Board made the exception to allow the bid- if received by 10am today- to be submitted and opened (deadline receipt of bids 9:30am Weds. April 6, 2016). However the bid did not arrive prior to the meeting therefore it was not considered for the award. The circumstance would have to be extraordinary to change the award at this meeting. Maxwell Farm Drainage Contract award remains as accepted. Bart Maxwell approached the board and stated he hoped to learn whether he was awarded the contract today. Most instances contracts are not opened if not received prior to the deadline. Attorney Masson stated he was bound to double check the law; however the situation would have to be compelling before he would recommend a change in the Board's award of the contract today. He stated his preference would be to move forward based on his knowledge of the situation to date. Maxwell Farm Drainage submitted the lowest contract bid to the Board prior to the deadline as outlined in the Public Notice for Request for Contract Bids on the Waples McDill #85 Regulated Drain Reconstruction.

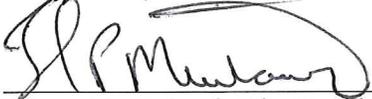
Dave Byers asked if the bid would re-pro rate the per acre assessments to the landowners since the amount was significantly lower than the Surveyor's estimated per acre assessment previously approved by the Board. The Surveyor stated it could possibly lower the assessment at the end of the process; however he referred to the Attorney for his legal opinion. He noted there are always unforeseen items that come up during reconstruction which could increase the total cost of a bid. The Attorney noted the reconstruction order would be reviewed, and a certified total cost of the project would be submitted to the Auditor next month.

Mr. Bob Devault 3200 SR.28E Lafayette Indiana 47909 approached the Board and stated as one of the largest landowners within the watershed he represented a few of the landowners and they all felt the designated time and date was stated regarding the request for contract bids on the said drain reconstruction. He stated he would not want the board to set precedence where once the amount of a received bid was read out loud it would enable a contractor to easily come in with a story and a lower bid to be accepted by the Board. He felt it would be a poor precedence to set. He stated the Board made a decision to award the contract today already and he hoped they stuck with it. He then congratulated the Surveyor for his win in the primary election. The Surveyor thanked him for his thoughts today.

David Byers 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.

Tracy Brown, President

Thomas P. Murtaugh, Vice President

Brenda Garrison, Secretary

David S. Byers, Member

Tippecanoe County Drainage Board
July 6, 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

Thomas Murtaugh made a motion to approve the June 1, 2016 Drainage Board Meeting Minutes. David Byers seconded the motion. Motion carried.

Wireless Network Solutions Lot 8 52 South Industrial

President Tracy Brown informed the Board the Wireless Network Solutions Lot 8 52 South Industrial would not be presented to the Board today. This item was pulled from the Agenda.

Caterpillar Warehouse Distribution Center

Robert Langager appeared before the Board and presented the Caterpillar Warehouse Distribution Center for approval. The site was located within the City of Lafayette more specifically on the northeast corner of Veterans Memorial Parkway and County Road 500 East- south of the I.U. Hospital location and consisted of approximately 27 acres. A 6 acre building was proposed with an additional expansion at a later date. The site's runoff discharged to the Berlowitz Detention Facility via two aqua-swirl mechanical water quality units. He noted discussions were held with the drainage consultants regarding stormwater quantity and added there would be some onsite detention on this tract. Responding to David Byer's inquiry, Mr. Langager confirmed the site was modeled for future growth as well. He requested approval at that time. The Surveyor stated the onsite detention basin would assist to control the extra runoff discharge from the east. The design did meet the capacity of the storm sewer system along Veterans Memorial Parkway. He noted their review today was only discharge of the site as it was located within the City of Lafayette limits. He stated there were no variances associated with this project. He recommended approval with the conditions as stated on the June 30, 2016 Burke memo. There was no public comment.

Thomas Murtaugh made a motion to grant approval with the conditions stated on the June 30, 2016 Burke memo. David Byers seconded the motion. Motion carried.

Zach Beasley

S.W. Elliott Drain #100/ D.N.R. David Knipe- Flood Maps/Elevations- Status Update

The Surveyor informed the Board a gaging station located on the S.W. Elliott drain at the northeast corner of the County Highway Garage on Brady Lane. It is time for the annual renewal of the Joint Funding Agreement Contract with the U.S Department of the Interior /U.S.G.S. Geological Survey. He stated he knew progress had been made on the revisions of Flood Elevation maps by DNR for this area. The area was from Concord Road to just east of Ivy Tech. The cost to the County was \$9200.00 this term. (October 1, 2016- Sept. 31, 2017) It was noted in 2014 to revisit the issue in a couple years and re-evaluate the need of the devise. He stated he felt it prudent to invite David Knipe of D.N.R. to address the Board regarding the status of the aforementioned maps. This was the best way to determine whether to continue the agreement or not. He will make a recommendation to the Board at the meeting in August. The said agreement must be signed and returned by October 1, 2016. The Surveyor welcomed Mr. Knipe and thanked him for his time here today information the Board regarding the Flood Maps/Elevation Revisions in process. David Knipe approached the Board and stated the flood map updates project has been completed. However the legal process which is required to adopt the revised flood maps includes FEMA's approval. This has caused a longer process than expected due to issues which include funds within FEMA. The publication of registering the revised maps through FEMA has been completed and notices for the Newspaper will be published July 7 and 14, 2016. After the second notice on July 14, 2016 the 90 day appeal process begins. A letter of final determination will be issued once the 90 day appeal process and a review of -any comments /complaints received during this period has been completed. Mr. Knipe stated it would be approximately the latter part of December 2016 or first part of 2017. Once this is completed there is a 6month conversion process for communities to update ordinances and maps printed and digitized. The date for the availability of the revised flood elevation maps will be approximately July 2017. Mr. Knipe stated if the contract for the gaging station was not continued through 2017, D.N.R. would remove the equipment but leave the housing for possible future use. The data which the station has previously compiled was reviewed during this revision process of the flood maps. Any further data accumulated could be used in the future for additional revisions of the maps. He

noted if the gage station is removed, then an additional installation cost would be added to any future contract for it again. The Surveyor noted the original cost of installation was \$12,000. Responding to David Byers inquiry, Mr. Knipe stated the statute requires a review of the flood maps every five years. However funding is not available to review the flood maps for the entire stated that frequently. The Surveyor would invite landowners who have been involved with the S.W. Elliott Gaging Station to date to the August 3, 2016 meeting of the Board. The Surveyor stated he would give his final recommendation to the Board regarding continuation of the Funding Agreement for Water Resource Investigation contract between the U.S. Dept. of Interior/ U.S. Geological Survey and the Drainage Board during the August or September 2016 Drainage Board meeting. Thomas Murtaugh thanked Mr. Knipe for his efforts and all his assistance during this process of the flood maps review. There were no land owners present.

RESOLUTION #2016-02-DB: CERTIFICATION OF ASSMNTS. OF WAPLES MCDILL #85 RECONSTRUCTION

Doug Masson Atty. presented Resolution 2016-02-DB Certification of Assessments of Waples McDill #86 Reconstruction. The resolution solidifies the reconstruction financing options for benefited landowners who reside within the Waples McDill #85 watershed. The Treasurer is directed to provide landowners with notice of Reconstruction Financing availability along with repayment forms as necessary. He noted the refinancing notice and the additional financial option documents were in draft form. The Treasurer and Attorney Masson would finalize these documents as soon as possible. This resolution (required by statute) certifies the reconstruction costs of the Regulated Drain as stated at the Surveyor's Estimate and will be filed with the Auditor as required and the Auditor provides the information to the Treasurer. The Surveyor stated considering the benefited landowner's individual cost of the project - he felt this was a good option to lessen the financial burden to them. He thanked the Board and the Attorney for their work on this issue. Landowners benefited by the reconstruction of said drain have contacted the Surveyor regarding utilization of the additional financing option.

Thomas Murtaugh made a motion to approve Resolution #2016-02-DB as presented by the Attorney. David Byers seconded the motion. Motion carried.

ZACH BEASLEY / OTHER BUSINESS

S.W. Elliott #100 Petition to Encroach /Vectren Gas Company

The Surveyor stated he had a Petition to Encroach on the S.W. Elliott Regulated Drain #100. The location of the encroachment was on Veterans Memorial Parkway just north of SR.38 on the west side of Veterans Memorial Parkway. David Byers made a motion to approve the Petition to Encroach on the S.W. Elliott Regulated Drain submitted by Vectren. Vectren would be boring a gas line under the existing S.W. Elliott Regulated Drain. He recommended approval to the Board. David Byers made a motion to approve the Petition as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

Bonds:

Blackthorne Phase 3 Subdivision Maintenance Bond

The Surveyor presented Maintenance Bond #76649195 in the amount of \$12,609.30 submitted by Midwest Paving and written by Zurich American Insurance regarding the Blackthorne Phase 3 subdivision for approval.

David Byers made a motion to approve the Petition as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

Tippecanoe County East Branch Library Maintenance Bond

The Surveyor presented Maintenance Bond #7664481 in the amount of \$28,300 submitted by Mattcon General Contractors and written by Ohio Farmers Insurance regarding the Tippecanoe County Library East Branch project for approval.

Thomas Murtaugh made a motion to grant approval for the Tippecanoe County Library East Branch as presented by the Surveyor. David Byers seconded the motion. Motion passed.

S.W. Elliott #100 Regulated Drain Wilson Branch Petition to Encroach

The Surveyor presented a Petition to Encroach on the S.W. Elliott #100 Wilson Branch Regulated Drain submitted to him by Trilogy Healthcare. The encroachment was located on Trilogy Healthcare site- on the west side of Creasy Lane immediately west of St. Elizabeth Hospital. The petition along with a maintenance agreement was previously approved by the Board. However, during construction it became evident they would need a chain link fence along the approved walking path. For this reason the Petition was revised to reflect the addition of the fence as well. He recommended approval of the revised encroachment petition as presented.

Thomas Murtaugh made a motion to approve the Petition to Encroach on the S.W. Elliott Regulated Drain Wilson Branch as presented. David Byers seconded the motion. Motion carried.

Project Update

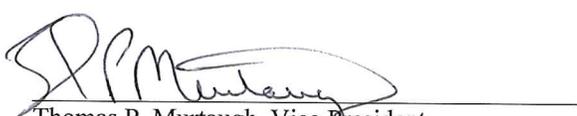
The Surveyor informed the Board the Waples McDill #85 Regulated Drain Reconstruction project was ¾ completed. He stated he was pleased with the progress considering the rain we have had the first few weeks into the project.

Public Comment

As there was no public comment Thomas Murtaugh made a motion to adjourn.



Tracy Brown, President



Thomas P. Murtaugh, Vice President

ABSENT

Brenda Garrison, Secretary

ABSENT

David S. Byers, Member



EVAN WARNER, GIS TECH.

Tippecanoe County Drainage Board
August 3, 2016
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 Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC and Evan Warner-G.I.S. Technician. James Butcher-Project Manager with the Surveyor Office was also in attendance. Member David Byers and Drainage Board Secretary Brenda Garrison were absent.

Approval of Minutes

Thomas Murtaugh made a motion to approve the July 6, 2016 regular Drainage Board meeting and the July 19, 2016 J.N. Kirkpatrick Regulated Drain #46 Upper End Extension Special Meeting as written. Tracy Brown seconded the motion. Motion carried.

Zach Beasley/Other Business

The Surveyor presented the 2016- 2017 S.W. Elliott Regulated Drain #100 Gaging Station Contract, a USGS Geological Joint Funding Agreement while noting it has been a cooperative effort between the Drainage Board and USGS for the past 7 years. He stated \$9775.00 was the County's portion for the station's monitoring during October 1, 2016 to September 31, 2017. He reminded the Board David Knipe of D.N.R. spoke in greater detail about this during their July 2016 meeting. He noted the area east and upstream of Concord had never had a flood elevation study. He noted since 1994 the County Area Plan Commission had been using a notification letter from D.N.R. as the official document detailing the 100 year flood elevations for the area upstream of Concord Road and Brady Lane. During the July Drainage Board meeting, Mr. Knipe noted that D.N.R. is currently in the last stages of implementing revised flood elevation maps for the entire area of Tippecanoe County. He stated the S.W. Elliott Regulated Drain Gaging Station data collection during the past seven years had been helpful during the process. The Surveyor recommended signing the USGS Geological Joint Funding Agreement for one more year- until which time the proposed FIRM maps become official. Responding to Tom Murtaugh's inquiry, the Surveyor noted that WREC (Wabash River Enhancement Corp) has an existing gage however it is located further downstream to the west in the Poland Hill Road area.

Tracy Brown asked for public comment. Pat Jarboe of TBIRD Design Services approached the Board and stated as an Engineer he sees the benefit of the flood elevation level lowered however he looks at these studies cautiously. Mr. Jarboe stated he felt it was a standardized approach to a fuzzy science. In small watersheds like the S.W. Elliott flooding usually occurs by blocking the flow in the ditch . susceptible to flooding that would not be due to rain events but more likely due to flow blockage from structures or downed trees etc. The Surveyor stated maintenance on the S. W. Elliott ditch is ongoing and removal of downed trees is common. The Surveyor stated there are two issues happening with this; a data issue and a policy issue. He is focusing on the policy side of the issue. On the policy side roughly \$90,000 over the last 7-8 years for data collection and felt the contract should be followed through for one more year then discontinue the station next year.

Tom Murtaugh made a motion to approve the Oct. 1, 2016 to Sept. 31, 2017 USGS Geological Joint Funding Agreement as presented. Tracy Brown seconded the motion. Motion carried.

Petition to Reduce Easement/ Grant Cole Regulated Drain #19

The Surveyor presented a Petition to Reduce an Easement on the Grant Cole Regulated Drain #19. The area for the reduction was located in the western quadrant of C.R. 600 North and C.R. 175 West. He noted the easement reduction is related to the actual location of the physical tile in the field. He recommended approval by the Board to reduce the easement from 75 foot on each side of the Grant Cole Regulated Drain tile to 30 feet as allowed by Indiana Code. Thomas Murtaugh made a motion to approve the reduction in easement for the Grant Cole Regulated Drain #19. Tracy Brown seconded the motion. Motion carried.

Reconstruction Projects Update

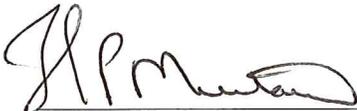
The Surveyor noted the Waples McDill #85 Reconstruction was 98% complete with only a few minor items to complete. The landowners within the watershed are happy with the work. The Ditch Spray program has been completed and the Surveyor noted he had received great feedback from the landowners on various ditches. Landowners have requested the spray data information to use on their private ditches as well. It confirms the fact they are pleased with the results.

Public Comment:

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



Tracy Brown, President



Thomas P. Murtaugh, Vice President



Brenda Garrison, Secretary/Absent
Evan Warner, GIS Technician

ABSENT

David S. Byers, Member

Tippecanoe County Drainage Board

December 7, 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

Thomas Murtaugh made a motion to approve the November 2, 2016 Regular Meeting Minutes with the following changes: within the Winter Crest Subdivision section the item #01 should read item #1, at the end of paragraph asap should read as soon as possible. David Byers seconded the motion. Motion carried. Thomas Murtaugh made a motion to approve the November 2, 2016 Martin Erwin #28 landowner hearing minutes as written. Motion carried.

Whittaker Planned Development

Justin Frazier of TBird Design Services appeared before the board to present the Whittaker Planned Development for conditional approval. The site was located west of C.R. 50 West on the north side of C.R. 500 North and consisted of approximately 16.8 acres. This development would function as a Bed and Breakfast. The Inn and drive would be constructed first, with a barn planned for future construction. He stated the G. Cole Regulated Drain was located along the north side of the property. The site would have prairie type grass and the runoff would discharge to a swale on the west side of the driveway then through vegetative swales with infiltration. He noted there was no onsite detention required. He stated they agreed with the December 1, 2016 Burke memo and requested conditional approval. The Surveyor noted his office agreed the site required no detention or variances and recommended approval as stated on the December 1, 2016 Burke memo. Responding to David Byers inquiry, the Surveyor noted the onsite sewage line was located in the northeast portion and routed southerly to the western side of the project site location. There was no public comment. David Byers made a motion to grant conditional approval as stated in the December 1, 2016 Burke memo. Thomas Murtaugh seconded the motion. Motion granted.

2827 Commercial Subdivision

Justin Frazier of TBird Design Services appeared before the board to present the 2827 Commercial Subdivision for conditional approval. He stated the site was adjacent to the Lockhart Property (Commercial building) which was approved by the Drainage Board in October 2015; this project included expansion of the Lockhart project as well. The current project site consisted of approximately 3.87 acres (3 lots which included Lockhart property) and located on the south side of U.S. 52 east of C.R.300 West (Klondike Road). He noted the underground detention storage infrastructure would collect most of the site's runoff from storm inlets. (An addition to the previously approved underground detention for Lockhart property) The existing swale located in the southeast corner of the site would be the final outlet for detention. He requested a variance to the Ordinance regarding the allowable release rate and channel protection. He stated the underground detention infrastructure did not allow for the requirements. Mr. Frazier explained to the Board the supplemental measures which would offset the required allowable release amounts and channel protection requirements per the ordinance. The underground detention storage has an initial chamber designed to remove sediment from the stormwater, in lieu of placing another preapproved bmp device such as swirl chamber etc.; up stream of the underground detention facility snout and sump structures were planned. These structures were not currently on the bmp preapproved list. The Surveyor stated the Lockhart property had been approved by the Board previously and this was all part of the complex. He noted this would be consistent with the adjoining Lockhart property previously approved underground detention facility. This area was located within the Indian Creek Drainage Impact Area and would be required to follow Indian Creek Drainage Impact Resolution #2013-01-DB requirements. (See December 1, 2016 Christopher B. Burke Memo for details) The Surveyor recommended approval of the Variances as requested as well as the conditional approval of the project. There was no public comment. Thomas Murtaugh made a motion to grant conditional approval as outlined in the Dec. 1, 2016 Burke memo for the 2827 Commercial Subdivision. David Byers seconded the motion. Motion carried.

Alexander Ross Regulated Drain Master Plan /Resolution #2016-02-DB

The Surveyor requested Mr. Robert Foley from the City of Lafayette Engineer's Office to approach the Board and inform the status of the Alexander Ross Regulated Drain Master Plan Resolution. Mr. Foley stated the Resolution was recently adopted by the City of Lafayette Redevelopment Commission and the City of Lafayette Board of Works. He informed the Board the resolution would be presented to the Lafayette City Council for approval during their February 2017 meeting. Responding to David Byers inquiry, Mr. Foley stated streets, sewers etc. would be the individual developer's responsibility not the City of Lafayette.

David Eichelberger Drainage Board Engineer Consultant from Christopher B. Burke Engineering approached the Board to present the Alexander Ross Regulated Drain Master Plan. He noted the Alexander Ross Regulated Drain watershed was located on the east side of the City of Lafayette. Generally speaking the watershed flowed from the southwest to the northeast through a large natural depression area on the west side of Interstate 65. The runoff then crosses through twin covers under the interstate into a pond located on the east side of I65, crosses SR26 into a deep ravine system into the South fork of Wildcat Creek. He noted the watershed was first studied in 1993 due to its development potential and poor area drainage. The goal in 1993 was to provide a positive outlet for the said watershed as well as regional detention for the development occurring at that time. The result was the proposal of two regional detention facilities (ponds) with one located on the east side and one on the west side of I65. The east side pond was constructed as part of the Meijer Store development project. While the need for and amount of the storage capacity was known, location of the second pond (west side of I65) was not determined at that time. However the Wal-Mart project included construction of a pond on the west side of I65 at that time. These two ponds allowed for the immediate area's development. The City of Lafayette and the County have cooperatively hired Christopher B. Burke Engineering to complete the master plan for the west side of the watershed. The goal was to be consistent regarding regional detention with what was started in 1993. Two additional regional detention facilities would be constructed in logical locations instead of forcing it to a certain location (causing access excavation just to make it happen in that area). Provisions for development's regional stormwater quality measures within the watershed, as well as master planning the roads, water, sewer and collection systems was the cooperative goal between the City of Lafayette and the County completing the Master Plan. Responding to David Byers inquiry, Mr. Eichelberger stated the total watershed acreage was approximately 600 acres. The *developable* acreage would be 230 acres on the west side of I65. The aforementioned collection systems were primarily designed to handle the undetained runoff from the developable area and route it to the stormwater detention ponds planned and this was consistent with the 1993 plan. He noted the Berlowitz Regulated Drain Watershed Master Plan was located immediate south of this watershed. I65 would be crossed at two locations for each watershed. He noted the *total developable acreage for both watersheds was 680 acres* that would not require individual stormwater detention facilities for separate projects within those watersheds. Responding to Dave Byers inquiry, new projects developed within these watersheds would be required to pay a onetime regional stormwater detention facility storage fee. Any new developments would be required to obtain the Drainage Board's approval at time of development. Responding to David Byers inquiry, the Surveyor noted as the ground was developed the original clay drain tiles would be vacated. He noted meetings had been held with landowners within the watersheds (Alexander Ross and J. Berlowitz) and they were in favor of the master plans. Mr. Rosenthal, landowner representing the majority of the property north of McCarty Lane was in favor of the plan and excited for the opportunities forthcoming. Utilizing GIS he reviewed the distinct line of new development which was located at the watershed boundaries of the Alexander Ross, S.W. Elliott and the Julius Berlowitz Regulated Drains. A. Ross watershed was located north of McCarty Lane, J. Berlowitz in between McCarty Lane and Haggerty Lane and the Branch #11 of the S.W. Elliott south of Haggerty Lane and north of SR38. The reconstruction of Branch #11 of the Elliott Drain and the two master plans tie everything together from SR38 to SR26 and west of Veterans Memorial Parkway. He noted the total amount of developable ground was over 700 acres. This would also create the possibility of extending Park East Boulevard to SR38, adding another thoroughfare. All three projects, Berlowitz Master Plan, Alexander Ross Master Plan and the reconstruction of Branch #11 of the S.W. Elliott Regulated Drain were tied together. He stated a portion of the Build Tippecanoe monies have been delegated for these plans. At the beginning of 2017 he stated he would start coordinating with INDOT for the installation of the pipe under the interstate. Design plans for intermediate and final outcome and the estimates for planned infrastructure were forthcoming. There was no public comment. Thomas Murtaugh made a motion to approve the Alexander Ross Regulated Drain Master Plan /Resolution #2016-02-DB. David Byers seconded the motion. Motion carried.

Waples McDill #85 Reconstruction Assessment Financial Assistance/Jennifer Weston Treasurer

Jennifer Weston, Treasurer of Tippecanoe County, approached the board to discuss the Waples McDill #85 Reconstruction Assessment Financial Assistance fund availability and submit a contract received by her office for approval by the Board. She referred to the Board Attorney for explanation of the process regarding the reconstruction financial assistance for landowners within the watershed. Attorney Masson stated the financial assistance program was approved by the Drainage

Board and ratified by the Commissioners as well with Resolution #2016-01-DB. This resolution established the Reconstruction Financial Assistance Program in March 2016 by the Board. (See March 3, 2016 Drainage Board Minutes for a detailed explanation of the program and process). Landowners benefited by the Waples McDill Regulated Drain Reconstruction were eligible for the program. The reconstruction was completed and the assessments set. The County Treasurer sent out the reconstruction billing with cover letters explaining the three options available to the benefited landowners for paying their reconstruction (only) assessments. This particular option was a five (5) year payment plan with a 5% interest rather than the statutory 10% interest by Drainage Code. Part of the requirement for the five (5) % option was the landowner must sign a contract with the County Drainage Board. To date, the Treasurer had received one contract from benefited landowner-Kathryn Wilcox. He stated the Board's action today was to formally approve the contract as submitted. He explained the landowner must pay for recording the contract in full (required by Resolution). A claim should then be submitted to the Auditor to pay the assessment from the newly established fund into the fund from which reconstruction costs were paid in full. (Generally the General Drain Improvement Fund) Thus paying the landowner's reconstruction assessment in full and in return the landowner pays the County an annual 5 % interest on repayment over a five (5) year period. Today's board action called for approval of the contract received back from benefited landowner Kathryn Wilcox.

Treasurer Jennifer Weston stated the reconstruction's billing was sent out approximately a month ago. Landowners were given 60 days to enter into the agreement contract if so desired. She noted the total assessment on two parcels owned by Kathryn Wilcox was over \$52,000 and would be billed out over the five year period at the rate of 5% interest as reflected by Resolution 2016-01-DB. She noted it was a savings to the landowner of approximately \$2,600 over the life of the contract. To date the Treasurer has received a total of \$38,000 reconstruction assessments for the Waples McDill Drain Reconstruction since billing was sent out by her office.

The Surveyor reminded the Board the Resolution was a result of landowners asking for reconstruction payment alternatives due to the current day high cost of reconstructions. This was the first drain reconstruction and contract received this fund would be utilized for. He stated the said fund had not been set up to date. He anticipated this fund would be established after the first of the year. The Secretary was coordinating with the Auditor Office and they were fully aware of the need. The Auditor Office planned to establish the fund after the first of the year (2017). The Surveyor stated he thought the setup of the said Assistance Fund and the monies to be included within the fund was handled during the 2017 Council budget proceedings for his office. The Attorney stated since the assistance fund had not been set up to date, the contract should be tabled until the January or February 2017 meetings of the Board. The amounts billed out to the landowners were not due until May and November of 2017. This would allow the Secretary to confirm the steps which may be required to setup the fund. The Surveyor stated he agreed with the Attorney. Thomas Murtaugh made a motion to table the submitted Waples McDill #85 Regulated Drain Reconstruction Assistance Fund Assessment Contract with Kathryn Wilcox until the January meeting. David Byers seconded the motion. Motion carried. Attorney Masson directed the Treasurer to speak with the Auditor to determine whether to hold the check (due to minimal amount) or deposit prior to the upcoming meeting. If the check was deposited the County would pay the recording fee for said contract.

Zach Beasley/Other Business

S.W. Elliott Branch #11 Reconstruction Settlement Agreement/Brand Properties

The Surveyor stated this was an agreement settled between the Drainage Board and properties owned by Jerry Brand. He referred to the Attorney for explanation. The attorney noted the Brand properties own several developed and undeveloped parcels within the S.W. Elliott Regulated Drain Branch #11 watershed. The settlement agreement involved these said parcels. A title transfer to the Drainage Board for the existing Haggerty Point Detention pond was finalized. The title for the Haggerty Detention facility (pond) was transferred to Tippecanoe County Drainage Board. The Board now owns the detention pond. F-Lake detention storage fees and Branch #11 reconstruction fees totaled approximately \$65,000. There was ambiguity on whether the reconstruction fees would have to be paid for these parcels. The reconstruction assessments were paid as negotiated. ***The current un-developed properties would be required to pay detention storage fees in the future upon development of the said properties.*** The agreement- if approved today- would bring the S.W. Elliott Regulated Drain Branch #11 Reconstruction to completion. There was no public comment. David Byers made a motion to approve the agreement as presented by the Attorney. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Encroach S.W. Elliott #100-Treece Meadows Branch

The Surveyor presented the Petition to encroach S.W. Elliott #100-Treece Meadows Branch submitted by Vectren Energy. The Surveyor noted a gas line would be constructed under the two open ditches on the north side of McCarty Lane, immediately east of Creasy Lane. He recommended approval. David Byers made a motion to approve the Petition to

Board and ratified by the Commissioners as well with Resolution #2016-01-DB. This resolution established the Reconstruction Financial Assistance Program in March 2016 by the Board. (See March 3, 2016 Drainage Board Minutes for a detailed explanation of the program and process). Landowners benefited by the Waples McDill Regulated Drain Reconstruction were eligible for the program. The reconstruction was completed and the assessments set. The County Treasurer sent out the reconstruction billing with cover letters explaining the three options available to the benefited landowners for paying their reconstruction (only) assessments. This particular option was a five (5) year payment plan with a 5% interest rather than the statutory 10% interest by Drainage Code. Part of the requirement for the five (5) % option was the landowner must sign a contract with the County Drainage Board. To date, the Treasurer had received one contract from benefited landowner-Kathryn Wilcox. He stated the Board's action today was to formally approve the contract as submitted. He explained the landowner must pay for recording the contract in full (required by Resolution). A claim should then be submitted to the Auditor to pay the assessment from the newly established fund into the fund from which reconstruction costs were paid in full. (Generally the General Drain Improvement Fund) Thus paying the landowner's reconstruction assessment in full and in return the landowner pays the County an annual 5 % interest on repayment over a five (5) year period. Today's board action called for approval of the contract received back from benefited landowner Kathryn Wilcox.

Treasurer Jennifer Weston stated the reconstruction's billing was sent out approximately a month ago. Landowners were given 60 days to enter into the agreement contract if so desired. She noted the total assessment on two parcels owned by Kathryn Wilcox was over \$52,000 and would be billed out over the five year period at the rate of 5% interest as reflected by Resolution 2016-01-DB. She noted it was a savings to the landowner of approximately \$2,600 over the life of the contract. To date the Treasurer has received a total of \$38,000 reconstruction assessments for the Waples McDill Drain Reconstruction since billing was sent out by her office.

The Surveyor reminded the Board the Resolution was a result of landowners asking for reconstruction payment alternatives due to the current day high cost of reconstructions. This was the first drain reconstruction and contract received this fund would be utilized for. He stated the said fund had not been set up to date. He anticipated this fund would be established after the first of the year. The Secretary was coordinating with the Auditor Office and they were fully aware of the need. The Auditor Office planned to establish the fund after the first of the year (2017). The Surveyor stated he thought the setup of the said Assistance Fund and the monies to be included within the fund was handled during the 2017 Council budget proceedings for his office. The Attorney stated since the assistance fund had not been set up to date, the contract should be tabled until the January or February 2017 meetings of the Board. The amounts billed out to the landowners were not due until May and November of 2017. This would allow the Secretary to confirm the steps which may be required to setup the fund. The Surveyor stated he agreed with the Attorney. Thomas Murtaugh made a motion to table the submitted Waples McDill #85 Regulated Drain Reconstruction Assistance Fund Assessment Contract with Kathryn Wilcox until the January meeting. David Byers seconded the motion. Motion carried. Attorney Masson directed the Treasurer to speak with the Auditor to determine whether to hold the check (due to minimal amount) or deposit prior to the upcoming meeting. If the check was deposited the County would pay the recording fee for said contract.

Zach Beasley/Other Business

S.W. Elliott Branch #11 Reconstruction Settlement Agreement/Brand Properties

The Surveyor stated this was an agreement settled between the Drainage Board and properties owned by Jerry Brand. He referred to the Attorney for explanation. The attorney noted the Brand properties own several developed and undeveloped parcels within the S.W. Elliott Regulated Drain Branch #11 watershed. The settlement agreement involved these said parcels. A title transfer to the Drainage Board for the existing Haggerty Point Detention pond was finalized. The title for the Haggerty Detention facility (pond) was transferred to Tippecanoe County Drainage Board. The Board now owns the detention pond. F-Lake detention storage fees and Branch #11 reconstruction fees totaled approximately \$65,000. There was ambiguity on whether the reconstruction fees would have to be paid for these parcels. The reconstruction assessments were paid as negotiated. *The current un-developed properties would be required to pay detention storage fees in the future upon development of the said properties.* The agreement- if approved today- would bring the S.W. Elliott Regulated Drain Branch #11 Reconstruction to completion. There was no public comment. David Byers made a motion to approve the agreement as presented by the Attorney. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Encroach S.W. Elliott #100-Treece Meadows Branch

The Surveyor presented the Petition to encroach S.W. Elliott #100-Treece Meadows Branch submitted by Vectren Energy. The Surveyor noted a gas line would be constructed under the two open ditches on the north side of McCarty Lane, immediately east of Creasy Lane. He recommended approval. David Byers made a motion to approve the Petition to

encroach on the S.W. Elliott #100-Treece Meadows Branch as submitted by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Partially Vacate the Fred Haffner #34 Regulated Drain

The Surveyor presented a Petition to partially vacate the Fred Haffner#34 Regulated Drain submitted by TBIRD Design Services. He noted the petition regarded the Tippecanoe Development II LLC project immediately north of CR 600NBorth and immediately west of the Battleground Middle School. He recommended approval to the Board. Thomas Murtaugh made a motion to grant approval of said petition as presented by the Surveyor. David Byers seconded the motion. Motion carried.

Petition for Reconstruction Marion Dunkin #25 Regulated Drain

The Surveyor presented a Petition for reconstruction Marion Dunkin #25 Regulated Drain submitted to him by Mr. Clark Howey for acceptance by the Board. He noted this drain watershed included approximately 1700 acres. It was located in the southwest portion of the county southwest of the intersection of CR's 700 West and 800 South. He noted this reconstruction would be costly and would qualify for the assessment financial assistance program. David Byers made a motion to accept the Petition for Reconstruction on the Marion Dunkin #25 Regulated Drain as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

Bonds:

Hawthorne Lakes Sec. 4- Maintenance Bond #106597473

The Surveyor presented Maintenance Bond #106597473 written by Travelers Insurance in the amount of \$14,886 and submitted by Fairfield Contractors regarding the Hawthorne Lakes Section Four project for approval by the Board. David Byers made a motion to approve Maintenance Bond #106597473 for Hawthorne Lake Section Four as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion granted.

West Lafayette Apostolic Christian Church- Performance Bond#41355475

The Surveyor presented Performance Bond #41355475 written by Aspen Inc./Platte River Ins. Company in the amount of \$30,600 regarding the West Lafayette Apostolic Christian Church project for approval by the Board. David Byers made a motion to approve Performance Bond #41355475 for West Lafayette Apostolic Christian Church as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion granted.

Public Comment

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



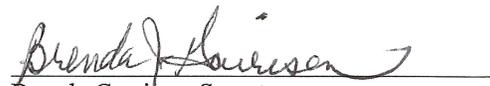
Tracy Brown, President



Thomas P. Murtaugh, Vice President



David S. Byers, Member



Brenda Garrison, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD

RESOLUTION NO. 2016 - 02 -DB

*RESOLUTION APPROVING ALEXANDER ROSS
REGULATED DRAIN 2016 MASTER PLAN REPORT*

WHEREAS, in 1993, a master plan for the Alexander Ross watershed drainage area was developed which master plan included two regional stormwater ponds;

WHEREAS, one of the two regional stormwater ponds contemplated by the 1993 master plan has been constructed;

WHEREAS, the exact location and shape of the second regional stormwater pond to serve the Alexander Ross drainage area was not determined in the 1993 master plan;

WHEREAS, Christopher B. Burke Engineering, LLC has developed the Alexander Ross Regulated Drain 2016 Master Plan Report guided by the following four goals:

- 1) Plan a regional detention facility that is consistent with the 1993 master plan for the entire Alexander Ross Watershed drainage area;
- 2) Incorporate post-construction stormwater quality measures at the regional scale so that future development does not have to address it on each individual lot;
- 3) Plan storm water collection systems, roads, sanitary sewers and water; and
- 4) Utilize low impact development principles and green infrastructure practices to manage storm water;

WHEREAS, the Alexander Ross Regulated Drain 20 16 Master Plan Report has been presented to the Tippecanoe County Drainage Board;

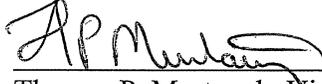
NOW THEREFORE BE IT RESOLVED that the Alexander Ross Regulated Drain 2016 Master Plan Report is hereby approved.

PASSED AND ADOPTED THIS 7th day of Dec, 2016.

TIPPECANOE COUNTY DRAINAGE BOARD



Tracy A. Brown, President



Thomas P. Murtaugh, Vice President



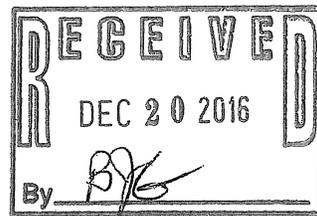
David S. Byers, Member

ATTEST:



Brenda Garrison, Secretary

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AGREEMENT

This Agreement is by and between the Tippecanoe County Drainage Board ("Drainage Board") and Haggerty Point I, Haggerty Point II, Haggerty Point III, and L.B. Associates by and through their authorized representative, Jerry A. Brand ("Brand").

WHEREAS, the Brand entities own land in watersheds of the F-Lake Regional Detention Basin ("F-Lake") and Branch 11 of the S.W. Elliott Regulated Drain ("Branch 11") in Tippecanoe County, Indiana;

WHEREAS, the Surveyor of Tippecanoe County and the Drainage Board have assessed fees and indicated that fees would be assessed in the future against the land owned by the Brand entities for the Branch 11 reconstruction and for detention of water in the F-Lake Regional Detention Basin;

WHEREAS, prior to being able to access F-Lake and prior to the Branch 11 reconstruction, the Brand entities constructed a wet detention basin ("Haggerty Pond") on their own land;

WHEREAS, the Branch 11 reconstruction makes use of Haggerty Pond to the benefit of the watershed generally resulting in a savings to the overall reconstruction cost;

WHEREAS, Brand questions whether the full value of the use of and impact to the land in and around Haggerty Pond was reflected in the reconstruction proceedings;

WHEREAS, under the terms of the Branch 11 Reconstruction Order, the timing of Brand's obligations to pay some of the reconstruction assessments would be uncertain in the absence of this agreement; and

WHEREAS, the Surveyor and the Drainage Board have requested that Brand execute documents transferring title of Haggerty Pond to Tippecanoe County;

THE PARTIES NOW THEREFORE AGREE AS FOLLOWS:

1. Brand or the Brand entities shall pay Tippecanoe County \$64,568.76 within 60 days of the date of this agreement.
2. Brand or the Brand entities shall execute a quitclaim deed transferring title for Haggerty Pond to Tippecanoe County within 60 days of this agreement.
3. Payment of \$64,568.76 and transfer of the title to Haggerty Pond shall constitute satisfaction in full of the F-Lake detention fees and Branch 11 reconstruction fees that may otherwise be owed for the following parcels ("Brand Properties"):

Owner	Parcel	Acres
Haggerty Point I & II	79 11-01-101 005.000-037	4.4
Haggerty Point I & II	79 11-01-101 006.000-037	4.5
Haggerty Point III	79 11-01-101 007.000-037	4.4
LB Associates	79 11-01-101 001.000-037	4.5
LB Associates	79 11-01-101 003.000-037	5.0

(921 A)

LB Associates	79 11-01-101 004.000-037	5.3
LB Associates	79 11-02-226 001.000-037	17.4

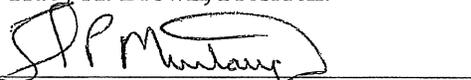
4. The Brand Properties are permitted to continue discharging water into Haggerty Pond: a) for the currently developed parcels (the Haggerty Point I&II and Haggerty Point III parcels as listed in ¶3), at the volumes and rates as are being discharged on as of the date of this agreement and, b) for the currently vacant lots (the LB Associates parcels as listed in ¶3), at the volumes and rates as are currently being discharged and in such additional amounts as approved in the September 29, 2005, Memorandum from David Eichelberger to Steve Murray concerning Haggerty Pointe and approved at the October 5, 2005, meeting of the Drainage Board. Additionally, the Brand Properties are permitted to discharge such additional volumes and rates into Haggerty Pond as are permitted under the Tippecanoe County Drainage Ordinance and other applicable legal authority.

AGREED:

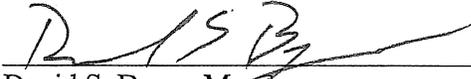
TIPPECANOE COUNTY DRAINAGE BOARD:


 Tracy A. Brown, President

Dec. 7th 2016
 Date

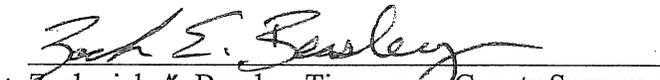

 Thomas P. Murtaugh, Vice-President

Dec. 7th 2016
 Date


 David S. Byers, Member

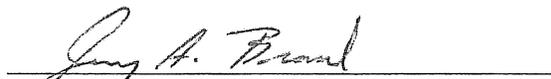
Dec. 7th 2016
 Date

ATTEST:

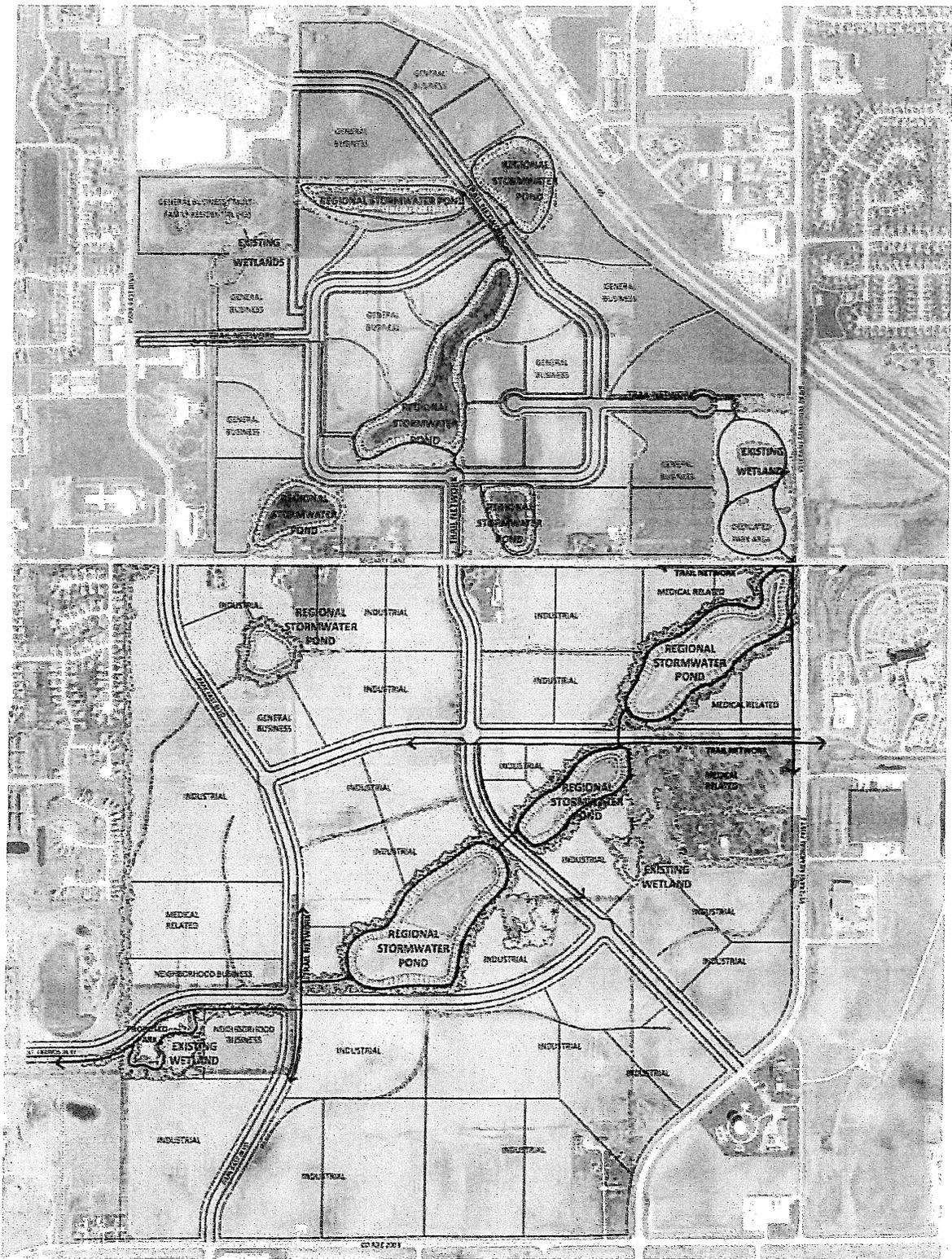

 Zachariah A. Beasley, Tippecanoe County Surveyor
 E.

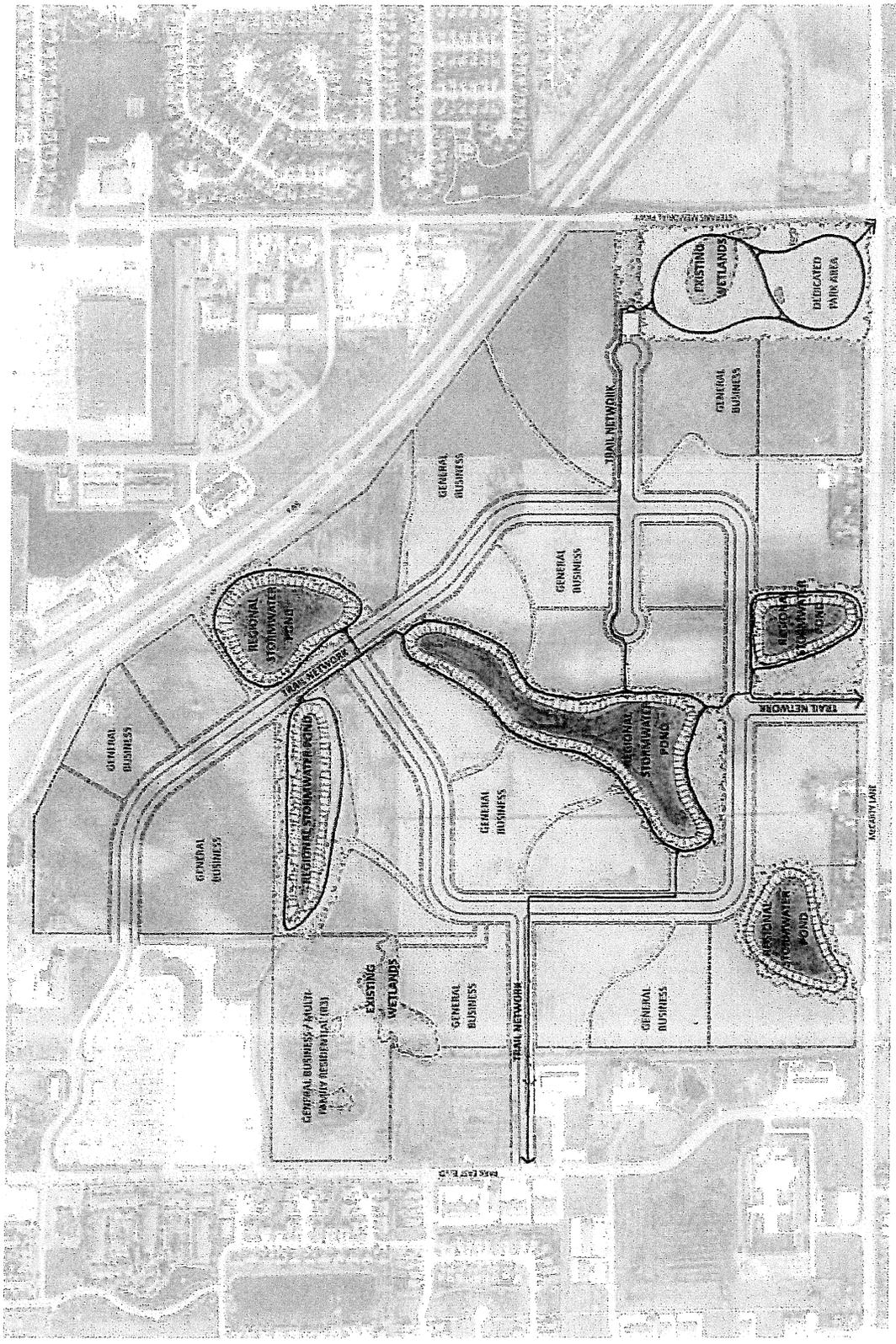
Dec. 7th 2016
 Date

HAGGERTY POINT I
 HAGGERTY POINT II
 HAGGERTY POINT III
 L.B. ASSOCIATES


 By Jerry A. Brand

Date: 12/12/16





ALEXANDER ROSS
COUNTY REGULATED DRAIN
MASTER PLAN



Tippecanoe County Drainage Board
January 4, 2017
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas P. Murtaugh, 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.

Election of Officer

Attorney Masson opened the floor for nominations of 2017 Drainage Board officers. David Byers made a motion to elect Thomas Murtaugh as President for 2017. Tracy Brown seconded the motion. Motion carried. David Byers motioned to close the nomination. Nomination closed. Tracy Brown made a motion to elect David Byers as Vice President. Thomas Murtaugh seconded the motion. Motion carried. Tracy Brown made a motion to close the nomination. Nomination was closed.

Appointment of Drainage Board Secretary

David Byers made a motion to appoint Brenda Garrison as the 2017 Drainage Board Secretary. Thomas Murtaugh seconded the motion. Motion carried.

Approval of Minutes

David Byers made a motion to approve the December 7, 2016 Drainage Board Regular Minutes as written. Thomas Murtaugh seconded the motion. Motion carried.

2017 Drainage Board Legal Services Contract

Attorney Masson submitted a 2017 Drainage Board Legal Services Contract and noted the per hour rate for Mathew Salsbury was raised to reflect his partner status. (Partner Rate) This was the only change in the contract from last year's contract. David Byers made a motion to approve the 2017 Drainage Board Legal Services Contract with Hoffman Luhman and Masson P.C. as submitted. Thomas Murtaugh seconded the motion. Motion carried.

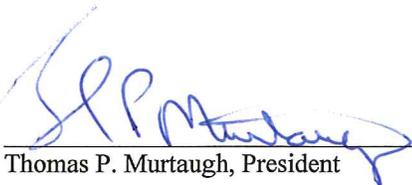
Waples McDill #85 Reconstruction Assmnt. Financial Asst. Contracts

President Thomas Murtaugh referred to the Attorney for discussion on the Reconstruction Financial Asst. Fund and the contracts received to date. Attorney Masson reviewed the process of the fund setup and stated a contract received for the reconstruction financial assistance program was tabled last month by the Board in order to confirm the tracking process with the Auditor and Treasurer. The fund had been set up and the process worked out. These individuals entered into the contract agreement regarding their assessed portion (payment) of the total cost for the reconstruction of the Waples McDill #85 Regulated Drain. The aforementioned contracts submitted by Gregory E. and Natalie P. Gilbert (Parcel# 791516400003000011 and Parcel# 791522200001000007), as well as Kathryn Ann Wilcox (Parcel# 7915103000020000007 and Parcel# 791516200001000011) was in question. He recommended signing the Reconstruction Assmnt. Financial Asst. Contracts received to date. David Byers made a motion to take the Kathryn Wilcox Agreement/Contract off the table (tabled in Dec. mtg.). Tracy Brown seconded the motion. Motion carried. Tracy Brown made a motion to approve both contracts as presented by the Attorney. David Byers seconded the motion. Motion carried. David Byers made a motion to transfer the two contracts total monetary amount from EDIT/Culverts and Drains into the newly created Reconstruction Assessment Financial Assistance Contract. These monies would then be transferred into the General Drain Improvement Fund (by the Drainage Board Secretary with a claim) from which the reconstruction of the Waples McDill was paid. It was noted the Treasurer's office is in charge of reconstruction assessment billing for all reconstructions which would also include those with the contract option.

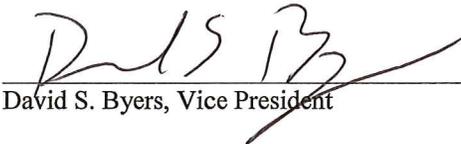
Zach Beasley/Other Business

Surveyor Zach Beasley presented Maintenance Bond #1052817 written by Hanover Insurance Company, submitted by Atlas Exc. in the amount of \$38,685.60 for Fieldstone Ph.1 Subdivision and a U.S. Bank #4648507640 cashier's check in the amount of \$20,000.00 submitted by Liquid Springs Partners LLC for the Liquid Springs Subdivision project. He recommended approval of the Maintenance Bond and Cashier's check as presented. Tracy Brown made a motion to approve the Maintenance Bond and Cashier's Check as aforementioned. David Byers seconded the motion. Motion carried.

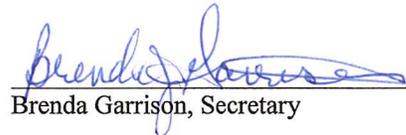
David Byers made a motion to adjourn. The meeting was adjourned.



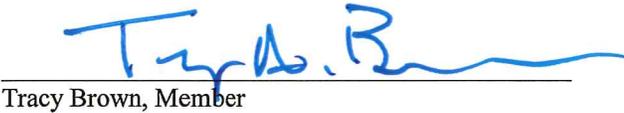
Thomas P. Murtaugh, President



David S. Byers, Vice President



Brenda Garrison, Secretary



Tracy Brown, Member

Tippecanoe County Drainage Board
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

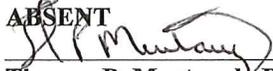
- 1.) Drains in need of Reconstruction
 - a. Elliott, S.W. (#100)
 - b. J.B. Anderson (#02) (Clarks Hill Portion)
 - c. Edwards (Not Maintained)
 - d. McBeth (Not Maintained)
 - e. F.E. Morin (#57)
 - f. Marion Dunkin (#25)
 - g. Huffman-Weimert (Not Maintained)
- 2.) Hearing and Rates Established in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



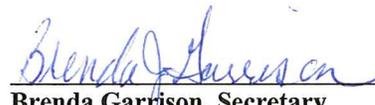
Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary