MINUTES OF THE JULY 6TH, 1971 MEETING.

SYNOPSIS OF-

Minutes of the Regular Meeting of the Tippecanoe County Drainage Board held in the County Commissioner's Room in the County Court House at 9:00 o'clock a.m., on Tuesday, July 6th, 1971.

Present at meeting. Those present at the meeting were: Bruce Osborn, Dale Remaly, Edward Shaw, Dan Ruth, Richard Donahue, John Garrott, Larry Clerget, Ken Raines and Gladys Ridder.

Minutes Approved Upon motion from Dale Remaly, seconded by Bruce Osborn, the minutes of the June 1st, 1971 meeting were approved as read.

Ditches referred to Engineer Fund set up: The Board referred the following ditches to the Engineer for a Maintenance John Dooley ditch, Jackson Twp., John S. Lofland ditch, Randolph and Jackson Twps.

Kepner Industrial Tract Mr. Ruth reported to the Board the progress made on Mr. Paul Hamman's request for help in developing part of the Kepner Industrial Tract. They recommended the report submitted be given to the Area Plan Commission.

9:30 a.m. Anson-Delphine Ditch Hearing At 9:30 a.m., the Board's chairman opened the maintenance fund hearing on the Anson-Delphine drain. Remonstrances were read by the Engineer with his answers to those objections. Those attending were: Casper Shaw, Florence W. Anderson, Mable R. Anson, Allen Orr, Hugh B. Pence, M. P. Plumlee, Mr. and Mrs. Lewis McKay and R. P. Leonard. Doubt was expressed by John Dunbar, Paul Shepard and R. P. Leonard as to whether the $1.00 per acre assessment was sufficient to make all the repairs needed on this ditch. Mrs. Anson felt it would not benefit her much so voted to abandon the drain. The engineer assured then that much could be done with their four year assessment and advise the Board to establish the fund as presented. Upon much discussion the motion was made by Dale Remaly and seconded by Bruce Osborn to establish the maintenance fund as submitted.



10:30 a.m. Andrew P. Brown Ditch Hearing At 10:30 a.m., the Board's chairman opened the hearing on the Andrew P. Brown ditch. Mrs. Cleva Eastburn, Andy Klinkhamer, Ted Lucas, Mr. and Mrs. Lewis McKay, Leon Howey, Mable Anson, and Florence W. Anderson attended. Remonstrances were read by the Engineer with his reply to those objections. The majority of the objections were directed at situations created by the Interstate Highway. Mrs. Eastburn and Mrs. Anson voted to abandon, while the rest felt drainage was a must and were willing to try the $1.00 per acre assessment. Upon recommendation of the Engineer, Mr. Dale Remaly move, with a second from Mr. Bruce Osborn, to establish the maintenance fund as submitted.

11:30 a.m. Gustave Swanson Ditch Hearing At 11:30 a.m., the Board's chairman opened the hearing on the Gustave Swanson ditch maintenance fund. Two people attended and both were in agreement with the Engineer's recommendation of the $1.00 per acre assessment. They were A. D. Waddell and Oscar O. Waddell. No remonstrances were filed so with a motion by Dale Remaly and second from Bruce Osborn the maintenance fund was established.

1:30 p.m. Thomas Ellis Ditch Hearing At 1:30 p.m., the Chairman of the Board opened the hearing on the Thomas Ellis ditch. No remonstrances were filed but Mr. William Skinner came to report some broken tile in this drain damaged by the Holloway Construction Co. while working on State Road 500S. Mr. Ruth said he would check and if the property owners had not signed a release, he would contact the District Engineer at Crawfordsville and see that they repaired the damage.
A motion was made byEdward Shaw, seconded by Dale Remaly to establish the maintenance fund on this ditch as submitted.

Order & Findings and Cert. of Assess. Signed Upon establishment of maintenance funds on the afore mentioned ditches, the Board signed the Order and Findings and the Certificates of Assessment.

Informal Meeting Opened At 2:00 p.m. the Board opened the meeting for informal discussions by people with a variety of drainage problems. Mr. Russell Warwick asked the Board to waive the 75foot easement building right for two of his lots in Broadview SubDivision. He said the SubDivision was approved before this law existed and lots 9 & 10 have the Leslie drain going through them. The Board told Mr. Warwick they would consider the 25 foot easement on one side and the regular 75 foot easement on the other side is no basements were constructed on these two lots. They also told Mr. Warwick that they would put their final decision in writing.

R. Warwick Easement Re-duced

Mrs. Loleda Funk was in to ask the Board if there were any provisions in the law to replace a bridge crossing a legal open ditch. She had built a bridge across an open ditch on her farm, namely the J. B. Anderson ditch, and the water had washed out the bridge and she wanted to know if she could get any help in replacing it. It was suggested that she have her attorney meet with the Board's attorney to search the statutes to see if any such law existed.

Mr. Lowell Brier from the Wea Woodland Area, was in to see if he could get any relief from flooding on his lot. He gave three reasons that he felt had caused his problem. One, a neighbor had altered a drain to the back of the subdivision, two, the developer had not put in an adequate storm sewer, and three, the newly constructed county road was higher than the old one causing water to be trapped. The Board's Engineer said he and the Highway Engineer would go out and look the situation over to see what help could be given.

SPECIAL MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD AUGUST 25, 1976

The Tippecanoe County Drainage Baord met in a special meeting at 9:00 a.m., on August 25, 1976 in the County Council Room with the following members present: William Vanderveen, Bruce Osborn and Gladys Ridder. Jeff Miller also sat in on the meeting.

Also in attendance were: Winfield Hentschel, John E. Fisher and Thomas McCully.

The special meeting was called by Mr. Fisher to discuss the development of an area of Wabash Township lying in the watershed of the Dempsey Baker legal drain.

Mr. Fisher presented and discussed drawings of a proposed development of Purdue Research Foundation with reference to soil types, water run-off, etc., in this watershed and surrounding areas. He said because Hadley's lake had filled with silt over the years, it no longer held the amount of run-off water that it used to do. Mr. Fisher suggested that the Board vacate the present Baker tile ditch that is in very poor condition and replace it with an open drain. He said Mr. Arthur Stockton who also owns ground in this watershed had indicated to him several times that he would prefer an open drain as now his drainage is so poor. Dempsey Baker Ditch

Mr. Winfield Hentschel told the Board that Purdue Research Foundation was willing to build and maintain the new open drain.

Mr. Vanderveen ask if Hadley lake overflows during heavy rains and he had seen it over Morehouse road, how it affected the houses below it. The answer came that no doubt some of them at times did have quite a water problem.

Mr. Vanderveen then asked if it was possible to use the proposed open drain as a detention pond by using a series of small dams. Mr. Fisher said it not only is possible but a good way of slowing and holding an abundance of water that comes during heavy rainfall.

Mr. Osborn said the Board's concern is always to protect all people in the watershed area and to insure them proper drainage.

Mr. McCully said they would write an agreement and record it for the purpose of assuring those others in the Baker watershed that they would always have use of the open drain.

Mr. Vanderveen asked the purpose of vacating the old Dempsey Baker ditch. Mr. Fisher said mainly to get away from the 150 foot easement now placed on all legal drains.

Mr. Osborn said if you know the proceedure for vacating a legal drain, proceed.

Mr. Osborn moved the meeting be adjourned, motion seconded by Mr. Vanderveen.

ATTEST:

Gladys Ridder

Gladys Ridder, Executive Secretary

(absent)
Robert F. Fields, Chairman

William Vanderveen

William Vanderveen, Vice Chairman

Bruce V. Osborn

Bruce Osborn, Board member

The Tippecanoe County Drainage Board met in the Community Meeting Room On October 7, 1981 at 9:30 a.m. with the following members present: William Vanderveen, Bruce Osborn, Sue Reser, Fred Hoffman-Attorney, George Schulte-Engineer, Mike Spencer-County Surveyor, and Natalie Boyer-Secretary.

Adoption of the Drainage Ordinance

A General Ordinance Establishing Storm Drainage and Sediment Control in Tippecanoe County, was presented to the Drainage Board for final approval and adoption.

Richard Boehning was representing the Home Builder's Association of Greater Lafayette in reference to the Drainage Ordinance. He read a letter of summary of the recommendations made by the Home Builder's Association of Greater Lafayette.

There was some discussion heard in relation to the recommendations made by the Home Builder's Association of Greater Lafayette.

The Board will consider the recommendations made by the Home Builder's Association of Greater Lafayette, and the Ordinance will be placed on the November Agenda.

MOTION: Sue Reser moved that the motion be made to table the Ordinance for further study.

Bruce Osborn: Seconded the motion.

William Vanderveen: Unanimous.





Triangle Acres Subdivision

Nancy Kretzmeier, a homeowner in Triangle Acres Subdivision, was before the Drainage Board asking for assistance in finding a solution to release surface water from her property.

She also states that she has a problem with her septic system.

Fred Hoffman stated that the remaining lot in the Triangle Acres Subdivision has not been given approval by the Health department under the new Ordinance; the other lots were given approval under the old Ordinance of the Health department.

Mike Spencer will run elevations on the area and report to the Board, at a later date, with his recommendations.

Wakerobin Estates Subdivision

James Hilligoss, representing Tippecanoe Development Corporation, was requesting drainage board approval for 20 lots in Wakerobin Estates Subdivision, Part II-Section I.

Final plat approval was received from the Area Plan Commission. A letter of credit was filed for $24,000.00 with the Area Plan Commission, for the completion of the drainage.

The restrictive covenants provides that individual lot owners will form a homeowner's association that will be responsible for the maintenance of all drainage easements.

Fred Hoffman requested that a stipulation be put on the plat, subject to the eff-ct that if it is not maintained by the homeowner's association, it shall be maintained by the individual lot owners.

Motion: Bruce Osborn made the motion to approve the drainage for 20 lots in Wakerobin Estates Subdivision, Part II-Section I, subject to the fact that if it is not maintained by the homeowner's association, it must be maintained by the individual lot owners.

Sue Reser: Seconded the motion.

William Vanderveen: Unanimous.

Franklin Park Apartments

Richard Boehning was before the drainage board representing Dr. John Y.D. Tse and Franklin Park Associates, proposing that something be done about the run-off from the north basin to the north.

John Tse developed Franklin Park Apartments and developed it under a storm drainage plan where its rate of after-development run-off was no greater than the rate of before-development run-off. The existing 18" drain tile, through Dr. Tse's property, is not functioning as it should; it needs to be replaced. The tile ends north of U.S. 52, just about 600-800' south of Hadley's Lake; it runs in an open ditch into Hadley's Lake, which has no positive outlet.

Richard Boehning submitted a letter to the drainage board, outlining the following proposals of Franklin Park Associates; the letter reads as follows:

October 6, 1981

Tippecanoe County Drainage Board
County Office Building
Lafayette, Indiana

Re: Franklin Park Apartments

Dear Sirs:

To satisfy the requirement of the West Lafayette Engineer for the issuance of the Certificate of Occupancy for the Franklin Park Apartment project, Franklin Park Associates proposes to the Tippecanoe County Drainage Board that the following conceptual solutions to the drainage problem of the water shed basin be accepted and approved:

1. Franklin Park Associates will not object to the reconstruction of the existing drainage tile serving the water shed basin. Further Franklin Park Associates will participate in its fair share of the cost of reconstruction of the existing drainage tile by the Developers in the water shed basin.

2. Upon request by the DRainage Board, Franklin Park Associates will join in or initiate an application with the Tippecanoe County Drainage Board for the establishment of a maintenance fund.

3. Franklin Park Associates will join in or initiate a Request with the Department of Natural Resources to define the flood protection elevation for the basin area.

Thank you for your consideration.

Sincerely,

FRANKLIN PARK ASSOCIATES

/s/
John Y.D. Tse
Partner

Mrs. Anna Davidson, chairman of the Golf Course Neighborhood Association, who lives to the south of Dr. Tse's property in the watershed area of the Cuppy-McClure Drain, was before the board to discuss ponding problems on Lindberg Road and the drainage problems in that area.

She was advised by the board that the proper action to be taken on the matter would be to petition the drainage board for the reconstruction of the Cuppy-McClure Drain.

Richard Boehning mentioned they have agreed to go to DNR and ask them to make an examination of flood plain levels; we could extend that examination out to include Hadley's Lake.

Fred Hoffman: "Beyond Hadley's Lake, that is where the problem is. Indian Creek won't carry the water that is



there now; it has been that way for ten years. Indian Creek is no outlet for Hadley's Lake."

Pat Cunningham: "I think what we need to look at is, if DNR takes a look at Hadley's Lake and looks at the effects on it, and if it has further effects, then the DNR would look beyond Hadley's Lake."

Further discussion on the need for a positive outlet was heard.

MOTION: Sue Reser made the motion to approve the three conditions as proposed by Franklin Park Apartments.

Bruce Osborn: Unanimous.

MOTION: Sue Reser made the motion to adjourn.

Bruce Osborn: Unanimous.

Motion made and carried, meeting adjourned.

William G. Vandeveen

William G. Vandeveen, Chairman

Bruce Osborn

Bruce V. Osborn, Vice-Chairman

Sue M. Reser

Sue M. Reser, Board Member

ATTEST: Natalie Boyer

Natalie Boyer, Secretary

REGULAR MEETING
February 5, 1986

The Tippecanoe County Drainage Board met Wednesday, February 5, 1986 in the Tippecanoe County Office Building Community Meeting room, 20 North Third Street, Lafayette, Indiana 47901 at 8:30 A.M.

Chairman Bruce V. Osborn called the meeting to order with the following in attendance: Bruce V. Osborn Chairman, Eugene R. Moore and Sue W. Scholer, Board Members, Michael J. Spencer Surveyor, George Schulte Drainage Engineer, and Maralyn D. Turner Executive Secretary other in attendance are on file.

Chairman Bruce V. Osborn ask that for the records since the Drainage Board was not requesting tile bids for the year 1986, the Auditor's office has issued a check in the amount of $1,000.00 to Reed's Quality Tile as they had ask for the remittance since there were no bids for the year 1986. Reed's Quality Tile had submitted a Certified check as his bid bond for the year 1985 in the amount of $1,000.00.

hamstead livision

SULHAMSTEAD SUBDIVISION

Robert Grove engineer representing Gemini Land Development Corporation requested preliminary approval of drainage plan also, requested a special meeting in two (2) weeks for final approval and requested that the board waive the requirement of detention storage, reason for the request in regards to detention storage are: 1. Extremely steep topography-The proposed basin would be located at the outlet of a steep ravine system,feel that this system should not be disturbed. 2. Proximity to a major stormwater outlet, the ravine system in the development outlet directly to Wildcat Creek. 3. Configuration, the large lots and setbacks reduece the potential of increased run off. Any disturbance of ground cover in this

ravine system is sure to cause erosion problems which would be worse than a small increase





in uncontrolled runoff.
The proposed development contains 22 lots on 26.44 acres and is located directly North of Cedar Ridge Estates Subdivision and southwest of County Road 50 North. The proposed lots are to be located at the top of an existing ravine system and vary in size from 8 acres down to 0.40 acres. The subdivision improvements are to be contained within 13 acres on the high ground. The remaining 13.44 acres is steep bank and low area which will be undisturbed and is not included as increased runoff area. The detention basin is to be located offsite in an easement area at the bottom of a ravine northeast of the subdivision and directly southwest of County Road 50 North. The site is to drain to the center of the development, collected and piped to the eastern portion of Lot 4 & 5 to a velocity control structure. The velocity dissipater outlets to an existing ravine which flows to the proposed detention basin. The detention basin outlets to the existing drainage system which crosses under County Road 50 North and drains onto the Wildcat Creek. The calculations for the detention basin on the 13 acres which was proposed to be at the bottom of the ravine system which is close to 45% of slope, afraid this could create an erosion problem.
Eugene Moore ask how the water was coming down the hill, plan is to run storm water into a structure,24" pipe into manhole, outlet from man hole would be a 6" hole with an orifice plate would force the water back up into the man hole out through a grate down concrete spill way and out onto riprap before entering the ravine system, trying to dissipate the energy that the water would have by forcing it to go up.
Michael Spencer ask would they have to do the same thing if they had to put the detention basin in? Wouldn't change anything.
Bruce V. Osborn ask who was going to maintain? If the developer was required to put a detention basin in, the developer would go with a legal drain. George Schulte pointed out that there are alot of 13 acres along the Wildcat Creek, Michael agreed with George in regards to waiving detention basin. Eugene R. Moore moved to deny the request of eliminating detention basin, seconded by Sue W. Scholer, Unanimous.
Legal drain was discussed with Mr. Richard Leill and Joe Bumbleburg, attorney representing the developer, suggested that the developer go through Homeowners Association and if the Homeowners Association wants to at a later date petition for a legal drain they can.
Michael J. Spencer stated that the board went out to look at the project and found at the first set of inlets south of the subdivision (Cedar Ridge) where they outlet into the ravine an erosion problem is occurring. This is at the head of the ravine, the subdivision has no detention storage. Mr. Leill said they would assume the maintenance in the Homeowners Association,Joe Bumbleburg will include in the covenant of the Homeowners Association storm water drainage facilities that have been approved by the Drainage Board, Michael ask that it be stipulated that part of the Storm Sewer is offsite, (outside subdivision boundary).
Bruce V. Osborn ask that the covenant be back preceding building permits, board is requesting that Fred Hoffman, drainage attorney go over the covenant. Sue W. Scholer moved that the board give prliminary approval to plans submitted, seconded by Eugene R. Moore, Unanimous approval. Bruce V. Osborn chairman had another committment and ask Eugene R. Moore Vice-Chairman of the board to preside.

HADLEY LAKE PROJECT

HADLEY LAKE PROJECT

George Schulte gave a brief report on his progress on the Hadley Lake Project. He stated that possibly by March 1, 1986 he will have a detailed report.

JAMES COLE ELEMENTRY SCHOOL-LAURAMIE TOWNSHIP

JAMES COLE ELEMENTRY SCHOOL

Michael J. Spencer surveyor, wanted the board to know that he has received plans for the James Cole Elementry School,Lauramie Township, he is giving the plans to George Schulte so that he can go over the plans, as he feels the engineers will request preliminary approval at the March drainage board meeting.

CREEK RIDGE SUBDIVISION

CREEK RIDGE SUBDIVISION

Michael J. Spencer surveyor, wanted the board to know that there are problems existing at the project. Catch basins were not put in the proper place.

9:15 A.M. board recessed meeting till special meeting is held.

Meeting was adjourned Wednesday, March 5, 1986 at 8:35 A.M. with Sulhamstead being presented during the March meeting.

Bruce V. Osborn
Chairman

Sue W. Scholer
Board Member

Eugene R. Moore
Board Member

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

April 2, 1986
Tippecanoe County Drainage Board

The Tippecanoe County Drainage Board met Wednesday, April 2, 1986 at 8:30 A.M. in the Tippecanoe County Office Building, Community Meeting Room with Chairman Bruce V. Osborn calling the meeting to order.

Those present were: Bruce V. Osborn Chairman, Eugene R. Moore and Sue W. Scholer Board Members, Michael J. Spencer Surveyor, George Schulte Drainage Board Engineer, J. Fredrick Hoffman, Drainage Board Attorney, and Maralyn D. Turner Executive Secretary, others present are on file.

Maple Point Enterprises, Inc. was ask to present their request, not all representatives were present, therefore they ask to be heard later.

CROXTON WOODS

CROXTON WOODS

Robert Grove representing Croxton Woods Developer Mrs. Croxton,ask for final drainage plan approval. Project has been reviewed by Michael Spencer and George Schulte along with Mr. Grove. Michael ask questions in regards to: 1) Inlet structure behind Flower Shop on tile that comes under building. 2) Maintenenace.
Mr.Grove stated that he is not sure who would take care of the maintenance, he would have to ask the owner and her attorney as to who they want to handle maintenance.
Mr. Hoffman suggested that it would be the county. Mr. Grove agreed. This would have to be to the outlet. Doesn't do any good to the upper part without the lower. Michael Spencer pointed out that this is underneath Teal Road and State Road 43, outlet crosses under building, into Durkee's Run on to the Wabash. After hearing this, Mr. Hoffman withdrew his statement. Mrs. Croxton owns the office building next to the Flower Shop, two ravines come down and tie together behind the office building, tile is 30" concrete tile (behind Building) goes on west under State Road 43.
Mr. Hoffman ask what would happen if the people would put up a wall to keep water from getting to the ravine. Mr.Grove said that it would just push the water back up the ravine. Sue Scholer ask, at this point the water has been getting out, correct. Michael Spencer stated yes, but must realize there has been no development above to create a problem.
Bruce V. Osborn ask, Land to be assessed for the maintenance, who is the owner?
Mr. Grove stated that it depends on how the outlet is described. Mrs. Croxton owns the area, is planning on selling the office protion, the ravine comes down cuts across the Flower Shop, she now owns 98% and doesn't own the outlet. No one knows who owns the Flower Shop. After much discussion.
Mr. Grove stated that Mrs. Croxton did not create the problem and they are doing everything that they can. Mrs. Coxton has given up a lot ($7,000.00) to help the situation, more would cost her another $3,000.00. Question, Could the other people help out? Would like to see the other people help. Legal Drain: Mr. Grove was ask if he could get their concurrence to make a legal drain, he stated he didn't know, would have to talk with the landowners. Mr. Hoffman stated that a meeting should be held with all property owners. Michael Spencer stated that it really is just Mrs. Croxton, the Flower Shop owner and the State Highway Department. Mr. Hoffman ask that a letter be sent to the property owners and the State Highway Department, with the State Highway Department see what they have in mind for the future.
Mr. Bruce V. Osborn ask that Mr. Grove get the names so that a letter could be sent to the property owners. No action was taken. Mr. Grove will bring information back to the June 4, 1986 Drainage Board Meeting.

MAPLE POINT ENTERPRISES, INC.

MAPLE POINT ENTERPRISES

Joe Bumbleburg attorney, Judith Hammon President of Development, and Mark Houck engineer were present, Mr. Bumbleburg stated that they have two(2)kinds of problems, one a technical problem which Mark Houck presented later in the meeting in regards to Storm Events with Hobbies Ditch and the Wilson Branch. The other the board received a letter dated March 27, 1986 asking for the approval on two items: 1) Ditch side slopes - approval to MPE to change the existing slopes from a 2:1 ratio to 3:1 ratio. 2) Easement reduction - approval to reduce existing easements from 75 feet from the top of each bank to 25 feet. These matters had been discussed with Michael Spencer. The Board will give approval to change slopes under the guidance of the Surveyor.
Bruce B. Osborn ask, you want to reduce easement to 25' on both sides? YES! Sue Scholer ask if this was in essence from the last presentation? YES! Michael Spencer said he could live with the reduction, but it was up to the Drainage Board. This is in an urban area and it is inevitable that dirt will have to be hauled, he feels this is enough room to haul dirt. Bruce Osborn disagrees with the surveyor, Mr. Osborn stated, he personally would be willing to give reduced easement on one side, maintain the 75' on the other, option would be the developer. Mr. Bumbleburg ask, on the side that is chosen for the 75' would the board entertain a request for an encroachment so the developer could use it for parking etc. Bruce stated that this had been done previously, but it needed to be understood that it may have to be torn up at sometime at the owners expense. Michael stated that the dirt can not be spread on parking lot. Discussion in regards to spoil on the 75' easement. What happens to the spoil? Mark Houck feels the development in the area there would be no problem with spoil, he feels the area is not going to deteriate. Mr. Osborn feels there should be no holding facility on an easement.
Sue Scholer assumed the developer had came back with request because of the discussion in the last board meeting, March 5, 1986, their concern of having detention on the easement and then who is going to maintain them and the problem that may come. As it looks they have not eliminated wanting to use detention storage. Encroachment would be to the detention not the parking lot? Mark Houck stated, NO in response to the last meeting, instead of asking for 25' open space-10' one side plus putting both in easement. Can we reduce the easement thereby get those things out of the way. This would move this over and would provide access on both side of the ditch if a 10' were insignificant. Mark thought this was the major complaint at the last meeting. Originally they had plans to have one big lake, now they are looking at several small lakes, have stuck with the 75' easement, pond will be dry most of the time. Board would like for them to come in with the side they want to reduce. Again Sue Scholer stated she feels that the board is looking at plans today that the developer will bring back at the next meeting, answer is yes. They are trying to hold twice as much water that they are required to hold. In the long run as the entire watershed is developed. After much discussion.
Sue Scholer moved to approve request for changing ditch side slopes of the existing side

slopes from a 2:1 ratio to 3:1 ratio under the guidance of the County Surveyor seconded by Eugene R. Moore, unanimous approval.

Eugene R. Moore moved to give approval on reduction of easement to 25' on one side and 75' on the other after the 3:1 slope and the developer have the choice of the side, seconded by Bruce V. Osborn, motion not carried as the board voted 2 to 1.

ILGENFRITZ

ILGENFRITZ

Michael Spencer had a call from Mary Ann Smith a property owner, banks have broken out, he feels that sand bags will not hold it any longer, therefore he requested permission to hire a bull doxer to push the banks back up, would really like to have a dredger, but bull dozer will do. The area that needs repairs is on the easement, Alvin Pilotte property. Eugene R. Moore moved to give the surveyor permission to get a bull dozer to push the bank up, seconded by Sue W. Scholer, motion carried.

BRITT DRAIN

BRITT DRAIN:

Mr. Hoffman ask the board to give the Britt Drain property owners a time limit for the Maintenance Agreement to be presented as it has gone to long. Eugene R. Moore moved to give the property owners six months from todays date, April 2, 1986(time Limit) to have Maintenance Agreement signed and work completed, seconded by Sue W. Scholer, Unanimous approval.

ELLIOTT DITCH

ELLIOTT DITCH

Michael wanted the board to know that we had print outs of the ditch and had discussed with the Data Processing Director ways to be helpful in making mailing etc for a hearing, after much discussion Eugene R. Moore and the board suggested the Drainage Board go before the Data Board at their April 7, 1986 meeting 10:00 A.M.

HOFFMAN DITCH

HOFFMAN DITCH

Michael said holes had been dug and they had got shots for elevation, George Schulte, Robert Gross and he had walked the ditch, they will be getting plans and cost to the board soon.

SHAWNEE CREEK JAMES PARLON

SHAWNEE CREEK

A hearing will be at the next board meeting May 7, 1986 at 9:00 A.M. James Parlon Ditch is already a legal ditch, the hearing is to make the Shawnee Creek a legal drain, then combining the Shawnee Creek and Parlon ditch into one legal drain, Shawnee Creek.

BUCK CREEK DITCH

BUCK CREEK DITCH

Eugene Moore and Bruce Osborn had attended a reorganization meeting of Joint Board, Tippecanoe County and Carroll County for the Buck Creek Ditch, Michael Spencer surveyor was in attendance.

HADLEY LAKE

HADLEY LAKE PROJECT

George Schulte wanted the board to know that he and the surveyor will attend a meeting April 9, 1986 in Indianapolis with the Department of Natural Resources, George will be presenting proposed reconstruction plans and recommendations.

There being no further business to come before the board, the meeting was adjourned at 9:50 A.M.

Bruce V. Osborn

Bruce V. Osborn, Chairman

Sue W. Scholer

Sue W. Scholer, Board Member

Eugene R. Moore

Eugene R. Moore, Board Member

ATTEST: Maralyn D. Turner

Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

Mr. Hoffman read the Active Ditches for the year of 1988.
E.W. Andrews, Juluis Berlovitz, Herman Beutler, Michael Binder, John Blickenstaff, N.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. Cripe, 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. Sterrett, Wm A. Stewart, Alonzo Taylor, Jacob Taylor, John Toohey, 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

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.

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 is 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, Chairman

Sue W. Scholer, Boardmember

Eugene R. Moore, Boardmember

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

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY OCTOBER 5, 1988, Regular Meeting

The Tippecanoe County Drainage Board met Wednesday, October 5, 1988 at 9:00 A.M. in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Bruce V. Osborn chairman, called the meeting to order with the following being present: Eugene R. Moore and Sue W. Scholer, Boardmembers; Michael J. Spencer Surveyor; J. Frederick Hoffman Attorney; and Maralyn D. Turner Executive Secretary.

QUAIL RIDGE SUBDIVISION

**QUAIL RIDGE SUBDIV ISION**

John Fisher representing Subdivision developer and Joe Bumbleburg attorney for developer requested Preliminary and Final Drainage. Subdivision is located on the south side of County Road 600 North, approximately 1/4 mile East of U.S. 231, in Tippecanoe Township. Subdivision consists of 13 acres which is being farmed. James Andrews and John Schuemann are developers. Presentation was made of plans. Adjoining property owner Mr. Hunt has a 30'wide grass waterway this is where the water goes now, they plan to discharge in the same position as it is now at the same rate. Watershed area would consist of 16.00 acres as they are picking up 3 acres from the existing Prophets Rock Subdivision. The off-site drainage has been included in the detention storage requirements for Quail Ridge Subdivision. Presentation is on file.

Mr. Hoffman asked: There is no retention pond? Mr. Fisher answered yes.

Michael Spencer asked if they had Construction Plans? Mr. Fisher answered they would be finished tomorrow(October 6, 1988).

Mr. Hoffman asked would there be any more water crossing Mr. Hunt's property than there is now, and no greater speed? Mr. Fisher answered there would be no more water and no more speed.

Mr. Hoffman asked who was going to maintain? Homeowners Association covenants. Mr. Hoffman asked if the County had an access to it, and under the covenants County would have the rights to go in and clean it out if it isn't maintained. Mr. Bumbleburg stated if that is what the board wants they will put it in the covenants. Mr. Hoffman stated that in the covenants it should be stated if the Homeowners don't do it, that the County has the right to come on in and do it and assess it against the Homeowners.

Michael Spencer asked about the velocity at the outlet pipe downstream. John answered between 4 and 5 feet. Michael asked about rip-rap to make sure there would be no erosion to the waterway. Discussion on rip-rap and erosion.

Michael asked if they had an emergency overflow structure?
Michael asked if they had erosion control plan during construction? Mr. Fisher answered they would be a part of the Construction Plans.

Bruce Osborn asked if they wanted Preliminary and Final approval with conditions mentioned?

Michael Spencer stated that conditions would be that the board have construction plans and approved by the regular check point agency. This is standard. Mr. Hoffman stated he had no problems with the system presented as long as they put the maintenance agreements in the covenants.

Eugene R. Moore move to give Quail Ridge Subdivision approval to final plans with the restrictions that the construction plans are submitted and approved with the covenants, seconded by Sue W. Scholer, unanimous approval.

MCCUTCHEON HEIGHTS SUBDIVISION PART II

**MCCUTCHEO N_S.D. PART II**

John Fisher representing developer stated this was the final portion of the subdivision. Mr. Fisher had thought they had received Preliminary and Final approval with the conditions of getting the easements, therefore before Construction Plans can be approved the Drainage Board has to give approval. Michael stated he was under the impression that all they had to do was supply the board with the easements. Reading the minutes this was incorrect. Michael stated the signed easements have been recorded. The only thing that has to be done is have a hearing to establish the legal drain for that section of McCutcheon Heights. There are 40-45 lots. Dick Boehning is the attorney. Michael asked Mr. Fisher to get him a copy of the Construction Plans of the storm drainage system. Petition has been filed. Discussion.

Sue W. Scholer moved to grant final Drainage Board approval for McCutcheon Heights Subdivision Part II and a letter be sent for the hearing to create the legal drain.seconded by Eugene R. Moore, unanimous approval.

PURDUE INDUSTRIAL PARK PART II PHASE II

PURDUE INDUSTRIAL PARK PART II PHASE II

Daniel Pusey representing Purdue Research Foundation presented plans of the area impacted by the development of the Purdue Industrial Research Park Phase II. Area consists of 13 acres which is being constructed for the Whirlpool Corporation. The needed improvements are the storm water management. The area has been under discussion for several years. Historical the Hadley Lake basin has been one without an outlet, and as the area has been developed discussion of things to be done and things not done over the years. With the Research Park development it has given an opportunity to look and implement a part of a master plan that was developed a few years back. There were two options. One was to acquire right-of-way and by pass Hadley Lake, and go into Burnetts Creek system. The other was to work as a part of the whole community development because of the cost and look at utilizing and developing around Hadley's Lake as a drainage basin from the water management stand point. Aerial pnotos as far back as 1939 show that at one time there was a positive outlet to Hadley's Lake, and talking with property owners there was at one time a tile underneath Morehouse road that went out across farm fields, over the period of years these have either plugged up or got cut off. Biggest contributory to the problem was the Cuppy/McClure system which takes a large portion of West Lafayette,north part of the Purdue Golf Course and Purdue Dairy, basically Lindberg Road area north emptying into Hadley's Lake, this and a periodic flooding of Indian Creek Valley coming into the system presents a very large problem.

With the State Industrial Development Grant Program in the Whirlpool Corporation project coming to the Research Park West Lafayette has been given a $350,000.00 infrastructure grant in the name of Whirlpool because of the added jobs created by Whirlpool.

Working with an inter governmental agreement between the County and the City (City is set up to administer). A request for proposal was put out by the City to model and determine what the capacity downstream is in the ditch system that flows eventually into Burnetts Creek. This will help the future development in the Cuppy/McClure system and Dempsey Baker system. The Dempsey Baker system (legal drain) starts (doesn't go into the Lake) and goes across the Cemetery comes back into Purdue Research across 350 North mid point of Yeager Road/ Cumberland Avenue coming up in the Four Season Apartment area. Mr. Pusey gave the route of the two legal drains.

Their plan is looking at a part of the Master Plan. Much presentation.

The Third Drainage basin consists of 79 Acres, a line from the Intersection of Cumberland Avenue and 52 north to 350 North goes to the Salem Court House area small area to the south draining into the Cuppy/McClure system through Research Park Phase I. Major design has been done for this area.

The fourth area Morehouse Road, US 52, and a little bit of Cumberland Avenue. This area has history and has affected the entire area. At one time it drained out and had no water in the area. The pond is a product of construction when 52 was widened, used as a borrowed area for the State Highway Department. This acts as a storage area for a portion of the area. Historically the south tip was a low area that drained part of the 80 acres Purdue Research owns, came down and drained across underneath 52 into the Cuppy/McClure system. The area under an agreement with the State Highway contractors filled in the area and altered the drainage pattern, area owned by Mr. Westl. The fill is set up so that water drains toward 52 and not onto the property of Purdue Research to the west. Much more presentation of the area.

The fourth area was done by the State. An outlet was created along common boundary a prominent swale is there, the swale goes to the north 42X29 corrugated metal pipe underneath 350 north swale proceeds down the east property line of the cemetery down over the Baker legal drain. The surface run off, if the area flooded, which it has, the surface course above the Baker ditch and follows on out. This has been altered too, and impeded the surface drainage.

Present water elevations of the pond 680.54, the culvert under 350 North 680.50, there is a berm that maintains the water in the pond. Michael stated there is lower ground between Purdue Research property line and the berm.(back of Butcher Block) With the alteration of the drain by the 52 construction and filling operation forced part of Purdue Research into another area,so in their design they need to accomplish two things. 1. Need to get some infrastructure up to the Whirlpool site, one being sanitary sewer,which needed some cover. 2. They felt their prudent management system of their sub-drainage basin was to make sure all the storm water would be maintained on their property. They are constructing a cover over the storm and sanitary sewer along their west boundary property line 80' wide easement which will maintain and keep the run off as their area is developed in the future into their sub-drainage area and lessen the impact that was caused by the alteration. Making more flexibility.
Much more presentation.

Mr. Pusey presented figures for the future at the inlet box.

Sizing of the pond is based on the present conditions, that being utilizing the existing storm tile that is there with its release rate of 3 cfs, because of that release rate they had to oversize the detention area to serve the area in a developed stage.

Pre-design for a 10 year would be 83 cfs.

Presentation of sub-drainage was given.

Mr. Hoffman asked what they wanted today from the board? Approval of the storage for Purdue Research. They wanted to present a Master Plan of water management that was to fit in with the West Lafayette City.

The development of the Research Park has spurred funding to help do this.

Carolyn Looher property owner asked Mr. Pusey to explain what would be done in regards to the utilities. Explanation was given.

John Burgett asked if at this time there is no widening of 350 west of the west boundary. Answer by Mr. Pusey was that some widening has been done by the County Highway,but is still two lanes. Part of the agreement with the county with the Industries coming in, Whirlpool provided funding for the improvement in the roads, George Schulte Highway Engineer decision was to add a two foot strip on each side with some drainage improvements with some structures adding four inches of binder, next spring a new surface of 1" of surface re-stripping it. Drive way approaches were improved. Mr. Burgett asked if the pipes were still south of the pavement, in the two lane area? Answer-Yes. John Burgett asked what area does he figure the holding pond is going to drain? 80 acres. Pond is being constructed to maintain storm water management from the improved 80 acres under the given present condition, the area around it(to the east) is still being maintained as a natural area. Explanation continued.

Mr. Burgett asked if he was correct. The two holding basins,storm sewer basins being constructed on the north south of 350 N on west line are about 685,curb inlet and the bottom of the conduit was 680 so there is a 5' difference between them. What sort of a structure appears in the bottom area? Bottom of the low outlet in to the legal drain is 670,paved inlet. What happens when you go east of 350 from the metal corrugated conduit as you approach the two basins. It is a curb and cutter, curb inlet handles the road. Michael stated what Mr. Burgett is asking is the difference between the flow line of the corrugated metal pipe on how your going to slope the ground to get up to the basin. County is widening and extending the corrugated pipe. Both sides. Explanation and discussion continued. Rip-rap will be put in.

Mr. Osborn asked what are you asking for today? Approval of the concept and the Construction Plans for the 80 acres.

Michael Spencer stated the water surface elevation is much closer to the structure elevation. Problem is he did not realize there was berm around the existing lake. It is about 4' higher than the water elevation, it will have to get that high before it will run over and even get to the overflow structure. Mr. Burgett stated the lake is down. Mr. Burgett's concern was that the lake could get higher than the basin. Michael stated if this happened it would be held in there by the berm. The berm is 6-8' wide. Mr. Hoffman asked if it would wash out? NO.

Mr. Burgett asked about the moratorium against any more construction in the triangle,based on the new numbers does that mean that there is no longer a moratorium,because of drainage?

Michael Spencer stated the moratorium Mr. Burgett is talking about is anything contributory to Hadley Lake? The board has stated they did not want any more development in the Hadley Lake watershed area until an outlet was provided for the lake, hopefully the mechanism is in place now to provide that and funding for it would be a state grant. Sue W. Scholer stated hopefully that is correct. There are alot of procedures that have to go through Drainage Board. Mrs. Sharon Burgett asked if they were talking about a small or large project? Mr. Hoffman answered, a large project. Dan Pusey asked if she meant in their water area? Yes, construction in their watershed area. This will have to be evaluated. Discussion. Mr. Hoffman explained ordinance.

Mr. Burgett asked if there was any federal, Corps of Engineers, or state impact done on this structure? All environmental things were checked out. No wildlife.

Sue W. Scholer asked if Michael had any questions about the project for approval. No. Discussion continued.

Sue W. Scholer moved to give preliminary approval and approval of construction plans for the detention facilities as presented to Purdue Industrial Park Phase II Part II,seconded by Eugene R. Moore, unanimous approval.

500 East, State Road 26 East/200 South

**500 East State Road 26 East 200 South**

Lamar Ziegler engineer with Clyde Williams & Associates, Inc. presented Drainage study for County Road 500 East asked for Drainage approval for proposed highway improvement on County Road 500 East from the terminus of Project RS-9179(1), County Road 475 East at a point approximately 2,100 feet north of County Road 200 South to State Road 26. Mr. Ziegler handed out a detailed report which he went through. There are four drainage area within the project limits on 500 East. Segment A, Segment B, Segment C and Segment D. Water flows to and percolates into the Felbaum Fork of the Berlowitz Ditch. Presentation is on file.

Proposed road improvements will consist of two concrete travel lanes 12 foot wide, with 11 foot graded shoulders (10 foot paved). Type "X" underdrains will be provided throughout.

Drainage improvements are proposed on the same segments. This is on file. Segment A. from north end of County Road 475 to the Halsmer Hill will drain down to the Felbaum branch of the Berlowitz Ditch, they are not proposing to make any direct connection into the Ditch, they are proposing to install a elipical pipe under County Road 500 East, so the water that now collects on the west side of the road can travel under the road overland eventually reaching the Wildcat Creek. Essentially no change in the drainage pattern that exists there now. Because the impact of the proposed improvements is so slightly--only 1 cfs for a 50 year storm event the overall effects is considered

negligible and, therefore, no further routing or detainage of flow is considered for Segment A. They used runoff rates for 10 year,50 year, and 100 year storm event criteria due to the fact that this area is almost all agriculture in nature and is not impacted at this time by flooding conditions and heavy run-off.

Mr. Hoffman asked how much additional right-of-way is there going to be? Answer-Two additional acres in the drainage brought on by the additional right-of-way all the way through mostly off the east side.

Segment B will drain 540.69 acres,drainage pattern will run the same, however they ran into a small problem in the SE corner of 500E and 100 South, picking up the additional right-of-way they intercept a very slight swale that turns toward the right-of-way then turns east,they intercept that an bring it on to County right-of-way, increasing the runoff rate. They have proposed to install detention into County Road 500 East and 100 South area. Two detention will be put on the east side of 500 East and one detention on the Northwest quadron of 500 East. 100 year Storm runoff is reduced to 49 cfs because of detention areas which is equal to the 50 year existing runoff conditions. The detention areas will basically consist of the storing water in the existing side ditches with the exception of the NW corner which the side ditch will be widened in order to have enough storage. The land is very low and dikes will be required to keep the water in the ditch. The only positive outlet is to the Berlowitz ditch. Once the water has flowed through the detention areas it will flow to the SW quadron where it will access the Berlowitz ditch by a bee hive inlet that exists there now. Project will move the connection further away from the road way providing a new inlet to the pipe. Within their rights of way limits they will replace both the Felbaum and the main branch tiles with new tiles. Mr. Osborn stated or any other unknown tile that may exist there now. As they are found during construction they will consult with Michael Spencer as to the position of where the field tiles should be.

Segment C runs north of I-65 up to the drive way for Fassnacht property. This area increases to 40.37 acres, water will collect in the side ditches and will flow south and run directly into I-65 ditch, run the water from the west ditch to the east ditch. Because of the ground conditions the proposed conditions will decrease the runoff rate to 1 cfs. 50 year storm event from 80 cfs to 79 cfs.

Segment D is a small area 50 year existing runoff rate is only 4.3 cfs and the proposed 50 year runoff is 5.7 cfs. Water flowing in the area flow into each of the side ditches runs north to State Road 26 ditches on the south side of 26 and flows away from County Road 500 East project. The amount of flow is very small the difference is just a little over 1 cfs and the size of the ditches makes detention virtually and practical as the ditches are shallow and there is no place to store the water, it is their recommendation no further detention be considered for this basin. Maps and calculations are included in the report and are on file in the Surveyor's office.

Bruce asked if Lamar had consulted with George Schulte Highway Engineer? He has consulted with George. Lamar stated George had comments and they have been incorporated into the report presented.

Michael Spencer only comment was to confirm the boards position on the outlet of the road projects and the county tile drains. Don't want to impact any more problems than there is in the watershed area now. There is an existing catch basin into the Berlowitz main tile at the intersection of 500 East and McCarty Lane. Bruce asked if Michael was going to ask for a positive outlet? Discussion.

Lamar Ziegler stated they ran a survey on north side of 100 South straight East from the intersection to the Interstate ditches which is the only positive outlet that exist, per Michael's request. They found the existing land at the intersection is .4 a foot lower than the grade in the Interstate ditch, therefore there is no positive outlet.

Mr. Hoffman asked if this was where Shaw ran the waterway? Mr. Hoffman asked how much additional right-of-way is this going to be taken? Right-of-way shown on construction plans there is an existing 25 feet they are requiring about 100 feet total so this would be about 50 additional feet. You can't say that it is 25 feet on each side of the road, because on the south side of the Interstate they are widening to the east side off setting the road slightly as is 475 East is coming into it, so there is about 32 feet taken off the west side,difference is made up on the east side. There's 10 feet more on the west than the east side. The right-of-way is subject to the Drainage Board action here today, as what is decided by the Board affects how much right-of- way is required.

Mr.Hoffman asked if the landowners who will be affected by the right-of-way had been notified? Michael stated not to his knowledge. Mr. Hoffman stated they should be notified. Sue Scholer asked how soon will they be notified? Mr. Ziegler stated prior to the time they started their preliminary survey in May, 1988 they sent notices to all property owners indicating that this project was beginning to unfold and there would be some trespass on their land to conduct the survey and there would be some additional right-of-way required. After approval today they will be able to finish the right-of-way plans in approximately 10 days, which will allow them to proceed with the acquisition process. Bruce Osborn asked what advise Mr. Hoffman had, he stated he really shouldn't give any advise as he represents two property owners affected by this project, Lafayette National Bank as Trustee for Mary K. O'Farrell and Richard Shaw partnership. Bruce stated were not talking about Drainage Board acquisition. Mr. Hoffman stated the drainage is going to affect whatever has to be done. Bruce asked which comes first? Mr. Hoffman stated again they should be notified from both the drainage and highway stand point. Appraisal process will start in two weeks, one of the requirements is that the appraiser before he inspects the site must contact the owner and the owners representatives to accompany the appraiser will have the plans with him to explain the impact of the project and if necessary an engineer can accompany the appraiser to

explain engineering details relative to the plans which the appraiser would not be knowledgeable. Mr. Ziegler stated they are required to follow State law procedures. Mr. Hoffman wanted to be sure the law was followed. Discussion.

Sue W. Scholer moved to give preliminary and final approval on the Drainage Plans for County Road 500 East to State Road 26 / 200 South,seconded by Eugene R. Moore, unanimous approval.

STATE ROAD 38/US 52 TO ELLIOTT DITCH

**STATE ROAD 38/US 52 to Elliott Ditch**

Robin Thompson representing Craig & McKneight,Inc. who has been sub-contracted by the State to do the road design for State 38/US 52 to east of Elliott Ditch. Purpose of the report today is to summarize what they plan to do with the drainage along this area and to ask for preliminary drainage approval. Upon that approval they will submit preliminary right-of-way plans to the State and go to design hearing, after state comments from the hearing they ask for final approval.

Sue W. Scholer asked if they had a date for that hearing? No date has been set, they feel it will be within the month of October.

Mr. Thompson stated the Drainage Ordinance requires that for new development, the 100-year post-development storm runoff must be detained while the 10-year predeveloped storm runoff may be discharged. The highway improvements are considered new development, therefore the proposed drainage system has been designed to meet this ordinance. The report has been broken down into four parts corresponding to four different drainage areas in the project. The water is either detained in a pond or in the road side ditches to assure the county ordinance is met. Three of the four areas will discharge into Elliott Ditch while the fourth will discharge into Wilson Branch. Area has been broken down into four areas, A.B.C.& D..

Area A will drain to Wilson ditch, the area has been broken down to two subareas. This area is the highways right-of way from the intersection of U.S. 52 to approximately 400 feet East of Wilson Ditch. The undeveloped area is 13 acres. The subarea west of Wilson Ditch contains 12 acres and the subarea east of Wilson Ditch contains a acre. The runoff in the subarea east of Wilson Ditch flows directly into Wilson Ditch. The subarea west of Wilson Ditch will be detained in a detention pond which will be constructed on the south side of S.R. 38 adjacent to Wilson Ditch. The outlet pipe from the pond will discharge directly into Wilson Ditch at a peak flow rate of about 6 cfs . The bottom of the pond will be at elevation 644 with a highwater elevation of 648. This allows 2 feet of freeboard to the top of bank. A flap gate will be required on the outlet pipe to prevent back flow through the pipe into the pond as the water level in Wilson Ditch gets higher. A detention pond will be put in the area of the Skating Rink. Bruce Osborn asked if this was off the easement? Yes. Discussion.

Area B includes approximately 315 acres from Basin 13, 13 acres from S.R. 38, and 4 acres from the Creasey Lane Extension. The developed 100-year flow for S.R. 38 in this area is about 35 cfs. The predeveloped 10-year flow is about 8 cfs. This makes the required detention for S.R. 38 about 27 cfs.

The state proposed funding of an outlet ditch from S.R.38 to the twin 66 inch pipes presently under construction. This ditch will be used as a detention area for S.R. 38 water. The peak 100-year flow from Basin 13, S.R. 38, and the Creasey Lane Extension is about 182 cfs. After storage in the proposed ditch, the peak flow into Elliott Ditch is reduced to about 151 cfs. This is a net storage of 31 cfs which exceeds the required storage. To gain this storage, the twin 66 inch pipes will be "choked: down at the inlet to twin 48 inch pipes. This will detain the amount of water while maintaining the water elevation well within ditch banks.
Michael asked if they had talked to the City about that 48" pipe sticking into their 66" pipe? Todd Frauhiger stated they had talked to Hawkins Environmental Associates about this. The reason they have to decrease this 66" pipes is that when they were original sized they were sized to catch all the water from Basin 13 and the Creasey Lane extension as well as all the water from S.R. 38. Without decreasing those pipes you would have all the water with 100-year storm from all those areas flowing directly through the 66" pipe with no detention at all. Decreasing to 48" gets them down to the detention which exceeds what they needed for S.R. 38. They could be detaining some Basin 13 water or Creasey Lane water, there is no way to tell. They did match what they needed for S.R. 38.

Michael Spencer asked how they feel about those 48" pipes in the end? Todd answered they had no problems with them at all.

Mr. Hoffman asked if it was going to have any effect on the parts where they are not going to let the water flow through,area north. Answer, it should help improve it.

Sue W. Scholer stated they are not showing it as acquisition. Todd answered: Through discussion with Michael Spencer the City has acquired a 60' easement along the Creasey Lane extension, and have already contracted to put in the twin 66" pipes, which is under construction. Michael pointed out that the City has put them in. Basically there is a problem existing which no one knew (city or county) how the outlet pipe from S. R. 38 was going to be constructed in the 60' easement down to the pipes. Since the State needed a detention pond they agreed to construct a ditch and use it as detention facility. Todd clarified build a ditch, technically the State can not go off the State right-of-way to do construction, so what they are going to do, they are going to fund the construction. Whoever owns that easement will hire a contractor to do the construction of the ditch. Michael stated this would be a City project. State would pay the City and the City pay the contractor. Todd stated the side ditch is 20' bottom, 12' deep, 3-1 side slopes, and 1500' long. Its a massive project. Mr. Hoffman asked if there was going to be a guard rail? Yes.

Todd pointed out whoever is designing Creasey Lane extension, the ditch will be running along the edge of Creasey Lane, he is assuming they are aware of the size and need for guard rail. For State Road 38 everything is OK.

Bruce V. Osborn chairman, had another commitment and asked Eugene R. Moore Vice-Chairman to chair the meeting in his absence.

Area C is a low area,it is lower than Elliott Ditch at S.R. 38. There is an existing tile in the area which drain the runoff from this low area into Elliott Ditch, 1000' south of S.R. 38, consisting of approximately 3.5 acres of land including highway right-of-way and adjacent land which drain onto the highway right-of-way. Predeveloped 10-year flow is 6.3 cfs. The developed 100-year flow is 20.1 cfs.

Proposal: The runoff from this area will be retained in a 20 foot bottom ditch from Sta 188+00 to Sta. 194+00 "PR-A" Rt. The bottom of the retention ditch will be at elevation 642 and the top of bank elevation is 644.5. The existing tile will be utilized to slowly drain the runoff away from the ditch. They propose to find the field tile when construction starts. They will put a little pipe catch basin with a grate on it, stick it in the pond and meter it out, this will store all the water with no runoff except for a little pipe that will tap into the existing drain The retention ditch will reach an elevation of 644.3 at the 100 year storm drainage. This gives a freeboard of 0.2 feet.

Area D is the State's right-of-way from approximately Sta.197+00 to Elliott Ditch. Existing right-of-way is approximately 2 acres and the proposed right-of-way is approximately 7 acres. This will be a four lane road with shoulders and side ditches.

Proposal is to take runoff from this area and detain in the roadside ditch along the south side of S.R. 38. The ditch along the north side will flow through a pipe under S. R. 38 into the south side ditch. The outlet pipe from the pond will discharge directly into Elliott Ditch at a peak flow rate of about 4 cfs. The elevation at the outlet will be 646 with a peak ponding elevation of 653.7. This will allow about 1.5 feet of freeboard. A flap gate will be required on the outlet pipe to prevent back flow through the pipe into the pond as the water level in Elliott Ditch gets higher.

Report is on file.

Michael stated everything looks fine, however there are some questions in the area of the ditch. Michael would like to get with Hawkins Environmental for discussion to make sure everything is OK and get it in writing from Hawkins that everything is OK.

Mr. Hoffman agreed with Michael to get it in writing regarding the pipes and the ditch.

Todd stated they have had conversation with Hawkins in regards to the pipes and ditch in the project.

The erosion control needed in the area will meet State Highway standards. Straw bales in the ditches,slopes too steep they will put the erosion fabric in and stake it down. Mr. Thompson stated there should be no problem. The discharge of pipes are 4-5 cfs. They will be more often under water. That will dispate the velocity coming out, therefore they do not anticipate any erosion.

Sue W. Scholer moved to grant preliminary approval for Drainage Plans as presented for S.R. 38 from U.S. 52 to Elliott Ditch, seconded by Eugene R. Moore, unanimous approval.

Todd Frauhiger stated they will get the right-of-way plans submitted, get the final construction plans, then come back and verify that what was presented earlier has been put into the final construction plans and ask for final approval.

Mr. Thompson stated all inlets would be located.

**Orchard Park Heritage Bank**

ORCHARD PARK/HERITAGE BANK

Michael Spencer has been in contact with the Farmers & Merchants State Bank of Darlington in regards to the detention pond underneath the power lines. Fred Hoffman has talked with them. They have supplied the board with a document that says they will have insurance that will cover any occurrence related to that drainage facility. It has met with Mr. Hoffman's approval. Based on this, Michael recommended the board give approval of the bank being built on the location. Michael stated this restricted covenant needs to be recorded with the plat.

Sue W. Scholer moved to grant final approval of the drainage plan and give the Bank permission to build the branch bank on the location requested, subject to receiving and having the restrictive covenant recorded with the plat,seconded by Eugene R. Moore, unanimous approval.

**Drainage Ordinance**

DRAINAGE ORDINANCE

Sue W. Scholer asked where are we with the changes in the Drainage Ordinance. Have we made a statement in there about detention under utilities? Mr. Hoffman stated we adopted the amendments. They are typed up. The only thing that was not typed in was the definition of the Impact area, and no detention under power lines. This is what came out of the Heritage Bank proposal. Michael stated they have satisfied it coming up with the legal liability. This is the reason Michael made the recommendation that he did. Mr. Hoffman stated they had been in acted on by the board in the April 6, 1988 Drainage Board meeting. Mr. Hoffman stated this needs to get in the books sold to developers. Sue asked Michael if the definition in the Impact area needs to be done before the book is printed. Yes. Michael stated this is close to being ready. Sue asked if this could be acted on next month. Fred stated Section 13 and 14 was adopted

in regards to power lines.

CUPPY/MCCLURE-DEMPSEY BAKER

Sue W. Scholer asked Michael to get the legal of the Cuppy/McClure Legal drain and Dempsey Baker Legal drain to Mr. Hoffman. Mr. Hoffman wants the legal on the drains that don't quite go into the pond. Michael stated it is Cuppy. Yeager, Cole and Baker drains. The end points are needed. Drainage procedure needs to get started.

Cuppy
McClu
Demps
Baker
Ditc

There being no further business, the meeting adjourned at 11:10 A.M. Next meeting is November 2, 1988.

Chairman

Board Member

Board Member

ATTEST: Maralyn D. Turner

Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, FEBRUARY 22, 1989

The Tippecanoe County Drainage Board met in Special session in the Community room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Chairman Eugene R. Moore called the meeting to order at 9:00 A.M. Those present were: Sue W. Scholer Boardmember; Michael J. Spencer Surveyor; David Luhman Acting Drainage Attorney; and Maralyn D. Turner Executive Secretary. Other present are on file.

NORTHRIDGE SUBDIVISION

Robert Grove engineer, representing Tippecanoe Builders developer of Northridge Subdivision. Proposed Subdivision is located North of Wildcat Highlands between Buckridge Subdivision and County Road 200 North.

Robert Grove requested final approval of Construction and Drainage Plans contingent on changes requested by the County Surveyor. Items he has requested are: additional swale elevation, some of which they have to go out into the field and get data before it can be completed. They have gone through this with the Surveyor and Highway Engineer. At this point it is just the mechanics.

Michael asked if any of the changes had been done? Mr. Grove stated they have added alot of the swale elevations, the only thing they have not done is to shout the original elevations along west property line.

Robert Grove stated after reviewing with George Schulte they have gone through and changed the grading pattern. George had requested there be no sump or low elevation at each street. They have done this. They need to verify elevations along the boundary lines to make sure the swale is going back to divert the water and not dump it off on the neighbors, or cut off anybody. Make sure to contain on the property.

Michael asked what the plans were for the cement 10" tile that comes through? Michael stated they need to find out where it comes from.

Ken McDonald property owner adjacent to the subdivision stated that there is a natural water way along the fence line there is an old tile which ends up where the retention

areas will overflow. The tile does work. Discussion continued in regards to the 10" cement tile.

Robert Grove stated they are not concerned within the site, they would be concerned with offsite. They would be taking pressure off of Mr. McDonald's property. They don't want to cut off any property owner.

Michael asked if the soils were rated severe? Michael asked about the septic system. Are they going to have perimeter drains? David answered only a couple, the rest will be shallow trench system.

Michael stated if there were going to be alot of perimeter drainage systems this would have to be taken into account, but if they are going to be out letted into the storm sewers he would prefer that they didn't come in at each lot, only have one entrance into storm sewer. Depending on how many they have will effect the capacity of the storm sewers.

David Kovich stated the shallow trough system would be in between 34 and 40 inches. Michael stressed when they start building the homes and getting septic permits,and there are many lots needing perimeter drains they need to get back with Robert Grove. Michael stated this needs to be done now. Discussion continued.

Mr. McDonald had questions in regards to the storm sewers as to where they would end up. They will end up going through the two basins, the two major outlets. Discussion of Mr. McDonald's lane and water continued.

Michael asked what is the volume of the pond? Answer 3 acre feet.

The board members asked Michael if he had had a chance to go over the plans. Michael stated he had looked at two different submittals.

Mr. McDonald asked how they are proposing to get rid of the excess water and by what means? Mr. Grove stated they have calculated for a 10 year storm. They have designed the basin for a 100 year storm. Mr. McDonald asked if he would get drainage? Robert stated he will get drainage from outlet. It is a 24" pipe with an orfice plate; therefore it will have a 21" maximum discharge through the pipe. Discussion.

Michael stated he had not seen the rip-rap in the plans, emergency overflow. Question on elevation, what would happen if pipe would clogg and water comes over, bank slope protection, the spillway elevations, downstream protection, and the swale. These are the things Michael needs to see as there are very important. He needs to have cross section shown along with volume of the ponds. Maintenance, how are they going to maintain the systems.

David Kovich stated probably the Homeowners Association. Discussion.

Robert Grove stated they are not going to get the OK from the surveyor until they can prove that the swale is going to work. Discussion.

Michael asked David to have Chris Kovich get with Mr. Hoffman in writing the covenants. The board suggested they consider establishing a rate on each lot up front. Farmington Lake covenant has good detailed wording and could be a pattern to go by. The board and Mr. Hoffman are concerned in the wording in regards to the drainage and maintenance.

Mr. McDonald stated they don't object to the subdivision, but is still concerned on how they are proposing to get rid of water. Robert Grove stated where the road comes out the pipes are about 3-3 1/2 feet below that (this is about where the 10" tile is) they will excavate a swale to that point. Discussion.

Michael stated he wasn't sure they could fit a swale in the rear lot easements. Discussion.

Mr. McDonald again stressed their concern in regards to the roofs, concrete/black top, and the minimum amount of absorbency in the ground would mean more water coming toward their property, and this would mean trouble.

David Kovich stated he has a concern with erosion during construction and right afterwards. He asked Mr. McDonald to call him at any time if he has any concerns during and after construction. There is a an erosion control plan in the construction plans.

Sue asked Michael if he was comfortable from his view points of the proposal? Sue stated she has one problem and that is; Fred Hoffman has asked the board to hold up on approval till he has a chance to review maintenance. Michael stated this is definitely a condition before approval.

David stated they are going to develop in two phases. All drainage will be put in first.

David Luhman advised the board not to give approval at this time. Developer must submit proposed covenants and meet all the mechanical request of Michael Spencer, and George Schulte's request of calculations and gutter spread.

The board asked Mr. Kovich to meet all the request and get an OK from Fred then bring back to the regular meeting, Wednesday, March 1, 1989 for approval.

To summarize all discussion Sue W. Scholer stated that Northridge Subdivision has been

asked to get information submitted to the Surveyor by next Wednesday, March 1, 1989 and that they definitely get the covenants to Fred so approval can be granted with conditions with the developer making another appearance.

BOARD APPROVAL-MAINTENANCE

Fred Hoffman drainage attorney stated for the record in the future that no projects be approved until there is a definitive and recorded provision to compel maintnenance of the system.

ELLIOTT DITCH

Discussion of claim presented for Elliott ditch regarding the Task Force of Elliott ditch. Claims should be paid from Elliott ditch maintenance fund.

HADLEY LAKE

Discussion of claim presented for Hadley Lake. In 1986 there was a special appropriation in the Commissioners budget for bills of Hadley Lake study. Sue requested Maralyn to call Peggy Owens and ask her if a Grant has been applied for the Hadley Lake project. The board instructed the secretary to hold the bill until further information is received in regards to the Grant, if time is a factor the board instructed the secretary to transfer funds from the engineering fund to legal services fund and pay from that fund until cost is reimbursed.

The Special meeting adjourned at 9:55 A.M.

Eugene R. Moore

Eugene R. Moore, Chairman

NOT PRESENT

Bruce V. Osborn, Board Member

Sue W. Scholer

Sue W. Scholer, Board Member

ATTEST: Maralyn D. Turner

Maralyn D.Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, MARCH 1, 1989

The Tippecanoe County Drainage Board met 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 Eugene R. Moore Chairman. Those present were: Bruce V. Osborn and Sue W. Scholer Board Members; Michael J. Spencer Surveyor; J. Frederick Hoffman Drainage Attorney; and Maralyn D. Turner Executive Secretary. Others present are on file.

NORTHRIDGE

David Kovich was present asking Mr. Hoffman and the board questions in regards to covenants. Mr. Kovich was informed that he had not gotten all requested material to Michael prior to March 1, therefore no actions could be taken.

Thomas Coleman Ditch

Fred Hoffman attorney, read resolution, this resolution is recorded in the February 1, 1989 minutes.

Don Sooby assistant engineer for City of Lafayette expressed on behalf of the City of Lafayette their opposition to accepting responsibility for the Thomas Coleman ditch at this time. There are problems that need both agency working together to resolve the problems, they don't want to be faced with the problems alone. He asked that the City and Drainage Board work together on the resolution of some of the problems before the Drainage Board would relinquish the ditch to the City.

Bruce Osborn asked Bill Uerkwitz if he had any fillings on it? Mr. Uerkwitz had questions of where all the surface water was going to go?

Michael stated they have submitted a drainage plan to handle all the surface water, they have proposed to use the Old Coleman ditch as the outlet from the detention basin.

Robert Richardson asked if they were going to band the ditch altogether, or will the easements still be there? Answer-the easements will still be there. Are they planning to put it back so it will work again? They will replace some old tile on the old theatre site. They are not planning on replacing the whole line down stream.

Charles Moelhenon representative of U.S. Post Office asked if the surface water will drain to 26 and then into their holding pond? Michael stated some does drain to the front. Mr. Moelhenon asked if any one was going to be putting a holding pond in? Discussion.

Discussion amongst all interested property owners continued.

Michael Spencer stated he has two questions. One-size of pipe. Coleman ditch has a 12" tile, it does drop a size, but where. Discussion. Two-Where is the rest of the detention area and grading plan? A fifty foot easement was approved in the Drainage

Board meeting June 1, 1989, until that is changed the easement have to remain fifty feet. Michael asked if there was any way they would know where Lot I Parking Lot cfs storage is going to be and the other areas? Discussion. Michael stated that it needs to be on a recorded plat that whoever builds in there has to provide the storage. The developer will require this before a building permit is issued that they show you plan that states they have to have X number of cfs. Michael and Don Sooby need to meet with Paul Couts engineer and Steve Norfleet developer for Theatre Acres to go over plans. A special Drainage Board meeting can be held after the county and city meet with the developer and engineer.

Bruce Osborn stated no approval can be given today. Discussion.

Mr. Hoffman stated it is up to the City to accept the jurisdiction and if they won't accept the county won't get rid of it. Mr. Hoffman read the Indiana Code 36-9-27-20.- A board may, be resolution, relinquish its jurisdiction over ditches and drains located in a municipality or a sanitary district, if that jurisdiction is accepted by the municipality or sanitary district. This is what the board is operating under, a resolution could be passed, but would not become effective till the City Lafayette accepts it, if they won't accept it does not become effective. Discussion, the City and County should meet and work out some procedures, and to see how a process will work. The purpose of the resolution was to try to clear up procedures so there would be only one set of rules to conform with.

Bruce Osborn stated one of the problems is the issuance of Building Permits. He asked who issues them in the City? They are issued by the engineering department. Bruce stated in the pass where the county has jurisdiction and had no control over the building permits, this needs to be avoided. Bruce hopes this can be resolved in a joint meeting to be held with the mayor, drainage board, and commissioners.

Mr. Hoffman again stressed rules need to be establish as the drainage board has approved plans for drainage, then building permits have been issued without the drainage ever being put in. This has caused the whole problem. Procedure needs to be adopted between the City and the Surveyor so these can be avoided. A meeting will be scheduled.

City does not have a drainage ordinance.

Sue W. Scholer asked about the Waiver of Jurisdiction. She requested that Waivers be sent to the two cities. Maralyn is to see that Michael takes these Waivers with him when he meets in special session with Theatre Acres and the City of Lafayette.

WEA-TON SUBDIVISION

John Fisher Land Surveyor representing Wea-Ton Subdivision development located in Section 5 and 6 of Wea Township in the vicinity of U.S. 231, C.R. 250 S. and Old Romney Road. Mr. Fisher presented a drainage report for proposed Wea-Ton Legal Drain. The legal drain would serve the Wea-Ton area and areas upstream from the Old Romney Heights Subdivision. A legal drain would provide an adequate and positive outlet for the watershed area, the proposed drain will provide for orderly growth as the area develops. The land use in the area is predominantly agricultural, but gradually it is becoming urbanized. The Wea-Ton development was built in the late 1960' without considering the need for a positive and adequate outlet for storm drainage. The majority of storm water runoff flows overland into side ditches along Old Romney Road and then through the Old Romney Heights detention Pond. The streets are served by curb inlets called infiltration or wet well inlets. Storm water that goes into these inlets infiltrates into the subsoil. Due to the poorly drained soils in this area, this type of inlet is very inefficient and will cause frequent flooding of the roadways. The Old Romney Heights subdivision was constructed in three phases beginning in the early 1970's with completion in the late 1970's. The last phase was completed after the adoption of a county drainage ordinance requiring the use of detention/retention storage basins to control the peak rate of runoff from developing area. All three phases of the Old Romney Heights Subdivision drain into the detention basin as well as approximately 86 acres of offsite agricultural and developed areas. Total drainage area passing through the detention basin is about 120 acres. the frequent flooding is due to the uncontrolled runoff from the upstream area that is tributary to the detention basin. Mr. Fisher stated the proposed legal drain and open channel will enhance the orderly development of the Wea-Ton area and provide a much needed positive storm drainage outlet for the area. Matt Koehler was present, a property owner, in the Old Romney Heights Subdivision.

Mr. Hoffman asked if there was a positive outlet, and where does the farm tile go? Goes through ravine area to the Wea Creek. To the Wea is possibly 2,000 feet.

Wea-Ton developers will have to go back to the Area Plan and re subdivide. Before they can get a building permit they will need drainage board approval.

Eugene R. Moore asked if a tile had just been put across 43 over to the Old Romney road? No, they created a man hole. Michael stated they worked on an existing tile, which has been there for some time.

The proposed system would be deep enough that a new field tile could be extended which would pull the ground water down and help the septic system.

They are proposing to build an open ditch channel along the south, along the north coming together along the eastern side of Old Romney Road and a big storage area would be created.

Mr. Fisher has talked with Dave Lux an adjacent property owners and he feels Mr. Lux would not have any objections, as it may be of benefit to his property. It is 900 feet from the edge of the Subdivision before getting into the ravine system. Mr. Hoffman

asked how does the other property owners feel about the proposal? Mr. Fisher stated he hasn't been able to get in touch with them. They can't develop until something is done, he feels he will have no problem.

Sue asked if we were dealing with any legal drains in the area. No-Mr. Fisher just wants to create a legal drain.

Mr. Hoffman asked about the system of the ravines, who is going to take care of the erosion? Mr. Fisher felt they could get a signed statement from the downstream property owners, they could go ahead and make a legal drain. Mr. Hoffman stated yes, if they agree and let them erode their land. Mr. Fisher stated there will have to be some type of agreement. The overall run-off volume rate will increase, but what they are proposing they will regulate the greater release. To handle a 100 year run-off they will need a full size existing detention basin, plus a 42 inch pipe. At this time it is run out through a 10 inch farm tile.

At the time the construction plans were done for the development there was a 30' emergency swale easement on the plans, it has never been built since then someone has put a 6 foot high board fence around it and a large on ground swimming pool is on the easement as he recommended in the report he feels this needs to be cured. People on each side of the easement possibly won't be too pleased, but the people in the subdivision will be pleased as it will prevent the flooding in the subdivision. In a storm there is alot of water. Eugene Moore asked if there was any swales between the houses? There are none,it was planned for.

Discussion of the 42" inch pipe. Be Costly to run by pipe to the Wea. They will have to have an easement all the way to the Creek.

Mr. Fisher asked for conceptual preliminary approval.

Michael asked Matt Koehler if he has talked to the people in the subdivision? Mr. Koehler stated the plan as proposed would help. There is water in the detention pond it stagnate, mosquitoes. Liability is another factor. Mr. Koehler's property borders the detention pond and subdivision. Discussion.

The board asked Mr. Fisher to contact the property owners downstream and who are out of the watershed area, and inform them of the process for establishing a legal drain. An easement is needed all the way to the creek to have an out let.

Bruce V. Osborn moved to give conceptional preliminary approval as presented for the Wea-Ton Subdivision, seconded by Sue W. Scholer, unanimous approval.

ACCOUNTING-COMPUTER PROGRAM

Sarah Brown County Auditor and Deputy Lois Greer discussed the possibility of the Drainage Maintenance and General Drain being put into the computer system. Sarah stated they have recently completed with success putting the Villa records on micro computer. It has been a help something that has taken 4-5 hours takes 1.5 hours. Drainage assessments are in the main frame. A disc would be established between the Auditor and the Drainage secretary.
Mr. Hoffman asked if there could be a print out? Yes. This was done on the in house with Jim Raher. Sarah intends to do this if the Board has interest in making this change. The disc is interchangeable. Mr. Hoffman stressed that each ditch should have a print out. Program should consist of figuring the interest. Discussion continued.

Sue W. Scholer asked Sarah and the drainage board members who are involved to go to the Data board and set down to see how much time can be saved. Board consent.

HADLEY LAKE

Maralyn had been instructed to contact West Lafayette City in regards to the bill Mr. Hoffman has presented for his services. The County has no funds set up. Peggy Owens Clerk Treasurer had called back and stated that they City Engineer stated the only attorney fees would be from the City of West Lafayette attorney, therefore the County would have to absorb Mr. Hoffman's fees. The board instructed Mr. Hoffman to contact the West Lafayette City Attorney and present the billing to him. Fred will handle this with Mr. Bauman

There being no further business the meeting adjourned at 10:00 A.M.

Eugene R. Moore

Eugene R. Moore, Chairman

Bruce V. Osborn

Bruce V. Osborn, Board Member

ATTEST: Maralyn K. Turner

Sue W. Scholer

Sue W. Scholer, Board Member

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, July 11, 1990

The Tippecanoe County Drainage Board met Wednesday, July 11, 1990 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Chairman Sue W. Scholer called the meeting to order at 9:00 A.M. with the following being present: Bruce V. Osborn and Eugene R. Moore, Board members; Michael J. Spencer, Surveyor; David Luhman, Acting Drainage Attorney; Ilene Dailey Consultant Engineer; and Maralyn D. Turner, Executive Secretary; others are of file.

L.U.R.
MCCARTY LANE

L.U.R.

Stu Kline of Stewart Kline and Associates representing the City of Lafayette presented Drainage Plan for Regional Detention Basin in conjunction with the McCarty Lane Reconstruction requesting Drainage Board approval of the Conceptual Drainage Plan. Road reconstruction begins at from Creasey Lane west to US 52. Presentation is on file. There is problems with flooding in several locations. The Regional Detention basin is proposed to be built in three phases, this is in the Kepner and Layden watershed area.

Phase I: The portion to be built by the City in conjunction with the McCarty Lane project. Accommodates 100 year runoff from the new roadway, areas tributary to the new roadway, and areas tributary to the basin. Phase I provides 18.75 ac-ft of storage capacity. This Phase would basically take care of the flooding problem in the area.

Phase II: The portion to be built by L.U.R. in accordance with the Regional Detention Basin plan. Phase II provides 15.0 ac-ft of storage capacity. This by passes the east and west leg of the Kepner tile. This brings the Layden into the Kepner, at this time there is no positive outlet, the existing Layden tile is old and not functional and quite a bit of overland flow resulting in flooding of the industrial plots. This would benefit the City ponds by allowing a higher release rate by combining the two watersheds. The release was based upon on the allowable flow through the remaining 48" tile, it is well less than a q-10. This still being a restricted structure. This Phase would take care of the existing problem. L. U. R. pond would still be providing on site detention connecting them together.

Phase III: The portion to be built by Caterpillar, Inc., in accordance with the Regional Detention Basin plan. Phase III provides 26.25 ac-ft of storage capacity. In the future Caterpillar, Inc. will be turning the 15 acre site over to the City for maintenance. They would extend this pond to take care of the future development.

All three sub-basins will continue to drain to the Wilson Ditch. The Layden ditch sub-basin, except for about 37 acres adjacent to Creasey Lane, will be re-route to drain through the Regional Basin, out letting just downstream of the head of the Wilson, and the portion of the Treece Meadows legal Drain sub-basin lying west of Creasey Lane (Caterpillar Property) will be re-routed to drain through the Regional Basin, out letting as described.

Bruce V. Osborn asked the size of the Layden. Theres 53 acres and the size of the underground tile is 18". Under the road construction they would be putting a new structure, and L. U. R. would provide a ditch and additional detention as required to make the whole new system work. Eventually when Caterpillar, Inc. comes in to do their development of 157 acres, they will reanalysis.

Eugene R. Moore stated that some of the Layden ditch is vacated. This is true, but water still continues to flow in the ditch.

Sue W. Scholer asked if all would become a part of a legal drainage system.. Mr. Kline's answer was that all the area would be deeded to the City.

Don Sooby stated that the proposal designates City of Lafayette as the owner of the Regional Detention Basin. Maintenance and Liability will be assigned to the City.

Maintenance and Liability was a question and concern of Mr. Osborn.

Sue W. Scholer asked what point and time would this occur?

Mr. Kline stated Caterpillar, Inc. and L. U. R. would have to deed the ground over to the city either during or prior to the right-away acquisition process for the road, hopefully prior.

Michael asked if it was going to be part of the right-away acquisition? Answer-the simplest way would be for the firms to donate prior to the acquisition.

Sue W. Scholer stated that she assumes there is concurrence from the two parties involved.

Mr. Kline stated that Larry Coles is Caterpillars Inc.. representative and Robert Grove representative L. U. R..

Mr. Grove requested Conceptual approval for the L.U.R. part of the Plan. He stated that this has been before the board previously. He stated that they have agreed to accept 30 cfs from the Layden ditch. It is controlled by a grade they have put in, L.U.R. has proposed to put in an orifice to control and route it to the west and to the south and detain as they go through, the detention basins or swales will be L.U.R.'s not a part of the regional pond. Sue asked if they would be adjacent to the east. This is correct, they would be on the other side of the line from the big pond. Some of L. U. R.'s water would be in there. The goal is to reduce the 30 cfs plus whatever water they have directed running into the basins down to 9 cfs. They are looking at discharging 100 cfs to the big pond. Their water will get into the system and out long before some of Caterpillars water enters the detention system. By staggering the peaks and looking at the whole regional pond together this is the reason for getting their water in and out. The water will be delayed and enter in, and add to the over all peak.

Mr. Grove stated what they are proposing to do is: The city does have the finalized specifications, include the fencing, the flow line, the cross section of the basin, they intend to build the basin to the city specifications and have their final acceptance; at that point it would be deeded over and become a part of the city. When the road construction is done the city would build their own basin. He stated they would like to build, if possible, this summer to get Phase II pond constructed.

Eugene Moore asked where does the water go now? Michael stated it goes east to the 48" pipe, then south into the Wilson.

Sue asked Michael if he had this in hand long enough to review? He stated this project has been going on for quite some time and there has been allot of discussion. They are only asking for Conceptual approval at this time.

Michael stated that he and Don Sooby have been in numerous meeting in regards to this project, he and Don like the idea of their regional detention basin storage, giving it a three Phase project. L.U.R. wants to build Phase II first, and as long as it all ties together conceptually I have no problem, timing may be a problem.

Sue asked for any questions.

Don Sooby stated that one of the major advantages of the regional basin is that it does have a leveling affect that allows more drainage to go through and be safely discharged into the Wilson branch, if the parties were to approach this independently it would be a situation where the hole is greater than some of the pipes because of the different times of water getting into the basin and if the Drainage Board were to just portion the allowable among the interest parties it would be a burden situation on all three of the major contributors. They would not be able to take advantage of the staggered peaks. This is highly advantageous to all the contributory to the drainage in that basin. Hopefully we can get the Drainage Board approval.

Sue stated that they all had felt all along that there was a solution to this major project, just a matter of everybody getting together to get something worked out.

Larry Cole Caterpillar representative, stated they have a conceptual agreement, they have not looked at it in legal details at this time, but they are working on it. They do agree with the conceptual plans, they have not given the land at this time.

Bruce V. Osborn moved to give conceptual approval to McCarty Lane Drainage Plan and L.U.R. as presented for the over all regional detention plans, seconded by Eugene R. Moore, unanimous approval.

HADLEY LAKE

HADLEY LAK

Robert Bauman attorney, for the City of West Lafayette presented Petitions. 1. Establish Legal Drain, the outlet channel from Hadley Lake and, 2. A Petition to Reconstruct Legal Drain, the Dempsey Baker ditch.

Dan Kuester of Cole and Associates engineering presented Project Overview and Project Design of Hadley Lake. A study was done in the year 1986 and at that time it was recommended and as the plan presented today does propose to have a positive outlet constructed on the Northeast end of Hadley Lake under Moorehouse Road and to tie into Yeager ditch and eventually into Cole ditch. Yeager ditch would have some improvements done at the channel up to Cole Ditch and from that point and time the drainage goes on to Burnett's Creek then to the Wabash river.

Second part of the proposal is for the reconstruction of the Dempsey Baker ditch which is presently a legal drain, it is an old agricultural tile that is in need of maintenance. The project would reconstruct that; possibly making a new route from Moorehouse road east.

Bruce V. Osborn asked who owns the property? East of Moorehouse road is Purdue Research and the Hadley Lake is Martin Galema. Bruce asked if those property owners were present? Purdue Research had representative present, but Martin Galema was not in attendance. This was a concern of Bruce. He felt that Martin should be in attendance and should be given notice of meetings. Martin and his grandson have been in attendance in other meeting, after much discussion it was decided to precede with the presentation.

Bruce asked if other property owners had been notified of this meeting? It was pointed out that they had not on this particular meeting.

Paul Couts stated the reason for us here today was that discussion had been held with the surveyor and they felt that before a petition was filed for a formal hearing that a presentation should be made before the board, in no way are they trying to circumvene the owners. Discussion with a number of property owners has been held. This meeting is to just get the Drainage Board up to date on what has been happening and will be presented, this is a preliminary overview.

Sue stated that everything given today will have to be repeated.

Bruce stressed to have all owners notified and kept up to speed of what is happening in the Hadley Lake area.

Dan Pusey assured the board that Martin Galema has been kept a breast of what is happening and at the June 15, 1990 meeting held in regards to this project Martin and his grandson were in attendance, at that time they were made aware of the presentation that was going to be made today as an informational presentation at the same time the petitions were going to be filed. They assumed that Martin and the grandson knew of the date and time of presentation.

Presentation continued and is on file.

The design of the project has been based upon a 100 year storm event during the process of design he has reviewed 6 different durations from 4-24 hour storm event making sure they were looking at the most critical peaks. A portion of Indian Creek is in this

project reason being there is a back up in which Indian Creek water backs up into Hadley Lake this will continue to occur under the present conditions and after the construction of this project. The design is to minimize any affects of downstream landowners on Cole ditch (project results.) This will be accomplished through the increase in the peak storm condition of Cole Ditch by 0.05 ft. in stage and 37 cfs in terms of discharge. Construction with the floodplain of Cole Ditch requires a permit be granted by the Indiana Department of Natural Resources. Permit has already been granted, a copy of which is included in the report.

see page 562.

They are proposing to cross the road with reinforced concrete pipe, that they intend to coordinate with the County Highway engineer and there is a potential of using corrugated metal pipe arches. This would be only to the approval and agreement with the Highway engineer, and only if it is a cheaper alternative.

Bruce asked Steve how long of a pipe was that going to be? Steve answered that he had no idea as he had not had any contact in regards to this project.

Dan Kuester answered that the pipes arrange from 60-80 feet, the pipe coming out of the Lake itself are 2 - 36 inch pipes which are 500 feet long, this is to allow construction within the proposed easements.

Michael summarized that many meetings have been held in regards to the Hadley Lake project. The ongoing engineering and permitting process through the DNR, working with Paul Couts, West Lafayette City Engineer and Mr. Bauman with the legal process of petitions, they have been in contact with Mr. Hoffman. Their form has been presented in the petition. Michael stated in his opinion the project was not affecting Mr. Galema's lake adversely, he is aware of it, Michael has met with him, set elevations at his request, the level of the lake will remain, it will provide an outlet for the lake so the flooding problems should be relaxed it will ultimately be the outlet of the Cuppy-McClure ditch having their own storage, but having a place for the water to drain to and away of getting the water out of the lake, instead of continuing dumping water in there with no outlet.

Bruce V. Osborn stated upon hearing this presentation and Michael's summary procedures should follow for a Public Hearing. Bruce stated that this area has had problems for many years and this will take care of those major problems.

David Luhman stated it should be made record that two petitions were received, one to establish Hadley Lake as a legal drain, one to petition to reconstruct legal drain. Then start the process of setting a hearing date. Petitions were presented to Michael.

Bob Bauman stated it is hoped that getting all things in order that this could be started this fall for construction.

INEYBROOK
TATES
RT VIII

RAINEYBROOK ESTATES PART VIII

Tom Borck representing the property owners of Raineybrook Estates Part VIII. Location of project is in Section 18, Township 22 North, Range 4 West, Wea Township. It is bounded by County Road 500 South, to the South, Raineybrook Estates Parts V and VII to the west and north, and farmland to its east. The proposed development consists of 13 lots on 10.49 acres of land. The site is located in the Little Wea Creek watershed and is currently covered with a small grain crop. Off site drainage contributed by approximately 6.84 acres enters the site from the northwest. Runoff from the area drains overland in a southeasterly direction to an existing culvert under County Road 500 South and eventually discharges into the Little Wea Creek. Easement has been received from Mr. Lux along the west side of Mr. Lux's property. Detention basin has been sized to accommodate the parcel as well as part of the Lux property. The project will consist of 13 lots. They have met with Michael and are requesting preliminary and final approval of the drainage plans.

Michael stated that it has been reviewed and the only comment was that erosion control be incorporated into the plans, there is a sheet in the plans that set out the erosion, it is the recommendation that preliminary and final approval be given and the easement be recorded.

Eugene R. Moore moved to give preliminary and final approval on the 10.49 acres on the Southeast corner of Raineybrook Subdivision for the Raineybrook Estates Part VIII, and the easement be recorded, seconded by Sue W. Scholer, unanimous approval.

**OMITTED FROM MINUTES SHOULD BE INSRERTED ON PAGE 560, HADLEY LAKE PROJECT.**

**PROJECT RESULTS: The planned projectwill not result in lowering of the peak water elevation of Haldey Lake during a 100 yr. storm event. What it will result in is the return to a pool elevation of 648.0 in a time period of 3 or 4 days rather than the existing periods measured in terms of weeks.**

MINGTON
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DIVISION

FARMINGTON LAKE SUBDIVISION

Robert Grove engineer, representing Farmington Lake Subdivision requested final approval for drainage. The project has been before the board previously. The presentation present is a variation of the drawings presented before. In the past there were central lakes and basins. Location is located east of County Road 400 East just north of County Road 200 North. The development is bordered on the north by Willow Wood Subdivision, on the East by farm land, on the South by woods and a single family residence, and on the west by County Road 400 East and Watkins Glen Subdivision. Watershed consists of approximately 115 acres which drains to the Northwest around and through the side and is picked up and directed North by the existing side ditch along the East side of County Road 400 East. This water continues to the North to the existing ditch along the South side of the railroad then Northeast to an existing culvert under the tracks where it then flows to the Northwest to the Wabash River. The existing side ditches along 400 East and the railroad have been improved and handle the existing runoff.

The entrance has been moved and they did away with any detention within the central area. They are now proposing a large basin to the Northwest corner. There was a question about the existing pond. Mr. Grove doesn't believe that pond was ever met to be a detention facility, there are some problems with it. The area is owned by Dr. Greise (west of the pond). The owner of Farmington Lake Subdivision has met with Dr. Greise, they have come to an agreement that the Farmington owner will provide a 12 foot wide spillway, rip-rap it bringing it into the Farmington drainage system. They are proposing to make a separation along the South line, berm it up keeping Farmington water in the ditch at this point, the berm would drop off to allow any water that came from the South into the ditch switch the berm on the other side to take Farmington water into their detention facility.

At this time Mr. Grove doesn't know what kind of pipe outlet there is. Michael stated it has one, but he doesn't know what design it was built to. He is presuming it was a Soil Conservation project years ago, it comes from down behind the Clegg property. It fills up and spills right over the bank right back into Dr. Greise's swimming pool. Dr. Greise stated it use to be spring fed. Pershing built the pond. Discussion. Michael asked Dr. Greise if he was satisfied with the presentation? They will put the pipe 6-8 inches below where it over flows now. They will be reconstructing the ditch along the south property line and the entire ditch along 400 East. Side ditch will be moved clear back to the right-of-way along with their project. It will be with the Phase I.

Sue W. Scholar asked if Steve Murray County Highway Engineer had been contacted? They have be in contact with the County Highway, they have incorporated the comments in the plans. Robert presented pages 27 and 28 to be inserted in the Plans.

Michael stated the main concerns he had with Robert's submittal was the overflow structure from the existing lake, some other concerns that Dr. Greise had and that is the north end of his property with his existing septic system. This has been satisfactorily addressed. Dr. Greise stated he was happy to be working with Mr. Palmer and Robert Grove. The plan actually resolves the existing pond as the pond does overflow. He stated the pond does not hold water well in its old age. The water comes from Peters Mill landing overflows at Dr. Mark's home comes across his driveway into the pond. Discussion.

Michael stated the only other comments he has is on the County Highway approval and the maintenance of the system.

Robert Grove stated there will be a Homeowners Association and some landscaping that will go in. Michael asked the developer to get with Mr. Hoffman for the proper language in the covenant.

Bruce V. Osborn asked Steve Murray if he had seen the plans? Steve stated they have been in the process of reviewing the construction plans.

Bruce V. Osborn moved to give final approval as presented to the Farmington Lake Subdivision drainage plans with the condition of having the approval from the County Highway Engineer and Supervisor, and the maintenance covenant and restrictions, seconded by Eugene R. Moore, unanimous approval.

ILGENFRITZ-ALVIN PILOTTE

**Ilgenfritz Alvin Pilotte**

Alvin Pilotte, property owner in Sheffield Township, now a resident of Winter Haven, Florida. Mr. Pilotte stated he has a complaint on drainage on his property which the Ilgenfritz drains. His complaint is that the top of the Ilgenfritz tile was torn out, therefore there is no drainage pipe working. He has a dam on his property, discussion of this dam of who put it there and maintenance of it. Lengthy presentation and discussion continued. Sue W. Scholer stated after hearing Mr. Pilotte's story the board will look at his problem. Eugene Moore asked Mr. Pilotte to call him when it would be convenient for him to come out. Michael told Mr. Pilotte that the dam is in there; you better leave it as it was put there for a reason. Berm on the north side of the ditch all the way through Mr. Pilotte's farm, a berm all the way along. Much discussion. Mr. Pilotte stated the ditch was not put in there by the County and not paid for by the tenants. The waterway over the Ilgenfritz tile is north of ditch that Michael is talking about and is still there. Mr. Pilotte is insistent that the map of the Ilgenfritz has been changed. South end of the Elliott ditch which shows the Ilgenfritz ditch. Sue stated this has been a problem that has been hanging fire that started several years ago and the only thing the board can do at this time is take your comments try to do some research, and meet with you. Wyndotte Road and South.
Petition was signed when ditch was extended from Mr. Pilotte's road all the way down to the headwall on Jim Phillips. 9910 feet. This was February 6, 1974.
Mr. Pilotte stated it was after that the dam was put it. It was after 1975 that Michael saw the dam. Mr. Pilotte feels this turned the water into his farm ditch, who has the right to change the water capacity and take over a private ditch?
Michael has never put a dam in where he says a dam was put in or sand bags, fill dirt or anything. Sue stated appreciate his coming.

WILDCAT VALLEY ESTATES SUBDIVISION

**Wildcat Valley Estates**

Robert Grove representing Wildcat Valley Estates Subdivision presented Preliminary Drainage Plan asking for Conceptual approval to waive the detention on the project. Steve Baumgartner is the developer. The project site is located East of Lafayette on County Road 50 North just North of Foxwoods Subdivision, East of Interstate 65, and South of the Wildcat Creek. The project consist of 128 acres only 40 acres will be used for residential development at this time, the remaining 88 acres is either in the flood plane or steep area which is not buildable except for single dwelling on large areas. The proposal has been presented to the Urban Review Committee. At the meeting with the Urban Review committee they requested the committees support for proposal to waive detention requirements for this project. The Urban Review committee did support the waiving of detention, therefore today they are asking for Conceptual approval so they can proceed with the project. The lower portion of this project is right on the Wildcat creek, there is 120 foot elevation difference between Foxwood Subdivision and the Wildcat creek. When Interstate 65 was built they ended up constructing a pond. The Subdivision would like to keep that pond as part of the overall development, if needed they can use it for detention, they are so close to the outlet which is the Wildcat creek, at 100 year flood there is 28,000 cfs, it would take a while to get there. The water from the subdivision will be out within and hour to an hour an half, try to get it into the creek and get it out of the way before the peak from the Wildcat does occur. Timing wise it may be a day later. They are not trying to discharge and add to it. Discussion of the 28,000 cfs.

Michael's comments were: that Mr. Grove has met with the Urban Review committee (volunteer committee that gets together and review some of the projects that are around the urbanized area around the city) the majority, including Mr. Hoffman did support the waiving of detention. Michael pointed out that in a few places the theory that the outlet is handy, the peaks are so different, it is going to take Drainage Board action at a hearing to waive the storage condition. The developer understands this.

SUBDIVISION CONTINUED

Sue W. Scholer asked if DNR has any input when dealing with a natural stream? Mr. Grove stated they do have a permit from DNR to cut the bank back flat using some of the material to fill their lots, they are aware of what is being done in the area and approve of it, the detention they are not really concerned with one way or another, the feeling is that they feel the same as the developer get it out of the stream before the Wildcat peaks. Part of the process there is an erosion problem that the stream comes through, it is cutting into the land, the bank is 8 foot straight up and down.

Sue asked Michael if he agreed, yes, his recommendation is to give Conceptual approval. Eugene R. Moore asked, is the Board creating a problem by waiving detention? Mr. Moore used a similar project (McCutheon Heights) as an example. Michael stated the problem there was that it was on the Little Wea it was such a long way to the outlet where it meets the river. In this project the Wildcat is relatively a short distance away and is full length of the area to the north. Mr. Moore just wanted to protect the Board in future projects.

Eugene R. Moore moved to give conceptual drainage approval to Wildcat Valley Subdivision, seconded by Bruce V. Osborn, unanimous approval.

ORCHARD PARK

ORCHARD PARK

Michael presented two billings from John E. Fisher for the Orchard Park project, one is for the aerial photo work, and the other for man hours for the project per his contract to do the work, he asked for the boards approval. This will be paid out of General Drain and billed back later to repay General Drain. Consent of the board to pay the bills.

Sue stated that she and Michael need to meet with Mr. Hoffman to go over the Contract and Legal Fees, and asked Michael to set the meeting. Mr. Hoffman will be back the week of July 16, 1990.

There being no further business to come before the board, Eugene R. Moore moved to adjourn at 10:40 A.M., seconded by Bruce V. Osborn, unanimous approval.

Sue W. Scholer

Sue W. Scholer, Chairman

Bruce V. Osborn

Bruce V. Osborn, Board Member

Eugene R. Moore

Eugene R. Moore, Board Member

ATTEST: Maralyn D. Turner

Maralyn D. Turner, Executive Secretary

**OMITTED FROM MINUTES SHOULD BE INSRERTED ON PAGE 560, HADLEY LAKE PROJECT.**

**PROJECT RESULTS: The planned projectwill not result in lowering of the peak water elevation of Haldey Lake during a 100 yr. storm event. What it will result in is the return to a pool elevation of 648.0 in a time period of 3 or 4 days rather than the existing periods measured in terms of weeks.**

**TIPPECANOE COUNTY DRAINAGE BOARD**

**REGULAR MEETING, WEDNESDAY, AUGUST 1, 1990**

The Tippecanoe County Drainage Board met in regular session in the meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Chairman Sue W. Scholer called the meeting to order at 9:00 A. M. with the following being present: Eugene R. Moore and Bruce V. Osborn, Board Members; Michael J. Spencer, Surveyor; and Maralyn D. Turner Executive Secretary.

Michael Spencer stated there was no official business to come before the Board.

Discussion:

HADLEY LAKE **HADLEY LAKE**

Michael stated he will be meeting with Paul Couts and Attorney Bob Bauman today to discuss the form letter to be sent to the property owners. No date has been set for a hearing.

ILGENFRITZ **ILGENFRIT**

Eugene R. Moore asked when they would be working on the Ilgenfritz. Michael stated they are 500 feet from working on the Ilgenfritz, but work would not be scheduled until the crops are harvested, it may be this fall or early spring. Gene stated he had been asked by Alvin Pilotte and Mr. Pilotte asked Gene to notify his son Anthony.

Sue asked Michael if he had set a time to meet with Mr. Hoffman in regards to legal fee? Michael stated Mr. Hoffman is gone and setting a time for meeting will be after he returns.

There being no further business, the meeting adjourned at 9:15 A.M.

Next Regular meeting will be September 5, 1990 at 9:00 A.M.

Sue W. Scholer, Chairman

Eugene R. Moore, Board Member

Bruce V. Osborb, Board Member

ATTEST: Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
HEARING FOR HADLEY LAKE AND REGULAR MEETING
December 5, 1990

The meeting was called to order by J. Frederick Hoffman, Drainage Attorney at 9:00 A.M. in the meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana. Mr. Hoffman acting Chairman stated that since our last meeting Sue W. Scholer, chairman was elected State Representative and with the death of our Vice-Chairman Bruce V. Osborn a new chairman should be elected.

Mr. Hoffman asked for nominations from the floor for Chairman. Eugene R. Moore nominated Nola J. Gentry for chairman, seconded by Keith E. McMillin, there being no other nominations from the floor Nola J. Gentry was elected chairman of the board.

PETITION To ESTABLISH HADLEY LAKE AS LEGAL DRAIN

Michael J. Spencer, surveyor stated the board has received a petition from Purdue Research Foundation, Ross Ade Foundation, Fauber Construction Co., Inc., Louis Pearlman Jr., and Wabash Village to establish a legal drain to serve as the outlet channel for Hadley Lake.

Mr. Hoffman asked that this petition be filed in the records.

Bob Bauman attorney representing the petitioners stated the project originated when Purdue Research Foundation and West Lafayette looked at Whirlpool locating in the area. It was obvious that there needed to be a drainage improvement for the area. The City of West Lafayette and the County worked together. There was a grant from the Indiana Department of Commerce to help solve the drainage problems, the drainage now runs through the Baker Dempsey ditch to Hadley Lake, it is apparent at that point that something needs to be done as Hadley Lake has no positive outlet, as part of the project they propose to construct a positive outlet.

The project will be done through Grants, it will not be an assessment on the property owner in the watershed area.
The project is not a substitute for on site detention, it is not a way for people to develop their property and push all the water down to Hadley Lake. The County and the City have like drainage ordinance. They are not talking about putting more water into Hadley Lake, there will be retention storage required.

Kent Bryan Engineer and Dan Sheehan with Cole Associates Inc. gave presentation and answered questions. Mr. Bryan gave the two basic perimeter for the designer. The contract with Cole Associates goes back two years with the City of West Lafayette. He stated it has been funded through two different sources, the Indiana Department of Commerce and the Purdue Research Foundation.

One Basic design was how to create a positive outlet for Hadley Lake. Tiles have deteriorated over the years. To get a positive outlet would be from the nearest ditch being Cole ditch. Area being talked about today is from Moorehouse Road to 500 North this would be the legal drain being established. Water that will come out of Hadley Lake will tie into Cole ditch will not allow anymore water, affect the heighth, water surface elevation in Cole ditch by more than one tenth of a foot. Water elevation would remain the same in Hadley Lake. The project has been reviewed by Department of Natural Resources and has been accepted. Presentation continued and is on file. Positive aspect of the project is for all residence of the area is that a positive outlet is being created from Hadley Lake.

Nola J. Gentry asked if there were any comments from the property owners in attendance.

General profile, the north end of Hadley Lake where it goes in under Moorehouse Road, there will be pipes under the road at that point, they are using that as a control for the amount of flow. Ditch will have, 3-1 side slopes. Ditch will have a flat bottom throughout the entire run.

J. Frederick Hoffman read the following communications and remonstrances.

John K. McBride attorney for Equitable Life Assurance Society of U. S. owner of approximately 200 Acres, Elizabeth and Stephan Vogte 4624 N. 140 W., Charles Vaughan for owners Charles V. Steven J. Vaughan, Kelly Vaughan Busch and Suzanne Vaughan Bindley. 80 acres and 160 acres. Paul W. Reeser and Melodie Putnam resident and property owner in 'Area G' with 12 questions, John Y.S.Tse, Emma K.C.Tse, and Robert C.Y. Tse, and Frank C.W.Tse owners of lands bordering or near Hadley Lake, Joseph D. Ruhl and Gail E. Ruhl 4422 Lakevilla Drive, and a letter from Paul J. Couts, West Lafayette City Engineer to Paul W. Reeser.

Mr. Hoffman asked that these be put in the records and in file.

Nola J. Gentry asked for any comment from the property owners.

Don Daniel 4700 N. 140 W. stated Mr. Couts letter in response to Mr. Reeser letter stated that at this meeting the consulting engineers from Cole Associates, Inc. would respond to his questions. Mr. Daniel asked if this was going to be answered. Mr. Bryan responded and answered all questions in detail. Mr. Bryan again stressed the project would improve the drainage in the area.

Bob Bauman stated the project is subject to the County Drainage Ordinance and the City Drainage Ordinance and all controls.

Bob Bauman stated the liability for water damage during construction, if any, the contractor will have to post performance bond and the engineers also have insurance.

Michael Spencer stated at this time the estimated maintenance construction cost has not been established. He stated there would have to be another public hearing to establish that rate. Basically it is tied to the cost of the construction of the drain, number of open feet of the channel, number feet of pipe, the proposal that Michael is going to suggest to the board at the time of hearing is that the Cuppy/McClure, Yeager, Dempsey Baker, and Hadley Lake ditch all be combined into one watershed area with one maintenance fund with branches, instead of individual or having two assessments. The other suggestion he has is to base the maintenance assessment on land use and zoning, this has been done in some other watershed areas and has proven to be very successful way of assessing the land by its use. There is a formula used to determine the assessment.
Michael stated there are maintenance fees set for Dempsey Baker and Yeager ditch, there is none for the Cuppy/McClure.

Richard Haden of 5512 N. 155 W. asked does this mean that the Cole Ditch will not be included in the assessment for this drain? Cole ditch is up stream.

Gail Ruhl questioned what will drain the ditch in her property area? Field tile. It is their belief that there is an old field tile that can drain that area at this time, as they construct the ditch and they come across old field tiles it will be apart of the construction, they will open them up and let them extend into the new ditch providing a positive outlet. Going outside is not apart of the plan as they would need a public easement.

George King of 300 West the creation of this drain will establish a minimum synthetic pool to Hadleys Lake. What is the elevation? 648 is the elevation of the inverts of the pipes that go under Moorehouse road. King, Which is where water at 648 and above water would flow into the pipes. Correct. King-So if the Lake naturally evaporates below 648 no water will flow into the ditch. Bryan - yes, the pipes that they are talking about are the pipes that are going out of Hadley Lake and will travel into a northeasterly direction through the ditch, the slope of the ditch is in a downward direction. The invert of the pipe they are talking about, the lowest part of the pipe once the water of the lake extend that part would be the normal water surface elevation of the lake. The only time the water would be when evaportion the lake is lower than the outlet pipe.

George King stated if we are creating a legal drain it should comply to the County Ordinance do the outlets and the volume of this ditch allow for 100 year flood range to drain out of Hadley Lake from the various sources at its 10 year rate that the County Ordinance would allow.

Bryan- Bases of the design of the project there were two primary goals which he had explained earlier. This is not a project that is a sub regional detention facility that needs built only for a sole purpose of development.

Paul Couts reported the acreage they are looking at is 1200 acres and the rate of discharge before development around a half cfs per acre. If you stick to the ordinance you would be up around 600-700 cfs and they are no where near that as far as what is coming out of Hadley Lake on the proposal. If you look at numbers in that aspect, yes we are well below the release rates set by the respective drainage ordinances.

George King stated this was an important thing for the Drainage Board to consider, they don't want to establish a legal drain that would not comply with the County Drainage Board Ordinance.

Paul Couts stated the Cole ditch is going to control it, but as far as pure numbers they are well below of what the standard would be.

George King stated there have been some calculations to determine the maximum pool height for a 100 year storm the drainage that flows into Hadley Lake now that don't have any outlet and we are creating a positive outlet. What is the elevation of the 100 year flood plain in the area. Bryan- Maximum calculated 100 year storm 653.8. Mr. King stated the pool level now maybe different than what it was 2 years ago when we had a drought.

George King stated his concern for the Drainage Board to address is that the invert of the pipe to bottom being 648 feet above flood level, any time the lake is below that so they have nothing but natural flow to entering the ditch, no water from Hadley Lake until the time that the water gets to 648 we are in essence doing a storage for Hadley Lake. This drain will not drain any water that goes into Hadley Lake below that elevation of 648. With natural evaporation periods the elevations drop to 648 we will be putting that much water in before it starts to drain and then by calculation of 100 year 653 will these drains allow that water out at 10 year rate that complies to the County Ordinances that will make all the developers comply to in the area. Those elevations to him are critical when you establish this drain from the beginning. We thought about these drains from the end that the state will allows us. The state says we can only add a tenth of water to the receiving channel. When we are below the 648 we are creating a storage problem in Hadley Lake. We are not in essence creating a free flowing drain from Hadley Lake. Can we consider adjusting the elevation, either making it flexible so that it can be adjusted or is it locked in at that elevation?

Bryan stated it is locked in at that elevation. Reason-There is a flow line elevation at the point of the ditch that they are going to tie in at Cole ditch. That will be a starting point. They have started at that point in order to convey the appropriate amount of water that has a slope that goes up hill, the most minimum slope that they can put on that ditch to what it needs to do to become the 648 elevation.

Bryan stated they are trying to leave the lake as much as it is now as well as in the future.

Ms Ruhl asked if that was where the 648 was? Bryan 648 is what has been indicated and close to the normal elevation as it has been in the past.

John Schmidt 22 Maple Park stated that Mr. Bryan had made reference to the fact that they are not going to raise the flood level from the surrounding ground any higher than it normally has been the past, is that correct? Bryan- yes- 653 and Indian Creek. Discussion and explanation continued. Mr. Schmidt personally likes the 648 elevation, he thinks the 653 elevation needs to be looked at, he doesn't think it is practical out lay for the surrounding property owners. He feels there is a number some where that is not correct.

George King stated there is a 651 elevation that travels through his property to Indian Creek, so when Indian Creek floods it does flow through Hadley Lake he thinks the maximum elevation is 651 feet. If we are going to put two feet of water in Hadley Lake at 100 year flood it goes over that 653 . He thinks they will have water on the Golf Course, they will increase the size of Hadley Lake dramatically if those numbers are correct.

John McBride representing Equitable Life. Letter is on record. He wanted to imply a couple of comments he has made.

Principle concern is the course of the ditch as it is currently configured across the Equitable land seems to have chosen the highest possible ground between the gravel pit on north of Equitable land. As indicated in the letter discussion between the City of West Lafayette and Equitable which are anticipated to alter the route of that proposed drain as it passes over the real estate owned by Equitable is a substantial detriment. They plan to discuss with the City to alter the route to lower elevations across the Equitable land. The second thing from the perspective is that it is going across the highest part of Equitable land. Mr. McBride concern to Mr. Hoffman is: If the board approves a legal drain or in the future before the City and Equitable have completed their discussion. Is the course of that ditch flexible to??. Mr. Hoffman- No When it is approved they have to establish a legal description which is part of the legal drain, other hearings would have to be held if they were going some place to modify the legal description, come back with hearings, like you would with reconstruction.
Mr. McBride made particular point of the course of the ditch according to them a serious mistake. They are asking the drainage board to take this into account before making a decision.

Nola J. Gentry asked if there were any more comments?

Richard Haden and Paul Reiser asked questions, they were discussed and answered

Michael Spencer stated that Hydraulically this has been reviewed by the county drainage consultant. It has been approved by the Department of Natural Resources for construction, it has been sent to the Corp of Engineers and stated by them that they do not feel that a permit would be needed by the Corp. They had two recommendations that they wished to be followed and both have to do with construction. 1. That proper erosion control technics be incorporated in the construction plans during construction . 2. That the levies be proper design and construction methods be used in building to assure that they will do what they are suppose to do.

Michael read the following Preliminary Report by the Surveyor:

STATE OF INDIANA )
)
COUNTY OF TIPPECANOE )

COUNTY SURVEYORS
PRELIMINARY REPORT

IN THE MATTER OF THE HADLEY
LAKE DRAIN PETITION

PRELIMINARY REPORT BY SURVEYOR

1) The Drainage Plan as presented is practicable. The drain will allow for Hadley lake to have a positive outlet.

2) The proposed drain will improve the public health by providing an outlet for the lake, because it now becomes stagnant. The proposed drain will help drain water away from a number of public roads.

3) The costs, damages, and expenses of the proposed drain will be less than the benefits accruing to the owners of land in the watershed area.

The proposed Hadley Lake drain will be built by the City of West Lafayette with funding coming from the State of Indiana Department of commerce and Purdue Research Foundation. There will be no assessment for construction from the watershed.

Michael J. Spencer
TIPPECANOE COUNTY SURVEYOR

Don Daniel asked what is the proposed cost for the total project?

$350,000.00 from State, 200,000.00 from Purdue Research Foundation, looking at around $550,000.00. this is for engineering and land acquisition.

George King stated as of last Wednesday, November 28, 1990 when he talked to Michael Spencer who has been very friendly and helpful in giving of his time to talk about the project, he does appreciate his services. At that time there was some question about whether or not this proposed ditch was going to go through the pond that is in the middle of Equitable property or around that. Has a decision been made? It was stated that currently it would go through and the negotiation that John McBride Equitable representative allude to on following the low ground out of the gravel pit on to the north and east.

Bob Bauman pointed out in going through that area but not result in it being drained or dried up, it would flow into the pond and flow out of the pond.

Paul Couts stated he would like to add to that and that is part of the negotiation with Equitable concluded the purchase of the whole thing so that they would acquire and leave it essentially in a natural state that it is. Would not take the trees out other than to bring the water in and take the water out.

Question was asked if that meant they are not planning on doing the levee or in bankment through the middle of the pond that is shown on the drawings?

Paul Couts stated that is if the negotiations are worked out with Equitable.

It was pointed out that this is a pond (an old abandoned gravel pit) a natural water detention area an area of 2 to 3 acres. It is a beautiful natural area, ducks, geese, deers, and all sorts of small game, approximately 140 trees around the pond, not a public area. It is in the middle of the Equitable property, a wonderful wild life refuge, a wonderful place to restore a water table, and it distresses him (George King) to see this drained or modified in any way, he urges in their continued negotiation that you make every effort to save that area as it is. That is the kind of place that is almost completely gone now. We really need that sort of thing.

Nola J. Gentry stated there are some letters that indicated some environmental questions. She asked Bob Bauman or Paul Couts to address what has been done to address the environmental questions.

Bob Bauman stated what they have really tried to do is to maintain typical elevation pools and pools that exist now. Simply not change the Hadley Lake, with the drainage out let it is going to take three weeks to return to its normal pool size and elevation. It is not an effort to drain Hadley Lake so that it would be all farmed or built on, the effort is to provide a positive outlet. Again he stated it is simply not changing the area.

It was pointed that a week ago the water was approximately 648 feet, this is the reason Mr. Daniel was questioning the 653. He stated that the 648 is a nice elevation and will hold allot of wild life and will allow for allot of natural evaporation.

Mr. Daniel stated he understands this is for a development of something and this is for the reason to do this. He stated maybe he is missing the point. We keep hearing that

were are not going to change things very much, but all were going to do is flood the Hadley Lake alittle bit faster. Why if that's not going to develop something for the future, he is not understanding what that development is, why are we paying $550,000.00 to drain alittle bit of flood water out of Hadley Lake, he does not see the benefit.

John McBride asked to make an additional comment in regards to the comment of Don Daniel comment. It is important for you to understand that as drainage currently stands as those plans currently drafted and as the construction currently stand with Equitable land, the gravel pit will be diked. The negotiations are such to try to avoid that and at the same time run along the low land that Michael Spencer referred to rather than high land, that is not currently the case, and based on what Mr. Hoffman stated he again requests to consider the possibility to delay a decision.

Mr. Hoffman explained what happens today that if they find this project is to go ahead they refer it to Michael Spencer the surveyor to come up with final plan, there is no final approval. Mr. McBride asked what period of time? Answer-Basically how long it takes the surveyor to come up with all findings. Michael stated they are not setting the route today. The only thing that will be signed today is whether the petition should be dismissed or whether it should be referred to the surveyor to go ahead.

Nola J. Gentry asked how many of property owners present that are affected are in favor of the drainage project continuing?

The board recessed for 10 minutes.

Nola J. Gentry called the meeting back to order at 10:30 A.M.

Michael Spencer reported that the remonstrances against the project read contained 334.7 acres out of 2699 acres this is including Equitable land.

Eugene R. Moore moved to refer the Hadley Lake project on to the County Surveyor, Michael J. Spencer, seconded by Keith E. McMillin, unanimous approval.

DRAINAGE ATTORNEY CONTRACT

Nola J. Gentry presented the contract received from J. Frederick Hoffman, Drainage Attorney for the year 1991.

Eugene R. Moore moved to renew and sign Mr. Hoffman's new contract with approximately the same contact as 1990 except with a retainer fee is higher for 1991 as certain things come under the retainer fee that did not come in 1990, seconded by Keith E. McMillin, unanimous approval.

BRUMM - OTTERBEIN DITCHES

Nola J. Gentry stated that board members need to be appointed for the Brumm ditch and the Otterbein ditch. These ditches are joint ditches with Tippecanoe/White/Benton County-Brumm and Tippecanoe/Benton-Otterbein.

Brumm ditch one board member is appointed as it is a Tri-County. Keith E. McMillin moved to appoint Nola J. Gentry to the Brumm ditch board, seconded by Eugene R. Moore, unanimous.

Eugene R. Moore moved to appoint Nola J. Gentry and Keith E. McMillin to the Otterbein ditch board, seconded by Keith McMillin, unanimous.

SAMUEL MARSH

Michael stated that he had attended a joint drainage board meeting along with Keith McMillin and Eugene R. Moore with Montgomery County. They want to hold a public hearing on the Samuel Marsh joint drain, it is a drain that currently has a maintenance fund. It drains out of southern Tippecanoe County into Montgomery County. They wish to increase the maintenance. Tippecanoe County has 131 acres in the watershed area and Montgomery has 1400 acres. When it was set up for maintenance in 1971 they asked our board to join on a joint board, and at that time Tippecanoe County waived their right to form a joint board because it is such a small area. They are asking if we want to continue that right or form a joint board. Michael stated in the meeting he would bring that before the board and send a letter. Montgomery County performs all the maintenance. Mr. Hoffman suggested that the board waive their right. There being no objections, Keith E. McMillin moved to waive Tippecanoe County right to serve on joint board for the Samuel Marsh ditch, seconded by Eugene R. Moore, unanimous approval. A letter was sent to Montgomery County and is on file.

There being no further to come before the board, Eugene R. Moore moved to adjourned, seconded by Keith E. McMillin, unanimous.

Nola J. Gentry

Nola J. Gentry, Chairman

Keith E. McMillin

Keith E. McMillin, Board Member

Eugene R. Moore

Eugene R. Moore, Board Member

Attest: Maralyn D. Turner

Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING, WEDNESDAY MAY 1, 1991

The Tippecanoe County Drainage Board met Wednesday, May 1, 1991 in the Meeting Room of the Tippecanoe County Office Building at 9:00 A.M.

Present were: Nola J. Gentry, Chairman, Keith E. McMillin, Hubert D. Yount, Commissioners, Michael J. Spencer, County Surveyor, Ilene Dailey, Consultant Drainage Engineer, J. Frederick Hoffman, Drainage Board Attorney, and Pauline E. Rohr, Secretary Pro Tem.

The meeting was called to order by Nola J. Gentry, Chairman.

Mike Spencer, County Surveyor, reported that a meeting regarding the rainfall was held on Thursday, April 25, 1991, with Chris Burke. Consultants, land surveyors, and engineers who do business with the County were in attendance and, based on their comments during the discussion, some changes will be proposed. Chris Burke is recording these comments and will distribute the results for any further comments.

Mike Spencer presented to the Board the MEMORANDUM OF UNDERSTANDING BETWEEN TIPPECANOE COUNTY DRAINAGE BOARD AND THE TIPPECANOE COUNTY SOIL AND WATER CONSERVATION DISTRICT. The following is a portion of the memorandum which can be viewed in its entirety in the County Commissioners' Office.
(quote)

STATEMENT OF PURPOSE

Drainage has been important in the agricultural and economic development of Tippecanoe County. Drainage and related practices have been installed since the county was first settled, but the need for improved drainage maintenance is evident and this situation is expected to continue.

The District and the Board have a mutually desired goal of accomplishing drainage improvements within a well rounded total water resources and soil conservation program. The District is responsible for planning and carrying out a complete soil and water conservation program on the lands within the county. The Board is responsible for administering the provisions of the Indiana Drainage Code and other laws on drainage relating to planning, construction, reconstruction, and maintenance of legal drains within the county.

It is the purpose of this Memorandum of Understanding to provide for continued cooperation between these two boards and for coordination of activities relating to drainage.
(unquote)

Commissioner Yount moved to approve the MEMORANDUM OF UNDERSTANDING BETWEEN TIPPECANOE COUNTY DRAINAGE BOARD AND THE TIPPECANOE COUNTY SOIL AND WATER CONSERVATION DISTRICT and to sign such documents, seconded by Commissioner McMillin; motion carried.

Mike Spencer reported on the court decision of Pike Lumber Company vs Huntington County Drainage Board. The decision was held regarding the setting of assessments on maintenance or reconstruction for forest land. There was a 75% assessment reduction for woods vs farm lands. Mr. Hoffman stated that this means that land should be assessed on its usage. He further stated in response to a question that, if a request is made for reducing an assessment in a watershed area, all assessments in that watershed area should be treated alike.

Commissioner Gentry asked Mr. Spencer if he had a report regarding the Positive Outlet on Hadley Lake. Mr. Spencer stated that he is trying to schedule a meeting with Paul Coates and Rex Bowman concerning that issue.

Tom Bork of Hawkins Environmental made an informal presentation regarding the proposed Treece Meadows Storm Relief Project by the City of Lafayette. This project involves Treece Meadows and the Wilson Branch of Elliott Ditch. He explained that this project has been designed as a permanent solution to the drainage problem in this area and fits into the overall Regional Plan. The project will provide a primary route for water that is not Treece Meadows' water. The planned ditch crossings will be constructed so that they will accommodate future road expansion without great additional expense. He estimated that construction cost will be approximately $500,000.00.

Having no further business, Commissioner McMillin moved to adjourn, seconded by Commissioner Yount; motion carried.

The next regularly scheduled meeting will be held on Wednesday, June 5, 1991, at 9:00 A.M. in the Meeting Room of the County Office Building.

Nola J. Gentry
Nola J. Gentry, Chairman

Keith E. McMillin
Keith E. McMillin, Member

Hubert D. Yount
Hubert D. Yount, Member

ATTEST: Pauline E. Rohr
Pauline E. Rohr, Secretary Pro Tem

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JUNE 5, 1991

The meeting was called to order by Nola J. Gentry, Chairman, at 9:00 A.M. in the meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Those present were: Nola J. Gentry, Chairman, Keith E. McMillin, Hubert Yount, Tippecanoe County Commissioners, Michael J. Spencer, County Surveyor, Ilene Dailey, Chris Burke Consulting Engineers, David Luhrman, 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 May 1, 1991. Keith McMillin moved to approve the minutes, seconded by Hubert Yount. Unanamously approved.

HADLEY LAKE

Dennis Clark, Cole Associates presented to the board a final plan on Hadley Lake Drainage Project. Involving two components: 1) Reconstruction of the Dempsey/Baker Drain from Purdue Pond to Hadley Lake; 2) Provide a positive Drainage outlet from Hadley Lake northeastward through the Equitable Life Assurance property to their gravel pit and continuing intercepting the Yeager Ditch and then outletting into Cole Ditch.

Dennis Clark presented the plans with revisions to the Board.

Discussion followed.

Dennis Clark stated to the Board that they could make the changes.

Mike Spencer said the plans needed to be reviewed since this was the first time the Board had seen this route. Also, a revised set of plans need to be given to Steve Murray, County Highway Engineer.

Discussion continued.

Mike also stated, a 30 day notice needed to be sent to the landowners. The date should be set soon. It is too late to make the July Drainage Board meeting, but a special meeting could be scheduled.

Discussion continued.

CONCORD CORNER

George Schulte presented plans to the board on Concord Corners. Mr. Schulte stated that Concord Corners is a 25 acre site located at the intersection of County Road 350 and Concord Road. Approval is needed on the high water elevation so that the site can be planned.

Discussion followed.

Mr. Schulte stated that they are projecting a high water elevation of 6 foot going through the site. The proposal is to build the site up to a flood protection grade 2 feet above that.

Discussion continued.

Hubert Yount asked Mr. Schulte and Steve Murray, Highway Engineer how this would proposal would affect the county side ditch.

Nola asked if this proposal was putting more water in the side ditch.

Steve responded that this was his primary concern. This is a unique site and we have no problems trying to adjust our side ditch along 350 to accomodate the Fairfield site as long as it does not cause any undo maintenance problems for the road or any downstream problems. We will hire Chris Burke, Engineering LTD to look at both drainage reports, Klines that was done for 350 South and the one done for Concord Corners to see what are realistic discharges and how it is going to affect in particular the downstream area.

Hubert asked if the resevoiring would move out into the side ditch and send it downstream.

Steve replied. "Some amount of it would yes." The question is: What is a reasonable amount and how will it affect the downsteam area.

Discussion followed.

George Schulte stated that it was his understanding in the report to Stu Kline developed at 350, that their system would pass the 50 year storm drainage. That is what we are looking at, the same criteria. We are passing the 50 year storm drainage.

George continued that we would provide detention storage. We are not increasing the run off rate, it will be decreased because of County Road 350's construction.

Ilene Dailey, from Chris Burke Engineering asked how will you define what your predevelopment run off is? You looked at it without accounting for the existing storage and the existing outlet conditions correct? So the existing run off on the site is the number you came up with but that is not how much actually gets out through the existing outlet.

George stated that there is no existing outlet. The only thing that is there is a field tile that drains the site. It is my understanding that 350 will be improved to help the drainage for these areas.

Nola said that the 350 drainage was just designed to handle the road drainage.

Steve commented that the policy had always been if they can in turn help adjacent properties without causing problems or liabilities for down stream owners we would.

Hubert stated that that is the question that arises.

Steve said that he did not feel comfortable recommending one way or the other.

Nola interjected that we just need to have Burke Engineering look at this and bring it back later.

Steve said that Burke would be hired through the Engineers office.

Hubert said to bring it back to the Commissioners and tell us what they say.

Steve said that they do a good job reviewing these things, but this was unique enough it needs to be a more in depth review, and he would go basically with their recommendation.

George stated that they had gotten involved in the original design of these culverts. We are looking for approval so we can establish some kind of grade out here and build a site and start construction. We need high water elevation.

Ilene Dailey stated that what George came up with based on this structure being put in, I don't have any problems with the calculations specifically for this site. What is the down stream affect?

Discussion followed.

George stated that the only thing that needs to be taken into consideration is when General Foods was built the whole intersection was raised at one time which did impede the discharge going through that area.

Jack Coffin, Fairfield Contractors asked the Board what the status of the project does the county give additional approval based on their review, where do we stand?

Nola responded that no action could be taken today, or until the plans had been reviewed.

MAPLES PARK/ELDER BERRY SUBDIVISION

George Schulte said the next item is the Maples Park/Elder Berry Subdivision which is located northwest of Lafayette this is US 52, Morris Bryant, County Road 250 West Hadley Lake. What is being proposed is an increase in the number of lots for the Maples Park Mobile Home community and also the Elder Berry Subdivision which lies just north of the existing park and along County Road 250.

The Maples Park area contains about 9.33 acres and proposed addition of 56 lots. The Elder Berry development contains about 2.10 acres and they are proposing 15 lots in that area. The reason that both were submitted is because they are continueous to each other and contributary to the Hadley Lake drainage basin. What we are proposing to do to comply with the drainage ordinance is to excavate just north of the proposed development to build up the existing proposed development above the 100 year high water elevation. It will take about 6600 yards or about 4.1 acre feet to build the Maples Park area up. Theoretically, storage volume required to comply with the ordinances about 1.2 acre feet. What we are proposing is that the area we excavate out from within the flood plain provide the needed storage for the site.

The site itself does have about a 33 acre watershed tributary to it which we did look at for drainage and providing sizing of culverts through the proposed road system.

Discussion followed.

Hubert asked if the basin was going to be in the flood plain.

Ilene responded that it would not be a basin it will just be excavation.

George said it would be excavation. Basically, it is a volume exchange.

Discussion followed.

George stated that what they are asking for is final approval on the Maples Park area and preliminary approval for Elder Berry Subdivision.

Ilene Daily stated that they were planning to use polyethaline pipe and that requires a special approval from the board.

Mike stated that we do allow polyethaline pipe. It refers to state highway specs.

Nola asked Mike if he had looked at Maple Point.

Mike said yes, and his only concern was that digging around a lake was it a wetland, do they need DNR and Soil Conservation approval? Is that area inindated now by 100 year storm event where you want to dig.

George said yes.

Mike said normally storage doesn't count unless it is above the flood plain elevation.

Discussion followed.

George stated that we are doing here, by excavating out of the flood plain we are taking dirt out and putting water but we are not going to raise the water level, and that is the concern of detention storage.

Ilene stated that if the water is not raised the outflow will not be raised.

George stated that they are exchanging volumes basically. Alot of times when you go to detention storage people will build them in a flood plain and when you build a pond in a flood plain then you can only consider that storage above that, where you actually dyke it.

Discussion followed.

Mike stated that alot of the items brought up in the review deal with construction plan items.

Ilene stated to the board that since he was asking for premilinary approval on the one these would be addressed when he comes back for final approval.

Nola stated that he was asking for final approval on the Maples Park project.

George stated that a complete design had been submitted on the storm drainage system for Maples. The only thing we haven't really detailed is exactly where the detention pond is going and we need to know if we can get approval before we can do something like that.

Discussion followed.

Nola said that it looks like they are just making Hadley Lake a little bigger. So we are not really detaining.

Ilene said in affect you have a natural detention which is the entire lake and you are enlarging that detention.

Nola asked if that was technically throwing water on another property.

Mike said that it drains that way now so he would say no, it's not.

Hubert asked in your opinion we are not increasing the flow.

Ilene said; right because he providing over twice as much volume as is required.

Discussion followed.

Ilene wanted the Drainage Board to be aware that this might be setting a precedent. Enlarging the existing natural basin.

George stated that this is a natural reservoir and it is advantageous if you look at future maintenance problems with the basin that could crop up that you could build it into a natural reservior by increasing the volume of the storage. That is basically what we are doing. Increasing the volume of the storage in a natural reservior.

Discussion followed.

George said they would like final approval on the Maples Development and preliminary approval on the Elder Berry because the construction plans have not been submitted. The reason for the preliminary approval on the Elder Berry is to utilize the same detention area.

Hubert asked: "Your theory is that you are just enlarging the Hadley Lake basin. They are not releasing more water on the predevelopment."

Ilene stated, not down stream.

Hubert stated that Hadley Lake would basically have the same volume it may get there quicker downstream based on what happens on the other project.

Mike said it was tied in just like the 350 South from Fairfield. We have got to get out what is there.

Nola asked Ilene that basically her caution was that a precedent was being set by exchanging volumes.

Ilene responded that it wasn't necessarily bad, but she just wanted the board to be aware of it.

Mike stated that compensatory storage had been approved along the Elliott for the Mall expansion but there is the regional lake. There is the volume versus spread all over a place.

Hubert commented that this is the theory he had been preaching. We need regional detention, regional basin.

Discussion followed.

George stated that they were asking for final approval on the drainage plan for Maple Park so the construction plans can be developed. Give them to the drainage board for final approval so we can go to the state board of health, area plan commission and get final approval.

Irene said that they had looked at the storm sewer and grading of the Maples Subdivision and it all checked out.

discussion followed.

Hubert Yount moved to approve the Maples Park drainage plan subject construction plan approval.

Keith McMillin, seconded. Motion carried.

Hubert Yount moved to approve the preliminary plans for Elder Berry Subdivision Phase II.

Keith McMillin, seconded. Motion carried.

TREECE MEADOWS

Tom Borck, Hawkins Environmental stated that the City of Lafayette did receive bids yesturday on the Treece Meadows project. There was one bidder successful in completing all the documents, Worts & Yates. We are in the process of evaluating that bid and talking with the contractor.

In evaluating the preliminary there were a couple of items that caused the difference. Other than that everything was in line. As far as I know the Interlocal Agreement is in order.

Nola asked Mike if he had finished looking over the exhibits on the Interlocal and are they in order.

Mike said as far as he could tell yes.

INTERLOCAL AGREEMENT

This INTERLOCAL AGREEMENT is entered into by and between the BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, and the TIPPECANOE COUNTY DRAINAGE BOARD hereinafter referred to collectively as "COUNTY", and the BOARD OF PUBLIC WORKS AND SAFETY as approved by the MAYOR and ratified by the COMMON COUNCIL of the CITY OF LAFAYETTE, INDIANA, hereinafter referred to as "CITY", and the parties each agree and represent one to the other as follows, to-wit:

WHEREAS, a problem exists involving the disposal of surface water from the area; and

WHEREAS, the surface water drainage creates problems of ponding and flooding during significant rainfall; and

WHEREAS, a proposed improvement for the Treece Meadows and contiguous area has been designed to significantly improve both surface water drainage problems for the area (See Exhibit "A" which is attached hereto incorporated by the reference and made part of this INTERLOCAL AGREEMENT).

**WITNESSETH THAT:**

WHEREAS, the County and the City have agreed that it is in their best interests to jointly participate in the Project hereinafter described; and

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED THE PARTIES DO HEREBY AGREE AS FOLLOWS:

1. That it is in the best interests of the parties to this Agreement and the Citizens they represent that said Project heretofore described be implemented for all.

2. That the Board of Public Works and Safety of the City of Lafayette acting through Hawkins Enviornmental, Inc., will be responsible for the administration of said Project, but will coordinate approvals with the Tippecanoe County Highway Engineer and the Tippecanoe County Surveyor.

3. That in consideration of the implementation of the project described in Exhibit "A" which is attached hereto, incorporated by reference and made part of this INTERLOCAL AGREEMENT involving the disposal of surface water drainage said area being more fully described in Exhibit "A" the City will pay the costs connected with items one (1), two (2), three (3), six (6), seven (7) and eight (8) in part with CITY FUNDS and in part with monies acquired by participation from property owners served by said project and the County will pay the costs connected with items four (4) and five (5) with COUNTY FUNDS said items one (1) through eight (8) being more fully described in Exhibit "B" which is attached hereto, incorporated by reference and made part of this INTERLOCAL AGREEMENT.

4. That it is the intention and desire of all parties to this Agreement that the Treece Meadows Area Storm Relief project drain when constructed pursuant to the provisions of this Interlocal Agreement be made a "Regulated Drain" pursuant to the provisions of the Indiana Drainage Code, I.C. 36-9-27, and be under the jurisdiction of the Tippecanoe County Drainage Board, and the City and County will take all action, do all things, and execute all documents necessary or proper to make the drain constructed pursuant to the Treece Meadows Area Storm Relief Project a "Regulated Drain", pursuant to the provisions of I.C. 36-9-27-54 to 65 inclusive, and other applicable statute. At the discretion of the County it may be made a part of the "Wilson Branch" of the S.W. Elliott Ditch a regulated drain, to which it will connect at the project point near Creasy Lane.

5. That as further consideration the County will take appropriate action pursuant to the Indiana Drainage Code, I.C. 36-9-27, to reconstruct and/or maintain the present Wilson Branch of the S.W. Elliott Ditch, a regulated drain, from the project point of Creasy Lane described as item five (5) in Exhibit "B" to its confluence with the main branch of the S.W. Elliott Ditch, or the contemplated detention pond to be constructed near highway 52 (Sagamore Parkway).

BOARD OF COUNTY COMMISSIONERS
TIPPECANOE COUNTY, INDIANA

By: Keith E. McMillin
Keith E. McMillin, President

Nola J. Gentry

Hubert D. Yount

ATTEST:

Betty J. Michael, Auditor
Dated:

BOARD OF PUBLIC WORKS AND SAFETY
CITY OF LAFAYETTE, INDIANA

By:
P. Anne Glade

Eileen Hession-Weiss

Richard T. Heide

ATTEST:

Eileen J. Hession-Weiss, Clerk
Dated:

Ratified by Resolution _____ of the LAFAYETTE COMMON COUNCIL on the _____ day of _____, 1991.

EXHIBITS

Exhibit "A" Plans and Specifications

Exhibit "B" Preliminary Cost Estimate

Keith McMillin moved to enter into this Interlocal Agreement between the county and city.

Seconded by Hubert Yount. Motion carried.

This will also be acted on at the special Commissioners Meeting on Monday, June 10, 1991.

INTERLOCAL AGREEMENT FOR
MAPPING FOR THE CUPPY/MCCLURE WATERSHED

This agreement is entered into between and among the City of West Lafayette, Indiana, Tippecanoe County Drainage Board, Shook/Pearlman, et al., and Great Lakes Chemical Corporation, Inc. on _____, 1991.

**WHEREAS,** due to the dynamic and interrelated nature of the Cuppy/McClure watershed, consideration must be made for downstream improvements.

**WHEREAS,** in order to make downstream improvements, professional mapping must be procured.

**WHEREAS,** the City of West Lafayette, Indiana, Tippecanoe County, Indiana, Shook/Pearlman, et al., and Great Lakes Chemical Corporation, Inc. are affected by the drain, the parties have agreed to fund the cost of the professional mapping.

In consideration of the mutual promises contained herein, the parties agree as follows:

1. The mapping will be performed by MSE Digital Mapping of Indianapolis. The mapping will provide a one foot contour interval for the entire 1000 acres, more or less, of the Cuppy/McClure watershed.

2. The watershed delineation and study will be based on the mapping provided by MSE Digital Mapping of Indianapolis.

3. The parties agree to pay the cost of mapping of $18,750 in the following amounts:

| | |
|---|---|
| City of West Lafayette | $11,250.00 |
| Tippecanoe County | $ 3,000.00 |
| Shook, Pearlman, et al. | $ 4,500.00 |
| Great Lakes Chemical Corporation, Inc. will provide current completed mapping of their site | as payment in kind |

Each party shall pay MSE Digital Mapping of Indianapolis directly upon completion of the work and submission of a statement and/or claim.

4. Upon the completion of the mapping, the parties will be provided with reproducible copies of same. A study of the mapping will then be conducted for a wetland dtermination, deliniation and use plan. The funding for this study will be provided for by the City of West Lafayette, Indiana. All parties will be provided with a copy of the study.

Dated: _____, 1991

THE CITY OF WEST LAFAYETTE BY ITS BOARD OF PUBLIC WORKS AND SAFETY

By: _____

By: _____

By: _____

ATTEST:

_____

THE TIPPECANOE COUNTY DRAINAGE BOARD

By: _____

By: _____

By: _____

GREAT LAKES CHEMICAL CORPORATION, INC.

By: _____
Name: _____
Title: _____

TIPPECANOE COUNTY SURVEYOR

By: _____

Keith McMillin, moved that the Tippecanoe County Drainage Board enter into the Interlocal Agreement for Mapping of the Cuppy/McClure Watershed with the City of West Lafayette.

Seconded by Hubert Yount. Motion carried.

Nola asked for any other business.

The next Drainage Board meeting will be July 10, 1991 at 9:00 A.M. Being no further business the meeting was adjourned.

Keith E. McMillin, Member

Nola J. Gentry, Chairman

ATTEST: Dorothy M. Emerson
Dorothy M. Emerson, Executive Secretary

Hubert D. Yount, Member

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
SEPTEMBER 4, 1991

The meeting was called to order by Nola J. Gentry, Chairman, at 9:00 A.M. in the meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

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

The first item on the agenda was to approve the minutes of the meeting for the last Drainage Board meeting on August 7, 1991. Keith McMillin moved to approve the minutes, seconded by Hubert Yount. Unanimously approved.

TWYKENHAM

Mark Smith, Smith Enterprises stated to the board that since 1987 they have been developing Twykenham Estates.

Discussion followed.

In the past Smith Enterprises has come in to the Drainage Board before construction begins and have received conditional vacation subject to certain conditions being met. Per that procedure the Drainage Board has vacated two sections and Mr Smith is here today on the third section.

Nola asked if the notices had been sent on this yet.

Mark stated that they have not been sent. The hearing date will be set with the Drainage Board at a later date. The conditions are for Smith to put in the storm sewer system per the approved plans of the City of Lafayette, submit certified drawings to Mike Spencer, County Surveyor and to Mr. Sooby, City of Lafayette Engineer. The City of Lafayette accepts the storm drainage system for maintenance. Smith also connects any tiles that they may cross as they come through. Those conditions being met, Smith will come back to the Drainage Board for formal vacation hearing and vote. At which time the notices will be mailed.

Part of our approval process for APC and for Mr. Sooby are that the Drainage Board is in agreement.

David Luhrman, Attorney stated to the board that if they want to approve this they would need to sent out the notices to the landowners and publish it in the paper. The landowners have written notice between 30 and 40 days before the final hearing and the newspaper notice published at least 10 days before the hearing. Conceivably, you could set a hearing for October 5, 1991 if all the notices are ready to be sent.

Hubert Yount, Commissioner stated that basically, you are looking for approval of the concept.

Mark Smith stated that a vacation could not be done until the pipe has been put in place and has been accepted by the City of Lafayette for maintenance. At that time then we come back in and get formal vacation.

Nola Gentry stated that a motion was needed that the Drainage Board was in agreement with this process.

Mike Spencer, County Surveyor responded yes with 5 conditions.

Discussion followed.

Hubert Yount, Commissioner motioned that the Board was in agreement with the proposed storm drainage system of Twyckenham Estate Phase II Section 3, 5, 6 and 7 and with the following conditions the board would consider vacation of the ditch.

1. New drainage system be installed approved and functioning properly.
2. All field tiles from the off-site property connect to the new system. The reason for that is that the landowners have tile that flow into the Ortman Drain. These people should be satisfied that it is properly done and not causing any problems.
3. Certified Asbuilt drawings be submitted.
4. A letter needs to be received from the City indicating approval and acceptance for maintenance and that the city has approved the construction drawings for this area of the storm sewer that is proposed to be developed.
5. That the drain will be completed and approved before the final plat can be recorded and building permits issued.

Keith McMillin, County commissioner seconded the motion. Motion carried.

FAMILY PANTRY

Mark DeYoung, Attorney for Greg Jacobs discussed the changes of the construction and drainage plans of the Family Pantry projects.

Nola asked if this was a different site-plan than what was presented previously?

Mr. DeYoung stated that it was different because of the BZA process requesting building setback. It was necessary to reduce our building size and then the BZA granted our setback variances based on review of the site plans.

Discussion followed.

Hubert Yount asked if they were wanting approval today.

Mike Spencer asked if the site plans hag been approved.

Mr. DeYoung stated that the APC insist on being last that is why we are here in this situation. They want to have the final say. They want every little detail in site-plan exactly the way it is going to be and the drainage is still in flux.

Nola asked if this was the last site-plan or would there be another one.

Mr. DeYoung said he would not make any promises. The building configuration and the parking configuration are done. The BZA has approved those.

Discussion followed.

Mike stated in the file is a set of calculation that shows more parking and more building, the file needs to be kept current. If there are going to be changes in the square feet of parking and building it needs to be reflected in the drawings and the calculations that are in file for people in the future that want to look at it.

Mike continued that Ilene Dailey of Chris Burke Engineering looked at the plans and had a couple comments.

1. That erosion control be implemented and detailed in the plans per erosion control during construction.

2. Need a copy of the recorded off-site easement.

Mike stated that he has the State Highway permit for the plans and the drawing is attached to the State permit. That was one of the requirements that the State approve it.

Discussion followed.

Hubert Yount moved to give conditional approval subject to the four conditions stated below.

1. New calculation on site plans be submitted to the Surveyor.

2. Erosion Control practices shown during construction.

3. Off-site easement be recorded and submitted.

4. Come back to the Drainage Board with final plan when the site-plans are approved. Permits will be issued at that time.

Keith McMillin seconded. Motion carried.

FARMINGTON

Dick Donahue asked the Drainage Board for conditional approval.

Mike Spencer stated that the Engineering Firm of Coil and Dickmeyer from Fort Wayne is doing the plan on Farmington. Ilene's last letter to him was August 26 with 5 items of concern. Those 5 items constitute more than just 5 things to do. There are a lot of things lumped into each one. We received a fax from Mr. Coil last night at 4:00. I have not seen it and Ilene has not had time to go through it. I would like to go through the response and see if they are actually addressed before any decision is made.

Dick Donahue stated that if the 5 items are addressed satisfactorily that approval should be given. If you could give us approval subject to that it would be appreciated.

Nola asked Mr. Donahue if he was under a time constraint.

Mr. Donahue responded that the building season is disappearing.

Nola asked Mike if he would want to adjourn and have a meeting in a few days to give Mike and Ilene time to go over it.

Mike stated that he would feel better about that.

Ilene stated that she preferred it too. Some of the responses do not match the original drawings. So it is not clear if some of these things have been changed or not.

Hubert stated that they may need a meeting with the Engineering firm to clear these things up.

Nola stated that the Drainage Board could have a special meeting. If the Engineering firm got the information needed, and Mike and Ilene could have time to go over it.

Ilene stated that they need to be sure to give Mike everything she gets and vice versa.

Nola stated that would be the best thing to do, since there were to many unanswered questions at this point.

Mike commented that some of these were very major items in the whole design of the drainage system in the subdivision.

HADLEY LAKE

Mr. Robert Bauman, Attorney for West Lafayette, stated that he talked with Mike Spencer and they now know how to figure the assessments for the maintenance fund, in connection with that we will be filing a petition to consolidate all the assessments in the area.

Mike stated it would be going into one watershed. Some people are paying on their own plus the outlet they have two assessments. It would be better if they were combined.

Mr. Bauman continued: We are in a position to send the notices for the hearing on the reconstruction of the Dempsey/Baker and the construction of Hadley Lake. We are requesting you set a hearing date on that.

Nola stated that the hearing needed to be set not less than 30 days and not more than 40 days.

Nola asked Mr. Bauman if he had the notices ready go, or do we need to take a few days into account for that.

Mr. Bauman said we need to take a few days into account for that. We have been updating our data base. There were some discrepancies between that as drawn by the Engineer and the County records. We will correct the discrepancies to coordinate with the County records. We are doing that now.

Nola asked how long he will need.

Mr. Bauman responded that he would like to have it on the October 16. We want to make sure we have the list correct with County and get the notices physically prepared now. In particular the notices for the Hadley Drain that is a pretty good number.

Mike asked if it was for the maintenance.

Mr. Bauman responded that they will not be proposing assessment for construction and there will be an explanation of that in the notice. They will be notified of what the proposed maintenance assessment will be.

Nola commented: You will request that a hearing be set for Wednesday, October 16 at 9:00 am.

Mr. Bauman said yes.

Nola stated that would be a hearing on the maintenance of the Dempsey/Baker and Hadley Drain.

Mike stated it would be the reconstruction of Dempsey/Baker and the Construction of Hadley Lake.

Discussion followed.

Keith McMillin moved to have a special Drainage Board meeting on October 16, 1991 at 9:00 am for the maintenance of Dempsey/Baker and the construction of Hadley Lake.

Hubert Yount seconded the motion. Motion carried.

CREASY LANE RECONSTRUCTION

Tom Borck, Hawkins Environmental gave the board a brief synopsis of the plans for the Creasy Lane reconstruction project.

Discussion followed.

Mr. Borck stated that what they are trying to do is follow somewhat the existing drainage patterns.

Discussion followed.

Mr. Borck stated that what they anticipate is a system of storm sewers and swails along Creasy Lane. At this point we are looking a 5 lane road way.

Discussion followed.

Being no further business Keith McMillin moved to adjourn the Drainage Board meeting.

Hubert Yount seconded. Motion carried. Meeting adjourned.

The next regular scheduled Drainage Board meeting is Wednesday, October 2, 1991.

Nola J. Gentry
Nola J. Gentry, Chairman

Keith E. McMillin
Keith E. McMillin, Member

Hubert D. Yount
Hubert D. Yount, Member

ATTEST: Dorothy M. Emerson
Dorothy M. Emerson, Executive Secretary

# Tippecanoe County Drainage Board
**Minutes TRANSCRIPT**
**Regular Meeting**
**October 2, 1991**

The meeting was called to order by Keith McMillin, at 9:00 A,M. in the meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Those present were: Hubert Yount, Vice President, Keith E. McMillin, Tippecanoe County Commissioners, Michael J. Spencer, County Surveyor, Ilene Dailey, Chris Burke Consulting Engineers, David Luhman (Board Atty.), 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 September 4, 1991. Hubert Yount moved to approve the minutes, seconded by Keith McMillin. Unanimously approved.

**Concord Corners**

George Schulte of Ticen, Schulte & Assoc. P.C. was present on behalf of Concord Corners.

Mike Spencer, County Surveyor stated that at the last meeting the Board granted approval subject to getting a few things lined out between the Highway Department and the Drainage Board. We are in agreement with everything and we recommend final approval of the construction plans.

Hubert Yount, Commissioner moved to approve the final plans submitted on Concord Corners. Keith McMillin, seconded. Motion carried.

**Farmington**

Kerry Dickmeyer with Coil & Dickmeyer from Ft. Wayne representing the development of Farmington Subdivision stated that the Board has a set of construction plans with specification for the drainage. Mr. Dickmeyer said he would answer any questions the Board might have.

Hubert Yount asked Mike Spencer if he had any comments.

Mike Spencer stated that approcal would be recommended but they would still need to get with the Highway Department and make sure the construction plans are in order for the subdivision, everything, Steve Murray, Highway Engineer wants in there regarding the side ditch along 400 East. Steve and I need to review the construction plans and some details on the north pond and drainage plans that still need to be updated. They're minor things and with that we would recommend approval.

Hubert asked Mike if he would recommend approval subject to those 3 or 4 items.

Mike stated one item. North Pond details.

Ilene Dailey, Christopher Burke Engineering stated that details on the North Pond and inlets are needed.

Hubert moved to approve the plan subject to the meeting with Steve Murray of the Highway Department to finalize his plans and meeting with Mike on the North Pond and the inlets.

Keith McMillin, seconded the motion. Motion carried.

**MR. PILLOTTE ON THE ILGENFRITZ DITCH**

Mr. Alvin Pillotte brought before the Board his objections to cleaning out the Ilgenfritz Ditch.

Mr. Pillotte stated that the County is trying to drain water into an area where there are no bridges, outlets, or ditches.

Discussion followed.

Mike stated that in the early 70's a portion of the drain Mr. Pillotte has going through his farm was petitioned in the Drainage Board and the Board did accept that open ditch as the extension of the Ilgenfritz Ditch.

Discussion followed.

Mike stated that all of the petitions of the County Surveyor shows the Ilgenfritz Ditch as an open drain, none show it as a tile.

Discussion followed.

Mike stated that the Drainage Board Consultant has looked at the drain and the crossings, downstream bridge structures, and for the record will give a copy to the Board to study and look at for future culvert replacement projects showing the capacity of existing structures.

Discussion followed.

Hubert moved to take this under consderation and study the memorandum with the details by Christopher Burke Engineering and see what the solution is to this problem.

Keith McMillin, seconded the motion. Motion carried.

Hubert moved to adjourn the Drainage Board meeting. Seconded by Keith McMillin. Motion carried.

The next regular scheduled Drainage Board Meeting is November 6, 1991 at 9:00 A.M. on Hadley Lake.

Nile J. Stanley, Chairman

Keith E. McMillin, Member

Hubert D. Hunt, Member

ATTEST: Dorothy M. Emerson
Dorothy M. Emerson, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
SPECIAL MEETING
October 16, 1991

The meeting was called to order by Nola J. Gentry, Chairman, at 9:00 A.M. in the meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Those present were: Nola J. Gentry, Chairman, Keith F. McMillin, Hubert Yount, Tippecanoe County Commissioners, Michael J. Spencer, County Surveyor, Fred Hoffman, Drainage Board Attorney and Dorothy M. Emerson, Executive Secretary Drainage Board.

HADLEY LAKE PUBLIC HEARING ON ESTABLISHING A MAINTENANCE FUND

Nola J. Gentry brought the meeting to order.

Dennis Clark, Cole & Associates gave a description of the Hadley Lake Plans.

Nola asked the audience if there were any questions on the construction.

Conley Vaughn asked the difference in elevation between Hadley Lake and Cole Ditch.

Discussion followed.

Rad Strange asked the distance between the Purdue Pond to Hadley Lake to the Cole Ditch.

Discussion followed.

Mike Spencer, County Surveyor, read the County Surveyor's Final Report and the Findings and Order into the minutes.

September 23, 1991

STATE OF INDIANA )
)
COUNTY OF TIPPECANOE )

COUNTY SURVEYORS
FINAL REPORT

IN THE MATTER OF THE HADLEY
LAKE DRAIN

FINAL REPORT BY SURVEYOR

1) The maps, profiles and construction plans and specifications have been completed and approved by the Tippecanoe County Drainage Board and the City of West Lafayette Board of Works.

2) The proposed Hadley Lake Drain will be built by the City of West Lafayette with funding coming from the State of Indiana Department of Commerce and Purdue Research Foundation. There will be no assessment for construction from the watershed.

3) The proposed maintenance assessment is 5.00 dollars per acre or 10.00 dollars for platted lots

4) The Hadley Lake Drain, Dempsey Baker Drain and the Cuppy-McClure Drain should be combined into one drain.

5) The area on the upper end of the Cuppy-McClure Water Shed does not drain at this time. It is my recommendation that this area not be assessed until such time when the Cuppy-McClure waters have access to this new outlet channel from Hadley Lake.

6) Findings and Order line item 21 should be amended as follows:

Land owned by Martin L. Galema and Martin L. and Agnes Galema have received double notice of assessment for the same tract of ground. Also, the Galema's assessment include's the waters of the lake. It is my recommendation that the area of water in Hadley Lake and the area of water on the Equitable Life Insurance Company not be assessed.

7) The proposed maintenance assessments will not become effective until after construction has been completed and accepted by the Tippecanoe County Drainage Board and the West Lafayette Board of Works.

_____
Michael J. Spencer
TIPPECANOE COUNTY SURVEYOR

Nola Gentry read the [illegible] into the minutes.

[illegible]
[illegible]
West Lafayette, IN [illegible]

Equitable Life Assurance Society of U.S. (Equitable)
from Attorney John T. Mustine

Don Siefers
Carol Siefers
Ann Siefers Ludwig
1630 Lindberg Rd.
West Lafayette, IN 47906

Martin L. Galena

Discussion followed.

Nola asked if there were any questions on the combination of the ditches into one.

Keith McMillin moved to approved the combination of the Hadley Lake, Dempsey/Baker and Clapp/McClure to be named the Hadley Lake Drain.

Hubert Yount seconded the motion. Unanimously approved. Motioned carried.

The proof of Publication was placed into the record.

Nola asked if there were any comments on the proposed assessments from the landowners.

John McBride, representing the Equitable voiced his disagreement with maintenance assessment on the Equitable property.

Discussion followed.

Paul Reser, landowner objected to Equitable's disagreement of the maintenance assessment.

Nola explained the Maintenance Fund procedures to the audience. The Drainage Assessment will not start until May 1993 after the construction has been completed.

Mike stated by statue a maintenance fund has to be established after a reconstruction has been done.

Keith McMillin moved to approve the Maintenance Fee at $5.00 per acre or $10.00 per platted lot payable Spring 1993.

Hubert Yount seconded the motion. Motion carried.

Nola read the order into the minutes.

Hubert moved to officially adopt the Order.

Keith McMillin, seconded. Motion carried.

Hubert Yount moved to adjourn the meeting. Meeting adjourned. The next regular Drainage Board meeting is November 6, 1991 at 9:00 A.M.

Nola J. Gentry, Chairman

Keith E. McMillin, Member

Hubert D. Yount, Member

ATTEST: Dorothy M. Emerson
Dorothy M. Emerson, Executive Secretary

**TIPPECANOE COUNTY DRAINAGE BOARD**
**REGULAR MEETING**
**DECEMBER 3, 1991**

The meeting was called to order by Nola J. Gentry, Chairman, at 9:00 A.M. in the meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Those present were: Nola J. Gentry, Chairman, Keith E. McMillin, Hubert D. Yount, Tippecanoe County Commissioners, Michael J. Spencer, County Surveyor, Ilene Dailey, Chris Burke Consulting Engineers, David Luhman, 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 meetings on November 6 and 15, 1991. Hubert Yount moved to approve the minutes, seconded by Keith McMillin. Unanimously approved.

**Vacation of Branch 11 of the Hadley Lake Drain**

Mike Spencer, County Surveyor recommended vacation of Branch 11 of the Hadley Lake Drain. Petition to vacate is on file along with legal notice and proof of publication. He then gave the Surveyor's Report:

**December 2, 1991**

**STATE OF INDIANA )**
**)**
**COUNTY OF TIPPECANOE )COUNTY SURVEYORS VACATION REPORT**

**IN THE MATTER OF THE VACATION OF BRANCH 11 OF THE (HADLEY LAKE DRAIN) CUPPY McCLURE DRAIN**

**FINAL VACATION REPORT BY SURVEYOR**

**Petition to vacate was received October 1, 1991 from Great Lake Chemical Corporation to vacate Branch 11 of the Cuppy McClure Ditch.**

**It is my recommendation that Branch 11 be vacated for the following reasons:**

**1) Branch 11 is a six inch field tile that no longer performs the function for which it was designed and constructed.**

**2) The expense of reconstruction outweighs the benefits of reconstruction.**

**3) The vacation will not be detrimental to the public welfare.**

_____
**Michael J. Spencer**
**TIPPECANOE COUNTY SURVEYOR**

Nola Gentry, County Commissioner asked if there was anyone in opposition of the vacation of Branch 11 of the Hadley Lake Drain

Hubert Yount, County Commissioner moved to approve final vacation of Branch 11 of the Cuppy-McClure Drain and to include the Final Report of the Surveyor. Keith McMillin, seconded. Motion carried.

**CCC Subdivision**

George Schulte, Ticen, Schulte & Associates P.E.. representing CCC proposed to the Board the drainage plans for the CCC Subdivision.

Discussion followed.

Elmer Roth of 320 Elston Road voiced his objection to changing the water flow.

Father Potthoff, St. Mary Cemetery stated that it would be disadvantageous for them if there were more water being carried over the cemetery property than already exists.

Discussion followed.

Pat Fitzsimmons, St. Mary Cemetery voiced her objection to CCC Subdivision drainage plans.

George Schulte stated that he could sit down and discuss with the people involved and come up with a plan that would be acceptable for everybody involved.

Discussion followed.

Ilene Dailey, Christopher Burke Engineering LTD stated that this site currently provides storage for the upstream water and there has been no analysis done on how much storage is provided on the site. It needs to be investigated. Data is needed on the overland flow through the cemetery. More information is needed.

Helen Clark asked how the water would be rerouted.

Discussion followed.

Elmer Roth stated that there would be to much water around the houses with the proposed plans.

Discussion followed.

Ilene Dailey stated that one of the requirements for approval is to know what the capacity of downstream drainage is.

Discussion followed.

Hubert Yount moved for a continuance until the regular scheduled Drainage Board meeting on January 8, 1992. Seconded by Keith McMillin. Motion carried.

**Bids for Drainage Tiles**

Mike stated this was for the drainage tiles to be used in 1992. Bids will be accepted on January 6, 1992 at 11:00 AM. Advertisements dates will be the 19 and 26 of December 1991.

Keith McMillin moved to approve the advertisements for drainage tiles. Seconded by Hubert Yount. Motion carried.

Copies of the bids are located in the office of the County Surveyor.

**Pine View Farms**

Roger Kotlowski of Wetzel Engineering representing Melody Homes of Lafayette informed the board of there future plans.

The proposal will be presented in the January 8, 1992 Drainage Board meeting.

Discussion followed.

**Family Pantry**

Mike explained that Greg Jacobs had conditional approval with four (4) conditions: calculations for the final site plan be submitted, erosion control, offsite easement be recorded and submitted and come back to the Drainage Board with the final site plans to be approved. Then permits will be issued.

Mike continued that he did have the recorded easement from the Goddards to Mr. Jacobs and Helen Kaiser. Helen Kaiser is the legal title holder and Mr. Jacobs leasehold tenant. That was prepared and recorded on October 9, 1991. Key Number 106-04201-0085 with the Tippecanoe County Recorder. A copy is on file in the Surveyor's Office.

Mike also stated that he has final sit plans and a letter from Dale Koons, P.E., Mr. Jacobs Engineer that the final site plan still conforms to already submitted drainage calculations.

Mike stated that Mr. Jacobs had met the conditions, but he (Mike) wanted some assurance that the system would be installed in a timely manner.

It was decided that Mr. Jacobs either install the system now or provide some sort of performance bond for the value of the improvement.

Hubert Yount moved to continue until the next Drainage Board meeting on January 8, 1992. Seconded by Keith McMillin. Motion carried.

Being no further business the meeting was adjourned. The next regular schedule Drainage Board meeting will January 8, 1992 at 9:00 AM.

Nola J. Gentry

Nola J. Gentry, Chairman

Keith E. McMillin

Keith E. McMillin, Member

Hubert D. Yount

Hubert D. Yount, Member

ATTEST: Dorothy M. Emerson

Dorothy M. Emerson, Executive Secretary

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

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

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

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

**CARROLL COUNTY JOINT DRAIN**

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

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

Hubert Yount, seconded. Motion carried.

**DRAINAGE BOARD ATTORNEY CONTRACT**

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

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

Nola J. Gentry, seconded. Motion carried.

**ACTIVE AND INACTIVE DITCHES**

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

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

DRAINAGE BOARD ASSESSMENT LIST

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

| | | | | |
|---|---|---|---|---|
| 41 | Johnson, E. Eugene | $10,745.28 | Inactive | Inactive |
| 42 | Kellerman, James | $1,043.52 | Active | Inactive |
| 43 | Kerschner, Floyd | $1,844.20 | Inactive | Inactive |
| 44 | Kirkpatrick, Amanda | $2,677.36 | Inactive | Inactive |
| 45 | Kirkpatrick, Frank | $4,226.80 | Active | Inactive |
| 46 | Kirkpatrick, James | $16,637.76 | Inactive | Active |
| 47 | Kuhns, John A | $1,226.96 | Active | Inactive |
| 48 | Lesley, Calvin | $3,787.76 | Inactive | Active |
| 50 | McCoy, John | $2,194.72 | Inactive | Inactive |
| 51 | McFarland, John | $7,649.12 | Active | Inactive |
| 52 | McKinny, Mary | $4,287.52 | Inactive | Inactive |
| 53 | Mahin, Wesley | $3,467.68 | Active | Active |
| 54 | Marsh, Samuel (Montgomery Co) | | Inactive | Inactive |
| 55 | Miller, Absalm | $3,236.00 | Inactive | Active |
| 56 | Montgomery, Ann | $4,614.56 | Active | Inactive |
| 57 | Morin, F.E. | $1,434.72 | Active | Active |
| 58 | Motsinger, Hester | $2,000.00 | Active | Active |
| 59 | O'Neal, J. Kelly | $13,848.00 | Active | Active |
| 60 | Oshier, Aduley | $1,624.88 | Active | Active |
| 61 | Parker, Lane | $2,141.44 | Inactive | Active |
| 62 | Parlon, James | $1,649.96 | Inactive | Active |
| 63 | Peters, Calvin | $828.00 | Inactive | Inactive |
| 64 | Rayman, Emmett (White Co) | | Active | Active |
| 65 | Resor, Franklin | $3,407.60 | Inactive | Active |
| 66 | Rettereth, Peter | $1,120.32 | Inactive | Inactive |
| 67 | Rickerd, Aurthur | $1,064.80 | Inactive | Inactive |
| 68 | Ross, Alexander | $1,791.68 | Inactive | Inactive |
| 69 | Sheperdson, James | $1,536.72 | Inactive | Inactive |
| 70 | Saltzman, John | $5,740.96 | Inactive | Inactive |
| 71 | Skinner, Ray | $2,713.60 | Active | Active |
| 72 | Smith, Abe | $1,277.52 | Active | Active |
| 73 | Southworth, Mary | $558.08 | Active | Active |
| 74 | Sterrett, Joseph C | $478.32 | Inactive | Active |
| 75 | Stewart, William | $765.76 | Inactive | Active |
| 76 | Swanson, Gustav | $4,965.28 | Active | Active |
| 77 | Taylor, Alonzo | $1,466.96 | Inactive | Inactive |
| 78 | Taylor, Jacob | $4,616.08 | Inactive | Inactive |
| 79 | Toohey, 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

Keith E. McMillin, Chairman

Nola J. Gentry

Nola J. Gentry, Member

Hubert D. Yount

Hubert D. Yount, Member

ATTEST: Dorothy M. Emerson

Dorothy M. Emerson, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
FEBRUARY 3, 1993

The Tippecanoe Drainage Board met Wednesday February 3, 1993 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 Yount, County Surveyor Michael J. Spencer, Drainage Board Attorney J. Frederick Hoffman, Christopher Burke Consulting Engineer Ilene Dailey, Woolpert Consultants Project Manager Steve Nixon, Representing Meijer Properties Scott Nowakowski, American Consulting Engineer Willard Hale, Indiana Department of Transportation Engineer Robert Rhoades, Tippecanoe County Highway Engineer Steve Murray, Drainage Board Secretary Shelli Hoffine.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held on January 3, 1993 Commissioner Gentry moved to approve the minutes. Seconded by Commissioner Yount. Unanimously approved.

MEIJER PROPERTIES, INC

Mr. Hoffman, entered for the record he is a representative of the O'Ferrall Estate, Mr. O'Ferrall is the owner of this real estate.
Steve Nixon, Project Manager for Woolpert Consultants, introduced Pat Cunningham from Vester & Associates. Mr. Cunningham represents the O'Ferrall Estate. Mr. Nixon also introduced Scott Nowakowski the Meijer Real Estate Representative.

Mr. Nixon stated that currently as part of the Alexander Ross Drain there are two tiles, a 10" and a 12" that encumber the property that Meijer intents to purchase. What Mr. Nixon and Mr. Cunningham requested, due to the size of building on the site, is that on the storm drainage plan the legal drain needs to be relocated to bypass the building and parking area. Mr. Nixon plans to use reinforced concrete pipe so the easement widths can be decreased to 50 feet for both drains. Mr. Nixon also requested that the Drainage Board approve the location of the joint detention pond and that the County accept the facility into its maintenance assessment district. Mr. Nixon stated that Meijer and O'Ferrall agreed on a joint retention facility.

Mr. Cunningham defined what the perimeters are and what storm events he and Mr. Nixon are dealing with. Mr. Cunningham has looked at some concepts with Jim Shook Sr., a commercial real estate broker, on the concepts on marketability and things that might take place. Mr. Cunningham and Jim Shook realize they can fit the pond in a three and a half acre area. They are presently proposing that the pond be a wet bottom with safety ledges and four (4) foot of storage area on top.

Commissioner Yount asked if the pond was going to be at a later date?

Mr. Cunningham replied that they hope to do it with the construction of Meijer property project.

Commissioner Gentry asked Mr. Cunningham if they will have to come in with a reconfigured pond?

Mr. Cunningham answered,  Yes.

Mr. Spencer asked if detention pond would serve the entire site.

Mr. Cunningham replied, No it will not serve the total watershed area, not included is the portion that goes to the South and East.

Mr. Hoffman stated that the South and East portion goes into the Berlovitz Ditch.

Commissioner Yount asked if the open area has any projection of what it might be used for?

Mr. Cunningham said it is possibly going to be used for an outlet mall.

Commissioner Gentry made a motion that the Board approve the preliminary storm drainage for the Meijer properties.  Seconded by Commissioner Yount. Unanimously approved.

US 231 RELOCATION  SR25 to River Road

Willard Hale from American Consulting Engineering introduced Bob Rhoades from Indiana Department of Transportation.  Mr. Hale and Mr. Rhoades presented plans for the middle section of three projects that are being designed for US231 relocation and a new crossing for the Wabash River.  The project will start south of SR25 midway between Old Romney Road and County Road 100 West including the intersection of SR25.  The project will stop just short of tieing into South River Road.  The majority of the drainage goes westward along SR25.  Approxitely 50 acres out of the 500 acres will be taken on the Northwest side between SR25 and Elston/Shadeland Road.  Old Romney Road will be relocated and go North instead of West.  As SR25 depresses down hill, there will be a bridge at Elston Road.  The grade will depress 20 feet keep going down under the two railroads and across the river.  Water in this depression goes North to the outlet in the wetland just south of the river.

Steve Murray Tippecanoe County Highway Engineer stated that in 1992 or 1993 one or both of the railroad bridges were scheduled for construction.  He asked if there is any indication on the contracts.

Mr. Hale stated that the ground will be broke on some portion of the project.

Mr. Rhoades said that he can not say for sure.  The bridge project has not received all of the needed environmental approval.

Mr. Hoffman asked Mr. Hale if he is going to do the work by the Cement Construction Company?

Mr. Hale said not this year, hopefully next year.

Mr. Hale stated that they will have to shut Elston down completely.

Mr. Hoffman asked when you do SR25 are you going to let traffic through?

Mr. Hale said, yes traffic will be able to get through.  First one half will be under construction and then the other.

Mr. Hoffman asked Mr. Hale if he had to have a Corp of Engineers permit for the wetlands?

Mr. Hale said, yes.

Commissioner Yount asked if SR25 will be an at grade crossing?

Mr. Hale said, it will be an at grade crossing.

Mr. Hoffman asked if there would be an access to the toepath?

Mr. Hale said, they have to relocate a piece to go under the new bridge. It is an emergency exit for Lilly and the sewage treatment plant still uses it.

Ilene Dailey, Christopher Burke Engineering Consultant, asked Mr. Hale if he had to get a flood easement up stream from the bridge?

Mr. Hale said no as he understood it they did not have to get an easement.

Mr. Hoffman asked if they have to purchase any right-a-way for that?

Mr. Hale said no.

Mr. Spencer recommended approval of the drainage plan as submitted to the Board.

Commissioner Gentry moved to approve the drainage plan as submitted by American Consulting Engineering for their section of the US231 relocation.
Seconded by Commissioner Yount. Unanimously approved.

BIDS FOR ELLIOTT DITCH

Mr. Spencer had a bid to accept for maintenance work on the Elliott Ditch. He recommended that the Board accepts the bid from F & K Construction.

Mr. Hoffman asked if that was the only bid?

Mr. Spencer said no we had four other bids.

Commissioner Gentry asked for the figures of the other bids.

Mr. Spencer read the amounts of the bids as follows:

| | |
|---|---|
| Cement Construction | $144,422.00 |
| F & K Construction | $49,620.00 |
| Fairfield Contractors | $88,955.00 |
| Merkel Excavation | $79,500.00 |

Commissioner Gentry moved to award the bid to F & K Construction on the Elliott Ditch for $49,620.00. Seconded by Commissioner Yount. Unanimously approved.

PROPOSALS FOR DRAINAGE STUDIES

Mr. Spencer requested the Board allow him to issue a request for proposals of drainage studies on the Alexander Ross watershed and the James N. Kirkpatrick watershed area.

Commissioner Gentry asked if the Alexander Ross and James N. Kirkpatrick studies would be paid out of engineering funds or if the ditches have money in their maintenance fund?

Mr. Spencer said that the ditches have money in their maintenance funds, but he would prefer to use engineering funds first.

Commissioner Gentry moved to have Mr. Spencer develop requests for proposals for the drainage studies of the Alexander Ross watershed and the James N. Kirkpatrick watershed. Seconded by Commissioner Yount. Unanimously approved.

ATTORNEY CONTRACT

Mr. Spencer presented a contract between the Drainage Board and Mr. Hoffman for attorney services for the year 1993.

Commissioner Yount moved to approve the contract for the Tippecanoe County Drainage Board for legal services performed by J. Frederick Hoffman in the amount of $10,000.00 due and payable by the County in monthly proportions on proper claims and allowances. Seconded by Commissioner Gentry. Unanimously approved.

REGIONAL STORMWATER DETENTION FACILITY

Mr. Spencer requested acknowledgment of a receipt of an executed copy between the City of Lafayette and Lafayette Union Railway, (LUR), for a regional stormwater detention facility located on the LUR property. LUR entered into this agreement and requested that the Board acknowledge its existence.

The agreement reads as follows:
(quote)

The Tippecanoe County Drainage Board acknowledges receipt of an executed copy of the above Agreement and to the extent the facility referred to therein remains within its jurisdiction, agrees to regulate the use of such facility as provided by the provisions of this Agreement to the extent that such provisions conform to the laws of the United States of America, and the State of Indiana, as well as the ordinances of the Tippecanoe County, Indiana, that are then in effect, but at no time shall the Tippecanoe County Drainage Board be required to approve any Drainage Plan for any part of the Area involved in such Agreement which does not comply with the terms of the Tippecanoe County Drainage Ordinance in effect at the time such Drainage Plan is presented to it.

Tippecanoe County Drainage Board

By:_____

William Haan, President

_____

Nola Gentry

_____

Hubert Yount

(unquote)

CERTIFICATE OF ASSESSMENT FOR ANNUAL MAINTENANCE ON HADLEY LAKE

Mr. Spencer had a Certificate of Assessment for Annual Maintenance on the Hadley Lake. This encompasses the Dempsey Baker Reconstruction Drain and Hadley Lake Drain which is the outlet channel from the lake itself, north to Cole Ditch. At the hearing, one of the stipulations was that the maintenance fund would not start on those drains until the work had been done and accepted. The surveyor would like for the Certificate to be signed so that it can be submitted to the Auditor's Office and they can put it in the budget for this year. The yearly total is $16,336.24 and it will change as developments come on line, Pineview Farms is one that has come on line since the hearing, plus Hadley Moore Subdivision will be added when the acreage becomes lots.

Commissioner Gentry moved to approve the Certificate of Assessment for Annual Maintenance on the Hadley Lake Drain. Seconded by Commissioner Yount. Unanimously approved.

Commissioner Gentry asked Mr. Spencer to update the Board on the Cuppy-McClure Drainage Project.

Mr. Spencer reported that he met with Great Lakes Chemical to discuss alternate one, the low flow pipe and the high flow channel. Great Lakes was unhappy with alternate one, mainly from an aesthetic standpoint. Mr. Spencer and SEC Donohue are looking into a few things with DNR and Fish and Wildlife to see if they have any problem with moving the drain. SEC Donohue is looking into the possibility of the floodway ever going away. Until that question is answered, SEC Donohue is not going into any more alternative plans. If the floodway can not go away, there is no reason for not following alternate one.

Commissioner Gentry asked if the all pipe alternative requires any additional permits?

Mr. Spencer said no additional permits are required, but the application for the permits would be different.

Being no further business Commissioner Gentry moved to adjourn. Seconded by Commissioner Yount. Meeting was adjourned

The next scheduled Drainage Board meeting will be March 3, 1993 at 8:30 a.m.

DRAINAGE BOARD MINUTES FEBRUARY 3, 1993

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
MARCH 10, 1993

The Tippecanoe County Drainage Board met Wednesday March 10, 1993 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North 3rd 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 Yount, County Surveyor Michael J. Spencer, Drainage Board Attorney J. Frederick Hoffman, Christopher Burke Engineering Consultant Ilene Dailey, and Drainage Board Secretary Shelli Hoffine.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held on February 3, 1993 Commissioner Gentry moved to approve the minutes. Seconded by Commissioner Yount. Unanimously approved.

APPOINT MEMBERS FOR PHILLIP DEWEY JOINT DRAINAGE BOARD

Mike Spencer had a request from the Montgomery County Drainage Board to appoint two drainage board members to a Joint Drainage Board on the Phillip Dewey Drain that crosses the South County Line in Section 35 Randolph Township. That also effects the watershed of the Miller McBeth tile drain in Tippecanoe County and a small portion of open channel.

Commissioner Gentry asked if Montgomery County is going to do reconstruction on the Phillip Dewey drain?

Mr. Spencer replied yes.

Mr. Spencer stated that the Montgomery County Drainage Board would also like the Board to set a date when they could meet in Montgomery County for a meeting of the Phillip Dewey Joint Drainage Board.

After some discussion of when the Board could met with Montgomery County, they decided that March 30, 1993 would be favorable.

Commissioner Haan appointed himself and Commissioner Gentry to be members of the Phillip Dewey Joint Drainage Board.

Commissioner Gentry moved to approve the appointment of members. Seconded by Commissioner Yount. Unanimously approved.

APPOINT MEMBERS FOR ARBEGUST JOINT DRAINAGE BOARD

Mr. Spencer had a request from the Clinton County Drainage Board to appoint Drainage Board members to a Joint Drainage Board concerning the Arbegust branch of the McLaughland Drain. The Arbegust branch is south of Clarks Hill and affects 120 acres of Tippecanoe County.

Mr. Hoffman questioned if there had already been board members on that before?

Mr. Spencer said yes, but there has been such a change over in both counties that Montgomery County found it necessary to appoint new members.

Commissioner Haan appointed himself and Commissioner Yount to be members of the Arbegust Branch Joint Drainage Board.

Commissioner Gentry moved to approve the appointment of members. Seconded by Commissioner Yount. Unanimously approved.

VALLEY FORGE ESTATES PHASE IV

Pat Cunningham of Vester and Associates is the Drainage Designer on the Valley Forge Estates Phase IV project and also is a developer along with Greg Sutter. Valley Forge Estates Phase IV is located on South 9th Street and County Road 430 South. Phase IV is a continuation of the existing Valley Forge Estate with the existing storm sewer and detention pond which outlets overland into the drainage swale on top of the Kirkpatrick ditch. The Kirkpatrick Ditch has a thirty inch (30") underground field tile. This system does not inlet into the tile, the system outlets overland under South Ninth Street across to the West. Mr. Cunningham analyzed the existing Valley Forge because what Vester and Associate would like to do is outlet into the existing system. Available capacity of a pipe that is eighteen inch (18") has about nine feet (9 CFS) and one that has twenty one inch (21") has about ten feet (10 CFS) which means that Phase IV would need both outlets to be able to get this Phase through the system. Vester and Associates has evaluated the runoff in the overall area. Mr. Cunningham said they have 34 1/2 acres within the site, there is also 5 acres off site which drains through the 34 1/2 acre site. Mr. Cunningham wants to develop two areas and put a detention storage pond in the area. The storm sewer would run down and over to the pond. Depth of the pond will be 3.61 feet at maximum. The emergency routing for the pond will be at the Northeast and Northwest corner of the pond which will flow down the two existing streets. The flood protection grade between the maximum pond elevation of 637.11 feet. The worst area for existing homes will be 641 feet, approximately 4 feet of flood protection between the maximum pond elevation and the first floor elevation of the nearest home site.

Mr. Spencer asked if it would flood out the existing intersection in Valley Forge Estates?

Mr. Cunningham answered yes.

Commissioner Gentry asked in a 100 year event what depth would be flowing down the streets?

Mr. Cunningham said that he had not evaluated the depth as far as flowing down the street.

Commissioner Yount asked what is the elevation at the intersection?

Mr. Cunningham answered the elevation 635.6 feet which is 2 feet below the maximum pond elevation.

Mr. Spencer asked if the intersections are already flooded potentially there would be more water there by the fact that the pond would over flow?

Mr. Cunningham stated that sense the field is row crop that causes more runoff on the site than what it would if it is developed.

Mr. Hoffman asked if what Mr. Cunningham was saying was that if he developed the site there would not be as much runoff as if the site was kept row crop?

Mr. Cunningham said that is correct. If the site is developed the land has an increased rate of runoff which is velocity, but that runoff will be collected and held so actually there will be a decrease rate of runoff.

Mr. Hoffman asked what happens when the pond becomes full and overflows, will the water flow down the street?

Mr. Cunningham replied Yes.

Mr. Hoffman stated that there is not that problem now.

Mr. Cunningham acknowledged that if you have a 100 year storm event the system surcharges, it does not function. The system is designed for a 10 year storm event and what Mr. Cunningham is proposing to do with this system is continuing on with the existing system. The system will detain anything up to 100 storm event. Anything up to or over a 100 year there is less water coming into this system after it is developed. By developing the area it decreased the volume of runoff that comes across the site now. Presently we have row crop increasing the runoff because of development of road system and channel patterns but we resolve the volume of runoff because we have much more yard space and green space. Total volume of runoff from the site is 6.54 acres pre developed and 5.88 acres post develop, that is a decrease of volume of runoff and a decreased volume of runoff to the Kirkpatrick ditch. The problem is with South 9th Street two 30" corrugated pipe that run underneath South 9th Street to the west and all of the land is farmed around the area, and there is not a defined drainage swale. Because of the farming and development siltation has taken place and filled the swale on both sides of South 9th Street higher than the two inverts. With those two pipes the water is starting to pond behind the pipe on the east side of South 9th Street and with development there will be a catch basin put in to relieve the situation. Mr. Cunningham and Mr. Sutter are offering any assistance, go into any type of agreement, or agree to any kind of maximum not to exceed participation fee in helping resolve the Kirkpatrick drain problems.

Mr. Hoffman asked if that would add to the situation and add to the problem?

Mr. Cunningham answered no it will not. One reason is development decreases the rate of runoff in to this system. If there was a 100 year rain now the runoff would come across the Valley Forge area and the system would surcharge. If Mr. Sutter and Mr. Cunningham develop the land the system will not surcharge. They are proposing to decrease the volume of runoff based of the current ground condition and the proposed water condition.

Mr. Hoffman asked if Mr. Cunningham was saying that with the thirty inch pipe that is there now it would not have as much water in the swale after development.

Mr. Cunningham replied that is correct.

Commissioner Yount asked what length of time would it take for runoff to cease in any given flood?

Mr. Cunningham said within a 24 hour time period as far as runoff time.

Ilene Dailey stated that with development the runoff would decrease about 3 hours. Post development starts at 4 hours and ends at 24 hours and pre development starts at 3 hours and ends at 27 hours.

Commissioner Gentry asked if the terrain could be changed since there is a natural swale?

Mr. Spencer said yes, that is what we will find out with the study on the James N. Kirkpatrick ditch.

Commissioner Gentry asked if the project approval should wait until the Board has the study on this watershed?

Mr. Spencer stated that is a policy decision the Board will have to make. That has been done in the past, but Mr. Cunningham is asking for a preliminary approval not final approval.

Mr. Cunningham stated that he planed to be back by the end of the month with the final plans.

Mr. Hoffman asked if this is going to cause a flood in the streets whenever there is a 100 year storm?

Mr. Cunningham stated that with development it would not change any condition that is there now.

Mr. Hoffman asked if the development would cause any flood to the farmers below South 9th Street?

Mr. Cunningham replied not any more than what is there now.

Commissioner Yount asked if the developers are willing to put up "X" amount of money, is there any law that says we can not put that money in trust to be applied at a determined date and amount?

Mr. Hoffman said if the developers want to put up the money there is not any reason why the they can not do so.

Ms. Dailey asked what would be the schedule for the Kirkpatrick study?

Mr. Spencer stated that he could not give a completion date on the study because a company has not been selected.

Lary Troutner a home owner in the Valley Forge Estates expressed some concerns as to how the project would affect the existing Valley Forge Estates.

Commissioner Yount moved to approve the preliminary plans for the Valley Forge Estate Phase IV. Seconded by Commissioner Gentry. Unanimously approved.

CREASY LANE PHASE II

Bill Davis of Hawkins Environmental had a proposal for Creasy Lane Phase II, there will be three phases in all. Mr. Davis explained that he wanted to bring the Board up to date on Phase II, identify a couple of potential problems and ask for some assistance from the Drainage Board. Phase II starts at State Road 26 and ends just North of Kensington Drive. The South end of the drain will continue to drain into the Britt, while a new main trunk sewer will drain to the

North discharging into the existing ravine system. A secondary system will go to a regional detention basin on the Park property at the corner of Union and Creasy, that is a control device. Hawkins Environmental plans to pick up all the standing water and direct it to the regional detention basin. The basin is also sized to accept the water off Union Street when it is reconstructed. In this proposal Ashley Oaks run off will be removed from the Britt drain and routed to the North, that will decrease the Britt drain flow by 3.8 CFS. In the reconstruction of Creasy Lane all of the existing Britt drain will be reconstructed. All the piping system will be reconstructed to comply with the Ashley Oaks drainage report. Mr. Davis explained that Hawkins Environmental is proposing the City and the County work together to develop the information to determine the capacity of the off site channel. Hawkins Environmental is also asking for permission to proceed with the Creasy Lane Phase II project with a couple of conditions, first is that Hawkins Environmental not make the North connection, second is to jointly develop the necessary information to determine capacity of the off site channel.

Commissioner Yount asked at what time would the connections be made?

Mr. Davis said not until the time it is paved.

Commissioner Yount moved to authorize Hawkins Environmental to proceed with Creasy Lane Phase II reconstruction and for a study of the two connections. Seconded by Commissioner Gentry. Unanimously approved.

SAGAMORE POINTE SUBDIVISION

Jim VanNess, Bob Grove and John Smith representing Smith Enterprises had three items to discuss with the Board: First, reduction of easement to the Dempsey Baker drain that is currently 75 feet either side of the tile that was reconstructed last year. Smith Enterprises request a reduction to approximately 92 or 94 feet and add 25 feet either side for maintenance. Second, request for partial vacation of the two existing field tile that comes in from the South. Smith Enterprises will replace those with a permanent drainage system when section two of the project is developed. Third, request for waving storm water detention do to the proximity of Hadley Lake.

Mr. Spencer responded to the request, first the reduction of easement is fine as long as it is 25 feet from the top of the bank. Also in that 25 foot easement the City of West Lafayette Parks Department would like to have at least a 10 foot greenway easement within the drainage easement. On the second request, the two vacations of the field tile from the South would work with the plans of Smith Enterprises showing the tiles being picked up with construction. The third request, waving storm water detention requirement of the ordinance might cause a problem for down stream land owners. That lake is a privately owned and without the permission of the land owner Mr. Spencer could not recommend approval for direct discharge.
Commissioner Gentry moved to approve with proper language the alteration of the width of easement to 25 feet on top of each side of the existing drainage structure. Seconded by Commissioner Yount. Unanimously approved.

The Board indicated they support the vacation of field tile.

Commissioner Haan asked for a motion on the direct discharge to the Hadley Lake. No motion was made. The request failed.

Commissioner Haan asked for a 5 minute recess.

At 10:08 A.M. the meeting reconvened.

ASHTON WOODS SUBDIVISION PHASE III

George Schulte of Ticen, Schulte and Associates presented the Ashton Woods Subdivision plan located off of Old Romney Road in Wea Township. Phase III will go west to Wea Creek. Mr. Schulte is asking for preliminary approval on Phase III and to build a detention basin for a 9 1/2 acre area. The detention pond will be sized for the development of Phase III only. Ticen, Schulte and Associates will install a pipe structure which will be large enough to serve the entire area, they also plan to design Phase III so that all building pads will be at least 2 feet above the 100 year storm event overflow.

Commissioner Yount moved to approve preliminary approval for the Drainage of Ashton Woods Subdivision Phase III. Seconded by Commissioner Gentry. Unanimously approved.

Other Business

Bill Davis asked the Board to change the language of the Drainage Ordinance to incorporate Rule 5 of the new Urban Erosion Control Law that is in effect. Rule 5 would change the Drainage Board Ordinance to have the Board responsible for erosion and not the Area Plan Commission.

Commissioner Yount made a motion that the Drainage Board Attorney Frederick Hoffman address this with the Area Plan Commission Attorney, Robert Mucker. Seconded by Commissioner Gentry. Unanimously approved.

Commissioner Gentry asked if the Board will need to amend the Drainage Ordinance to incorporate rule 5?

Mr. Hoffman answered Yes.

Commissioner Gentry made a motion to incorporate Rule 5 in the Drainage Board Ordinance. Seconded by Commissioner Yount. Unanimously approved.

Commissioner Gentry made a motion requesting Mr. Hoffman to prepare an amendment to the Drainage Ordinance to include reference to Rule 5 and the Indiana Handbook for Erosion Control in Developing Areas prepared by the Soil and Water Conservation Service. Seconded by Commissioner Yount. Unanimously approved.

Being no further Business Commissioner Gentry moved to adjourn. Seconded by Commissioner Yount. Unanimously approved.

DRAINAGE BOARD MINUTES MARCH 10, 1993 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
NOVEMBER 3, 1993

The Tippecanoe County Drainage Board met Wednesday November 3, 1993 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

Those present were: Tippecanoe County Commissioners Nola J. Gentry and Hubert D. Yount; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Christopher Burke Engineering Consultant Jon Stolz and Drainage Board Secretary Shelli Hoffine.

The first item on the agenda was to approve the minutes from the last Drainage Board meeting held October 6, 1993. Commissioner Yount moved to approve the minutes. Seconded by Commissioner Gentry. Motion carried.

SAGAMORE POINTE SUBDIVISION
Robert Grove asked approval of revised preliminary plan for Sagamore Pointe Subdivision. Mr. Grove explained that the reason for the revised plan was the original plan showed the watershed area draining into Hadley Lake and at that time Mr. Grove did not realize that the watershed would have to be approved by the owner of Hadley Lake. Since then Mr. Grove has tried to make contact and get approval of the lake's owner, but has not succeeded. The revised plan suggest four areas of rear yard storage that range from two feet to four feet deep in a ten year storm and one area of off-site storage.

Mr. Spencer asked if there is enough dirt on-site to create the detention areas?

Mr. Grove stated yes.

Mr. Grove asked the Board about giving the landowner of the off-site storage area credit for storage up to 19 cfs?

Commissioner Yount asked where the 19 cfs figure came from if Mr. Grove does not how much offsite water will be affecting the basin.

Mr. Spencer read the requirements that must be met before approval can be granted.

1. Topographic Survey indicating both existing and proposed contours.
2. Watershed mapping showing off-site drainage areas.
3. Storm sewer plan and profiles including inverts and top of casting grades.
4. Erosion Control Plan.
5. Hydraulic analysis of receiving stream (ie. Demsey/Baker Legal Drain) and computations of tailwater effects on the storm sewer conveyance system.
6. Materials, elevations and basis of design for roadway culverts.
7. Cross sections and profile of open channels.
8. Vacate regulated drain tiles.

Commissioner Yount stated that the Board feels at this time there are too many questions that need answered before approval is granted.

Mr. John E. Smith, Smith Enterprises, asked to continue Sagamore Pointe Subdivision.

Hawks Nest Subdivision
Jack Kovich request final approval of Hawks Nest Subdivision.

Mr. Stolz indicated while comparing the preliminary plans to the final plans the watershed calculations along 600 North differed.

Mr. Kovich stated the reason for the change was the project is trying to utilize the gravity flow sewage system that is available in the first phase. By doing that it will raise the elevation of the grade in the first phase and alter the elevation of the road in the following phases so that dirt can be obtained onsite.

David Eickelberger, Engineer for Christopher Burke Engineering, LTD., specified the requirements that need to be met before approval can be recommended.

1. An erosion control plan.
2. Gutter spread or inlet design and spacing calculations.
3. Calculations to reflect the changes in the storm sewer network, drainage areas to each inlet and times of concentration.
4. Emergency spillways should be included for the detention ponds.
5. The two variances requested. Exceeding the four feet of depth in Basin A is recommended and allowing storage on parts of residential lots is recommended, since the ponded area will be confined within a proposed easement.
6. Provide a detailed delineation of the floodway on the plans to show the berm and pipes are outside the floodway.

Mr. Kovich asked to continue Hawks Nest Subdivision, so that the mentioned requirements can be met?

Commissioner Yount stated that the Board could call a special meeting to discuss Hawks Nest Subdivision when the requirements are met and reviewed by Mr. Spencer and Mr. Stolz.

PINE VIEW FARMS II PHASE I
Mark Runkel of Schneider Engineering, asked for preliminary approval of Pine View Farms II Phase I located between McCormick Road and US52. The bulk of Phase one drains into a planned detention pond and outlets into two existing culverts under McCormick Road. There will be a culvert to the south that will carry the water to two proposed detention ponds, a culvert to the north will drain a small undetained area and the rest of the development will drain in the same direction as existing conditions.

Commissioner Yount asked if the plan was taking one watershed area and putting it into another?

Mr. Spencer said yes.

Mr. Hoffman asked if there is going to be and how much water standing in the back of peoples lots.

Mr. Runkel stated that there is a dry detention area at the back of lots 131, 132, and 133, but was not sure of how much water if any would be standing.

Mr. Spencer read the requirement that must be met before final approval can be granted.

1. Basin 400 and 500 of the developed condition analysis will drain to the existing drainage system to the north of the proposed development. It is assumed that the development to the north has taken into account the drainage from this site in the existing conditions. In the proposed condition, the applicant has reduced the area draining to the north. When the applicant submits for final drainage approval, the adequacy of this outlet will need to be verified.

2. There are several items that must be submitted by the applicant with the request for final approval of this development. It is understood that these items were not submitted since this was a request for preliminary approval. However, a listing of these items may help the applicant to compile a complete submittal for final approval:

a. Pipe sizing calculations must be submitted
b. Watershed maps for local drainage to each inlet or swale must be submitted
c. Erosion control measures must be included
d. The applicant must refer to Section 14 of the drainage code to comply with detention pond requirements such as emergency spillways, residential lots within the pond, acceptable depths and sideslopes, etc...
e. Gutter spread calculations must be submitted
f. Final plans that include the proposed grading of the area

Mr. Stolz read the concerns that he had while reviewing Pine View Farms II Phase I.

1. The applicant has used the Advanced Interconnected Channel & Pond Routing (adlCPR) computer program to route the storm water discharge through the primary detention pond. The Tippecanoe County Drainage Code amendment (92-18-CM) states that all detention storage calculations for sites grater than or equal to 5 acres must be done with the SCS TR-20 computer program. The applicant should resubmit the analysis using the TR-20 program.

In addition to using the TR-20 computer program, the applicant must use the Huff Third Quartile (50%) rainfall distribution. Various storm durations, up to and including the 24-hour duration, must be used to determine the duration which gives the highest storage volume. The applicant has used the SCS Type II rainfall distribution and a 6-hour duration.

2. The "Developed Drainage Exhibit" indicates that the peak 100-year discharge from the south culvert under McCormick Road will be 5.93 cfs. However, the peak 100-year discharge from basins 100 and 200 is 4.51 and 13.9 cfs, respectively.

3. The "Developed Drainage Exhibit" indicates that there will be a detention pond constructed in the southwest corner of the site, along lots 131 to 133. However, the applicant has not submitted any calculations for this proposed pond. There is no proposed grading, or indication of the outlet structure, shown on the plans.

4. The applicant has not provided background data to support the Time of Concentration or the Curve Numbers used in the analysis. The applicant should

be aware that the Time of Concentration calculations must be done by using the methodology outlined in the SCS TR-55 manual.

5. During a meeting with the applicant on October 13, 1993, you requested that the applicant investigate the downstream conditions for the areas to be drained without benefit of storage (basins 300, 600 and 700). It appears that the applicant has not provided the requested information. There is no information on the conditions downstream of basins 600 and 700. Downstream of basin 300 is an existing culvert under McCormick Road. The applicant has not submitted calculations to verify the adequacy of its use.

Mr. Hoffman stated that the Drainage Ordinance requires a six foot chain link fence to surround the 1.12 acre pond.

Mr. Runkel asked if the fence could be a variance?

Commissioner Gentry said Mr. Runkel could ask for a variance on the pond, but there needs to be more information before the variance can be granted.

Commissioner Yount moved to approve preliminary plans for Pine View Farms II, Phase I, subject to conditions. Seconded by Commissioner Gentry. Motion carried.

THE RAVINES

Paul Couts asked for final approval of The Ravines located off Division Road and 875 West. Mr. Couts refered to the memo from Mr. Stolz dated November 2, 1993, the overflow discharge from pond 3 will not impact the adjacent properties because conditions after development will be the same as existing conditions. Ponds 2 and 3 will utilize the farm tiles that are in good condition and are adequate to handle the runoff.

Commissioner Yount asked the direction of the runoff?

Mr. Ken Ade, developer of The Ravines, stated that the runoff will go straight south into the ravine and will not change the conditions that exist there now because the pipe size remains the same.

Commissioner Yount moved to approve final approval of The Ravines. Seconded by Commissioner Gentry. Motion carried.

Other Business

Virginia Johns, 328 Lodi Lane, presented to the Board a petition asking help to correct a drainage problem in Orchard Heights I and II. Mr. Spencer stated that he would shoot elevations to find out what needs to be done to correct their problem.

Commissioner Yount stated the landowner could hire an engineer to shoot the elevation and draw up a plan, then the engineer would have to present the plans to the Board for approval. Mr. Spencer is willing to shoot elevations and there maybe a chance that the landowner themselves can fix the problem.

Ms. Johns agreed to let Mr. Spencer shoot the elevations at his convenience.

Being no further business Commissioner Yount moved to adjourn until December 1, 1993. Seconded by Commissioner Gentry. Motion carried.

DRAINAGE BOARD MINUTES  NOVEMBER 3, 1993 REGULAR MEETING  11/09/9311/02/93+

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 Country 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.

CAPILANO BY THE LAKE LOT 5

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
FEBRUARY 1, 1995

The Tippecanoe County Drainage Board met Wednesday February 1, 1995 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney pro-tem David Luhman; and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held January 4, 1995. Commissioner Gentry moved to approve the minutes, Seconded by Commissioner Jones. Motion carried.

ACTIVE AND INACTIVE DITCH LIST 1995
Mr. Luhman read the active ditch list into the minutes.

| Ditch No. | Ditch Name | Four Year Assessment | Balance Fund 94 |
|---|---|---|---|
| 2 | Anderson, Jesse | 15793.76 | $15745.45 |
| 3 | Andrews, E.W. | 2566.80 | 1385.41 |
| 4 | Anson, Delphine | 5122.56 | 1302.37 |
| 13 | Brown, Andrew | 8094.24 | 5365.93 |
| 14 | Buck Creek (Carroll Co.) | | |
| 16 | Byers, Orrin | 5258.88 | 4453.68 |
| 18 | Coe Train | 3338.56 | 112.19 |
| 20 | County Farm | 1012.00 | (724.45) |
| 26 | Darby, Wetherill (Benton Co. | | |
| 27 | Ellis, Thomas | 1642.40 | 874.96 |
| 29 | Fassnacht, Christ | 2350.56 | 630.15 |
| 31 | Gowen,Issac (White Co.) | | |
| 33 | Grimes, Rebecca | 3363.52 | (5780.23) |
| 35 | Haywood, E.F. | 7348.96 | 6405.57 |
| 37 | Harrison Meadows | 1532.56 | 399.99 |
| 42 | Kellerman, James | 1043.52 | 513.73 |
| 46 | Kirkpatrick, James | 16637.76 | 13804.40 |
| 48 | Lesley, Calvin | 3787.76 | 511.43 |
| 51 | McFarland, John | 7649.12 | 6823.11 |
| 52 | McKinney, Mary | 4287.52 | 2344.53 |
| 54 | Marsh, Samuel (Montgomery Co | | |
| 57 | Morin, F.E. | 1434.72 | 264.90 |
| 58 | Motsinger, Hester | 2000.00 | 184.36 |
| 59 | O'Neal, J. Kelly | 13848.00 | 9902.13 |
| 60 | Oshier, Aduley | 1624.88 | 429.56 |
| 64 | Rayman, Emmett (White Co.) | | |
| 65 | Reser, Franklin | 3407.60 | (1799.25) |
| 71 | Skinner, Ray | 2713.60 | 2003.50 |
| 73 | Southworth, Mary | 558.08 | 470.62 |
| 74 | Sterrett, Joseph C. | 478.32 | 120.35 |
| 76 | Swanson, Gustav | 4965.28 | (314.21) |
| 87 | Wilson, Nixon (Fountain Co.) | | |
| 89 | Yeager, Simeon | 615.36 | 515.63 |

| | | | |
|---|---|---|---|
| 91 | Dickens, Jesse | 288.00 | 93.96 |
| 93 | Dismal Creek | 25420.16 | 5408.64 |
| 94 | Shawnee Creek | 6639.28 | 1004.91 |
| 100 | Elliott, S.W. | 227772.24 | 95756.64 |
| 102 | Brum, Sophia (Benton Co) | | |
| 103 | Moore H.W. (Benton Co) | | |
| 104 | Hadley Lake | 65344.56 | 15588.62 |
| 105 | Thomas, Mary (Carroll Co) | | |
| 106 | Arbegust-Young (Clinton Co) | | |

Mr. Luhman read the inactive ditch list into the minutes

| Ditch No. | Ditch Names | Four Year Assessment | Balance Fund 94 |
|---|---|---|---|
| 1 | Amstutz, John | $5008.00 | $5797.94 |
| 5 | Baker, Dempsey | 2374.24 | 2931.55 |
| 6 | Baker, Newell | 717.52 | 2100.45 |
| 7 | Bell, Nellie | 1329.12 | 2163.76 |
| 8 | Berlowitz, Julius | 8537.44 | 9835.71 |
| 10 | Binder, Michael | 4388.96 | 4844.52 |
| 11 | Blickenstaff, John M. | 7092.80 | 7352.92 |
| 12 | Box, N.W. | 11650.24 | 14523.89 |
| 15 | Burkhalter, Alfred | 5482.96 | 5661.22 |
| 17 | Coe, Floyd | 13617.84 | 19021.00 |
| 19 | Cole Grant | 4113.92 | 10353.24 |
| 21 | Cripe, Jesse | 911.28 | 1622.55 |
| 22 | Daughtery, Charles | 1883.12 | 2386.04 |
| 23 | Devault, Fannie | 3766.80 | 8086.91 |
| 25 | Dunkin, Marion | 9536.08 | 11422.15 |
| 28 | Erwin, Martin | 656.72 | 1141.16 |
| 30 | Fugate, Elijah | 3543.52 | 5326.70 |
| 32 | Gray, Martin | 6015.52 | 6440.23 |
| 34 | Hafner, Fred | 1263.44 | 1380.75 |
| 36 | Haywood, Thomas | 2133.12 | 2916.09 |
| 39 | Inskeep, George | 3123.84 | 7972.80 |
| 40 | Jakes, Lewis | 5164.24 | 5493.58 |
| 41 | Johnson, E. Eugene | 10745.28 | 13692.14 |
| 43 | Kerschner, F.S. | 1844.20 | 4165.28 |
| 44 | Kirkpatrick, Amanda | 2677.36 | 3239.28 |
| 45 | Kirkpatrick, Frank | 4226.80 | 4754.52 |
| 47 | Kuhns, John | 1226.96 | 1592.33 |
| 50 | McCoy, John | 2194.72 | 3185.39 |
| 53 | Mahin, Wesley | 3467.68 | 3878.12 |
| 55 | Miller, Absalm | 3236.00 | 5382.84 |
| 56 | Montgomery, Ann | 4614.56 | 5468.74 |
| 61 | Parker Lane | 2141.44 | 3276.36 |
| 63 | Peters, Calvin | 828.00 | 2423.73 |
| 66 | Rettereth, Peter | 1120.32 | 2057.43 |
| 67 | Rickerd, Arthur | 1064.80 | 1148.17 |
| 68 | Ross, Alexander | 1791.68 | 4057.08 |
| 69 | Sheperdson, J.A. | 1536.72 | 3759.44 |
| 70 | Saltzman, John | 5740.96 | 7207.47 |

| | | | |
|---|---|---|---|
| 72 | Smith, Abe | 1277.52 | 1430.16 |
| 75 | Stewart, William | 765.76 | 937.96 |
| 77 | Taylor, Alonzo | 1466.96 | 3591.02 |
| 78 | Taylor, Jacob | 4616.08 | 6759.96 |
| 79 | Toohey, John | 542.40 | 1113.90 |
| 81 | Van Natta, John | 1338.16 | 2827.20 |
| 82 | Wallace, Harrison | 5501.76 | 6195.61 |
| 83 | Walters, Sussana | 972.24 | 2146.65 |
| 84 | Walters, William | 8361.52 | 8906.49 |
| 85 | Waples, McDill | 5478.08 | 9569.95 |
| 86 | Wilder, Lena | 3365.60 | 5125.49 |
| 88 | Wilson, J & J | 736.96 | 5873.30 |
| 90 | Yoe, Franklin | 1605.44 | 2613.93 |
| 92 | Jenkins | 1689.24 | 2655.25 |
| 95 | Butler-Gosma | 19002.24 | 20988.51 |
| 96 | Kirkpatrick One | 6832.16 | 11653.93 |
| 97 | McLauglin, John | | |
| 101 | Hoffman, John | 72105.03 | 55880.51 |

Mr. Spencer stated the John Hoffman Ditch is on a three year assessment which started in 1991 with a ten dollar an acre assessment. It is now necessary for the Board to schedule a meeting between Clinton, Carroll and Tippecanoe Counties to reduce the assessment.

Commissioner Haan appointed himself and Commissioner Gentry to serve on the Tri County Board.

CHRISTOPHER B. BURKE ENGINEERING CONTRACT

Mr. Luhman stated after reviewing the original contract from Christopher B. Burke Engineering a few items were discussed and changes were made. The contract was revised with one exception on page 6 paragraph 24. The suggested revision was if a contractor was doing work based upon the Engineers plans the contractor would indemnify Burke for any damages to Burke because of the contractors negligence. Also suggested was to include Burke as a named insured on the insurance policy. Mr. Luhman explained the main reason for the suggestion was so the County and Christopher B. Burke Engineering would not be held liable.

Commissioner Gentry moved to approve the contract with Christopher B. Burke Engineering, LTD., and authorize the President of the Board to sign the contract, seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

Mr. Spencer presented the Board with the reforestation proposal for the Cuppy-McClure Drain, which will comply with the DNR requirements for a 2 to 1 mitigation on tree removal. The Parks Department for the City of West Lafayette suggested sites for the trees replacement. Mr. Spencer explained he wanted the Board to be aware of the progress and that Mr. Ditzler of J.F. New will submit the plan to Dan Ernst of the Indiana Department of Natural Resources.

Being no further business, Commissioner Gentry moved to adjourn until March 1, 1995, seconded by Commissioner Jones. Meeting adjourned.

DRAINAGE BOARD MINUTES FEBRUARY 1, 1995 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
MARCH 1, 1995

The Tippecanoe County Drainage Board met Wednesday March 1, 1995 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, & Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Engineering Consultant Jon Stolz and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held February 1, 1995. Commissioner Gentry moved to approve the minutes, Seconded by Commissioner Jones. Motion carried.

PENTECOSTAL CHURCH OF GOD
Bob Grove asked the Board for final approval of the Pentecostal Church of God. The Church will be located West of South 9th Street, South of 350 South where an existing homestead is located. The current plan shows the outlet at the 100 year elevation for the James N. Kirkpatrick Ditch

Mr. Spencer recommended final approval.

Commissioner Gentry moved to grant final approve of the Pentecostal Church of God drainage submittal, seconded by Commissioner Jones. Motion carried.

SAGAMORE POINTE SUBDIVISION
Bob Grove explained the first time Sagamore Pointe Subdivision was discussed the plan was to use the Hadley Lake for storm water storage. At that time the Board informed Mr. Grove written approval from the owner of Hadley Lake would have to be obtained. The second submittal was to use rear yard storage, but was unacceptable to the Board. This last submittal goes back to the first submittal with a tentative agreement between Martin, Chuck, & Tim Galama, the landowners of the Hadley Lake, agreeing to the use of the lake as storage for storm water from Sagamore Pointe Subdivision. Mr. Grove stated another option if the agreement is not agreeable would include two detention basins which would take the place of four residential lots. Basin #1 would store storm water from 18.95 acres North of the legal drain and Basin #2 would store storm water from 6.24 acres South of the legal drain. Mr. Grove asked the Board for conceptual approval of the onsite detention if an agreement could not be reach between the owners of Hadley Lake and Smith Enterprises.

Martin, Chuck, and Tim Galama joined the discussion.

Commissioner Gentry asked Martin Galama if there is a tentative agreement between him and Smith Enterprises to use Hadley Lake for storm water storage?

Mr. Martin Galama stated he wanted to discuss some issues with the Board before they entered into an agreement with Smith Enterprises. Mr. Galama stated there is no tentative agreement.

Mr. Hoffman asked if there would be any other landowner affected by the increase of storm water being stored in Hadley Lake?

Mr. Spencer stated at the outlet elevations of the pipes under Morehouse Road the water does not affect any other land landowners, when the elevation gets above the outlet pipes it could affect John Schmidt's property.

Mr. Hoffman stated anyone who may be effected should be notified and a public hearing held.

Mr. Spencer explained the drainage will not affect anyone else at the 648 elevation.

Commissioner Gentry moved to grant conceptual approval of the two onsite detention basins in Sagamore Pointe Subdivision, seconded by Commissioner Jones. Motion carried.

Commissioner Gentry moved to continue Sagamore Pointe Subdivision until the April 5, 1995 Drainage Board Meeting, seconded by Commissioner Jones. Motion carried.

Mr. Martin Galama expressed his concern as to why they were not willing to go into an agreement with Smith Enterprises. The main reason was if the Galamas wanted to develop their land they want to be sure that Hadley Lake would have enough capacity to handle the drainage from their development.

Mr. Spencer explained there are questions which need to be answered before the Board can answer whether or not the lake could handle the storm water from Sagamore Pointe Subdivision and the Galama's development. The only way to get the answers is to do a study of a simulated development of Galama's property and determine how many acre feet of storage would be available in the lake. There is also the option of making the lake bigger at the permanent pool elevation which is the outlet elevation of Morehouse Road.

Mr. Tim Galama indicated the Ordinance states developments that surround the lake are required to have there own detention for their storm water. If we decide to go into an agreement with Smith Enterprises would other developers remonstrate?

Commissioner Haan stated the same Ordinance would apply to other developers, they would have to receive permission from Hadley Lake's owner or have onsite detention.

Mr. Spencer had asked Mr. Stolz to do an analysis on work that was done by Cole and Associates when the Dempsey Baker Ditch was created. The road elevation on Morehouse Road is approximately 653.6 and that accounts for 464 acre feet of storage in Hadley Lake before overflowing Morehouse Road. The Sagamore Pointe Development storage requirement is 1.13 acre feet out of the 464 available storage.

Mr. Hoffman asked how much more storage could Hadley Lake handle before Morehouse Road would overflow?

Mr. Spencer stated there are 464 acre feet available and the Sagamore Pointe Development would use 1.13 acre feet. The 5.6 feet height of storage is from the outlet structure under Morehouse Road to the top of the Road and the 1.13 is acre feet of storage is a volume. The development is not using 1.13 feet off the 5.6 feet of storage, it is using 1.13 acre feet off the 464 acre feet of volume up to the top of Morehouse Road before it would overflow.

Commissioner Gentry stated the only way to make sure Galama's would have enough storage for their development would be to have an Engineer determine the maximum density of the proposed development.

OTHER BUSINESS

ASHTON WOODS SUBDIVISION PHASE IV
Joseph T. Bumbleburg and Derrin Sorenson asked the Board to take a look at Ashton Woods Subdivision Phase IV. Mr. Bumbleburg stated the County owns a dry bottom retention pond east of Phase IV and asked if it would be possible to deed the two outlots designed for detention within the Subdivision to the County and a covenant that the lot owners could not remonstrate against a petition to create a County Regulated Drain for this watershed area in the future?

Commissioner Haan explained responsibility would be assumed by the County if the basins were deeded to the County. That is something the County does not want.

Mr. Hoffman asked where the water from the two basins would outlet?

Mr. Spencer stated the water will be taken under the new US231 and follow a natural course to the Wea Creek.

Mr. Hoffman asked about the possibility of making the route a legal drain?

Mr. Spencer stated when the Wea-ton area was developed the possibility of a legal drain was discussed, but nothing ever came about. The watershed area would include the Rostone Circle area, Triple J, Old Romney Heights and Ashton Woods Developments.

Mr. Bumbleburg reviewed what needs to be done to establish a legal drain is to create a watershed area, get a legal description of the drain, and to get a list of landowners in the watershed area.

ROMNEY STOCK FARM DITCH
Mr. Spencer presented the Board with a petition he received from Marvin McBee to extend the Romney Stock Farm Ditch and establish a maintenance fund for the upper end of the ditch. There are seven signatures on the petition, but it does not include the signature of Paul Kirkhoff which 95% of the ditch is on his property.

Commissioner Gentry asked if 51% of the landowners effected have signed the petition?

Mr. Spencer stated yes.

US231 RELOCATION
Mr. Spencer stated Mr. Stolz provided him with a synopsis of the review comments concerning the relocation of US231 by Christopher B. Burke Engineering, LTD. for the Board's review.

Cuppy-McClure update
Mr. Spencer reported the plan for the tree mitigation has been sent to Will Ditzler of J.F. New & Associates.

Being no further business the Commissioner Gentry moved to adjourn until April 5, 1995, seconded by Commissioner Jones. Motion carried.

DRAINAGE BOARD MINUTES MARCH 1, 1995 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
APRIL 5, 1995

The Tippecanoe County Drainage Board met Wednesday April 5, 1995 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, and Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Engineering Consultant Jon Stolz and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held March 1, 1995. Commissioner Jones moved to approve the minutes, seconded by Commissioner Haan. Motion carried.

SAGAMORE POINT SUBDIVISION
Robert Grove, represented Smith Enterprises, asked for preliminary approval of Sagamore Point Subdivision. Mr. Grove stated at the March meeting an agreement between Smith Enterprises and the owners of Hadley Lake was trying to be reached, an agreement was not reached. Mr. Grove recalled the Board granting conceptual approval to the plan that would replace four residential lots with two onsite detention basins which is what he has asked preliminary approval of.

Mr. Spencer recommended preliminary approval with three conditions.

1. The applicant has provided calculations for both proposed detention ponds by utilizing the modified rational method. However, Basin 1 appears to have approximately 12 acres draining to it. The ordinance allows the use of the modified rational method for detention facilities that drain 5 acres or less. It appears the applicant should revise the detention analysis to utilize the TR-20 hydrologic model. The applicant should refer to the ordinance to include the proper rainfall distribution, conduct a critical storm duration analysis, use TR-55 methodology for times of concentration and curve numbers and to be sure to take tallwater effects on the pond outlet into account.

2. Basin 2 appears to have approximately 3.5 acres draining to it. Technically, the use of the modified rational method is acceptable for this pond. However, since the TR-20 analysis will be conducted for Basin 1, the applicant may want to consider the use of TR-20 for Basin 2 to be compatible. In either case, tallwater effects on the pond outlet must be considered.

3. The analysis of the undetained peak discharges appears to have an error. The applicant has stated that there will be 1.95 acres released undetained from the north. The applicant has shown a peak discharge of 0.76 cfs. However, using the applicant's numbers, CBBEL obtains a value of 2.9 cfs. The applicant should correct this error when submitting for final approval. In addition, calculations and flow paths to define the times of concentration should be provided with the submittal for final approval.

Mr. Spencer stated those items can be corrected for final review.

Commissioner Haan moved to grant preliminary approval of Sagamore Point Subdivision with the three conditions read into the minutes, seconded by Commissioner Jones. Motion carried.

FIELDCREST SUBDIVISION

Paul Couts, C & S Engineering, asked for final approval of Fieldcrest Subdivision which consist of 14 lots on 35 acres, the smallest lot being 1.68 acres and the largest being 3.82 acres. The subdivision is located on the west side of County Road 900 East, approximately 3/8 mile North of State Road 26 East. The entire development drains to the west into an existing natural swale which eventually outlets into the middle fork of the Wildcat Creek. A storm drainage plan was discussed using the existing swale and use various inlets and pipes to convey the runoff on the west side of the site.

Mr. Hoffman asked if DNR approval is needed for installation of pipe in the north stream?

Mr. Stolz stated the stream drains less than a square mile. Therefore, DNR approval is not required.

Mr. Hoffman suggested adding to the covenant for lots 5, 6, 7, & 8 stating nothing can be done to the stream without DNR's approval.

Mr. Couts agreed to Mr. Hoffman's suggestion.

Mr. Spencer recommended final approval with two conditions:

1. Item 1 of the original memo discussed the lack of detention at the site. In response to that comment, the applicant has now proposed detention for the site by using 3 driveway culverts to restrict the natural flowpath. A TR-20 analysis was used to obtain the runoff hydrographs. This information was input to the POND-2 program to estimate the amount of detention volume required. The applicant also provided calculations to show that the storage required due to the POND-2 analysis is available in the existing channel if the proposed culverts are constructed.

The provided submittal does not fully comply with the Ordinance since the applicant has not provided a release rate value from the site, has not utilized TR-20 to determine actual detention storage, has not noted the information on the plans nor indicated that the general requirements for detention facilities have been met. However, it appears that the applicant has substantially met the intent of the Ordinance and we would recommend waiving of the usual criteria in this case. However, the applicant should still show the limits of the 100 year ponding areas on the plans to ensure that the ponding is contained within drainage easements and to ensure that the proposed buildings are a minimum of 25 feet from any ponding area. Also, the 100 year elevation of each pond is required to ensure that all buildings, including basements, have adequate freeboard. In addition, the Erosion Control Lot Detail on Sheet 3 must be revised. It implies that a 12-Inch CMP may be required at the driveway culverts. The new analysis now requires the use of 30-Inch CMP's at three locations in the creek tributary.

2. Item 4 of the original memo stated that an Indiana Department of Natural Resources (DNR) permit may be required for the site and that an analysis of off-site flows should be provided to verify the structure protection from flooding. The applicant has provided a detailed analysis of the "north" unnamed tributary of Middle Fork Wildcat Creek. However, in regards to the "southern" unnamed tributary of Middle Fork Wildcat Creek, the applicant has calculated a

drainage area of 4.2 square miles and has stated that "none of the proposed development will directly impact this channel."

It should be noted that any future crossing of the tributary or other floodway construction will require and IDNR permit. In addition, the applicant should still determine the 100 year base flood elevation (BFE) on this tributary to verify that the proposed home lots, including basements, have adequate freeboard. The 100 year BFE elevations should be noted on the plans for each lot.

Commissioner Haan moved to grant final approval of Fieldcrest Subdivision subject to the two conditions, seconded by Commissioner Jones. Motion carried.

SHEFFIELD DEVELOPMENT
Bill Davis, Hawkins Environmental, and Dale Koons, Civil Engineering, presented the Board with drainage plans for Sheffield Development. They discussed with the Board their idea of draining the area without detention and taking it directly to the Wea Creek. The Sheffield Development plan includes the completion of the relocation of the US231 project, Raineybrook Subdivision and Stratford Glen. Currently the sites drain along Old Romney Road through a culvert under County Road 400 South into the Wea Creek, next to the vacant bridge on Old Romney Road.

Mr. Koons updated the Board as to changes of the first initial plan. Raineybrook, which consist of 30 to 40 acres has been taken out of the watershed and made to drain towards the west, reducing the drainage into Wea Creek, but approximately 11 acres will be put back into the watershed with the relocation of US231.

Mr. Koons explained the pre-developed 10 year and 100 year conditions with a discussion that followed.

Mr. Koons explained after development, which consist of the completion of Raineybrook Subdivision, Stratford Glen Subdivision and US231 project, a 10 year total flow will be 144 cfs.

Mr. Davis proposed replacing the culvert and the pipe from County Road 400 South, north to Wea Creek and asked the Board to schedule a meeting between the Drainage Board, State Highway, the developer's Engineer and the developer.

Mr. Spencer agreed to schedule a meeting to meet with Phelps Klika, Chief of the Design Division for the State Highway.

OTHER BUSINESS

WILSON BRANCH RELOCATION
Mr. Spencer brought to the Board's attention the consents from the landowners, Maple Point Enterprises and Payles Corporation, on the relocation of the Wilson Branch.

CUPPY-MCCLURE - update
Mr. Spencer stated he received the tree mitigation plan from J. F. New and Associates, which is ready to be sent to the DNR for their approval.

HIGH GAP ROAD DITCH
Mr. Spencer asked Mr. Hoffman who is responsible to maintain High Gap Road Ditch, which use to run along 375 West before it was moved West as part of the

375 West road construction. The town of Shadeland contend they own just the road and are not responsible for the maintenance of the ditch.

Mr. Hoffman stated he would talk to Cy Gerty, the attorney for Shadeland.

LEWIS JAKES DITCH
Mr. Spencer asked when a hearing could be held to discuss the Jakes Ditch. Some landowners in the Jake's watershed area asked him to clean out the ditch, but the law will not permit making a tiled ditch an open ditch with out a reconstruction.

Mr. Spencer asked if the maintenance money could be used.

Mr. Hoffman stated the landowners can make the decision to use the money in the Jakes Ditch to replace a portion of tile with open ditch.

Commissioner Haan suggested having the hearing during the June 7, 1995 regular Drainage Board Meeting.

MEETING TIME CHANGE
Mr. Spencer suggested changing the time of the regular Drainage Board Meetings from 8:30 a.m. to 9:00 a.m..

Commissioner Haan and Commissioner Jones agreed to change the time from 8:30 a.m. to 9:00 a.m..

Being no further business, Commissioner Haan moved to adjourn until May 3, 1995, seconded by Commissioner Jones. Motion carried.

DRAINAGE BOARD MINUTES APRIL 5, 1995 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
FEBRUARY 7, 1996

The Tippecanoe County Drainage Board met Wednesday, February 7, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with Nola J. Gentry calling the meeting to order.

Those present were: Tippecanoe County Commissioners Nola J. Gentry, Gene Jones and William D. Haan; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney Pro-tem David Luhman; Engineering Consultant Dave Eichelberger and Drainage Board Secretary Shelli Muller.

CUPPY MCCLURE BRANCH OF THE HADLEY LAKE DRAIN
The first item on the agenda was the Reconstruction Hearing for the Cuppy McClure Branch of the Hadley Lake Drain.

Those present were: Jack Coffin, Mark Hatton, Al Parker, Lynford Chaffee, Robert Cox, John Harbor, W.R. Baldwin, Hans Peterson and Paul Elling.

Mr. Spencer stated all affected landowners in the watershed area of the Cuppy McClure Branch of the Hadley Lake Drain have been notified. Mr. Spencer asked the two remonstrance letters and his response letters be placed in the minutes.

"Richard K. Maier
107 Tealwood Drive
Bossier City, LA 71111
11 January, 1996
318-741-9864

Tippecanoe County Drainage Board
20 N 3rd St
Lafayette, IN 47901

Dear Sir:

I received your notice of the hearing on the schedule of assessments for the Cuppy-McClure and Hadley Lake drain. As I do not live in-state, I will not be able to attend the hearing, however, I would like to dispute the number of acres benefitted by my farm. Although I am not familiar with the specific location effected, I do know that most of my land drains to the south and not toward the ditch. I have included a map of the areas and direction of shed for my farm. The blue line divides the flow from the south and east. The 8.9 in the "Acres in Tract". Outside the woods, I would estimate 3 to 4 additional acres that drain east. Tile shown on the map all drain south. The farm to the west of me was listed as 3 acres benefitted.

I would appreciate your attention to this matter to correct the acres benefitted. I would be glad to arrange for the tenant farmer to accompany anyone who wishes to confirm the flow directions and number of acres effected. Thank you.

Sincerely

Richard K. Maier"

Mr. Spencer's response letter.

"January 19, 1996

Richard K. Maier
107 Tealwood Drive
Bossier City, LA 71111

Dear Mr. Maier:

This letter in response to your letter of January 11, 1996, Concerning acres benefitted by the Cuppy McClure Branch of the Hadley Lake Drain.

I agree that the 8.92 acre woods was not included in the "acres in tract" and it should have been.

I have reviewed the topo maps for the watershed for your property and I have determined that your acres benefitted should be reduced from 25.00 acres to 15.00 acres. For your information I have enclosed a copy of the amended recommended plan for the Cuppy McClure branch of the Hadley Lake Drain stormwater improvement plan.

Please call or write if you have any questions or concerns.

Very truly yours,

Michael J. Spencer,
Tippecanoe County Surveyor"

The second letter received.

"January 26, 1996

TO: Shelli Muller, Executive Secretary
Tippecanoe County Drainage Board

Letter of objection

Dear Sir:

1) It will be a mess in our daily life, in and out of our house especially when we have a visitor.
2) It will destroy the surrounding trees and flowers, I have planted 15 years ago. It will destroy the lot.
3) It will be very inconvenient for us being elderly couple in and out of the house. I truly object strongly to your digging! It will destroy the beautification I did some 15 years ago.
4) It will depress our feelings my wife and myself of your digging those dirt. It will hurt our feelings after living here X 15 years ago. All the mess we can not stand looking! It all the dirt and dust not healthy for my wife's asthma.
5) It will mess our life thinking of those digging. It will depress our feeling the mess you are going to make.

6) I can not attend your meeting. I am too busy at the hospital. We don't care about the cost, its the mess.

Sincerely

Romuld Jardenil, M.D."

Mr. Spencer's response to letter.

"January 30, 1996

Mr. Romuld Jardenil
1925 Carlisle Street
West Lafayette Indiana 47906

Dear Mr. Jardenil:

I have received your letter of objection to the proposed construction of the Cuppy McClure Branch of the Hadley Lake Drain.

I would be willing to meet with you at your convenience to show you the project plans and hopefully satisfy your concerns.

Please call me at 423-9228 and we can set a meeting date and time.

Very truly yours,

Michael J. Spencer,
Tippecanoe County Surveyor"

Mr. Spencer refered to a watershed map of the Cuppy McClure Branch. He explained the stormwater improvement plan, a clean out and regrading of the existing open channel. A 48 inch pipe to a 11' x 5' box culvert under U.S. HWY 52 West is designed, South of U.S. 52 a low flow 42 inch pipe with a high flow side swale to another 10' x 5' box culvert across Great Lakes Chemical property and connect with another 36 inch pipe with a swale running on top of the pipe. There is a proposed structure at North end of the Celery Bog.

Commissioner Gentry asked what the schedule is for construction.

Mr. Spencer stated after this hearing, advertisements for bids will be published, then begin construction this spring.

Commissioner Gentry asked for questions and comments from the audience.

John Harbor, 2512 Nottingham Place, asked what the need is for this project?

Mr. Spencer stated there is an existing old clay tile that was installed in the early 1900's, the soils have moved causing the tile to no longer function properly. In 1992 a petition was filed to reconstruct the Hadley Lake Drain, the Cuppy McClure Ditch is a Branch of this Drain. It will provide a positive outlet for Celery Bog Park and the future development of West Lafayette.

Mr. Harbor asked how the size of the pipe was determined and if such a large size of pipe really is necessary?

Hans Peterson, RUST Environmental & Infrastructure, stated the main reason for the designed sized pipe is so it can handle future development in West Lafayette.

Mr. Harbor asked if the project included the funding for any environmental ratification for this project?

Mr. Peterson stated I.D.E.M. has required the project include a four to one tree mitigation plan. Also, the construction will be a one sided channel clean out and the portion of open channel just south of Hadley Lake will be a channel bottom clean out.

Mr. Spencer pointed out another hearing will be set up after the completion of construction to establish a maintenance fund.

Mark Hatton, Great Lakes Chemical, asked what the easements are for the ditch.

Mr. Spencer stated the current easements for the ditch are 75 feet either side of the center of the pipe or 75 feet either side of the top of the bank on the open channel portions. A landowner can make a request to the Board to reduce the easement on their property to a minimum of 25 feet either side of the center of the pipe or the top of each bank on an open channel.

Mr. Hatton asked what the restrictions are for construction of a parking lot or road in the easement?

Mr. Spencer stated with the approval from the Board, parking lots or roads can be constructed in the easement, but a structure has to be outside the easement.

Lynford Chaffee, 1411 Ferry Street, stated he owns the property south of U.S. 52, just east of Cheswick Village Apartments. He explained his back yard floods and wondered if the construction of this pipe was going to help his problem?

Mr. Spencer stated the 42 inch pipe with the swale running along side of it will be constructed to the southwest of Mr. Chaffee's property. The swale will collect the water off the property and take it to a manhole from there the pipe will carry the water on downstream.

Being no further questions or comments from the audience, Commissioner Gentry read the findings and orders.

BEFORE TIPPECANOE COUNTY DRAINAGE BOARD
IN THE MATTER OF THE CUPPY-MCCLURE BRANCH OF THE HADLEY LAKE DRAIN:
FINDINGS AND ORDER FOR RECONSTRUCTION

This matter came to be heard upon the reconstruction report and schedule of assessments prepared by the Surveyor and filed on January 2 1996.

Certificate of mailing of notice of time and place of hearing to all affected landowners filed. Notice of publication of the time and place of hearing in the Lafayette Journal & Courier, & Lafayette Leader were filed.

Remonstrances were (were not) filed.

Evidence was presented by the 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 Surveyor and the schedule of assessments were filed in the office of the Surveyor on _January 2, 1996.

2) Notice of the filing of the reconstruction report and 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 and Courier, a newspaper of general circulation in Tippecanoe County, Indiana, and Lafayette Leader a newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.

4) The legal drain consists of 1550 feet of open ditch, 4990 feet of tile in the Main ditch and 0 feet of tile in branches.

5) The largest diameter tile is 48 inches.

6) The drain drains 900 acres.

7) The total estimated annual volume of water handled by the drain is 69,200,000 cubic feet.

8) The land drained consists of approximately 700 acres of wetland, golfcourse, & cropland, 200 acres of urban, industrial, business or subdivision land.

9) Soil types involved are: Houghton Muck, Mahalasville, sloan clay loam, wea silt, toronto-octagon silt loam, langlois silt, throckmorton silt loam, stark-fincastle silt loam .

10) The present condition of the drain is: poor .

11) The drain needs the following reconstruction: Open ditch needs cleaned out, new storm sewer installed to provide positive outlet for the watershed .

12) The estimated cost of reconstruction is: $1,035,455.00 _.

13) Estimated annual benefits to the land drained exceeds _the costs__ and consists of: Providing a positive stormwater outlet for the watershed.

14) Reconstruction would result in the following damage to the following landowners. No damages

15) There is now due the General Drain Fund for the past work on said drain $0.00

16) The drain should be reconstructed.

17) In order to provide for the reconstruction an assessment of _$0.00_ should be levied on each acre benefited.

18) A Maintenance fund for annual maintenance should be established.

19) In order to provide for the annual maintenance an annual assessment of $5.00 per acre benefited and $10.00 per patted lot benefited should be levied.

20) The Reconstruction Report and the Schedule of Damages and Assessments presented by the Surveyor should be amended as follows:

21) The Schedule of Damages and Assessments (as amended) including the annual assessments for periodic maintenance are fair and equitable and should be adopted.
22) The first assessments should be collected with the _N/A taxes.

HOW, THEREFORE, IT IS ORDERED THAT:

1. The Cuppy-McClure Branch of the Hadley Lake Drain be reconstructed.
2. The Reconstruction Report filed by the Surveyor is adopted (as amended).
3. The Schedule of Damages and Assessments for Reconstruction filed herein (as amended) is adopted.
4. The annual maintenance fund (is not) established.
5. The Schedule of Assessments for reconstruction filed herein by the Surveyor (as Amended is adopted).
6. The assessments shall be collected with the taxes.

Dated at , Indiana this day of 19 .

_____
Nola J. Gentry, Chairman

_____
Gene Jones, Member

_____
William D. Haan, Member

ATTEST:_____
Shelli L. Muller, Executive Secretary

NOTE: The Final Report by the Surveyor, the Notice to the Landowners, the list of landowners in the watershed area and the Advertisements from the Journal & Courier and Lafayette Leader are on file along with the Finding and Order in the Tippecanoe County Surveyor's Office.

Commissioner Haan moved to approve and adopt the finding and order of the Cuppy McClure Branch of the Hadley Lake Drain, seconded by Commissioner Jones. Motion carried.

Commissioner Gentry recessed the meeting until 10:00 a.m.

DRAINAGE BOARD MEETING
Commissioner Gentry called the meeting to order.

Approval of Minutes

Commissioner Haan moved to approve the minutes from the meetings held December 21, 1995, a special meeting and January 3, 1996, a regular meeting, seconded by Commissioner Jones. Motion carried.

WABASH NATIONAL

Jennifer Bonner, Hawkins Environmental, asked for preliminary approval of Wabash Nation's parking lot located near the corner of U.S. 52 and 350 South, previously the General Foods property. Changes were made from the original report in regards to the area that drains to the current outlet under U.S. 52 to the Elliott Ditch. Ms. Bonner stated the memorandum from Christopher B. Burke Engineering will be addressed before final approval.

Mr. Spencer recommended preliminary approval.

Commissioner Haan moved to grant preliminary approval of Wabash National parking lot drainage plan, seconded by Commissioner Jones. Motion carried.

Elliott Industrial

Jennifer Bonner, Hawkins Environmental, asked for preliminary approval of Elliott Industrial located at the southeast corner of C.R. 250 East (Concord Road) and C.R. 150 South (Brady Lane). The site includes 17.5 acres, 3.88 acres of the total will be for future development, but 13.6 acres is proposed for seven light industrial lots. Commissioner Haan excused himself from the meeting at 10:04 a.m.. There are two dry bottom detention areas designed for the site, they are both located along C.R. 250 East (Concord Road) and divided by a driveway, both will outlet into the Elliott Ditch.

Mr. Spencer recommended preliminary approval with four conditions:

1) The applicant must submit an analysis of the proposed detention ponds using the TR-20 computer model when submitting for final approval.

2) When submitting for final approval, the applicant must clarify the existing tailwater elevation on Elliott Ditch for the 100 year frequency, 1.5 hour duration storm and use this value in the stage-discharge calculations for the proposed detention ponds.

3) The applicant should clarify the existing drainage for the site east of the subject site when submitting for final approval. The clarification should include delineation of the off site area, determination of the 100 year frequency runoff, comparison with the estimated contribution utilized in the preliminary analysis and determination of flow paths for any excess runoff.

4) The applicant must obtain a construction in a floodway permit from IDNR before final approval is granted.

Commissioner Jones moved to grant preliminary approval of Elliott Industrial Park with the four condition read by the Surveyor, seconded by Commissioner Gentry. Motion carried.

Commissioner Haan returned to the meeting at 10:08 a.m.

SANWIN APARTMENTS

Bob Grove asked for final approval of Sanwin Apartments located off State Road 25 West. At the last meeting Mr. Spencer requested the owners make a request to the Board for a variance to reduce the building setback from a 25 foot distance between the buildings and detention facilities. The second request from Mr. Spencer was that landowner acknowledge the restrictions for the front 125 feet of the site.

Mr. Spencer recommended the Board grant the variance and final approval.

Commissioner Haan moved to approve the variance of the 25 foot requirement for a setback between buildings and a detention facilities, seconded by Commissioner Jones. Motion carried.

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

WAKEROBIN ESTATES II PHASE I

Allen Jacobsen, C & S Engineering, asked for preliminary plan approval for Wakerobin Estates located north of Lindberg Road, west of McCormick Road and east of the railroad. A detention basin is proposed as a wet bottom facility located at the southern end of the site. The storm runoff will be routed through the basin and discharge into the 30 inch culvert under Lindberg Road. The majority of the site, 32.76 acres, will drain south to the basin and the remaining 1.89 acres will drain uncontrolled to the northeast similar to the current pattern and will be picked up by the future development of Wakerobin Estates II Phase II.

Mr. Spencer asked if phase I was going to be done all at once or will it have different sections?

Mr. Jacobsen stated phase I will probably be done in three different sections.

Commissioner Jones asked what size of discharge pipe is proposed?

Mr. Jacobsen replied the pipe will be 24 inch corrugated metal pipe. Mr. Jacobsen explained the outlet structure outlets into a concrete gutter, upstream from the existing culvert under Lindberg Road. He stated another thought is to extend the 30 inch culvert to connect with the outlet structure. The off-site area to the west enters the site in two areas, half of the off-site runoff will enter the existing ditch on the north side of Lindberg Road. A pipe has be designed at the entrance to convey the flow under the entrance to the subdivision. The other off-site runoff comes over the ingress and egress of the driveway to the west of the development and will flow into an inlet to capture the flow. Mr. Jacobsen asked for a variance for the detention facility to be located on lots 176 and 177 of the subdivision.

Mr. Harbor, Sherwood Forest stated he reviewed the plans for Wakerobin and submitted a report of his concerns. He wanted to know what impact the development would have on the existing Wakerobin and Sherwood Forest.

Mr. Eichelberger stated he read the review comments from Mr. Harbor and incorporated them into his review memorandum.

Mr. Spencer recommended preliminary approval with twelve conditions:

1) Starks Fincastle Silt Loam was presented in the submittal as a B/C hydrologic soil group and calculations make as a group B, when this soils is a group C. This value used in curve number determinations was used for both existing and developed conditions for both on and off-site CN determinations. All curve number determinations should be revised to reflect this fact. Also, Rockfield and Kalamazoo soils have been incorrectly assumed to be C group soils in the off-site drainage area.

2) All TR-20 runs have Huff 3rd quartile distribution that is different than the values in the Tippecanoe County Ordinance. Although not a large difference between values, there may be enough difference to make changes in discharge values, thus warranting a correction by the applicant.

3) HY-8 tailwater conditions for the Lindberg Road culvert are analyzed using a normal flow cross section of the receiving swale. No information has been provided regarding the receiving system or the cross section. Slope and condition of the swale need to be provided to confirm this assumption.

4) Although not required by the Ordinance for this project, the TR-20 analysis of the 50-year event of the Lindberg Road culvert did not include the 8.74 acres of off-site drainage area.

5) The following comments are related to the time of concentration calculations:

a. The developed conditions Tc value has been incorrectly computed for the Sheet Flow condition. The slope value was incorrectly entered as a value of 2 versus the correct value of 0.02 foot per foot. In addition, the flow path for the developed condition should be provided in order to confirm the values provided with the submittal.

b. The off-site Tc value has been incorrectly computed for the Sheet Flow condition. The slope value was incorrectly computed as a value of 1 versus the correct value of 0.01 foot per foot. (the calculation sheet does show a value of 0.01 though). In addition, the flow path for the off-site area should be provided in order to confirm the values provided with the submittal.

c. The applicant has not provided a calculation for the uncontrolled runoff time of concentration.

6) It appears that the construction plans differ from the ILUDRAIN calculations at reach 1-3, 0.4 vs 0.5%. The grassed flow length for the area contributing to reach "AS" (5-0) appears to be too long (540 feet).

7) All grading information and subbasin areas assume, in general, that the individual lots will be graded to split front and back yard drainage. The noted grades do not always show a clear indication of the drainage breaks. The acceptance of the provided analysis assumes that the noted drainage peaks will be adhered to during construction of the subdivision.

8) No mention of emergency access nor a safety ramp has been provided for the proposed pond. It appears that lots 176 and 177 contain all of the proposed detention facility on the lot not in common area. If the applicant plans on having detention on lots 176 and 177, a variance request should be submitted.

9) The applicant has not provided indication of drainage easements around critical flow areas between lots 9 & 10 nor near the primary storm outlet into the pond on lot 178.

10) No capacity calculations for the back-yard beehive inlets were provided. Maintaining the minimum 1.5 foot depth of emergency and rear yard swales does not appear possible in a few locations. This appears to be the case near lots 167-168, between lots 9-10 along 6-7(to collect the west off-site flow), and lots 36-37.

11) It does not appear that the applicant has noted erosion control measures for the uncontrolled runoff in the north part of the subdivision.

12) The applicant appears to provide an adequate drainage area map for the off-site area, however, it appears that the 8.76 acres may actually need to include slightly more area above the 702 contour.

Commissioner Haan moved to grant preliminary approval of Wakerobin Estates II, Phase I, with the twelve condition as listed, seconded by Commissioner Jones. Motion carried.

CROSSPOINTE COMMERCIAL SUBDIVISION

Allen Jacobsen, C & S Engineering, asked for final drainage approval of Crosspointe Commercial Subdivision located east of Creasy Lane and south of Burberry Place Apartments. The site consists of a total of 80 acres, with Crosspointe Commercial Subdivision being the first of three different sections, consisting of 25 acres and 16 lots. A road is planned through the middle of the subdivision off Creasy Lane and another entrance to the south of the site for access to the future development of apartments. There are two major drainage facilities that run through the site, the open Treece Meadows Legal Drain and the Treace Meadows Relief Drain. The project proposed not to have any on-site detention facility, direct the water to the Treece Meadows Relief Drain then south to the Wilson Branch, which outlets into the regional retention facility. The portion of the relief

drain that runs through the site is very shallow, to eliminate that problem it is proposed to widen the ditch by 10 feet without altering the existing flowline. Also, change the culvert size under Amelia Avenue to accommodate the full 100 year flow and to extend the culvert under Creasy Lane to the northeast to connect with the relief drain.

Commissioner Gentry asked if the existing culvert under Creasy Lane is large enough to accommodate the runoff?

Mr. Jacobsen stated the culvert is designed to convey a 100 year storm event, the plan is to continue the culvert at the same size, so it should function the same as it does currently.

Mr. Jacobsen explained on-site there is an existing 15 inch clay tile, which is proposed to be rerouted and increase the size of the pipe to 18 inches.

Mr. Spencer stated there is a grade conflict with the new storm sewer going down the access road and the back of the lots.

Mr. Jacobsen stated he would make sure in the final submittal there will be no conflict. He also, agreed that with each development of the individual lots approval from the Board will be needed.

Mr. Spencer recommended final approval with three conditions:

1) IDNR response to the applicant's January 31, 1996 letter.
2) Verification of the cross-section reach lengths through the modeled section of the Treece Meadow Relief Drain.
3) Comparison plots of the cross-section.

Ms. Bonner, Hawkins Environmental on behalf of the City of Lafayette, stated many of the easements are not shown and the easements for the Treece Meadows

Relief Drain need to be shown on the construction plans. The developer also, needs to coordinate the proposed construction plans for the widening of Creasy Lane. The Treece Meadows Legal Drain will be extended south approximately 350 feet, which will cross the proposed Amelia Avenue and will affect lots to the south of the access road.

Pat Clancy, Tippecanoe County Highway Engineer's Assistant, asked for a meeting to be held to discuss the future widening of Creasy Lane and the proposed Crosspointe Subdivision. The County Surveyor, the developer, the City and the County Highway should be represented.

Commissioner Haan moved to grant final approval of Crosspointe Commercial Subdivision with the above listed conditions and an agreement be made between the developer, County Highway Engineer and County Surveyor, seconded by Commissioner Jones. Motion carried.

HUNTINGTON SUBDIVISION

Andy Slavens, Vester and Associates asked for preliminary approval of Phase I and II of Huntington Subdivision located upstream from State Road 26 and west of the existing Green Meadows Subdivision. A concern from the review of the proposed subdivision is the existing culvert under SR 26, the watershed area included 374 acres to the northeast of Huntington Subdivision, which is tributary to the culvert. After further review, the result was the Subdivision utilizes 20% of the culvert, to control the discharge into the culvert an additional pond was designed at the northwest corner of the site. Another concern from the review was an existing 12 inch tile that is a legal drain, which has the 75 foot easement either side of the pipe.

Commissioner Gentry stated since this is not going into a legal drain what happens when the property owners say they are getting a lot of adverse water and put fill in the drainage area, what happens to the drainage system?

Mr. Slavens stated the drainage plan is designed to handle the water.

Pat Cunningham, Vester & Associates, stated that currently the ten year release rate off the proposed site is between 40 and 50 cfs runoff, per Mr. Spencer's requirement, after development there will only be 10 cfs.

Mr. Spencer recommended preliminary approval with the five conditions David Eichelberger provided in the memorandum dated February 6, 1996.

Commissioner Haan moved to grant preliminary approval of Huntington Subdivision subject to the five condition of the memorandum dated February 6, 1996, seconded by Commissioner Jones. Motion passed.

WATERSTONE SUBDIVISION

Dale Koons, Civil Engineering, asked for final approval of Waterstone Subdivision, located between 9th and 18th Streets, south of County Road 350 South and North of the Kirpatrick Ditch. The approval is to relocate a surface inlet into the Kirkpatrick Ditch along the south end of the proposed subdivision. Two options were proposed for the design of the subdivision in the fall of 1993, the first was to minimize the encroachment into the existing floodplain, and not provide any on-site detention storage. Instead, 77 acre-feet of storage would be provided in the Kirkpatrick Ditch. The second option was to increase the encroachment into the existing floodplain, and provide on-

site detention that is distinct from the drainage way of the Kirkpatrick Ditch. This option would provide approximately 4 to 5 acre-feet of on-site storage above the 100 year flood elevation. In an informal meeting with the Board in December it was decided to pursue the first option and maximize the storage of the Kirkpatrick Ditch. The Commissioners expressed concern about the depth of the flooding and asked that it be fenced off.
Some reconstruction of the Kirkpatrick Ditch will be required from County Road 350 to 9th Street to alleviate the problem of standing water at the 9th Street crossing.

Mr. Spencer recommended final approval, with the condition the proposed invert elevations of the reconstructed Kirkpatrick Ditch should be clarified between the downstream invert of the 18th Street crossing and the 622 contour line. For example, the cross-section labeled as Sta. 79+00 on sheet 51 indicates an invert elevation of 622.30. This cross-section appears to be located at Sta. 25+00 of the Kirkpatrick Ditch centerline as shown on Sheet 10. The invert elevation according to Sheet 10 appears to be approximately 621.7. The applicant should clarify this issue.

Commissioner Haan moved to grant final approval of the drainage relocation connection to the Kirkpatrick Ditch for the Waterstone Subdivision, seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

ROMNEY STOCK FARM DITCH
Marvin McBee stated he submitted a petition to the Board for the reconstruction of the Romney Stock Farm Ditch and wanted an update on the progress.

Mr. Spencer stated there was a joint board meeting between Tippecanoe County and Montgomery County. Montgomery County was suppose to get the landowners, names, address, and acreages to him so the County could notify the landowners in the watershed. Mr. Spencer explained shortly after the meeting he received a letter stating Montgomery County was withdrawing from the joint board. Mr. Spencer suggested Mr. McBee ask the Montgomery County Surveyor to send the information of the landowners in the watershed area of Montgomery County.

CONTRACTS

Commissioner Haan moved to sign the contract for the Tippecanoe County Drainage Board Attorney with Hoffman, Luhman and Busch, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to sign the contract for the Tippecanoe County Drainage Board Engineering Consultant with Christopher B. Burke Engineering Limited, seconded by Commissioner Jones. Motion carried.

Being no further business, Commissioner Haan moved to adjourn until March 6, 1996, seconded by Commissioner Jones. Meeting adjourned.

DRAINAGE BOARD MINUTES FEBRUARY 7, 1996

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 | 4 YEAR ASSESSMENT | TOTAL BALANCE | 1996 YEAR END |
|---|---|---|---|---|---|
| 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 | PER ACRE | PRICE | TOTAL 4 YEAR ASSESSMENT | 1996 BALANCE | YEAR END |
|---|---|---|---|---|---|---|
| 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 | Toohey, 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 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 Kirkpatrict McKinny | Calvin Lesley | John McFarland | Mary |
| Samuel Marsh | F.E. Morin | Hester Motsinger | J.Kelly O'Neal |
| Aduley Oshier Rickerd | Emmett Rayman | Franklin Reser | 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 Dempsey Baker | James Shepardson | E.W. Andrew | |
| Newell Baker | Nellie Ball | John Blickenstaff | NW Box |
| Alfred Burkhalter Cole | Orrin Byers | Floyd Coe | Grant |
| Jesse Cripe Dunkin | Charles Daughtery | Frannie Devault | Marion |
| Thomas Ellis Gray | Martin Erwin | Elijah Fugate | Martin |
| Thomas Haywood Johnson | George Inskeep | Lewis Jakes | Eugene |
| James Kellerman McCoy | James Kirkpatrick | John Kuhns | John |
| Wesley Mahin Lane | Absalm Miller | Ann Montgomery | Parker |

| | | | |
|---|---|---|---|
| Calvin Peters | Peter Rettereth | Alexander Ross | John Saltzman |
| Skinner Ray | Abe Smith | Mary Southworth | WilliamStewart |
| Alonzo Taylor | John Toohey | John VanNatta | |
| Harrison Wallace | Sussane Walters | McDill Waples | Lena Wilder |
| J&J Wilson | Franklin Yoe | Jenkins | |
| **Shawnee Creek** | | | |
| Buetler/Gosma | John McLaughlin | S.W. Elliott | Hadley Lake |
| High Gap Rd | Romney Stock Farm | | |

Commissioner Knochel moved to approve the list of Active and Inactive Ditch Assessment for the year 1999, seconded by Commissioner Shedd. Motion carried.

**WATKINS GLEN SUBDIVISION, PHASE 4, PART 3**
Tim Beyer of Vester and Associates, asked the Board for preliminary approval of Watkins Glen Subdivision, Phase 4, Part 3 located off County Road 400 East. The proposed subdivision consists of 9 lot on a 5 acre site. Mr. Beyer asked for a variance from the Drainage Ordinance that requires on-site detention. The majority of the proposed plan drains to an existing pipe and then to an existing detention facility for Watkins Glen South, Part V. The facility has the capacity to handle the additional runoff of Phase 4, Part 2.

Mr. Spencer recommended granting the variance for no on-site detention and preliminary approval of the drainage plan for Watkins Glen, Phase 4, Part 3.

Commissioner Knochel moved to grant preliminary approval of Watkins Glen, Phase 4, Part 3 and to grant the variance allowing no on-site detention, seconded by Commissioner Shedd. Motion carried.

**SEASONS FOUR SUBDIVISION, PHASE III**
Roger Fine, of John E. Fisher and Associates, asked the Board for approval of the outlet pipe for Seasons Four Subdivision, Phase III. The City of Lafayette requires the project to receive approval from the Tippecanoe County Drainage Board because of the outlet pipe into the **Elliott Ditch.** Mr. Fine informed the Board a DNR permit is pending for work in the floodway.

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

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

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

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Ruth Shedd, President

_____
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 **Treece 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 **Treece 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 **Treece 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 **Treece 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 | Juluis 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 Inskeep |
| Lewis Jakes | E.Eugene Johnson | James Kirkpatrick | John A. Kuhns |
| John McCoy | Wesley Mahin | Absalm Miller | Lane Parker |
| Calvin Peters | Peter Rettereth | Alexander Ross | James Sheperdson |
| John Saltzman | Ray Skinner | Abe Smith | Mary Southworth |
| William Stewart | Alonzo Taylor | Jacob Taylor | John Toohey |
| John VanNatta | Harrison B. Wallace | Sussana Walters | William Walters |
| McDill Waples | Lena Wilder | J & J Wilson | Franklin Yoe |
| Jenkins | Buetler/Gosma | S.W. Elliott | Hadley Lake Drain |

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

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

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

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

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

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

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

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

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

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

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

**CHICAGO TITLE INSURANCE COMPANY**

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

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

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

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Kathleen Hudson, President

_____

Doris Myers, Secretary

_____

John Knochel, Vice President

_____

Ruth Shedd, Member

# Tippecanoe County Drainage Board
**June 7, 2001**
**Regular Meeting**

**Those present were:**
Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Doug Masson, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily, Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met Thursday June 7, 2001 in the Grand Prairie Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel calling the meeting to order.

**Approval of May 2, 2001 Minutes**
K.D. Benson made a motion to approve the minutes from the May 2nd 2001 regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

**Sagamore Pines**
**Congdon Engineering Associates**
Chris Badger of Congdon Engineering appeared to request final approval on Sagamore Pines, a 79-lot subdivision including both duplexes and R1B housing. It's located on the west side of Morehouse Road. Section one contains approximately 24 acres. There are some issues in terms of Legal Drains that he thought had either been vacated or relocated in the past. He thought Steve was aware of them and Chris thought they had some solutions. He said there had been a couple of reviews, and they had addressed the questions raised in those reviews. He then asked for any questions from the Board.

John Knochel made reference to the solutions on the Legal Drains, asking if Chris would briefly go through them. Chris thought it referred to changing those Legal Drains if they were still active, and Drainage Board Consultant Dave Eichelberger deferred on that question to County Surveyor Steve Murray. Chris said it looked like they were going to be changing them to what are called 'Regulated Drains', and govern those by the final plat. He checked to see if they had 30 feet for the Regulated Drains, and he thought they did, except for one point which is entering into the dry detention pond. If they needed to, they would then request a Variance on that to be 22 feet instead of 30 feet.

Steve Murray reported that the one drain that goes towards the cemetery is still in place and is still active, based on former County Surveyor Mike Spencer's recollection. The other one to the west was intercepted and dumped into the storm sewer system for Sagamore Point on the south boundary. Based on the best information available, both tiles are still in place and active.

Chris stated there is room to put the 30 feet in for the drain from the Memorial Gardens cemetery that dumps into their dry detention area, so that shouldn't be any problem to maintain. One choice is that the whole common area called out lots A1 and A2, could be kept as part of the Legal Drains.

Working from a blueprint, Chris showed the duplex lots numbered 1- 48, the tile from Memorial Gardens which comes in near a 30 inch corrugated metal pipe, house lines, and the drainage pattern including the dry detention area and Sagamore Point. The old tile is shown, which drains right into the Dempsey-Baker ditch. The other line which was intercepted is also shown. They found an 18-inch tile which outlets as depicted, and the rest of the water came by gravity and was picked up. There is a manhole depicted that was picked up and that picks up the water indicated. Chris looked into it and didn't see it picking up a tile on the inside, but he can't say that there is none. He knows that there is one tile that comes into the drain at another point. There was some concern since it crosses lot 58 and a letter was needed, which he presented to the Board.

The remainder of the lots, 49 through 79 is all R1B. The property ties into Sagamore Point on the north side, and into Lakeshore Subdivision on the west side, which is currently under construction. Some of the other issues already worked out with the county include putting a passing blister on Morehouse Road, and that is detailed in the plans. Also included are; a ditch and an entrance added into the cemetery where they extended a new pipe and more gravel; and widening of Sagamore Pines' half of the road all along their property. He described an acceleration taper and a deceleration lane and taper along with the passing blister.

Chris stated his opinion that one of the Legal Drains terminated on the property and never went on. He showed adequate room to give 30 feet of easement for the drain tile in all but one place if it were to remain a Regulated Drain. He thought that it could still be a Regulated Drain within the plat as shown, and referenced a final plat available at this meeting. He then described areas where there was 20 or 25 feet of space.

K.D. asked if we build houses on top of drains all the time. Steve answered no. He went on to state that they have two options. One is to vacate, which couldn't be supported unless the drainage pattern or the tile terminates on their property. Chris stated that his opinion was that that was the case. K.D. asked if the water drains to Hadley Lake, and the answer is yes, but via the Dempsey-Baker Ditch.

Steve added that the second option, perhaps for the one to the east which goes to the cemetery, is an abbreviated process in the Drainage Statute, 52.5, that we've talked about at several meetings this year. It allows an individual who wants to relocate the drain and reconstruct the drain wholly on their property and at their own expense to follow an abbreviated process whereby the Commissioners approve it at a Board meeting, and then the Drain is merely moved from its existing location to a new location in the storm sewer system. Once again, the minimum statutory width for a situation as this is would be a 30-foot Legal Drain Easement that would be platted on the subdivision, as probably a combination Drainage and Legal Drain Easement.

Steve then said that what he thought we could do at this time is approve it subject to the conditions stated on Burke's review memo dated May 23rd 2001 and also to resolving the vacation and/or relocation issue with the Regulated Drains. Chris stated that their preference is to vacate the one to the south. They will be picking up all the water, and sized the pipe for a 100-year storm event, bringing it all the way down. Steve restated that if the existing Regulated Tile branch terminates on their property, he and the engineering consultant could support vacating it. Chris added that they had given Steve the paperwork and once that determination has been completed, they could take care of that without ever having to change the construction plans. On the other tile, they are extending it as requested another six feet to make the shoulder less steep along the road.

K.D. asked if there hadn't been some concerns expressed by surrounding neighbors about drainage when the project went through the Area Plan Commission? Chris replied that the concerns were about traffic and a fencerow with trees. The passing blister and the location of the ditch which leaves the tree line intact addresses those concerns.

K.D. then moved for final approval with conditions on the May 23rd Burke memo and the conditions specified on the Regulated Drains. Ruth Shedd seconded, and the motion carried.

**Brindon Commercial Subdivision, Lot 2**
**Vester and Associates**

Tim Beyer with Vester and Associates requested final approval for Stuckey Car Wash, which is to be located on Lot 2 of Brindon Commercial Subdivision. He referenced two maps that showed the site. He described the location in relation to U. S. 52, McCormick Road, Bethel Christian Life Center, and the proposed Meijer's Store. He also showed the overall Brindon Development including Brindon Apartments; Brindon Planned Development; and Brindon Plaza on the other side of Bethel Drive, which cuts through the middle of the site.

The proposed detention facilities were approved with the Planned Development, (P.D.), and are in place. There is a main line storm sewer to serve the apartments and these three commercial lots, which was approved with the construction of Bethel Drive on out to U.S. 52. On another display he showed a larger depiction of the car wash site with the eight bay car wash near the middle of the site, some vacuum islands out in front, and some on the other side of the building also. He indicated an area, much of which will be paved to allow access into the car wash, and an entrance road coming down on the south portion of the project.

They are proposing two inlets, one of which catches water from the north half of the site, the other catching the water from the south half of the site, tying in to the main line storm sewer that runs over west to the detention pond. He then asked the Board if there were any questions he could answer.

K.D. asked if they had to do anything special with the water before it goes into the storm sewer. Tim indicated that the water from the car wash bays ties into the sanitary sewer after passing through an oil separator.

K.D. also asked if that is something we as a county will have to be doing in a couple of years. Steve replied that car washes already are addressing the issue, but that we'll have similar requirements in the future for other facilities. K.D. said that she didn't want to see a detention pond with soap scum on it.

Steve remarked that the Burke memo dated May 29th recommends final approval, and added that he would recommend it as well, subject to the two standard conditions on Drainage Fees and a restrictive covenant.

K.D. then moved for final approval with the standard conditions, and Ruth seconded. There were no further comments and the motion carried.

**Aberdeen Ridge Subdivision**
**Hawkins Environmental**

Mark Phipps representing Hawkins Environmental and Turfmaster requested final approval for Aberdeen Ridge Subdivision. He brought two exhibits and showed the surrounding area, including County Road 250 East or Concord Road, a private drive, Aberdeen Way, and an existing subdivision called Concord Place.

Aberdeen Subdivision is to consist of four lots. Just to the south and west of these lots is a natural waterway. The runoff in the existing condition flows from the northeast corner across these four lots to the southwest corner and into the waterway, then to the Wea Creek.

Mark also asked for a Variance from the Drainage Ordinance that would allow development of these four lots without detention storage. The reason is that their calculations of the existing conditions for the ten-year storm runoff are at about 4.76 cfs, (cubic feet per second). They made some assumptions about the types of houses that would be built on these lots, 100 feet of 18-foot wide driveway, patios, large houses, and everything that would go with them. In the developed condition, they calculated in the same ten-year storm event there would be an increased runoff, but only to a level of 5.1 cfs. The ditch which leads to the Wea creek is four to eight feet deep. In a ten-year storm event under existing conditions, the creek is calculated to be 6 inches deep. In the proposed developed condition, the depth is calculated at only 6 ¼ inches deep. They feel this is a negligible level, not even noticeable to downstream landowners in Concord Place and before the Wea Creek.

Steve stated for the record that the Drainage Ordinance requires notification of downstream landowners. President Knochel asked Robert Lahrman, a resident of County Road 450 South to come forward. He stated that he was a longtime resident, very well acquainted with the area in question. He had no objection to what Mark had said. He further stated that as long as they don't change the waterway, there would be no objection. There had been some talk on changing the waterway, and if that had been the case, there might have been objections.

John asked what the highest level of water that Mr. Varman had ever seen in that ditch. Mr. Varman replied that it was within the banks. He went on to state that it's plenty deep and wide enough with good banks where the water will enter.

Steve added that he twice inspected the branch of the ditch which feeds up through the south side of Concord Place, the next little development downstream. He reported a well-defined ravine and drainage system. There are two larger developments under review east of Concord Rd. between County Roads 400 and 500 South and north of Aberdeen, on the Pilotte property. These developments are large enough that they will be required to have stormwater detention.

K.D. asked if the ditch was a county regulated one, and Steve replied that it is not, but is a natural drainage system.

John asked the Drainage Board Attorney whether two motions were needed on this request, one to grant approval, and one to grant the Variance. That was the case, and Steve mentioned a condition stated on the Burke memo of June 1st. That was to plat a Drainage Easement along the south boundary. Mark reported no objection to that, and in response to a question from Steve, indicated a proposed width of 75 feet for that easement.

Steve recommended final approval with the conditions on the memo, further defining condition one to specify a 75 foot width for the Drainage Easement.

K.D. made a motion for final approval with the conditions so stated, Ruth Shedd seconded, and the motion carried.

K.D. then made a motion to approve a Variance allowing direct discharge of runoff without detention. Ruth having seconded and there being no objection, the motion carried.

**Petitions To Encroach on a Utility and Drainage Easements**
**J. Shane DeBoer / William S. Kurtz**

John noted that the two requests were from properties in very close proximity to each other in the Saddlebrook Subdivision in Perry Township. He suggested that the two petitions be discussed together and then voted on separately. Mr. Kurtz resides on lot 270 at 250 Trackside Drive, and Mr. DeBoer resides on lot 296 at 250 N. Wilmington Lane.

John referenced a memo from Steve Murray recommending approval of these requests. Steve agreed, having reviewed both requests. In Mr. DeBoer's case, he had put up a storage shed, not knowing that there was a 15-foot easement. A field check showed that the shed extends roughly five feet into the easement, is causing no problem now, and is not likely to cause a problem in the future. Since the petitioner obtained letters from the required utilities, Steve recommended granting the petition. He added that these petitions need action by the Board of Commissioners as well as by the Drainage Board. K.D. moved that the Drainage Board grant approval to Mr. DeBoer's petition, Ruth seconded, and hearing no objections, the motion carried.

Steve stated that a field check on the petition of Mr. Kurtz showed that the proposed basketball court would be at grade, so it will not affect the drainage in any way. Mr. Kurtz obtained letters from the required utilities regarding the petition, so Steve recommended granting of this petition as well. K.D. motioned to grant approval, Ruth seconded, and the motion carried.

**Engineering Review Fees Ordinance**

Steve stated that the current Drainage Ordinance contains a provision to allow for ten hours of engineering review at the County's expense per project. These funds are expended primarily on drainage review for new subdivisions. In 2000 when the Drainage Board requested two additional appropriations for engineering review, it was asked by the County Council to investigate the possibility of lowering the number of free hours or dropping them completely.

Steve discussed this with developers and engineers. It equates to $650.00 additional cost on each development on average, and he recommended that the Drainage Board eliminate the ten hours of review time paid for by the county completely. He added that with the requirements of Phase II Stormwater coming up, the Board will have to continue to expend more money on drainage issues. Checking with the fifteen largest counties in the state, about half charge for review as well as application fees, and about half do not. But based on the seminars and workshops he's attended on Phase II, most of the other Drainage Boards that are affected by Phase II are going to have to move in that direction.

Drainage Board Attorney Doug Masson remarked that in order to pass the Ordinance through on the first reading, they would need to move to waive the second reading. On discussion of the procedure for passage of this Ordinance, Steve stated that historically, the Drainage Board would vote first, then the Board of Commissioners.

K.D. moved that the Drainage Board pass the Hoffman Luhman Busch draft version 1 dated May 31st 2001, Ordinance on Engineering Review Fees. Ruth seconded, and there being no further comment the motion carried.

Having heard no opposition to the motion, K.D. moved that the Board waive the requirement for a second reading of the Ordinance. Ruth seconded, and that motion also carried.

Steve indicated that there would be a review of the process required for passage to ensure that the Board was in compliance regarding this following Ordinance.

HLB Draft Ver. 1
5/31/01

**ORDINANCE NO. 2001-  -CM**

**WHEREAS**, the members of the Board of Commissioners of the County of Tippecanoe, in the State of Indiana are also members of the Tippecanoe County Drainage Board; and

**WHEREAS**, the members of the Board of Commissioners of the County of Tippecanoe, State of Indiana, did on the 7th day of November, 1988 adopt Ordinance No. 88-40 CM which established "Tippecanoe County, Indiana, A General Ordinance Establishing Storm Drainage and Sediment Control", commonly known as the "Tippecanoe County Drainage Code", and

**WHEREAS**, the Drainage Code, as amended, now requires that developers submitting plans for approval of the Drainage Board pursuant to the Drainage Code bear a portion of the professional engineering costs incurred in the review thereof by the Surveyor and Drainage Board, and

**WHEREAS**, the Tippecanoe County Drainage Board has determined that said developers should bear the full cost of such review;

**NOW, THEREFORE BE IT ORDAINED AND ENACTED BY** the Board of Commissioners of the County of Tippecanoe, State of Indiana, and the Tippecanoe County Drainage Board that:

a. Section 6 g of Ordinance No. 88-40 CM be amended to read as follows:

6 g. Engineering Review Fees:

As a condition of and prior to approval of final drainage plans by the Drainage Board, the applicant shall pay to the Tippecanoe County Drainage Board the actual costs incurred by the Drainage Board and the Tippecanoe County Surveyor in respect to the review of all preliminary plans, final plans and/or construction plans by a licensed professional engineer.

The Tippecanoe County Surveyor shall furnish to the applicant in writing at least ten (10) days prior to the meeting at which the Board is scheduled to consider approval of applicant's final drainage plan a written statement specifying the total cost of professional engineering fees incurred by the Drainage Board in connection with the review of applicant's plans, including the total hours expended by such professional engineer, the cost per hour incurred by the Drainage Board and/or the Tippecanoe County Surveyor with respect thereto, and the amount required to be paid by applicant prior to approval of final drainage plans by the Drainage Board. As a condition of and prior to approval of final drainage plans by the Drainage Board, applicant shall pay to the Tippecanoe County Treasurer the sum set forth in said statement representing the cost of professional engineering services incurred by the Drainage Board and/or Tippecanoe County Surveyor in connection with the review of applicant's preliminary and final drainage plans and accompanying information and data.

b. This Ordinance shall become effective as of July 1, 2001, after its final passage, approval and publication as required by law.

Passed on first reading at Lafayette, Indiana on this _____ day of _____, 2001.

BOARD OF COMMISSIONERS
OF THE COUNTY OF TIPPECANOE
STATE OF INDIANA

VOTE:

_____ Ruth Shedd, President

_____ John Knochel, Vice President

_____ KD Benson, Member

ATTEST:
Robert Plantenga, Auditor

Adopted and approved by the Tippecanoe County Drainage Board at Lafayette, Indiana, on second reading this ____ day of , 2001.

TIPPECANOE COUNTY DRAINAGE BOARD

VOTE:

_____ By:
John Knochel, President

_____ Ruth Shedd, Member

_____ KD Benson, Member

ATTEST:
Secretary

**Cuppy-McClure Regulated Drain**
**Assessment**

Steve related that as a result of some drainage problems on the Cuppy-McClure branch of the Hadley Lake Drain, a review of the file was begun. It showed that back in the late 1980's and early 1990's, there was a petition to establish the Hadley Lake Regulated Drain which was processed and approved with all the required hearings. That drain had three branches, one of which was the outlet of Hadley Lake, which was constructed; the second was the Baker-Dempsey, which the Board discussed earlier for Sagamore Pines. The third was the Cuppy-McClure, which passes through the Great Lakes site. Assessments have been set up on the first two branches, but Steve found that assessment had never been put on for the third, the Cuppy-McClure branch. In talking with former County Surveyor Mike Spencer, Steve learned that they had decided at the time of the petition to wait until the Cuppy-McClure project was completed. It has been completed, the improvements are in and have been accepted. He felt that it had probably been an oversight that the assessment for this portion of the Hadley Lake Drain did not get made effective.

Drainage Board Attorney Dave Luhman gave an opinion to Steve that the proper procedures had been followed, that it was just a matter of the Surveyor reporting that the project had been completed and for the Board to take action to go ahead and make the assessment effective. Steve recommended making the assessment effective because repairs to the tile were necessary recently, and the maintenance fund was established by order at $5.00 per acre and $10.00 per platted lot benefited by the project. Mr. Luhman said in electronic mail that the Commissioners need to do an adoption of finding. If the Commissioners are agreeable to making the assessment effective, Steve will have something prepared for the next meeting to take action on.

K.D. asked if the Board were doing this today, would the level have been $10.00 rather than $5.00. Steve replied that the $5.00 assessment would be sufficient. He indicated that it might have been slightly higher than $5.00 if it were being done today. The Surveyor does a report based on his estimate of what it will take to do any improvement and/or maintenance. With the three branches, his opinion is that this is probably adequate.

K.D. also expressed concern since the average homeowner moves every five years, whether there is a whole new group of people there. She asked whether the Board has to go through renotifying landowners. Steve indicated that Mr. Luhman's opinion had been that renotification was not necessary, since this was a situation where property owners had been properly notified and were simply not billed for taxes that were due, through an oversight by the county.

On further discussion, it was decided that notice to the taxpayers of the assessment should and could be given prior to any tax billing. This is not the same process as required for the original establishment of the Regulated Drain, and can be done with minimal expense.

No further action is required by the Board until the next meeting, it having given Steve Murray approval to proceed.

There being no more comment and no other business, KD moved to adjourn, Ruth seconded, and the motion carried. Meeting adjourned.

_____
John Knochel, President

_____
KD Benson, Vice President

_____
Robert Evans, Secretary

_____
Ruth E. Shedd, Member

# Tippecanoe County Drainage Board
**July 3, 2001**
**Regular Meeting**

**Those present were:**
Tippecanoe County Commissioners Ruth Shedd, John Knochel, and KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily, Drainage Board Executive Secretary Robert Evans.

The Tippecanoe County Drainage Board met Tuesday July 3, 2001 in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner/President of the Drainage Board, John Knochel, calling the meeting to order.

**Approval of June 7th 2001 Minutes**
KD Benson made a motion to approve the minutes from the June 7th regular Drainage Board Meeting. Ruth Shedd seconded the motion and hearing no opposition, the motion carried.

**Shawnee Ridge Subdivision Phase II**
Tim Beyer of Vester and Associates appeared before the Board to request final drainage approval for Shawnee Subdivision Phase II. He displayed a map of the site of the project and the surrounding area, including County Road 600 North, State Road 43, Hawk's Nest Subdivision, and the entire Shawnee Ridge property including Phase I, the proposed Phase II, and the pond that was constructed with Phase I, sized to handle capture runoff from everything to the south of the pond including virtually all of the runoff from Phase II.

On a larger scale map of Phase II, he showed the proposed storm sewer that captures the runoff and either ties into the Phase I storm sewer, or extends the Phase I storm sewer and outlets into a ravine at the north end. The water then travels to the pond as detailed on the first map.

Steve Murray asked at what stage construction was on the Phase I pond. Tim replied that they were finishing it up, the pond having been 80% completed during Phase I.

KD made a motion to grant final approval as requested with the standard conditions, (specified on the June 28th Burke Engineering memo). Ruth Shedd seconded and there being no further discussion, the motion carried.

**Schroeder Property**
Tim Balensiefer of T-Bird Design began with an overview of the Schroeder Property. He displayed a map that showed its location on State Road 38 next to the existing Quality Farm and Fleet store, and further away the locations of Subaru Isuzu, the proposed F Lake, and IvyTech.

The Schroeder property is a 3-acre tract. The proposal is to develop a commercial center on it, a strip center with parking on the majority of the site, the building with some sidewalk out front, and some greenspace around with some landscaping. There's a small area offsite that drains through the site in the present condition, and they have taken that into consideration. Runoff will drain into the State Road 38 drainage ditch, including water from the roof that passes through a catch basin. The water will eventually run from the ditch into the proposed F Lake.

The request Tim brought before the Board is that the onsite detention be stored in the future **F Lake**, with the understanding that there will be fees for such storage.

Steve Murray apologized for the Board not having the latest review memo available, and referenced a Burke memo dated June 28th 2001, which recommended preliminary approval. He reported that the Surveyor's Office concurred with that. He stated agreement that, as has been the case in this area, we have allowed direct discharge to go down to **F Lake**, and the developer would need to compensate the Drainage Board for storage in the F lake. He added that the last figure the Board had was $15,000.00 per acre/foot.

Steve said that could all be decided as they continued to develop their plan, and that they wanted to know conceptually on a preliminary basis that the Board agreed with their plans.

In response to a question from KD, Dave Eichelberger explained that in the County's continuing effort to provide regional detention instead of having individual detention ponds scattered throughout all the different developments, the County is trying to put in the regional detention concept throughout various watersheds that are seeing a lot of development. He referenced the **Berlowitz Ditch and the Wilson Branch one.**

Steve added that the Board has a study on the entire **Elliott Ditch** watershed, which was updated in 2000 by Burke. As part of that, regional ponds were planned. One is complete and is located at the Tippecanoe Mall across from the County Extension Office, and another has been started and is partially designed. It will be east of Old Ross Road and east of IvyTech and is what has been referred to as **F Lake**. Property to the east and some to the north will drain to that.

Dave continued that they had determined a certain amount of area around there that could be drained directly to **Elliott Ditch**, and its storage could be taken care of by that **F Lake basin**. The Schroeder property is within that area.

Steve stated then that the request before the Board was in conformance with that study and the direction that the Drainage Board and Surveyor's Office have taken in the past, and repeated the recommendation for preliminary approval.

KD made the motion to grant preliminary approval to the Schroeder property, seconded by Ruth. There being no further discussion, the motion carried.

**First Church of the Nazarene**
Pat Sheehan of the Schneider Corporation presented the proposal for the development. The site is located east of County Road 500 East, and just south of State Road 26 East. It's just east of the Meijer's development and is also surrounded by other developments. To the north and east is Brookfield Farms, and to the south is Saddlebrook Estates. He continued that this is the last piece, it's twelve acres of farm field, and everything around it is developed.

They examined the existing drainage basin, and there are four different areas where this drains off site. It drains to the north into Brookfield Farms in two locations, to the south into Saddlebrook Subdivision, and there is a drainage area that goes to the County Road 500 East ditch and some ultimately goes off to the east.

The proposal was approximately a 35,000 square foot building structure and about 1.7 acres of parking. The drainage basins and the way they intend to drain the proposed area is to split it up so that about 80% of the area drains to the north into a dry detention pond. That pond will connect to an existing tile that crosses under C.R. 500 East and goes into the Meijer development, ultimately to the **Alexander Ross** drain.

The last portion of the development drains to another dry basin that ultimately discharges into the C.R. 500 East ditch, which drains to the south. They requested final approval based upon the condition in the Burke memo of June 28th 2001.

Steve commented that Pat and he had discussed doing direct release to the C.R. 500 East ditch, and gave the board a little history. Unfortunately, while the designs for the development surrounding this site were being done, the County didn't have access to the G.I.S. contouring data. Because of that, this site was ignored as far as their offsite water being accommodated into the surrounding developments. This made the site difficult to design for, and he suggested that Pat be able to do whatever was best for his client, given the amount of time they had spent on this design, and the fact that they were strapped with some design considerations that really weren't their fault. Steve recommended that the Board approve this design, or if Pat thought it was better for his client to look at direct release and free up that area as developable area, to go that route as well.

Pat stated that approval of direct release would enable a better development for his client. Trying to restrict so much in some of these smaller areas ends up causing areas that remain wet. They're hard to restrict and the restrictor is small and gets clogged. Ultimately, the impact to the C.R. 500 ditch is very minor. Direct release would create a better development, without small mosquito (producing) ponds.

KD asked if there were houses right up against there. Pat replied that there are some in Saddlebrook Estates Subdivision, but that the drainage will not be going in that direction, instead being captured and taken to the west into the C.R. 500 East ditch. In response to questions from Steve and KD, Pat stated that changing to direct release would involve removing a pipe and restrictor. The water would still collect in the same area with a discharge of 2.5 cubic feet per second as opposed to 1.2 cfs.

Steve added that to the north where they're discharging into the existing tile, once again that is probably not a desirable situation but they have absolutely no other choice. The tile picks up the backyard runoff from Brookfield Farms, and this

development will put a restrictor plate on their outlet to meter that water out to the point that the tile can accommodate the water. This addressed KD's question about drainage through backyards in Saddlebrook Estates. This water will go into a drainage easement there as it was intended to, and had always gone in that general direction. It just wasn't recognized and accommodated as they were doing their design on that phase of Saddlebrook. But once again, this property owner has no other choice, so the Board has to let them go that route. He added that it's been designed properly and will be metered out. Pat added that the water would be detained in the basin area.

KD asked if there was no choice but to have a wet area. Pat said that it would be dry except immediately after rainfall. Steve added that the in rear yard swale in the existing subdivision the effect really should be nominal, but that even under current conditions in certain rainfall events he was sure water stands until it can get out through the fairly small tile. Steve then recommended final approval with the conditions as stated on the June 28th memo.

KD moved to grant final approval with the conditions so specified, Ruth seconded, and there being no further discussion, the motion carried.

**The Commons at Valley Lakes**

Jerry Withered representing Cedar Run Limited, owner of The Commons at Valley Lakes, referenced a request sent to the Drainage Board to approve reconstruction of a portion of **Branch 7 and all of Branch 8 of the Kirkpatrick Ditch**, rather than going through the vacation process. This was suggested by Steve Murray and Dave Luhman per section 52.5 of the County Drainage Ordinance which states that the Drainage Board is permitted to authorize the reconstruction rather than the vacation of a legal drain on various conditions: First, that the project is on property all owned by the petitioner, which is true in this case; Second, that the specifications have been approved by the County Surveyor, which is also believed to be true in this case; Third, that the project will be completed under the supervision of the County Surveyor, and they are happy to have that supervision; Fourth, that as in this case, the petitioner will pay all costs of the reconstruction; Fifth, that the County Surveyor has investigated whether this reconstruction will adversely affect any of the landowners upstream, which has been done; Last, that the Drainage Board makes a finding that no landowner upstream is going to be adversely affected. Jerry summarized by saying all his client is doing is reconstructing and putting in a large drainage tile where formerly there had been a ditch. He then introduced civil engineer Alan Jacobson from Fisher and Associates to show the specifics of the proposal.

Alan gave some background with aid of a map showing South 18th Street, the direction of County Road 350 South and Valley Lakes Plaza, the location of Concorde Road, County Road 430 South, Wea Ridge Elementary School, and the site for Wea Ridge Middle School. He pointed out The Landing at Valley Lakes, Phases I and II. Phase I has been constructed, with only a few empty lots left in the subdivision. Phase II was accepted on the morning of July 3rd by the Lafayette Board of Works, and construction was to begin by the end of the week.

He then pointed out the site for The Commons at Valley Lakes, a 40-acre site that adjoins South 18th Street, the north line of it being roughly the main branch of the **James Kirkpatrick Drain.** When they did the development for The Landing Phase I, they created a retention pond to deal with the stormwater management issue. Currently there is a pipe that runs north from the pond some distance before ending. A temporary open channel has been cut through the high ground. The water is managed on site because there was no choice at that time due to the size of the development and the fact that the downstream facilities had limited capacity. When they did The Landing Phase II, the water originally drained through a low area via a temporary channel to a natural depression that currently exists on the site. It's quite a large depression, an old pothole swamp with lots of black dirt. This plan was approved by the Drainage Board.

The philosophy they took for The Commons was under the assumption that **the Kirkpatrick Drain** was to be improved in a significant manner, sized to accept water from developed areas on these properties and also to the east and north of the 18th Street crossing. He then cited three new culvert bridges planned. Their philosophy was then; that there would be no need for onsite stormwater detention, that the capacity of this newly reconstructed Kirkpatrick Drain would accept the water from the site.

Moving to a discussion of the current conditions of the drain, he detailed a 30-inch tile for the main branch. Branch 5 is a small branch that goes to the north. Across the Cedar Run Properties, Branch 7 runs to their southeast corner, and Branch 8 joins the north line at The Landing at Valley Lakes. This tile line has diameters of 10, 12, and 15 inches along its length.

In response to a question from KD about the current condition of the tile, Alan explained that the tile did continue further than it currently does before The Landing At Valley Lakes Phase II was developed. They obtained Drainage Board approval to vacate a small portion, and they intercepted three tiles from Mr. Yount's property on their south line, one from a pond and

the other two being field tiles. The water from them was directed through the storm drainage system for The Landing At Valley Lakes Phase II. That currently discharges through a 36-inch pipe just west of the existing tile. The creation of the temporary channel to the low area was so that its discharge could be regulated as opposed to letting it run off by its natural course down into the low area that runs along the **Kirkpatrick Drain**.

What they were proposing to do is extend the existing outlet pipe for the retention pond for Phase I of The Landing down through the proposed subdivision to exit into the improved or reconstructed **Kirkpatrick Drain**. This would be a 36-inch storm drain all the way down, and it would accept other water from the proposed developments, both current phases and future phases, and has been sized accordingly.

At the point where they discharge from The Landing At Valley Lakes Phase II, that storm line will also be continued across the open space which will eventually be developed, and then through the Commons. This would be a 42-inch storm drain increasing in size to a 60 inch before reaching the **Kirkpatrick Drain**, due to grade considerations. He then referred to a third series of storm drains proposed that will also outlet into the **Kirkpatrick**. These will accept water primarily from future phases of development, although some of the lots in the current development will actually drain through that pipe system.

The total proposal is for three outfall locations into the reconstructed Kirkpatrick Drain. The water that was originally detained in the low area for The Landing At Valley Lakes Phase II will now run completely through the pipe system, and therefore not be detained in that low area as soon as the construction is complete.

Alan then discussed the existing field tiles. No changes are proposed for Branch 5 on the other side of the ditch. Branch 7 will be left partially in place, connected to the 42-inch storm drain at the south line of their current phase. Branch 8 will be partially removed as the new storm drain is laid, the remainder continuing to drain to Branch 7. The portion of Branch 7 which will be left in place will be in a section that is proposed as a park and recreation area with no building activity proposed over it.

In response to a question from Ruth Shedd, Alan verified that not all of the tiles of Branches 7 and 8 would be replaced at this time, though he did confirm that future development on the 200 plus acres will bring requests to relocate upstream areas, and their design takes that into consideration. They will intercept on their east line, routing the water down through the site in the proposed storm sewer system. He then restated that the current proposal features intercepts at the south line of the phase, routing through a new, larger storm pipe out to the **Kirkpatrick Drain**.

Ruth then asked if approval is given for reconstruction on the branches but not all of it will be done now, whose responsibility and at what time will that approval be requested? Or, she continued, is the Board being asked to approve later reconstruction now? Steve Murray answered that at this time, the Board is being asked to grant approval for relocation of that portion of those branches within Phase I. As they develop on the south and east, he assumed they would follow the same procedure in seeking approval. One of the requirements is that they have construction plans approved, and generally they don't generate those plans until they are closer to getting ready to build that phase or section. He concluded that the board can grant approval incrementally with no problem, and there's really no need to act on future relocations at this time because the easement will exist for those branches until such time as they develop the plans for that phase or section.

Steve also added that this process is easier compared to in 2000 when they vacated that small portion to the south with the hearing and notice process. This is cleaner and easier, and for all intents and purposes they always have to pick up that water that comes overland or through the tile and run it through their storm sewer system anyway. The net result is leaving a 30-foot drain easement that follows the new storm sewer. KD asked if the Surveyor had to approve it. Steve confirmed that, and added for the record that this is in the City of Lafayette, so the Board's approval will be contingent on the City's approval. All the Board needed to do at this time compared to other developments is to look at the effect on the regulated drain which is soon to be the **Kirkpatrick open ditch**, and the two laterals that were referred to earlier.

KD asked Steve to confirm that they will all be part of the Regulated Drain when completed and he did so, adding that he wanted to distinguish the individual portions. Steve then asked Alan about the temporary storage issue, referring to a worst-case scenario in which the construction is complete but The Board has been unable to start on the **Kirkpatrick project**. Alan responded that given the uncertainty of the construction timetable for the excavation portion of the **Kirkpatrick Drain** reconstruction project, several discussions had been conducted between them and the City of Lafayette and also the County Surveyor's Office. Regarding providing interim storage in the event that their schedule gets ahead of the reconstruction schedule, one viable option is to partially excavate along the alignment of **the Kirkpatrick Drain channel**. In other words, they will have pipes in the ground below the existing grade at these three outlet locations. They propose to create an excavation in the vicinity of these outflow pipes. This isn't intended to be a full excavation to the actual depth and cross

section of the final ditch alignment, but a partial excavation that would provide enough volume in the interim to satisfy the requirements of the release rate in the ordinance. He responded to a question from Steve by replying that his client was willing to do that in the event it became necessary.

KD asked if that was the eventual park location. It is not, but rather in the proposed ditch channel alignment area. Steve reiterated that this is referring to a worst-case scenario, and that hopefully the Board will get its permit from the Indiana Department of Environmental Management and will be able to begin construction within the next month or so. Alan did a quick estimate on volume based on developed area. The schedules will determine whether they have to come back to the Board with an interim detention plan for a partial excavation within the **Kirkpatrick Legal Drain**.

KD asked Steve if he and the consultants were comfortable with the plans proposed, and Steve responded that they were.

Jerry Withered clarified that they needed two things: First, the final approval of the drainage plan for Phase I of the Commons at Valley Lakes; Second, the approval for reconstruction rather than vacating **Branches 7 and 8 of the Kirkpatrick Ditch.** Dave Luhman added that the second issue first required a finding by the Board that no landowner upstream would be adversely affected by the project. He continued that a condition of that finding might be that the temporary detention would have to be constructed if their plans got ahead of the Kirkpatrick, since it seemed that there might otherwise be some adverse effect on landowners.

Dave suggested a motion to find, subject to the condition that they include the temporary detention pond as part of the project, that no landowners would be adversely affected. Following that would be a motion to approve reconstruction. Steve commented that the first act should be on their drainage submittal, indicating that the Surveyor's Office and Drainage Board engineering consultants would recommend that the Board give final approval to The Commons at Valley Lakes Phase I subject to the conditions stated on the June 27th review memo, stating for the record that condition number one on the memo did discuss the temporary detention situation if in fact the **Kirkpatrick Drain** hasn't been reconstructed, and that it's all subject to the City of Lafayette's approval.

KD Benson so moved, Ruth Shedd seconded, and there being no further discussion, the motion carried.

Steve stated an area of concern on the second item, that he hadn't seen a final set of construction plans on the relocation of the **Kirkpatrick Laterals, Branches 7 and 8**. 52.5 does require approval of the Surveyor. Alan said that the City was reviewing internal storm drains, sanitary sewers and water. A few minor changes were yet to be made, and he expected to provide the Surveyor's Office with a final set of plans by July 9th. Steve added that he was satisfied that through the normal construction plan review process the Board would get what it needs; to accommodate those two tiles into their new storm sewer system along with a 30 foot new regulated drain easement to follow the new storm sewer route. With that he deferred to Mr. Luhman as to how to follow through on their request for the reconstruction.

Dave Luhman suggested first that there be a finding of no adverse effect on adjoining landowners based on the review and recommendations of the Surveyor's Office and the Drainage Board engineering consultants. Steve said; assuming as expected that a good set of plans that accommodates the flow of those tiles through a new route, it will not have an adverse effect on any upstream landowners. He continued that Branch 7 does cross onto property owned by another individual, which was partially why he suggested that they go this safer and easier route. Even with the worst-case scenario on the reconstruction of the **Kirkpatrick** they will provide temporary detention in the proposed easement for the new channel. That would be submitted for review if it were needed, so there would be an opportunity to review and make sure that nobody upstream would be adversely affected.

Ruth asked if the Board is just concerned with one other landowner there. Steve's response was that's primarily true, but this process is the safest way to do it and provides protection to upstream landowners, which is why he could report a finding that no upstream landowners would be adversely affected.

KD then made a motion that the Board find that no adjoining landowners would be adversely affected by this reconstruction. Ruth seconded, and there being no further discussion, the motion carried.

KD then made a motion to grant approval for reconstruction of **Branches 7 and 8** assuming final construction plans arrive. Ruth seconded, and there being no further discussion, the motion carried.

President Knochel asked Mr. Murray for a report on where the Board was with the reconstruction of the **Kirkpatrick**. Steve reported that the Board was still awaiting approval from IDEM and also awaiting offer letters for the right-of-way which

needs to be acquired, most of which is west or downstream of South 9th Street. He also verified that a bid had been accepted from a contractor who is ready to start. IDEM was insisting that a concrete bottom could not be included, and Steve stated that conceding that was likely to be required to move the project forward.

**Petition For Partial Vacation Of The Vanderkleed Drain**
Joe Bumbleburg referenced a petition given to Board members for the partial vacation of the Vanderkleed Drain. Included in it are: The legal descriptions required; the land over which it should run; and averments of the appropriate statutory requirements – that the abandonment will not be detrimental; and that the reconstruction of the drain would cost more than the benefits.

Joe stated that this was essentially a tying up of a loose end in that the proposed drainage plan for the Lindberg Village subdivision had been approved, and that the subdivision had received primary approval of the Area Plan Commission. Therefore, the only question to be decided before Board action would be the question of persons affected by this vacation. He references a very old drawing that suggests the area being drained by this drain is all on this site, and when they put in the drainage system for the subdivision, they will be taking care of everything within their own property that is subject to the drain as it currently existed. Since there are essentially no other persons affected by this, it would simply require the finding of no adverse effects as in the previous item on the Board's agenda. Then the Board would be able to decide the question of vacation.

Steve Murray commented that the Surveyor's Office would concur with the vacation as requested on this site, with his only concern be that the Board follow the statutory requirements. He added that he thought the petitioners had exercised due diligence in talking to adjoining landowners, but felt that anyone within the watershed to the north needed to be contacted and given a chance to respond.

Bill Davis of Hawkins Environmental came forward to demonstrate with the aid of the map that there are no other landowners upstream in the watershed in question. After discussion between Bill and Steve, it was agreed that this was the case.

KD made a motion to find that no other upstream property owners would be adversely affected by the vacation of the Vanderkleed Drain. Ruth Shedd seconded, and there being no further discussion, the motion carried.

KD then moved to approve the petition to vacate that portion of the Vanderkleed Drain. Ruth Shedd seconded, and that motion likewise carried.

**Engineering Review Fees Ordinance**
Steve Murray stated that he had placed the Engineering Review Fees Ordinance on the agenda primarily to make certain that the Drainage Board members and attorney were comfortable with the process that was followed to pass that ordinance. Dave Luhman stated that since the last Drainage Board meeting, the Tippecanoe County Board of Commissioners had adopted the ordinance on first and second reading so that all necessary action had been taken. The ordinance was scheduled to have taken effect on July 1st 2001, so with petitions now filed it would apply, and developers would be required to pay the cost of the engineering review fees for anything submitted on or after that date.

**Cuppy McClure Regulated Drain - Assessment**
Steve stated that this had also been discussed before. The Cuppy McClure was one of three branches of the Hadley Lake Drain. The outfall runs north and east of Hadley Lake. It was constructed and accepted, and an assessment was started on the acreage in that watershed. The Baker Dempsey was reconstructed as well, and an assessment started on it. Cuppy McClure was the last of these three drains, and has been completed and accepted, but an assessment was not started. Steve found this when he was researching the file when there was some blockage and stoppage on the Cuppy McClure tile as it runs through the Great Lakes Chemical property. He stated a belief that based on everything he found and Mr. Luhman's review that the Board should have that assessment start now.

KD referred to the earlier discussion having included the issue of mailing notification to landowners in that watershed. Steve stated that was correct. KD then made a motion to recognize that the construction was complete, and for the Board to move ahead with starting the assessment process. Ruth Shedd seconded, and there being no further discussion, the motion carried.

**Other Business**
Joe Bumbelburg rose to address the Board on behalf of another client, Kenneth Puller and his Foxfire development on Haggerty Lane. He wanted to address the issue of escrowing the funds for drainage improvements. This development is

contributory to the F lake, and they were seeking permission to put money into the **F lake** escrow fund against the time that it would be needed. He stated he understood from Dave Luhman that there was a form of agreement that had been used previously by the Drainage Board that would be provided to him, but the signal they sought from the Board was that they would authorize them to pay the monies into that escrow fund against the time that it would be needed by the Drainage Board for work on the F lake.

KD asked if this was to be in lieu of actually making road improvements. Joe responded that the road improvements are under the jurisdiction of the Board of Commissioners, but that he was essentially talking about the same thing for the offsite drainage improvements. John Knochel asked when the Commissioners had last heard proceedings on Foxfire, and Joe responded that they had heard two versions of this with the Area Plan Commission on the actual subdivision process, and once early in 2000 on a rezoning as well as on a tax abatement.

KD stated that she would like the Surveyor to review the request and make recommendations before she would feel comfortable making a motion. Dave Luhman commented that he had suggested using something similar to what the Board had used with the **Alexander Ross Drain** on Park 65. The initial developer knew they were going to have to build a large detention pond and weren't going to construct the whole thing, but there was an agreement that future developers who would participate in that would pay for the value of their usage. He stated that if the Board hadn't yet got a mechanism set up like that for F lake, the Board should probably look at it because there had been two projects impacting F lake at this meeting, and there would be more.

Joe asked if there was a current fund existing on the **F lake**. Steve replied that there are some funds, probably a nominal amount, adding that the city generally collects those funds for the Drainage Board. The last time it came up a few months ago, there still wasn't enough to finish the design let alone to construct the facilities. He added that as developments are occurring in the area, obviously the Board is getting closer to that.

Joe asked if whatever they put into this fund would facilitate the design of the lake, at least at this point. He then stated that all he was asking was for the Board's approval to use that vehicle, whatever that fund might be. Steve stated that the Board hadn't finished the review, that the site had a three-year Drainage Board history, and that he wasn't prepared to recommend the Board take the step requested by Mr. Bumbleburg. He added that former Surveyor Mike Spencer had been involved, that it was a very thick file, and he needed to finish the review and check the intent underlying previous reviews.

Ruth Shedd asked if the Board could have a standard resolution for something like this. Dave Luhman replied that the Board could, once the review was completed and there was a determination on what the costs were going to be and how to appropriately share those. Ruth added that this was obviously going to come up more than once. Steve agreed, mentioning that it had in the past, then adding that generally with these regional concepts, they're within the city's utility service area, and they've handled the cost recovery through their normal utility cost recovery system. On **Elliott**, he said, the money for water that goes to the Mall pond the city collects and holds, and water that goes to **F lake** where money is given in lieu of onsite detention, that money goes to the County.

Ruth asked if the petitioner could hold off for another month. Joe responded that a month would present a problem. Mr. Puller rose to speak, representing 'Faces', which is the sponsor for Foxfire. He stated that the problem they had was that their option was running out that they have to get financing on this, and that they had to get it approved through FHA just for the enhancement. The dollars were originally estimated at $50,000.00. Their engineers now put that figure at $66,000.00 that they have to put in at the time of closing.

Steve stated that the problem with this site is that it did not have an outlet currently, and so there were some proposed improvements that were supposed to be put in place in order to provide a positive outlet. Because of that, he didn't know that agreeing to escrow the money would ever result in the Surveyor's Office making a recommendation to approve their drainage plan. Ken stated that they were there to discuss the 66-inch offsite storm sewer line. In the drainage plan they proposed to put a permanent holding pond in the project.

Steve and KD stated their beliefs that this request was premature without engineering review and recommendations. Joe asked if assuming the plan gets approval, would the Board allow the developers to put the money into escrow. Steve restated that he was not prepared to recommend that at the present time, that he wasn't certain that the Surveyor's Office and engineering consultants would ever get to the point of recommending escrowing the improvements as opposed to putting them in. Joe drew a distinction between what he saw as Steve's position that he didn't know if the plan would be approved, and Joe's request for their financial planning purposes for an understanding that if the plan was approved, that the money would be accepted into escrow. Steve pointed out that part of the plan is the improvements.

Joe reiterated that he was only discussing the event that the plan was approved. If the plan were not approved, the money would not be needed and would not be given. He again requested an understanding from the board that if the plan was approved, that the Board would allow monies to be escrowed as requested. Steve stated that as long as the petitioners understood that part of the plan approval process may be that the improvements are required to go in and the monies not be escrowed, he could recommend agreement. He then clarified for KD that the improvements in question would be to convey water from the site to the F lake. Joe added that he understood that some of the money might need to be spent rather than escrowed.

Dave Luhman clarified that the money in question was the share of money to design and develop the F lake, not the money to design and build offsite improvements to outlet water from the site to the lake. KD asked if there was a reason the Board wouldn't want to escrow the money. Dave replied that if the Board weren't ready to complete the construction of the **F lake**, and has been able to determine what their share of the **F lake** cost would be and the developers agreed, the Board could accept those monies and put them in escrow. That's separate from approving the drainage plans.

Joe suggested that if the Board was having trouble raising the funds for the design of **F lake**, it should want contributors so that progress could be made, and reiterated that all he sought was an indication that the money would be accepted into escrow if the drainage plan was approved.

John Knochel indicated that he could personally give conceptual approval to that request. Ruth Shedd agreed, stipulating an understanding of the difference of the monies, who was going to use it, and where it was going to be used. KD also expressed agreement on that basis. Joe thanked the Board, then asked Dave Luhman to provide him a copy of the earlier agreement on the Alexander Ross Ditch, and Dave agreed.

There being no further business, KD moved to adjourn the meeting. Ruth Shedd seconded, and the motion for adjournment carried.

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John Knochel, President

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KD Benson, Vice President

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Robert Evans, Secretary

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Ruth E. Shedd, Member

# Tippecanoe County Drainage Board
**Minutes**
**July 6, 2005**
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President Ruth Shedd, Vice President John Knochel, member KD Benson, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison and GIS Technician Shelli Muller. County Highway Supervisor Mike Spencer was in attendance also.

**Approval of Minutes**

John Knochel made a motion to approve the June 1, 2005 Drainage Board Meeting minutes as written. KD Benson seconded the motion. The June 1, 2005 Drainage Board minutes were approved as written.

**JN Kirkpatrick Regulated Drain/Drainage Impact Area**

The Surveyor stated the JN Kirkpatrick Regulated Drain had been reconstructed from roughly 350 South to Concord Road and modeled for most development's direct release in the area, excluding commercial and industrial. At the request of several property owners east of Concord Road, a preliminary draft design for a regional detention facility was completed several years ago. The regulated drain was previously classified as an Urban Drain, meaning by statute it was in need of reconstruction. Generally, as an agricultural drain, it was inadequate and incapable of handling the increased flows resulting from the area development and did not have a positive outlet. Indiana Drainage Code Classification and the Tippecanoe County Drainage Ordinance allow for the drain to be declared a Drainage Impact Area. Based on the amount of development in the watershed area, the Surveyor recommended the Board declare the JN Kirkpatrick Regulated Drain watershed east of Concord Road a "Drainage Impact Area". The JN Kirkpatrick Regulated Drain was adequately reconstructed west of Concord Road. The impact area would be east of Concord Road just south of Co. Rd. 450 South, to Co. Rd. 350 South and extended east of Co. Rd. 450 East and a small area east of US52. (Approximately 1200 acres) KD asked what exactly would declaring the area a Drainage Impact Area mean? Attorney Dave Luhman stated general conditions of development could be established. Such as all Stormwater Drainage Control Systems in that area could be required to participate in the regional detention basin, as well as the requirement for a positive outlet to the JN Kirkpatrick Regulated Drain. Also generally the Board could require a developer to establish control systems within their developments - such as establishing their internal drainage facilities as regulated drains - as a condition of drainage approval. This was done on portions of the Elliott such as the Treece Meadows Relief Drain. Historically this was the only way to ensure adequate drainage for the property within the watershed was still used for agricultural purposes. The Surveyor stated portions of Co. Rd. 450 South, Co. Rd. 450East and several depressional areas used as farm ground were under water for several weeks after the 2004 flood. Obviously, this area could not handle additional pressure from urban, commercial and industrial development. JN Knochel made a motion to declare the JN Kirkpatrick Regulated Drain a "Drainage Impact Area", and authorize the Attorney to prepare a formal Resolution with boundary map for the August 2, 2005 Drainage Board meeting. KD Benson seconded the motion and the JN Kirkpatrick Regulated Drain watershed east of Concord Road would be declared a "Drainage Impact Area" once the Resolution was presented to the Board during the August meeting. The Surveyor hoped to accomplish the reconstruction utilizing a combination of detention storage fees, possible EDIT money for Urban Drain Reconstruction as well as benefited landowners reconstruction assessment monies.

**JN Kirkpatrick Regulated Drain Branch #5/ Petition for Partial Vacation and Relocation**

Dan Teder, Attorney with Reiling, Teder and Schrier representing DF Properties appeared before the Board to present a Petition for Partial Vacation and Relocation of the JN Kirkpatrick Regulated Drain. Dan Kuester from Woolpert LLP as well as Mike Wylie from Schneider Corporation were in attendance and available for questions from the Board. The portion of Branch #5 of said drain in question was the 150 feet Drainage Easement and located within Section 10 Township 22 North and Range 4 West at the Wal Mart project site. Located in the northern portion of the site the regulated drain intersected with the Promenade Parkway's storm infrastructure. The tile was then routed through a previously approved 30 feet drainage easement within Stones Crossing Commercial Subdivision. KD noted this was discussed last month and granted conceptual approval at that time. The Surveyor stated said Branch had been located onsite and found to be routed to the southwest corner of Co. Rd. 350South and Concord Road. The drain was previously replaced in part under the intersection of Concord Road

and Co. Rd. 350South. It had previously been intercepted just east of Lot 1 and 2 in Stones Crossing Commercial Subdivision and relocated around the east right of way of Promenade Parkway. The Drainage Code stated a condition for approval for said request was the land on both sides of a regulated drain must be owned by one and the same. The County Surveyor must approve the specifications for the project and any costs would be the sole responsibility of the petitioner. The Surveyor had investigated whether a landowner within the watershed would be adversely affected. The Surveyor stated he did not believe that was the case. Dave Eichelberger, Board Engineer Consultant, stated he had not seen sufficient plans to date. Dan Kuester stated he could provide those plans within the week. Dan responded he would provide the calculations and plans as required and submit said plans within the week. Ruth Shedd then asked what was the construction time frame. Dan Kuester replied it was the developer's intent to start construction in the fall. Final design plans were being wrapped up and they would respond to any concerns. John Knochel made a motion to approve the relocation and the proceeding vacation of Branch #5 of the JN Kirkpatrick Legal Drain contingent upon the Surveyor's approval of the forthcoming plans and specifications. KD Benson seconded the motion. Branch #5 of the JN Kirkpatrick Regulated Drain relocation and vacation was approved contingent upon the Surveyor's approval of said specifications and plans.

**Retreat At Hickory Ridge Lots 198 and 199/Petition to Vacate Drainage Easement**

Dan Teder, Attorney with Reiling, Teder and Schrier representing South 18th LLC- Brian Keene President, appeared before the Board to present a Petition to Vacate a Drainage Easement on lots 198,199 in the Retreat at Hickory Ridge Subdivision for approval. Attorney Teder provided Exhibit B to the Board which indicated the location of easements. The Surveyor recommended approval for the Petition to Vacate a Drainage Easement on lots 198,199 in the Retreat at Hickory Ridge Subdivision as submitted. Dan stated a new site plan would be submitted. John Knochel made a motion to approve the Petition to Vacate a Drainage Easements on lots 198,199 in the Retreat at Hickory Ridge Subdivision as submitted. KD Benson seconded the motion. The Petition to Vacate a Drainage Easements on lots 198,199 in the Retreat at Hickory Ridge Subdivision was granted.

**Lafayette Pavilions Phase 1**

Dan Kuester with Woolpert Inc. appeared before the Board to request final approval for Lafayette Pavilions Phase1. The overall site consisted of fifty-one acres and was located at the southwest corner of State Road 26 and Creasy Lane in the City of Lafayette. Phase one consisted of thirty-one acres. Two access drives would be constructed from Creasy Lane and one from State Road 26. Most of the site drained to the southeast routed through a public storm network and a portion west to an existing ditch. A storm sewer network to collect onsite runoff would be located along the west property line. Dan stated he was working closely with the Lafayette City Engineers Office. The Surveyor noted while the project was located within the City, the Board's concern was runoff release to Treece Meadow Relief Drain (Layden Drain). He stated the plans indicated the rates as satisfactory. He recommended final approval for Lafayette Pavilions Phase 1 with the conditions as stated on the June 15, 2005 Burke memo to the Board. John Knochel made a motion to grant final approval with conditions as stated on the June 15, 2005 Burke memo for Lafayette Pavilions Phase 1. KD Benson seconded the motion. Lafayette Pavilions Phase 1 was granted final approval with conditions as stated on the June 15, 2005 Burke memo.

**Huntington Farms Phase 3 Section 2 and South Half of Section Four**

Doug Mark with Congdon Engineering Associates (CEA) appeared before the Board to request final approval for Huntington Farms Phase 3 Section 2 and South Half of Section Four. This phase was a continuation of previously approved Huntington Farms Subdivision Phases. The site was located along State Road 26 northwest of County Road 300 West (Klondike Road) and consisted of approximately fourteen acres. An existing pond was located in the southwest corner of the development. A storm system would be constructed and drain the proposed area to the pond at three separate locations. Previously approved Drainage Reports described the construction of a detention pond in the southwest portion of the site. Mr. Mark requested final approval for Huntington Farms Phase 3 Section 2 and the South Half of Section Four. The Surveyor stated he would recommend final approval with conditions as stated on the May 27, 2005 Burke memo as well as the added condition of covenants indicating proof of establishment of a Homeowners Association with covenants covering the homeowner's responsibility for the drainage system outside of the County Right of Way to include estimates of costs for such maintenance. John Knochel made a motion to grant final approval for Huntington Farms Phase 3 Section 2 and the South Half of Section Four with conditions as stated on the May 27, 2005 Burke memo as well as the added condition of covenants indicating proof of the establishment of a Homeowners Association and specific covenants covering a homeowner's responsibility for the drainage system outside of the County Right of Way including estimates of costs for such maintenance. KD Benson seconded the motion. Huntington Farms Phase 3 Section 2 and the South Half of Section Four was granted final approval with said conditions.

**Park 350 Subdivision**

Brandon Fulk with Schneider Corporation appeared before the Board to present Park 350 Subdivision for final approval with a waiver of onsite storage. The site was located approximately 1500 feet due west of intersection of US 52 and County Road 350 South and consisted of approximately 125 acres. The North half of the site drained north to the County Road 350 South roadside ditch. The remaining portion of the site would drain south to the planned JN Kirkpatrick Regulated Drain Regional Detention Facility. A proposed interim design was completed for storm infrastructure use until said detention facility is operable. The interim design would drain runoff to the County Road 350 South roadside ditch. Once the regional facility was constructed the Stormwater system would be modified to drain into said facility. Brandon then requested final approval for Park 350 Subdivision. Only the subdivision plan's lot configurations were general at this time and would be detailed at a later date. Brandon stated they were working closely with the City of Lafayette and the County Highway department. Brandon then requested final approval for Park 350 Subdivision. In response to John Knochel's inquiry, the Surveyor stated a structure would have to be in place at the abandoned railway bed or a cut made through it. It was noted the railroad still had control of the right of way at this time. Brandon stated a more in depth report of the site's drainage would be submitted in the near future. The Surveyor stated a variance would be required from the detention pond requirements. John Knochel then noted condition four of the June 30, 2005 Burke memo did not mention a safety ledge. The Surveyor stated if a 6:1 slope was used the maintenance ledge was required, however the slope was not 6:1. KD stated she felt a fence was warranted in this situation. She then asked the Surveyor what the time line was for the planned regional detention facility construction. The Surveyor stated it a date was not set at this time.

John noted he was willing to grant the variance with a safety fence placed around the perimeter of the ponds. He then made a motion to grant a variance with the condition of fencing the onsite ponds. KD Benson seconded the motion. The variance was granted with the condition of a safety fence constructed around the onsite ponds. The Surveyor then stated he was prepared to recommend final approval with the conditions on the June 30, 2005 Burke memo. He noted the condition of the required contribution to the planned regional detention facility. John Knochel then made a motion to grant final approval with the conditions as stated on the June 30, 2005 Burke memo. KD Benson seconded the motion. Park 350 Subdivision was granted a variance as well as final approval with the said conditions.

**Menards**

Brandon Fulk from Schneider Engineering appeared before the Board to request final approval for the Menards development project. The site was located on the northwest corner of US 52 and County Road 300 West and consisted of approximately 54 acres. Brandon stated the site was located within a dual watershed area. The northern portion of the site drained northeast to Hadley Lake and the remaining portion of the site, with offsite tributaries through the project site, drained to an existing culvert beneath 300 West. In addition US 52 had a culvert that would be incorporated into the design. Brandon discussed the varied elevations throughout the project site and noted the data was included within their reports. With respect to Indian Creek, the site was delineated and submitted to DNR for review. A DNR letter of concurrence of the floodway line was expected. KD asked the attendees in the audience if they were attending due to this project submittal, they answered affirmative. Brandon then addressed their questions concerning specific elevations within and surrounding the site. He stated anything above 654.3 would be considered outside of the flood plain according to DNR's published values for this site. He informed them determination of elevations for downstream properties would require a request of verifications to DNR. He stated the highest base flood elevation published with the Indiana Creek Study was less than 654. He noted whether it was Indian Creek or Hadley Lake's back waters, in the low frequency high storm events, you would theoretically see a topping of the County Road. The bridge elevation was at 657, four feet higher than the sag in County Road 300 West and three feet higher than the base flood elevation. A proposed berm elevation, located at the existing culvert, would be 652.5. This would shut the culvert off to some degree and would not allow release associated with the project itself. Brandon stated due to the conditions, the culvert would be left open as a "relief valve" for the possibility of backwater from Indian Creek and/or Hadley Lake. The Surveyor then stated the new County Stormwater Ordinance did not allow any net loss in flood plains on construction projects. (Commercial, residential or industrial) IDNR generally was not concerned about anything other than what was in the floodway, which was where there was perceptible movement of current. They have left the decision to local officials of whether the flood plain fringe may be filled in. Brandon stated the project met the release rate allowable by the current Stormwater Ordinance. Brandon stated the release rate was far less than what was in the existing condition.

KD asked Brandon to review the proposed detention pond and berm for the Board the interested attendees. Brandon stated the location of the berm would be on the east side of the culvert under 300West to insure runoff and the offsite tributaries drain north to Indian Creek avoiding the said culvert. The proposed detention facility would be located in the northeastern portion of the site and accommodate Menards as well as any future outlot development of the site.

At that time Ruth Shedd asked for public comments. Mr. Jim Bower of 3750 North 300W West Lafayette Indiana 47906 stated he felt the development of this site and also the future Mejier's store site would cause adverse drainage to his property. He stated to date he had spent $80,000.00 due to area flooding. His property was located adjacent to the culvert under 300West. He stated he understood about the 100, 200 year flood data, however he was concerned. He believed the problem of flooding in that area would be greater due to the development of the site. The Surveyor stated the flooding would not go away until the railroad upsized their culvert. He stated the Meijer project would have to go through the same drainage process. He stated the current Stormwater Ordinance did it's best to protect landowners upstream and downstream. He did state one would see less water at any one period of time, but one would see it over a longer period of time. After the flooding last year the Surveyor noted he had been at that location several times. He had walked the portion of Indiana Creek East of Co. Rd. 300W on Mr. King's property traced the path of water etc. He stated the rainfall had hit Hadley Lake as hard as Indian Creek and the water obviously overflowed Indian Creek and traveled to Hadley Lake. He agreed it was very complicated and felt there were events when Hadley Lake overflowed to Indian Creek as well. The area was located within a watershed subject to periodic flooding. He understood Mr. Bower's concern, and stated he was insistent for an outlet to Indian Creek and not the culvert under Co. Rd. 300W. He noted the project drainage plans provided more flood plain storage than required by the current Stormwater Ordinance. Dave Eichelberger stated one couldn't control flooding one can only manage it. The Surveyor reiterated they had met the technical standards by the current Ordinance as required. Floyd Oaks 3608 North 300 West, West Lafayette Indiana 47906 approached the Board and asked if the peak flow increased, would this cause his property as well as others to be included within the flood plain. The Surveyor stated it would not.

KD asked if the berm in front of the culvert directed the average rain to the detention pond and not to the culvert would not the landowners see less runoff. Dave Eichelberger noted it would depend on the distribution, depth and duration of a rainfall event. However, the design presented showed the project site and tributaries to their site drainage would go directly to Indian Creek and not to the west. The Surveyor stated water could still bottleneck at the railroad culvert (bridge) location in the event of a flooding due to the undersized culvert. Dave Eichelberger then added depending on the flood event that occurred and in certain events where water would normally drain to the culvert it would now drain directly to Indian Creek. Ruth Shedd then asked for additional comments. KD asked Mike Spencer, Highway Supervisor to investigate a possible tree in the said culvert at Co. Rd. 300West. The Surveyor stated based on the Tippecanoe County Stormwater Ordinance he recommended final approval with the conditions on the June 29, 2005 Burke memo, subject to DNR approval before site work begins and the installation of the berm as a second item in sequence of post construction. At the Attorney's suggestion, the Surveyor explained construction sequence to the attendees. He stated as part of the new Phase II Clean Water Act requirements, the local entities including the County were now responsible for what was once known as Rule 5 (erosion control). This included a provision for post construction sequence operation (water treatment devices), which would be submitted to his office and monitored closely. He stated good sequencing for this project would include constructing the outlet to Indian Creek first and installing the berm before any erosion construction began. John Knochel then made a motion to grant final approval with conditions as listed on the June 29th Burke memo and subject to DNR approval prior to any site construction work and the installation of the berm as a second item in the sequence of post construction.

**Stonehenge Planned Development Drainage Easement**

The Surveyor stated he agreed to handle the request for Mr. Tim Beyers of Vester and Associates. He was in receipt of a certified letter requesting release of a drainage and utility easement. John Knochel made a motion to grant the drainage easement release request for Stonehenge Planned Development as requested by Vester and Associates submitted to the Surveyor. KD Benson seconded the motion. The drainage easement release for Stonehenge Planned Development was approved.

**Appleridge at the Orchard Phase 2/Maintenance Bond**

The Surveyor presented Maintenance Bond #104456650 submitted by Milestone Contractors, written by St. Paul Insurance Company in the amount of $1547.00, dated March 21, 2005 to the Board and recommended acceptance. John Knochel made a motion to accept Maintenance Bond #104456650 in the amount of $1547.00, dated March 21, 2005 for Appleridge at the Orchard Subdivision Phase 2. KD Benson seconded the motion. Appleridge At the Orchard Phase 2 Maintenance Bond #104456650 was accepted as presented by the Surveyor.

**Public Comment**

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

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Ruth Shedd, President

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John Knochel, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

# Tippecanoe County Drainage Board
**Minutes**
**January 3, 2007**
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Drainage Board Secretary Brenda Garrison and Project Manager Zachariah Beasley were in attendance. Member Ruth Shedd was absent.

**Approval of Minutes**

John Knochel made a motion to approve the December 6, 2006 Regular Drainage Board Meeting minutes as written. KD Benson seconded the motion. The December 6, 2006 Regular Drainage Board meeting minutes were approved as written.

**Election of Officers**

Drainage Board Attorney Dave Luhman accepted nominations for 2007 officers of the Tippecanoe County Drainage Board. KD Benson nominated John Knochel as President for 2007. There were no other nominations. John Knochel was elected President of the Drainage Board with no objections. The Attorney then requested a motion for Vice President. John Knochel nominated Ruth Shedd as Vice President. KD Benson seconded the nomination. Ruth Shedd was elected Vice President in absentia. John Knochel made a motion to appoint Brenda Garrison as the 2007 Drainage Board Secretary. KD Benson seconded the motion. Brenda Garrison was appointed Drainage Board Secretary for 2007.

Contracts for the Drainage Board Attorney as well as Engineer Consultant would be presented during the February Meeting.

**Concord Plaza Phase One Lots 3A & 3B**

Brandon Fulk of Schneider Corporation appeared before the Board to request final approval for Concord Plaza Phase One Lots 3A and 3B. The site consisted of approximately 1.44 acres - known as Outlot 3 and located at the corner of County Road 350 South and County Road 250 East (Concord Road). Outlot 3 was subdivided into two lots (3A and 3B) and would have a new storm system connected to the main storm sewer constructed at the Wal-Mart Super Center site. The runoff would then discharge to a detention facility also constructed at the WalMart site. Brandon stated the detention facility was constructed to the South of the Wal-Mart building as part of the Master Drainage Plan for the overall Subdivision. Stormwater quantity and quality rules were met at that time. He stated Lot 3B would not be developed at this time and they agreed with the conditions listed on the December 22, 2006 Burke memo. He then requested final approval with the stated conditions at that time.

The Surveyor asked which portion of the existing Stormwater sewer system for Wal-Mart location would the Stormwater end up in. Brandon stated; it would run down a private drive to the west side of WalMart and into the detention facility. In response to the Surveyor, Brandon confirmed it would not be located in the portion which contained the relocated Branch of the J.N. Kirkpatrick Regulated Drain. He stated it was Wal-Mart's responsibility to provide any drainage information for the site. In response to KD, Steve stated he knew of one instance where construction was not done as planned. They would monitor this as construction progressed. John Knochel asked for public comment and there was none.

The Surveyor recommended final approval with the conditions as listed on the December 22, 2006 Burke memo. KD Benson made a motion to grant final approval with the conditions as listed on the December 22, 2006 Burke memo. John Knochel seconded the motion. Concord Plaza Phase One Lots 3A & 3B was granted final approval with conditions as stated.

**Unity Oncology Expansion/Faith Hope and Love Center**

Brandon Fulk with Schneider Engineering appeared before the Board to request final approval for the Unity Oncology Expansion aka Faith Hope and Love project. The 1.5 acre site located on the east side of Creasy Lane (County Road 350 East) south of Amelia Drive and within the City of Lafayette, was known as Lot 2 of the Crosspointe Commercial Subdivision. The medical building would be expanded in order to provide space for additional radiation equipment. The proposed development would require an Encroachment on the Treece Meadows Relief Drain Easement. The existing storm

sewer system would be utilized with a slight modification due to the expansion of the building extending into the Treece Meadows Relief Drain Easement. The site has a direct outlet to said Relief Drain (which is part of the Wilson Branch of the Elliott Drain) and tributary to the Wilson Branch Regional Detention Facility. Brandon stated the existing two lane drive would be maintained, however five existing parking spaces would be removed. He was requesting approval of a Maintenance Agreement regarding the Treece Meadows Relief Drain as well. The agreement was for the maintenance from the top of the bank of the Treece Meadows Relief Drain to the existing concrete swale (vegetation) - from Creasy Lane to Amelia Ave. As development occurred to the south and the east the Relief Drain would be maintained by any future development in that location at that time. He stated a Petition for Encroachment was previously submitted to the Surveyor for review. In addition, a Vacation of a Regulated Drain Easement regarding the location of the proposed building expansion with a five foot buffer beyond the proposed footprint was requested. He then requested final approval with the conditions as stated on the December 21, 2006 Burke memo along with the approval of a Vacation of the Easement, a Maintenance Agreement and Encroachment Petition. Responding to the Surveyor's inquiry, Brandon stated the dumpster and dumpster pad would be removed and relocated to the southwest corner of the existing parking lot. The Attorney stated the requests would require Drainage Board approval only. He noted while the Encroachment allowed for maintenance on the Drain, if any damage occurred to the parking lot during required maintenance, it would be at the owner/developer's expense. John Knochel asked for public comment and there was none. In response to K D's inquiry, the Surveyor stated his office tried to maintain a twenty-thirty foot strip (particularly on Urban Drains) from top of bank on one side of a drain - at the least - to enable an excavator to perform maintenance work.

Subject to filing of the legal descriptions for the Maintenance Agreement, the appropriate Encroachment Petition, and Vacation Request (to include recording of those documents), the Surveyor recommended final approval along with the conditions as listed on the December 21, 2006 Burke memo. KD Benson made a motion to grant the proposed Maintenance Agreement, Encroachment and Vacation of Easement subject to submittal of their legal descriptions. John Knochel seconded the motion. KD Benson made a motion to grant final approval with conditions as stated in the December 21, 2006 Burke memo. John Knochel seconded the motion. The Unity Oncology Expansion Project aka Faith Hope and Love Center was granted final approval with the conditions as stated.

**Campus Suites-Preliminary Approval**

Paul Dietz from Vester and Associates appeared before the Board to request preliminary approval of Campus Suites. The site consisted of approximately 19.9 acres located north of U.S. 52 and Paramount Drive and west of Lakeshore Subdivision. The site was south of Hadley Lake Regulated Drain. Approximately 4 acres in the northern portion of the site lied within the floodplain and would remain undisturbed. (The site's drainage plan was divided by the following: PA1= Center of site PA2= the Southwest corner of the site PA3= North portion of the site)

Paul stated the site would have a direct outlet to the Dempsey Baker Drain, an indirect outlet to the Cuppy - Mcclure Drain and runoff would eventually drain to the Hadley Lake Regulated Drain. A detention storage waiver and treatment exemption was requested. He stated they agreed to the conditions listed on the December 29, 2006 Burke memo. In response to K D's inquiry, Paul stated the proposed pond was a wet-bottom pond. In response to K D's inquiry, the Attorney stated notification to downstream owners was required before final approval was granted. KD expressed concern regarding the parking lot area's runoff. Dave Eichelberger stated a variance was requested for that area.

The Surveyor stated he had discussed the project site with the Board's Engineer Consultant and they were not prepared today to recommend granting a variance or encroachment. He stated at this time preliminary approval was requested only. Dave Eichelberger reiterated a floodplain was associated with the site. Everything the developer was putting in was outside the floodplain. Any wetlands associated with site were located in the northern portion and they were staying out of the wetlands. There was no offsite areas tributary to the site and no downstream capacity issues. Request for the Variances should not be addressed at this time as the design for their proposed filter strips etc. had not been submitted to date for review. John Knochel asked for public comment and there was none.

The Surveyor recommended preliminary approval with the conditions as stated on the December 29, 2006 Burke memo and NOT to grant any variances or encroachments at this time. KD Benson made a motion to grant Preliminary approval only. John Knochel seconded the motion. Campus Suites was granted Preliminary Approval only at this time.

**Leader Newton Regulated Drain**

Regarding the pending quote acceptance for the Leader Newton Regulated Drain waterway and tile replacement, the Surveyor informed the Board the quote from Lauramie Excavating in the amount of $57,706.00 was received after the stated

time requirement therefore could not be accepted. A quote from Birge Farm Drainage in the amount of $74,833.90 was received before the date and time requirement.

Therefore after tabulation and review he recommended the Board accept Birge Farm Drainage's quote in the amount of $74,833.90 for the Leader Newton Regulated Drain waterway and tile replacement. KD Benson made a motion to accept the quote submitted by Birge Farm Drainage in the amount of $74,833.90. John Knochel seconded the motion. Birge Farm Drainage quote of $74,833.90 for the Leader Newton Regulated Drain waterway and tile replacement was accepted by the Board.

**Public Comment**

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

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John Knochel, President

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Ruth Shedd, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

# Tippecanoe County Drainage Board
**Minutes**
**April 4, 2007**
**Regular Meeting**

**Those present were:**

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

**Approval of Minutes**

Ruth Shedd made a motion to approve the March 7, 2007 Regular Drainage Board minutes as written. KD noted a couple revisions to be made to the minutes. KD Benson made a motion to amend the minutes to reflect the correct spelling of landowner Roger Verhey's last name (as shown here) and indicate Paul Dietz had stated he notified landowners concerning the Winding Creek Section 5 & 6 project before the board. She then seconded the motion with amendments as stated. The March 7, 2007 Drainage Board meeting minutes were approved with the amendment.

**Campus Suites**

Paul Dietz from Vester and Associates appeared before the Board to present Campus Suites for final approval. The site consisted of approximately 20 acres and was located north of U.S. 52 south of Hadley Lake. Approximately 4 acres of the site lied within the flood plain and would not be disturbed. The site would accommodate a clubhouse, maintenance building, nine apartment buildings and a mail kiosk. The majority of the site drained north to the Dempsey Baker Drain and Hadley Lake while the remaining portion drained south through Paramount Lakeshore Subdivision to the Cuppy McClure Drain with two exceptions. Approximately 1.7 acres would continue to go south and the net flow would not be increased. Approximately 1.2 acres to the north would flow directly north through a wooded and shrub area to Hadley Lake.

Paul stated he was requesting two variances for this project. The first variance requested regarded the Post Construction Stormwater Quality requirement. The 1.7 acres draining south was treated with a filter strip to 48% before exiting the site to an existing detention pond at Paramount Lakeshore Subdivision. The 1.2 acres which drained north received an uncalculated amount of treatment through the stated trees and shrub area before reaching Hadley Lake. The approximately 13 acres within the site was subject to "double treatment" with Stormwater inserts and an extended dry detention pond to achieve 94%. The overall weighed treatment factor was 77%; this was just short of the 80% required by Ordinance.

A second variance was requested regarded building pad elevation requirements. The Ordinance required building pads to be 1.25 feet or higher above the invert of the emergency flow path. Due to the handicap accessibility design, a modest grade was required from the parking lot to the building. In many cases the buildings were right on top of the parking lots. The handicap access could not be obtained to achieve the required differential and adhere to the building pad elevation requirement. At the CI1 inlet and Inlet 2 affecting Building 6 location there are 1.25 feet to the first floor but not to the pads. On top of the pad elevation would be an additional eight inches to the first floor. Beehive #1 affects Building 2 and has the same circumstance. Most of the drainage on the site drained to structures 9 & 12. The buildings surrounding those structures met the requirements of the Ordinance. Paul stated he concurred with the March 27, 2007 Burke memo and requested the variances as well as final approval.

Responding to John's inquiry, Paul discussed the building pad elevations. Concerning the Clubhouse, he stated while the elevation would be approximately a foot higher than the ponded water elevation it still would not reach the required 1.25 elevations. Due to handicap access requirements and topography the building grades could not be higher. Responding to Dave Luhman's inquiry, Paul stated the Clubhouse and Building's 2 & 6 did not meet the building pad elevation requirement. (Building 2 & 6 were residential buildings.) Paul stated the ramp had to have a certain grade and to meet the pad requirements there has to be a certain elevation below the building. On most of the buildings the pad elevation requirement was met, however they were unable to meet that requirement on Buildings 2&6 and the Clubhouse. KD asked why a parking space could not be turned into a handicap ramp. Joe Bumbleburg (Attorney for Tom Lang Developer) stated it was not a question of loosing one parking space. If the building was moved you would loose the parking spaces for the entire length of

the building. So you would loose a whole frontage of parking spaces. He continued that the balancing act was as follows: One- has a system been constructed which met the spirit of the Ordinance, Two – have you placed it and made it work with the handicap situation which was very important, Three - the creation of parking spaces for this area were constructed as a balancing act between the competing interests. He stated he felt Vesters and Associates had done a good job with the interests at hand. Responding to Dave Luhman's inquiry, Paul stated the eight inches between the pad and the first floor elevation would consist of solid concrete. There would be no construction or mechanical materials located within those eight inches. Dave Eichelberger stated the following: The Ordinance required an emergency routing path that has a building pad one foot above the one hundred year elevation. If you do not want to calculate what the one hundred year elevation is then you have to put it one and half feet above the breakout elevation at the minimum. A few areas have less than one and half feet of feed board between the pad and where the water breaks out. One could calculate the elevation or use the table within the ordinance. Five of the eight areas met the requirement and two areas (which were minor) do not.

The Surveyor stated he had a concern of liability with this issue as well. Responding to KD's inquiry, the Surveyor noted he was not aware of any problems in the 2004 rainfall event other than the northern edge which was located within the flood plain. He confirmed that Hadley Lake did not overflow during the 2004 rainfall event. Indian Creek flooded as it jumped its banks and ran south and east into Hadley Lake. The Surveyor stated he concurred with the Board Attorney that the owners of Hadley Lake was not required to be notified of today's meeting in this case. KD brought up the issue of the trails in that location. Mr. Bumbleburg stated the trails were a non issue at this point as he had been in contact with the Superintendent concerning this project. John Knochel asked for public comment. There was none.

The Surveyor recommended approval for Variance #1 regarding the post construction stormwater runoff with the added condition of an addition to the Operation and Maintenance Manual regarding required periodic maintenance of the area to the north. The addition should state this area (which is currently vegetated) would be undisturbed and frequently mowed (2-3 times yearly). Ruth Shedd made a motion to grant Variance #1 with the added condition of the addition to the Operation and Maintenance Manual for the required periodic maintenance of the area to the north (which is currently vegetated). This area would remain undisturbed and is to be frequently mowed (2-3 times yearly).

The Surveyor stated he could not recommend approval of Variance #2 regarding the minimal freeboard requirement as it was technically out of compliance with the Ordinance. John Knochel stated he felt the Board had granted Variances previously on technicalities. In this case and after the explanation by Mr. Dietz he felt the variance could be accepted. He agreed with Commissioner Shedd concerning the need for an agreement which would not hold the Drainage Board liable in the future for the approval of the Variance. Dave Luhman informed the Board the developer was willing to indemnify and hold the County and Drainage Board harmless if the exemption was granted. The Variance could be approved subject to this. The Surveyor then stated he would be comfortable with that. KD Benson stated she preferred they build one less building and meet the Ordinance guidelines. John Knochel asked for those opposed. KD Benson indicated her opposition. On motion by Ruth Shedd, seconded by KD Benson, the Variance #2 was approved subject to the condition that the owner indemnifies and holds the County and the Drainage Board harmless from any damages, costs or expenses arising out of or related to the grant of such Variance. Mr. Bumbleburg advised the Board of the owner's acceptance of and agreement to such condition.

The Surveyor recommended final approval with the conditions as stated on the March 27, 2007 Burke Review memo. Responding to Attorney Luhman's inquiry, the Surveyor stated the third Variance under Stormwater Quantity within the memo was not required as it met the exemption criteria listed in Chapter 3 of the Ordinance. Ruth Shedd made a motion to grant final approval on Campus Suites with the conditions as stated on the March 27, 2007 Burke memo. KD Benson seconded the motion. Campus Suites was granted final approval with conditions as stated.

**Other Business**
There was no other business presented to the Board.

**Public Comment**

Norm Bennett landowner at 952 Kerber Road West Lafayette Indiana 47906 approached the Board to inquire about the status of the Mackey-Whaley tile obstruction investigation. He owned property that outlet to the field tile in question. He expressed his desire for the County to make this tile a County Regulated Drain. The wet area was now 6-8 inches from State Road 26 at this time. He expressed concern the State may raise the road elevation at that location and this would flood his field. Responding to KD, the Surveyor stated he had three options: 1- Recommend acceptance as a New Regulated Drain and the Establishment of a County Maintenance Fund 2- Recommend the acceptance as a New Regulated Drain and the

Establishment of a County Maintenance AND County Reconstruction Fund 3- He could also report it was not a public utility and that it should not be accepted as a County Regulated Drain. He explained they have been investigating the tile for the last year plus and it was an ongoing investigation. He reviewed the area for the Board on GIS. They have been unable to get the water table down to review the tile system's condition. He informed the Board some tile repairs were made which Mr. Fred Whaley agreed to and has since paid for. Monies from the General Improvement fund have also been utilized during the investigation process. He reiterated an absolute solution to the problem has not been found. He did not want to recommend a reconstruction if in fact part of the tile system was still salvageable and noted his final report has yet to be presented to the Board. KD stated if something was not done a row of homes in that location would not be usable and the potential for additional homes being flooded was evident. One home had already been foreclosed upon due to the situation at hand. The Board Attorney stated a personal representative of an estate has the authority to act upon the estates interest. The Surveyor noted Mr. Fred Whaley had visited the office within the past week and they continue to be in contact with him. KD asked if the Surveyor could inquire if he- Mr. Fred Whaley would be willing to go ahead and make the necessary repairs. The Surveyor stated historically the property owner (Mr. Fred Whaley's brother-in-law) had refused to do any tile repair, which had resulted in the problem at hand. Responding to KD's suggestion, the Surveyor stated he would speak with Mr. Fred Whaley concerning the issue.

As there was no other public comment, Ruth Shedd made a motion to adjourn. The meeting was adjourned.

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John Knochel, President

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Ruth Shedd, Vice President

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Brenda Garrison, Secretary

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KD Benson, Member

# Tippecanoe County Drainage Board
**Minutes**
**January 7, 2009**
**Regular Meeting**

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

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

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

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

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

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

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

**Steve Murray**
***Petitions:***
***Lafayette Meadows PD***
The Surveyor stated he had several petitions to present to the Board. The first was a Petition to Encroach on the Alexander Ross Regulated Drain submitted by Residential Care XII LLC. The project (Lafayette Meadows) had previously received approval with conditions. He explained the new facility would have a detention pond to the north which would encroach on the Alexander Ross Regulated Drain. They would be replacing the existing tile with new and there would be a berm between the two ponds so there would be protection for the Regulated Drain. They would relocate a small portion of the said drain to the west of their site as well. The Surveyor then recommended the acceptance of the **Petition to Encroach on the Alexander Ross Regulated Drain**. Brandon Fulk with Schneider Corporation approached the Board and reviewed the project site and the Ross Regulated Drain location on the site utilizing GIS. He stated he had met with the existing landowners involved and they had waived their rights to the portion of the drain involved. (Letters waiving their rights were included with the petition's supporting documents) A **Petition to Vacate Alexander Ross Regulated Drain Branches 8, 9, and a portion of Branch 10** was submitted for acceptance by the Board. The Surveyor noted this was predicated on the fact the individuals upstream were releasing their right to the drain tile. The Surveyor stated he was satisfied granting the encroachment would not cause any hardship for drainage as far as Alexander Ross Regulated Drain was concerned. He stated this project was located within the City of Lafayette and the Board was reviewing the drainage portion only to include any regulated drains. The Surveyor recommended the Board approve the Petition to Encroach on the Alexander Ross Regulated Drain. David Byers made a motion to accept the Petition to Encroach on the Alexander Ross Regulated Drain for Lafayette Meadows PD. John Knochel seconded the motion. **The Petition to Encroach on the Alexander Ross Regulated Drain** was approved as submitted. The Surveyor then presented a **Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated Drain** to the Board for approval. David Byers made a motion to approve the Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated drain with the stipulation a signed revised petition would be submitted for recording. John Knochel seconded the motion. There were no objections. A signed revised Petition to Vacate Branches 8, 9, and part of 10 of the Alexander Ross Regulated drain was approved by the Board.
***Indiana American Water***
The Surveyor informed the Board Indiana American Water was in the process of extending their water mains from their new plant on North Ninth Street. Phase I involved a main transmission line starting at C.R. 50W running east along the north side of 500N to SR 43 to Burnett Road to Ninth Street on the west side to the new Davis Ferry Water Treatment Facility. Phase II involved a transmission line starting at CR.50W at 500N ran west to 140W down to Kalberer Road. In the course of installing the extensions they would cross multiple County Regulated Drains, therefore petitions to encroach on the regulated drains were in order. The first was a **Petition to Encroach on the Hadley Lake Regulated Drain located on 140W**. He recommended the Board approve the Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 140W. There were no public comments. David Byers made a motion to approve the Petition to Encroach on the Hadley Lake Regulated Drain located at 140W. John Knochel seconded the motion. The Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 140W was approved as submitted. The Surveyor presented the 2nd Petition submitted by Indiana American Water. He recommended approval for the Petition to Encroach on the Hadley Lake Regulated Drain located at CR.500N. David Byers made a motion to approve the Petition to Encroach on the Hadley Lake Drain located at CR. 500N. John Knochel seconded the motion. There was no public comment. **The Petition to Encroach on the Hadley Lake Regulated Drain located at CR. 500N** was approved as submitted. The 3rd Petition submitted by Indiana American Water was the Petition to Encroach on the County Farm Regulated Drain located at 500N. The Surveyor noted the main transmission line would be required to be set 2 feet below the existing tile location for future maintenance. He recommended the Board grant the Petition to Encroach on the County Farm Regulated Drain. David Byers made a motion to grant approval of the **Petition to Encroach on the County Farm Regulated Drain located at CR. 500N**. John Knochel seconded the motion. There were no public comments. The Petition to Encroach on the County Farm Regulated Drain located at CR.500N was approved as submitted.

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

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

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

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

_____
Thomas Murtaugh, President

_____
David Byers, Vice President

_____
Brenda Garrison, Secretary

_____
John Knochel, Member

# Tippecanoe County Drainage Board
**Minutes**
**July 7, 2010**
**Regular Meeting**

**Those present were:**

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, Project Manager Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Dale Snipes Surveyor's Office. Brenda Garrison Drainage Board Secretary was absent.

President Tom Murtaugh opened the meeting with a moment of silence for the former Surveyor Steve Murray. Mr. Murray passed away in the latter part of June.

**Approval of Minutes**

David Byers made a motion to approve the June 2, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The June 2, 2010 Drainage Board meeting minutes were approved as written.

**McCarty Lane Extension**

Alan Mize with DLZ appeared before the Board to request final approval for the McCarty Lane Extension project. Jon LaTurner project manager with DLZ was also in attendance. The extension was located at County Road 550 East and north toward State Road 26 to just west of County Road 675 East. He noted that County Road 675 East would be a cul-de-sac at that location. The extension would be a four lane section similar to the existing McCarty Lane west of County Road 500 East. There would be a 5x7 box culvert located at the Carr property directing the approximately 27+ acreage runoff to the Berlowitz Regional Detention Facility. They were in the permitting approval process presently. There was an existing manhole at the southeast quadrant of McCarty and 550 East which would be utilized. He also noted there would be a storm sewer outlet located at a Wildcat Creek Tributary. A 60 inch pipe under State Road 26 would tie into the tributary as well. Equalizer pipes were planned to be utilized due to elevation of the roadway. Construction would begin next summer or fall as the letting of bids was planned for this November 2010. Anticipated construction phase was approximately 2 years. A connection was planned from County Road 50 South to County Road 675 East. The project manager recommended final approval with the conditions as stated on the July 1, 2010 Burke Memo. John Knochel made a motion to grant final approval with conditions as stated on the July 1, 2010 Burke memo. David Byers seconded the motion. McCarty Lane Extension was granted final approval with the conditions as stated on the July 1, 2010 Burke memo.

**Other Business**
**Petition to Encroach J.N. Kirkpatrick Regulated Drain/Church of Latter Day Saints**

A Petition to Encroach on the J.N. Kirkpatrick Regulated Drain submitted by Latter Day Saints (L.D.S.) was presented to the Board by the Project Manager Zach Beasley. Schneider Corporation submitted this to the Surveyor's office for their client L.D.S. The project manager stated this was a condition to be met when the project received final approval and recommended the approval of the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain. There was no public comment. David Byers made a motion to approve the Petition to Encroach on the J.N. Kirkpatrick Regulated Drain as submitted by L.D.S. John Knochel seconded the motion. The Petition to Encroach on the J.N. Kirkpatrick Regulated Drain was approved as submitted.

**Public Comment**

Judy Bower 3750 North 300W West Lafayette Indiana approached the Board to discuss a drainage issue at her location. She stated she had lived at this address since July 1985. Her house was the 4th house north of US52 stop light at Klondike school. In 2002 they remodeled and expanded their home, at which time her property was considered to be on the flood fringe of Indian Creek. This ran through the Elks Golf Course just north of her property adjacent to the Maleys property. On June 12th in 2004 her home flooded with the basement filled completely and 4-6inches of water throughout the house. She noted the flood water did not come from Indian Creek but rather from Hadley Lake approximately one mile east. At that time they did

not have flood insurance nor was it required by the lender. Following the 2004 flood, FEMA representatives said the flood map for that area was being revised. Eventually the property was put in the floodplain and flood Insurance was required. Since that time Menards was constructed east of her location. At that time they did some significant drainage work. She stated they had hoped the new development requirements from the Drainage Board would protect them from future problems. However, on June 22, 2010 her home flooded again. At 8 am, the water came into the northwest corner of her property from Indian Creek which flooded the Elks Golf Course as well. Menards retention ponds drain into Indian Creek as well. At 10 am, on June 22, Menards retention ponds overflowed, the water crossed the road from the east like in 2004 and flooded her property again. This time with the experience of the flooding in 2004 and the help of approx. 30 volunteers that showed up nine pumps were installed. Four pumps were industrial size. The water was prevented from rising above the top block of the basement. (In 2004, the water rose from the basement through the air conditioner vents into the rest of the house.) They used 380 sand bags along with the pumps and volunteers so that the damage was to what water seeped through the doors upstairs. The Surveyor's office project manager made another site visit (he was there in 2004) to review the situation and specifically the drainage of the area.

She stated the landowners came up with a few recommendations for flooding relief. The first was to install a holding pond anywhere upstream of this area to slow down the water flow. Second suggestion was the installation of a smaller culvert on the Menards site that would feed into the larger culvert under the road. This may relieve some of the water quicker from the Menards ponds. The third suggestion was to regrade the open waterway where the water flows from under County Road 300W as that area was no longer downstream and now it is an uphill rise. The fall in that area is not correct. The fourth suggestion was to consider making a holding pond just west of her property which was now a farm field. This might also help the flooding situation at the Capilano Subdivision entrance as it was located downstream from her location. If a holding pond was not possible it was hoped that the farm field could be regraded so that it would better protect the property with high edges rather than low spots as was presently the case. She respectfully thanked the Board for their time and consideration.

The project manager stated Judy was speaking about the area just south of her residence. The area was where the culvert was located underneath Taft Road (County Road 300W). There was a natural surface conveyance that continued south westerly through the farm field and eventually curved and entered Indian Creek. Specifically at the location of the natural surface conveyance there were a couple different things going on. It appeared from review of this, approximately in the middle of the parcel there was a high point and on the southwestern corner of the property there appeared to be a sanitary sewer manhole that was approx. 6-8 feet above the natural surface elevation. This was somewhat of an obstruction. Upon his site visit, he explained the grading would be a private matter since this was not a regulated drain maintained by the County. It would not take a whole lot to regrade that area which would allow some runoff to pass through quickly. The bigger issue was discussed with Judy, her dad and her neighbor as this was a large watershed of approximately 13-15 square miles.

Mr. Cary Maley 3756 300W West Lafayette approached the Board and stated he had 6-8 inches of flooding in his basement as well. He had lived there since 1991. His house elevation was higher than the Bowers. Prior to Menards being developed he stated he had sandbagged along County Road 300W occasionally during rains as it would run over the road onto his property. This event had increased since Menards was developed. He noted they tend to believe the water was backing up along the road someplace which would fill almost the entire farm field with the exception of the hill in the middle. He was not sure where exactly where the obstruction was however. The project manager noted a restriction was located at the Indiana Creek culvert under the Kankakee Beaverville Railroad track. This was causing the restriction and water to pond up behind it as it could not overtop the railroad track. It was only able to take so much quantity of water in a certain amount of time. This culvert was not large enough at it's opening to allow the water to run though it fast enough. Mr. Maley noted this would require a good study of the area and hoped to protect his property. He stated he appreciated the Board's time on this matter.

Commissioner Murtaugh asked the attorney if a study was done in the area would it be best if this was a regulated drain. The attorney stated yes in order for the Board to have jurisdiction to do improvements it would need to be a regulated drain. A study might be done perhaps with Economic Development funds because the existence of this flooding problem does impact the development of the whole area consisting of approx. 13-15 square miles. This would be a legitimate use of Economic Development monies. The development potential of either commercial or residential was impacted by the problems with the flooding, however depending on the recommendation of the study it might not be cost effective as the Board could be limited to results due to cost and legalities. The County Drain fund could not be used if the area was not a regulated drain. Comm. Murtaugh stated this *not* being a regulated drain could impact the ability to implement any suggestions from the study. The attorney agreed. He noted if it *was* established as a regulated drain, the route of the drain and the Drainage Board's required 75 feet right of entry on either side of the location of said drain would be established.

Improvements could be done within the easement once established. The cost of the improvements would then be paid by the landowners within the watershed. The alternative as an Economic Development project would require the purchase of the real estate that the pond would be constructed on. At Comm. Murtaugh request, the attorney reviewed the steps to make this a regulated drain. First a petition to establish a regulated drain representing more than 50 percent of the acreage within the watershed was required to be submitted and referred and then would be referred to the Surveyor by the Board. A study would then be done by the Surveyor for what was required to make it a regulated drain open or tiled etc. This would then return to the Drainage Board for a landowner hearing and a decision of whether the benefits outweighed the costs. Once it was decided the board would then enter an order establishing a regulated drain. The next step would be to proceed with the specifications, bids etc for whatever improvements were required to construct the drain. The project manager noted a watershed map with the landowners listed would be provided to a landowner who would take the petition around to be signed by the affected landowners. That is how it gets started. Ms. Bowers stated she was willing to help with the petition. Comm. Murtaugh noted any concerns should be relayed to the Surveyor's office so that during this process they were kept informed and the study was complete. Comm. Murtaugh stated as one member of the board he would feel more comfortable recommending a study for the entire area knowing that the petition to make this a regulated drain was moving forward. The Board would be less committed to spending the money knowing the Board's hands would be tied to doing anything once the study was completed. He stated the Board would appreciate any help the landowners could give. He then thanked the landowners for attending the meeting and explaining their situation. He stated he would refer to the Surveyor on his recommendation for the start and end point (route) of the newly established regulated drain. The project manager stated he would need to review the area and all contributing factors to make the appropriate decision of the route for the area's newly established drain. He would report this back to the Board.

David Byers made a motion to adjourn. As there was no other public comment the meeting was adjourned.

Thomas P. Murtaugh, President

David Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

# Tippecanoe County Drainage Board
**Minutes**
**August 4, 2010**
**Regular Meeting**

**Those present were:**

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

**Approval of Minutes**

David Byers made a motion to approve the July 7, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The July 7, 2010 Drainage Board meeting minutes were approved as written.

**Other Business**
**Petition to Encroach Berlovitz Regulated Drain**

The Surveyor presented a Petition to Encroach on the Berlovitz Regulated Drain submitted by the Schneider Corporation. Mr. Brandon Fulk from Schneider Corp. represented Saddlebrook Dev. and appeared before the board. Brandon stated the developer was in agreement with the school corporation and other entities of the proposed water main extension along the north side of County Road 50South into the aforementioned regulated drain's easement. The main would extend across their properties and cross County Road 50South. The site of the crossing would be north of County Road 50South, east of County Road 550East and south of Bluegrass Drive. The Surveyor noted Brandon had submitted detailed encroachment drawings and the drawings did meet the 5 foot separation requirement by ordinance.

He recommended approval of the petition as submitted. John Knochel made a motion to grant approval of the Petition to Encroach on the Berlovitz Regulated Drain. David Byers seconded the motion. The Petition to Encroach on the Berlovitz Regulated Drain was approved as submitted.

**Petition to Encroach Treece Meadows Relief Drain (S.W. Elliott Regulated Drain)**

The Surveyor presented a Petition to Encroach on the Treece Meadows Relief Drain (S.W. Elliott Regulated Drain) submitted by TBird Designs. Clem Kuhns from TBird Designs appeared before the Board to request approval of the Petition to Encroach as submitted by the Surveyor. A fiber line between Unity Campus and Raintree Medical Park development would be installed. The said line was shown to cross over Treece Meadows Relief Drain at Creasy Lane and within the City of Lafayette's Right of Way. The Surveyor noted the encroachment was located on the east side of the road. The detailed encroachment drawings met the 5 foot separation between the flow line and the top of the bore casing as required by ordinance.

He recommended approval of the petition as submitted. David Byers made a motion to grant approval of the Petition to Encroach on the Treece Meadows Relief Drain (S.W. Elliott Regulated Drain). John Knochel seconded the motion. The Petition to Encroach on the Treece Meadows Relief Drain (S.W. Elliott Regulated Drain) was approved as submitted.

**Zachariah Beasley**
**Indian Creek Watershed Review Update**

The Surveyor stated at the previous meeting of the Board, landowners within the Indian Creek watershed -specifically directly west of West Lafayette Menards location on Taft Road aka County Road 300West- appeared before the Board. Landowner Judy Bower 3750 North 300W West Lafayette and landowner Mr. Cary Maley 3756 300W West Lafayette discussed their flooding issues with the Board. The landowners requested the Board convert the Indian Creek watershed into a newly established County Regulated Drain. The Board directed the Surveyor to review the Indian Creek watershed and report back to them before a study of the aforementioned Creek was contracted. It should be noted the said landowners were not present at this meeting.

The Surveyor had four different options to discuss with the Board. He noted after the review it would be the landowners' responsibility to pursue the request for a new regulated drain with signatures on a petition. He began by reviewing the overall watershed (1st Option) of Indian Creek. The watershed boundary was based on a Department of Natural Resources (D.N.R.) study and began at the confluence of Indian Creek and Wabash River and continued north to County Road 850North and Morehouse Road. (east and west of that location) The watershed consisted of approximately 19000 acres or 4200 parcels. The majority of the land within the watershed was in agricultural production. Responding to Tom Murtaugh and David Byers inquiry, the Surveyor noted historically the Drainage Board required 50% of landowners with the ACREAGE BENEFITTED signatures to move forward on a petition process. Using the overall Indian Creek watershed would be almost impossible to get that amount of signatures to convert it to a County Regulated drain.

He noted using the Kankakee Beaverville Railroad (2nd Option) as a southern boundary of the watershed would cut the watershed in half. He thought approximate 70% agricultural land and 30% residential with this option. The next watershed (3rd Option) reviewed was basically the same as the second option - it was north of the Kankakee Beaverville Railroad track with the exception of the Hadley Lake/Cuppy McClure and Dempsey Baker Regulated Drain watersheds included. (The aforementioned overall Indian Creek Watershed included those County Regulated drain watersheds.) He pointed out Hadley Lake and the other established county regulated drain routes within the overall watershed as well as the Hadley Lake outfall area. (A manmade conveyance system/open ditch which drained Burnett's Creek). Those included were county regulated drains which outlet into Hadley Lake. He subtracted that area out of the Indian Creek watershed to get the 3rd option. He noted that the agricultural land versus residential land was still at approximately 60% to 40%.

The Surveyor then referred to the Attorney regarding established regulated drains lying within an overall watershed and the statutory assessment guidelines for this type of situation. In response the Attorney stated he would review the statutes and inform the Board of his findings at a later date. The Surveyor then informed the Board a natural conveyance of water (creek) was owned by D.N.R. and the bed itself was owned by the landowner. He noted, there were some instances in the state where a creek was converted into a New County Regulated Drain controlled by the County Drainage Board.

The 4th watershed option involved an area of approximately 30 acres and 21 parcels. The boundary lines were created by using Taft Road aka County Road 300West as the East boundary line, Indian Creek as the North and West boundary lines and U.S. 52 as the South boundary line. This smaller area included the Bowers and the Malley tracts of land. An existing natural surface conveyance from the culvert underneath County Road 300West southwest to Indian Creek was used for this option. He said his technical opinion was that it may take care of small rain events and nuisance water; however it would not solve the larger rain event flooding issues. There were 10 to 12 square miles of upstream drainage areas routing to the area in question. The conveyance system was located in the flood plain. In his technical opinion while it was possible to address the issue on paper he did not think it would solve the overall issue of flooding in the area. He noted even with the other three options, he was concerned that since the greater amount of land was in agriculture, he did not think those agricultural landowners would sign the petition. However, at this point it was left up to the residents to pursue one of the options at hand and he asked for guidance on how to proceed. Responding to David Byers inquiry, the Surveyor reiterated a regulated drain was determined by the landowners with the greater percentage of BENEFITTED ACREAGE within the watershed signing not the greater percentage of landowners within the watershed signing

The Board directed the Surveyor to contact Ms. Bowers and Mr. Maley to attend the next meeting of the Drainage Board so that they would be informed of the options before proceeding. The Board's Engineer Consultant and the Surveyor had discussed completing an overall watershed study of Indian Creek similar in nature to the completed studies of the S.W. Elliott Regulated and the Alexander Ross Regulated drain Watersheds. However both studies were County Regulated Drains when they were completed and Indian Creek was not. In the Surveyor's opinion even if the study was completed since it was not a county regulated drain, it would be very hard to implement any of the measures recommended. Responding to an inquiry, the Surveyor noted a couple of the options would not benefit the Capilano Subdivision. Another option which might be looked at was (even though this was not a County Regulated drain) by the Stormwater Drainage Ordinance the Board may be able to declare it a Drainage Impact Area. This would require any future developments to release their water at a lower rate than the minimum standard. It was noted there have been instances where regulated drains were combined into one drain and those monies in the individual accounts were pooled together for maintenance of the newly combined drain. However even if those regulated drains that were located within the overall watershed were combined into one drain fund there would not be enough monies to alleviate the problem of flooding. There were a couple options from a technical standpoint of controlling the water that the Board may have. Option #1 was to remove the structure at Kankakee Beaverville Railroad track causing the obstruction. The obstruction was located under the railroad tracks and causing the water to pool approx. 12-15 feet upstream of tracks and create a dam. However, removing the structure would cause problems for the downstream owners. One way to change that would be to create larger basins upstream which would collect the water. Option #2 would be to slow the water down in the upper portion of the watershed which would involve creating a storage basin or detention facility. He stated this

had been discussed many times in the past and there were no easy or clear solutions to the multiple problems of this area. If so it would have already been taken care of.

John Knochel made a motion to continue this discussion at the September meeting of the Board. David Byers seconded the motion. This issue would be continued to the September Drainage Board meeting at which time it would be discussed with the noted landowners present.

**Public Comment**

There was no public comment. Tom Murtaugh congratulated the new County Surveyor Zachariah Beasley for the Board and stated they looked forward to working with him in the future.

David Byers made a motion to adjourn. As there was no public comment, the meeting was adjourned.

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Thomas P. Murtaugh, President

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David Byers, Vice President

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Brenda Garrison, Secretary

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John Knochel, Member

# Tippecanoe County Drainage Board
**Minutes**
**September 1, 2010**
**Regular Meeting**

**Those present were:**

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

**Approval of Minutes**

David Byers made a motion to approve the August 4, 2010 Regular Drainage Board minutes as written. John Knochel seconded the motion. The August 4, 2010 Drainage Board meeting minutes were approved as written.

**Petition to Partially Vacate the James L. McClure Regulated Drain**

A Petition to Partially Vacate James L. McClure Regulated Drain was submitted by Schneider Engineering to the Surveyor's office regarding the St. Franciscan Eldercare Services project. The Surveyor presented the submittal to the Board for approval. He noted there were no other parties affected by this request. He stated the Surveyor's office had no objection to the request and recommended approval. John Knochel made a motion to grant approval for the Petition to Partially Vacate the James L. McClure Regulated Drain. David Byers seconded the motion. The Petition to Partially Vacate the James L. McClure Regulated Drain was approved as submitted.

**Petition to Encroach J. Berlovitz Regulated Drain**

A Petition to Encroach on the J. Berlovitz Regulated Drain was submitted to the Surveyor's office by Tipmont R.E.M.C. for the Wabash Valley Power Assoc. regarding their project. The Surveyor presented the submittal to the Board for approval. Responding to Commissioner Byer's inquiry, the Surveyor noted Wabash Valley Power Station was located on the east side of the J. Berlovitz open ditch and on the north side of County Road 50South. Tipmont R.E.M.C. was boring under the open ditch for conduit and that is the reason for the request. He stated the Surveyor's office had no objection and recommended approval. David Byers made a motion to grant approval for the Petition to Encroach on the J. Berlovitz Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the J. Berlovitz Regulated Drain was approved as submitted.

**Maintenance Bonds/Letters of Credit**

The Surveyor presented Maintenance Bond #5036050 in the amount of $21,186.00 written by the Bond Safeguard Insurance Company, dated August 24, 2010 and submitted by Keller Development regarding the Chaplegate Park Apartments. The Surveyor explained to the Board how the amounts are established for the bond amounts or letters of credit amounts. John Knochel made a motion to accept the Maintenance Bond as presented by the Surveyor. David Byers seconded the motion. Maintenance Bond #5036050 in the amount of $21,186.00 and dated August 24, 2010 regarding Chapelgate Park Apartments was accepted by the Board as submitted.

The Surveyor presented Letter of Credit #3230 in the amount of $5000.00 written by Tower Bank, dated August 24, 2010 and submitted by Keller Development regarding the Chaplegate Park Apartments. The attorney noted this Letter of Credit was a backup to the Maintenance Bond. David Byers made a motion to accept the Letter of Credit as presented by the Surveyor. John Knochel seconded the motion. The Letter of Credit #3230 in the amount of $5000.00 written by Tower Bank, dated August 24, 2010 and submitted by Keller Development regarding the Chaplegate Park Apartments was accepted as submitted.

**Indian Creek Watershed**

The Surveyor stated this issue was discussed two months ago with Mrs. Bower and Mr. Maley landowners within the watershed who have experienced problems with their drainage. Since then the Surveyor's office has worked to come up with different watershed options. Last month those options were presented to the Board however there were no landowners present at that time. Therefore the Board requested the watershed options be reviewed again today with landowners Bowers and Maley present. Option #1 was the overall watershed for Indian Creek. The watershed boundary was determined by The Indiana Department of Natural Resources (I.D.N.R.) study and began at the confluence of Indian Creek and Wabash River and continued north to County Road 850North and Morehouse Road. (east and west of that location) The watershed consisted of approximately 19,000 acres or 4,200 parcels. The land within the watershed was approximately 60% agricultural use and 40% residential units. This option involved the entire stretch of Indian Creek. Option #2 was approximately the northern half of the overall watershed. The Kankakee Beaverville Railroad would be used as the southernmost watershed boundary for this option. It consisted of approximately 9,200 acres and/or approximately 1,200 parcels. This option cut the overall watershed in approximately half and was approximately 70% agricultural and 30% residential tracts. Option #3 would be the smallest area of all the options. The east boundary would be Taft Road/County Road 300West, the northern and western boundary would be Indian Creek and the southern boundary would be U.S. 52. There were approximately 30 acres agricultural and 21 parcels within this option. This option would convert the natural surface area from Taft Road/ Co. Rd. 300W to Indian Creek into a County Regulated Drain. This was an option discussed with Mr. Maley and Ms. Bower on an earlier site visit. If the surface conveyance was made a county regulated drain it would potentially help some of the smaller rain events or nuisance water. He cautioned the landowners stating on paper it was possible to do this, however the area was still mostly in the flood plain as roughly 11 to 13 square miles upstream drainage area flowed to this location. If this area was to get a 100 year rain event there would still be problems. With that said he turned the meeting over to the landowners. Mr. Cary Maley 3756 North 300West West Lafayette asked if the northern half of the watershed's drainage was improved (by expanding the flow under the said railroad tracks) would affect landowners south of the tracks. The Surveyor responded yes it would affect those landowners. The Surveyor stated the DNR study showed the culvert underneath the railroad track acted as a restrictor and the railroad track was high enough that the water was not able to overtop it. The water would then pool up behind it. The report showed approximately 11 to 13 feet of pooling. So it acted as a large dam and backed up the water. One could implement a larger regional detention facility (or holding pond) in the upper portion of the watershed to collect the water and slow it down before reaching the railroad tracks. Responding to Mr. Murtaugh's inquiry, the Surveyor stated if the entire Indian Creek watershed was made a County Regulated Drain it could be studied and a master plan could be put together over the next few years. This would give the Drainage Board the ability to implement the recommendations within the watershed. The improvements would not have to be directly on Indian Creek. Mr. Maley stated it was understood that those actions would affect the entire area in a positive way. Mr. Maley then stated Indian Creek on occasion was affected by the overflow of Hadley Lake. This could be taken into consideration by the study, and meant one would make sure Hadley Lake did not interconnect with Indian Creek and it flowed in its intended direction. Mr. Maley continued that he felt it was important to do this as his area and south (Capilano) were greatly affected by Hadley Lake's overflow. The Surveyor stated this could be looked at as well as he had originally four options for the Board with the original study of Indian Creek by DNR included Hadley Lake. There was the 4th option which included the northern portion without Hadley Lake and was presented last month at the Board meeting. The reason why was it was omitted on that option was there were two county regulated drains which flowed into Hadley Lake and one that exits Hadley Lake.(outfall) Hadley Lake is a natural glaciated lake. An open ditch was constructed to take the overflow to a tributary which routed into Burnett's Creek. So it actually flowed in the opposite direction of Indian Creek. It could be studied from the aspect when it rains enough it did have the tendency to overflow to the west or southwest. The options were put together so the landowners could decide which one to go with and how to proceed. Mr. Byers noted in order to regulate a drain; the statute states landowners owning 51% or more of the ACREAGE (not just landowners) within the watershed were required to sign the petition. The Attorney reiterated to set up a County Regulated Drain required the signatures of owners with 51% or more of the acreage within the watershed not just 51% of the total of owner's that determined the outcome. Judy Bower 3750 North 300West West Lafayette stated she did not know which option would include the Menards retention area. She felt they also drain into Indian Creek. The Surveyor stated the entire Menards site would be included in options #1 and #2. Mr. Murtaugh asked if option #3 would have to be included in this area in order to eliminate possible problems downstream. The Surveyor stated when he made the site visit with Mr. Maley and Ms. Bower they walked their properties and the issue was brought up at that time. The Surveyor stated he felt a more complete study was needed in order to give an accurate answer. He did not necessarily look on the east side of the road then. He said it could be possible. As far as putting in a holding pond facility the area would have to be studied in greater detail than the D.N.R. study had shown. His fear is the area is shown in the floodplain. Regrading the swale may help small rain events but in larger rain event even the ponds would not help. There was just too much water flowing through that area. Mr. Maley stated he agreed. Mr. Maley explained they were flooded on the back or west side of house first then it came over the road on the east side. In his case option #3 even in a heavy rain, would relieve some of the water on the east side of the

road as there was about a 2 feet difference between the water on the east side of Co. Rd. 300W and the west side during the flooding event. So this was a significant difference. Option #4 was the overall watershed excluding Hadley Lake. The Surveyor stated he thought the outfall was constructed in the mid to late 1980's. Was there any reason why the area should not be regulated in stages as the options were presented? The Attorney noted that cost was a consideration. Option #3's improvement cost would be divided by five or six landowners who were affected versus option #1's cost which would be more expensive due to the size of watershed. However Option #1's cost would be divided by many more landowners and could result in a lower cost to each landowner within the overall watershed. Since this area was a mix of rural and urban development and increasingly becoming more urban, the result of the report may indicate the need for it to be designated as a County Regulated Urban Drain. Designating it a County Regulated Urban Drain would cause the assessment to be variable. With an Urban Drain assessment, a residential lot's benefit would defer from agricultural or a commercial lot. Responding to Mr. Maley, the attorney stated the drainage code set up a mechanism whereby landowners within an area could solve a drainage problem and share the costs. So that landowners in Wea Township do not have to pay the costs of solving a drainage problem in Wabash Township, only the landowners within a designated watershed pay the costs of improvements within their watershed. Traditionally in an agricultural/residential area it was common to assess a per acre/ per lot assessment. When there was a mix of commercial, residential and agricultural it was more appropriate to have different assessments as tract characteristics are different. Patricia Useem 3901 Capilano Drive (Capilano Subdivision) West Lafayette asked if there were flooding problems within option #1 now. The Surveyor noted there were problems with some areas south of the tracks however not to the degree the landowners were having north of the tracks. With the original DNR study, it was apparent the railroad tracks were acting as a restrictor as it showed how water pooled up. Ms. Useem noted there were numerous areas in Capilano Subdivision that had flooding issues but some which did not. She stated it seemed to her Option #1 would not take any more time to fix the problem because the problem really was in the northern section. If they went with option #1 the benefit would affect a larger area. The Surveyor noted there was not one single fix to the problem. For example the S.W. Elliott County Regulated Drain was the biggest watershed in the county and designated an Urban Regulated Drain. In the early 1990's or late 1980's it was known there were large drainage problems, so the affected landowners, entrepreneurs-businessmen and farmers got together and requested the Drainage Board compose a watershed study. What this did was allow research and data collection which indentified the problem locations. This information was used to propose a large scale plan to be put in place. A plan like this could involve restrictions on future developments, multiple facilities whatever the case may be for that issue. The issue at hand could take a combination of actions. Ms. Useem stated looking back at the meeting minutes from July there was lots of information gathered and the D.N.R. study was mentioned then. She stated her concern would be if the additional study would give any more useful information than the previously DNR study. Perhaps it was time to move forward rather than wait for another study. The Attorney stated he did not believe it would be wise as he recalled the existing D.N.R. study was at least 20 years old and did not take into consideration the development within the watershed since then. She stated she was unaware of the age of the study. The Attorney noted if you look at the delineation of Option #1 as including everything within the watershed and the costs spread out over more landowners one would have the challenge of getting the required amount of people to sign the petition. The statue required the petition to be signed by owners of 10% of the ACREAGE of the entire watershed or 25% of the assessed value in the petition. While the area was larger it would also be a bigger challenge to get the required amount of people to sign for it. Mr. Maly stated the northern half seemed to have most the problem. It really seemed to flood around the Morehouse Rd (aka U.S. 52) and the train bridge. With that said if only the people affected by the flooding sign it may not be enough signatures by statue to accomplish creating a new regulated drain and implementing a study. The Attorney noted however that as additional development occurred in the affected northeast area more people would be inclined to sign the petition. The area's runoff had backed up over the years and would continue to do that, so there would be an interest for those to sign the petition-even though they may not see an immediate problem. Mr. Maley stated it would be logical for them to get as many people within the overall watershed to sign the petition then an option could be chosen. This would allow no commitment until the signatures were obtained and presented at the hearing. The Attorney stated by the exhibit shown it looked as if the northern half had the majority of acreage (more than 10%) If everyone within the northern half signed the petition to make the entire watershed a regulated drain, then the Drainage Board would refer it back to the Surveyor. At that time the engineering work would start. The Surveyor would have to determine what would be required from an engineering standpoint to construct a regulated drain. This would address the storm water runoff problems in the entire watershed as well as the cost and benefit. Then the Drainage Board would have to determine if the benefits of making it a County Regulated Drain for the entire watershed out way the costs of implementing the improvements. If that was the case, the Board would then order the creation of the County Regulated Drain for that watershed. As stated previously it only takes 10% of the ACREAGE within the proposed watershed to bring it in front of the Board to start the process. Responding to Mr. Murtaugh's question regarding specific area problems within the watershed could potentially be split off into County Regulated drains for just that area. The Attorney stated that is reason for the current regulated drains within the overall possible watershed area such as the Lewis Jakes County Regulated Drain. Responding to Ms. Bower's inquiry, the Surveyor noted boundaries had to be determined before the process could be started. The Attorney stated petition requirements were names, addresses and legal descriptions of the tracts affected by the

proposed regulated drain. A general route and statement from the Surveyor of costs and benefits would be required as well. Ms. Useem asked if this would include the area of the Coyote Crossing golf course. The Surveyor stated he believed Coyote Crossing drained into Burnett's Creek - a different watershed. Ms. Bower asked what impact or what information might they gain from the upcoming U.S. 231 project? This relocation would travel through Maley's land and the Hadley Lake location. Would any information be gained from that project as the roads runoff would affect that area as well? John Knochel stated he wholeheartedly agreed with that however he was not aware of any drainage plans submitted for that relocation yet. The Surveyor stated he was not sure if his office had received a complete set of drainage calculations for U.S. 231 relocation to date. He stated some of the runoff north of the s curve did go through that direction. Some of the landowners in Brindon Woods south and west of the church on U.S. 52 had concerns regarding the relocation of U.S. 231and visited the Surveyor office. He had been in the process of obtaining the information from INDOT on that issue. He noted Christopher B. Burke Engineering Consultants had been reviewing some of the plans for drainage among other reasons. His point was the relocation of the U.S. 231 had very little affect and only the north segment would be routing that direction. It would be a small amount. However this will definitely be looked at. He just wanted to clarify that a small amt. of runoff from that project ran that direction. The U.S. 231 drainage study would be looked at however, he did not anticipate seeing any major differences. Mr. Murtaugh asked if the landowners had a chance to discuss this with other neighbors and if they would like a chance to do so and return to the next meeting of the Board. Mr. Maley stated he would like to do that as everyone was interested in obtaining a corrective study and work done at this time. Mr. Maley stated they would be willing to discuss the options with their neighbors and pass the petition around for signatures. Ms. Useem stated she felt the neighbor's concern would be the cost of the project. Mr. Maley stated he understood the S.W. Elliott drain was an urban drain and wondered if one could look at its assessment to get an idea of fees. The Surveyor noted each drain was unique in its issues therefore costs would defer. The individual fees would be spread across a few years for each landowner. Mr. Maley asked if there would be state or federal help with construction costs. The Surveyor noted there could be financial assistance potentially but it varied drastically upon the assistance available (government private organizations etc.). Those processes may be lengthy but were not guaranteed. He reiterated while most regulated drains were rated per acre or lot, the S.W. Elliott Regulated Drain was designated an "Urban Drain" therefore it had a variable rate which depended on the type of land use (ag, residential, industrial, commercial etc.). In addition variable rates were determined by the zoning of the tract in question. He felt the approximate general fee for the S.W. Elliott Regulated Drain study was approximately $100,000.00. The Attorney stated fees for the construction of a newly regulated drain would be due on the date assessments were certified to the County Auditor, however a landowner may elect to pay with equal installments over five years with penalty. Mr. Maley asked if a detailed list of landowners would be provided to the person taking the petition around for signatures. The Surveyor stated yes that his office would provide the list which included the landowner names, address and benefited acreage amount. Ms. Useem asked to be informed of the steps to be taken. The Surveyor stated his office delineates the watershed (sets the boundaries) and provides those names to the person who would take the petition around for signatures. Mr. Murtaugh stated once a signed petition was presented to the Board, they could direct a study to be completed. Responding to Ms. Useem's inquiry regarding cost of a study and new construction, Mr. Murtaugh stated depending on the cost the County may be able to pay for the study. The Attorney stated as long as the petition received met the minimum criteria a study may be started before the construction of a new drain. He then reviewed the steps for a new drain construction that a petitioner and affected landowners could expect. Ms. Useem asked if the ball was in their court and the Surveyor responded that it was. The Surveyor noted his office would provide the appropriate documents to start the process in motion and send the information in the mail to each of them. Ms. Useem stated she would be the contact person regarding the Capilano Subdivision landowners. Mr. Maley asked that the landowner list provided would be split up in the northern half and southern half of the watershed. Mr. Maley stated he could receive the list electronically as well. The attendees today, Mr. Maley, Ms. Bower and Ms. Useem would provide their contact information to the secretary for the Surveyor to send them the information once collected.

**Other Business**
**Tippecanoe County Stormwater Quality Ordinance Retention Pond Revisions**

The Surveyor updated the Board regarding retention ponds and revisions discussed to the Stormwater Quality Ordinance and Technical standards. The main intent was to look at low impact developments and also pond safety measures which were in the current ordinance. The Drainage Consultants Christopher Burke Engineering has worked with other counties to update their storm water ordinance standards and review safety mechanisms on detention ponds. They have looked at numerous standards nationwide as well as within the state. The new Drainage Ordinance and Technical Standards were in the process of being revised.

**Public Comment**

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

Thomas P. Murtaugh, President

David Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

# Tippecanoe County Drainage Board
**Minutes**
**July 6, 2011**
**Regular Meeting**

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

**Approval of Minutes**
David Byers made a motion to approve the June 1, 2011 Regular Meeting minutes, the June 1, 2011 J. Hengst, J. Blickenstaff Regulated Drains Special Hearings and the June 30, 2011 Special Drainage Board meeting minutes as written. John Knochel seconded the motion. The June 1, 2011 Regular Meeting minutes, the June 1, 2011 Special Hearing minutes regarding the J. Hengst and J. Blickenstaff Regulated Drains and the June 30, 2011 special Drainage Board meeting minutes were approved as written.

**Romney Dollar General Store**
Dale Kruse of Kruse Consulting Inc. 7384 Business Center Drive Avon Indiana appeared before the Board to request final approval of the Romney Dollar General Store. The site was located southwest of the intersection at SR28 and US 231 in the town limits of Romney Indiana which consisted of approximately 1.3 acres. On and off-site storm water would outlet to the existing storm sewer along S.R. 28. John Galloway, previous owner of tract owned the surrounding tracts. Mr. Kruse stated they were working together on the offsite Drainage Easement required regarding the route of the runoff. He would submit the finalized easement at a future date. They would meet today onsite to work out any issues of the easement. Underground detention would be stored in pipes located under the parking lot. At that time he requested final approval. The Surveyor reiterated the easement must be obtained and recorded as he would not sign off on the plans until this was completed. He then recommended final approval with the conditions as stated within the June 30, 2011 Burke memo to include the recorded easement condition. There was no public comment. David Byers made a motion to grant final approval with the conditions as stated in the June 30, 2011 Burke memo which included the condition of a recorded drainage easement from the adjoining landowner Mr. Galloway. John Knochel seconded the motion. The Dollar General store in Romney was granted final approval with the conditions as stated in the June 30, 2011 Burke memo which included the condition of a recorded drainage easement from the adjoining landowner Mr. Galloway.

**Nanshan America Advanced Aluminum Technologies**
Mr. Jim Pence from Schneider Corporation Inc. appeared before the Board to request final approval for the Nanshan America Advanced Aluminum Technologies project. The project was located within the City of Lafayette's limits. The actual development would be approved by the City. The Drainage Board was responsible for the approval of drainage only. This project lied within the Upper J.N. Kirkpatrick Impact Drainage Area and the S.W. Elliott's Ditch Priority Watershed. The site was located on the southwest corner of the intersection at U.S. 52 and C. Rd. 350 South (Veterans Memorial Parkway) and consisted of approximately 51.75 acres. Mr. Pence sated they agreed with the Burke memo conditions as stated in the June 21, 2011 Burke memo and requested final approval at that time. The Surveyor stated mass earthwork and grading was presented and granted approval by the Board in the June meeting. A Petition to Encroach on the J.N. Kirkpatrick Regulated Drain during the interim and as a permanent condition was approved at that time as well. He noted the Board's approval today regarded the special discharge rate into the J.N. Kirkpatrick Open Ditch. He stated this project was in compliance with the restricted rate and recommended approval with the conditions as stated on the June 21, 2011 Burke memo. There was no public comment. David Byers made a motion to grant final approval for Nanshan America Advanced Aluminum Technologies with the conditions as stated in the June 21, 2011 Burke memo. John Knochel seconded the motion. The Nanshan America Aluminum Technologies was granted final approval with the conditions as stated in the June 21, 2011 Burke memo.

**Hawthorne Villas**
Jim Pence from Schneider Corporation Inc. appeared before the Board to request final approval of Hawthorne Villas. Mr. Pence stated the site was located south of the intersection of C. Rd. 50 South and C. Rd. 550 East on the west side and approximately 37.67 acres. The site would drain to the J. Berlowitz Regulated Drain via storm sewers, swales and two dry detention facilities. Mr. Pence stated this project was brought before the Board in 2003 as a single family residential site. The developer has revised those plans to an 89 unit duplex condominium project. Pursuant to the signed 2006 Storage Fees Agreement with the developer, 2.63 acre feet of detention storage would be credited. This would leave 1.37 acre feet of storage credit for the Hawthorne Villas site to be used as directed by the agreement. Mr. Pence stated they were requesting a

variance to the required 80% TSS removal. He proposed several BMP measures such as vegetated swales, two dry detention ponds, a filter strip and stormwater quality measures to treat stormwater runoff. The current TSS removal percentage planned was at 77% so he felt it was adequate. Responding to Mr. Murtaugh' inquiry, Mr. Pence stated there was an entrance constructed from C. Rd. 50 South based on the project proposed in 2003. They have kept that entrance for this project. At the Surveyor's request Mr. Pence stated the following: Based on the Berlowitz Regional Facility, there was an overflow berm along the south side of Co. Rd. 50 South which was constructed higher than the 100 year elevation requirement. He also noted there were no building pads less than 46.6 feet onsite. He noted an extra foot of freeboard (height above 100 year elevation requirement) was added based on the worst case scenario. The Surveyor stated he felt they had gone above and beyond the building pad elevation requirement as their lowest elevation was approximately 3 feet above the requirement. He reiterated the BMP measures regarding this request were a good faith effort to accommodate the percentage. He referred to Mr. Eichelberger to elaborate. Mr. Eichelberger reiterated the aforementioned and stated he felt they had made a good faith effort in this case and saw no problem with the requested variance. The Surveyor then recommended final approval with the conditions as stated in the June 29, 2011 Burke memo in with the amendment to condition #2 under "Variances/Encroachments" concerning replacement of the stated 80% TSS removal to 77% TSS removal as requested. There was no public comment. David Byers made a motion to amend Condition #2 under "Variances/Encroachments" as aforementioned within the June 29, 2011 Burke memo and grant the variance as requested. John Knochel seconded the motion. Condition #2 under Variances/Encroachments on the June 29, 2011 Burke memo was amended to read 77% TSS removal. David Byers made a motion to grant the Variance as amended. John Knochel seconded the motion. The requested variance was granted with the amendment. David Byers made a motion to grant final approval with the conditions as stated and amended on the June 29, 2011 Burke memo. John Knochel seconded the motion. Hawthorne Villas was granted final approval with the conditions as stated and amended on the June 29, 2011 Burke memo. The Surveyor then presented a Petition to Encroach on the Berlowitz Regional Facility as well as a Petition to Vacate Branch #10 of the Berlowitz Regulated Drain for Hawthorne Villas and recommended approval. David Byers made a motion to approve the Petition to Encroach on the Berlowitz Regional Facility as well as approve the Petition to Vacate Branch#10 of the Berlowitz Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the Berlowitz Regional Facility as well as the Petition to Vacate Branch #10 of the Berlowitz Regulated Drain was approved as presented.

**Hawthorne Gardens**

Clem Kuns from TBird Designs Inc. appeared before the Board to present Hawthorne Gardens for final approval. The site was located west of C. Rd. 550 East and north of McCarty Lane and consisted of approximately 12.2 acres. A multifamily apartment complex was planned for this site. This site was filled with soil excavated from the Berlowitz Regional Detention Facility located along the north boundary. Currently the drainage pattern routes to the northwest directly into the Berlowitz Regional Facility via a storm sewer system with a small portion of runoff to C. Rd. 550 East ditch. An infiltration trench would provide a measure of detention and a vegetative swale was planned for storm water quality. Pursuant to the signed 2006 Storage Fees Agreement with the developer, this site was identified under the stated" R-3 West of CR 550 East" and 1.73 acre feet of detention storage would be credited for this project site. A total of 1.27 acre feet of credit remained for a remaining portion of the "R-3 West of CR 550 East" to be used as directed by the signed agreement. The developer submitted a Petition to Vacate Branch #6 of the Berlowitz Regulated Drain which served this site only and flowed from south to north within the site. The developer had also submitted a Petition to Encroach on the Berlowitz Regulated Drain. Mr. Kuns stated in all cases all storm water flows were restricted onsite up to the 100 year requirement before it would overtop the bank of the Berlowitz Regional Facility with the exception of a small amount of sheet flow from the rear of the lots. He noted there were two Drain Petitions included with this project. A Petition to Encroach on the Berlowitz Regulated Drain as well as A Petition to Vacate Branch #6 of the Berlowitz Regulated Drain. He stated they were in agreement with the June 29, 2011 Burke Memo and requested final approval for the project as well as approval for the Petitions as presented. The Surveyor stated this project site was higher in elevation than the Hawthorne Villas site approved by the Board. He reiterated the 100 year elevation in the hammerhead pond was 643.75 and this site's elevation was over five feet higher than that elevation. He noted Branch #6 of the Berlowitz drain was an old tile approx. 8-10 inch to be vacated and tied into the storm sewer. The Petition to Encroach involved two outlets that encroached upon the Berlowitz Regional Detention Facility and Tippecanoe County actually owned the property it was not just a drainage easement. He then recommended approval of Hawthorne Gardens with the conditions as stated on the June 29, 2011 Burke memo as well as approval for the Petitions as presented to the Board. There was no public comment. David Byers made a motion to grant approval of the Petition to Encroach upon the Berlowitz Regional Facility as well as the Petition to Vacate Branch # 6 of the Berlowitz Regulated Drain. John Knochel seconded the motion. The Petition to Encroach on the Berlowitz Regional Facility and the Petition to Vacate Branch # 6 of the Berlowitz Regulated Drain were approved as presented. David Byers made a motion to grant final approval with the conditions as stated on the June 29, 2011 Burke memo. John Knochel seconded the motion. Hawthorne Gardens was granted final approval with conditions as stated on the June 29, 2011 Burke memo.

**Zachariah Beasley/ Regulated Drains Update**
**Samuel W. Elliott Regulated Drain #100: Branch #11**
The Surveyor updated the Board regarding the Samuel W. Elliott Regulated Drain #100 Branch #11 appraisal status. Traynor and Associates 6750 East 75th Street Indianapolis Indiana 46250 were contracted to conduct appraisals on the properties within the Branch #11 watershed regarding the benefits and damages required for the Reconstruction Report. The appraisals were completed and the reports were delivered to him last week. He was reviewing them at this time and would finalize the Reconstruction Report when completed. He then would present the Reconstruction Report to the Board. He stated he planned to present the report along with the appraisals during the August meeting.

**Dismal Creek Regulated Drain #09: Ilgenfritz Branch**
The Surveyor updated the Board regarding the Ilgenfritz Branch of the Dismal Creek Regulated Drain #09. The clearing and dredging project was roughly two miles in length. (from the confluence of the creek approximately half mile west of C. Rd. 450 East and south of C. Rd. 500 South upstream or east to C. Rd. 575 East- approximately 500 feet east of S.R. 52) This project was close to completion (approximately 90%). The wet weather had slowed them down a bit..

**2011 Open Ditch Spraying**
The Surveyor presented the following list to the Board regarding the 2011 Open Ditch spraying to control the growth of obnoxious weeds and vegetation. The ditches were Otterbein #112, Hadley Lake #104, E.F. Haywood #35, J.N. Kirkpatrick #46. He stated this also helped with Beaver control as studies showed spraying on a regular basis saved money in the long run. Open ditches should be dredged every 15-20 years and spraying on a regular basis assisted with the keeping cost of brush removal before dredging to a minimum. This program was started a few years ago and will continue under his leadership.

**Indian Creek Watershed Study**
The Surveyor updated the Board regarding the Indian Creek Watershed Study. He noted he had signed a contract with Christopher B. Burke Engineering LTD. They were currently working diligently t and he hoped to have the final study by the end of this year for presentation to the Board. He stated this was one step in identifying what was and locations of the problem areas within the watershed. Restrictions (such as release rates for future developments) would be reviewed and may be warranted by the problems identified within the study.

**Other Business**
The Surveyor presented Performance Bond #7623870 for Spitznagle Borrow Pit submitted by Crider and Crider in the amount of $25,000.00 for approval by the Board. David Byers made a motion to approve the Performance Bond as presented. John Knochel seconded the motion. Performance Bond #7623870 for Spitznagle Borrow Pit submitted by Crider and Crider in the amount of $25,000.00 was approved as submitted and presented to the Board.

**Public Comment**
Jennifer Parks 8058 North Meridian Line Road, West Lafayette 47906, approached the Board. Her home was located just west of Meridian Line Road and east of Interstate 65 - north of the intersection at C. Rd. 800 North and Meridian Line Road. She stated her drainage problem started in 2004 when at that time the farm field north of her tract was plowed during wet weather. She stated it was too wet to plow at that time in her opinion. She stated a tile within the field was smashed by heavy farming equipment. From that time forward she has had numerous problems with drainage. Her septic flooded under her home on many occasions and she has replaced their well pump as well as the switches for it numerous times. She noted that her son must walk through standing water in the mornings to reach the school bus on many occasions. They hired Snow White Services at their cost to investigate the problem and jetted the tile. She presented a letter from the company which indicated a blockage was found. She also paid for a breather pipe installed at the tile location in hopes to lessen the flow of water. Lori Koches 8211 North Meridian Line Road W. Lafayette 47906 northeast of her property also experienced standing water issues. They even cost shared an open ditch hoping to solve the issue with another landowner (not named). The open ditch was created to assist in the surface water. However neither the open ditch nor the breather relieved her drainage issue. She then presented pictures of properties owned by her and Ms. Koches that indicated the location of the standing water from the last rainfall. She stated Ms. Koches property usually drained before her property. The Surveyor stated the tile ran along the west side of Meridian Line Road and drained to the north. Responding to Mr. Byers' inquiry, the Surveyor stated a few years ago work was being done on the Anson County Regulated drain and Snow White services was in the area. Therefore he directed them to her location in order to investigate her complaints since they were in the area. Just north of her home approximately 100 feet on the west side of Meridian Line Rd. was a vertical riser. They attempted to insert the jet hose and were unable to insert it down into the tile. Upon observation of the area it appeared that a farm implement of some sort had driven across the vertical riser and smashed it down into the field tile. Therefore the jet head could not go either direction in the field tile. The Surveyor agreed that only minimal amount water was able to enter the tile. Mrs. Parks stated water had

backed up through her septic in her toilet and shower since damage of the tile occurred. She stated the farmer in question admitted to her that he indeed ran over the tile while plowing, therefore he should have to bear the cost of repair. She reiterated they had no problem with drainage until the tile was damaged. She requested assistance from the Board to remedy the ongoing problem. The Surveyor confirmed this tile or riser was not part of the Anson County Regulated Drain. He would investigate further with the Health Department, however he thought this tile was required by them when the house was built and served as an outlet to the perimeter drain around her septic field. As this was the only outlet they had for the perimeter drain, they ran it to the north and tied it into the Anson County Regulated Drain. This would be a typical requirement from the Health Department to keep the water table down. He would confirm with the Health Department this was the case and if approval was granted at the time. It would stand to reason this was what was done. Responding to the Surveyor's inquiry, Mrs. Parks stated they moved into the home in 1999 and had no drainage issues until 2004. They originally thought the issue was septic related however it was not the case. Responding to Mr. Byer's inquiry, Mrs. Parks stated originally Phil Kerkhoff owned the property where the tile was located however it was owned at the present time by Denton Sederquist. Mrs. Parks noted Mr. Kerkhoff had recovered and inspected the tile in the past but would not accept blame for the damage. He blamed the damage on the willow tree located north of the damaged tile on the Koches property. Mr. Byers stated the riser could have been shoved down into the tile while farming - if it was an old clay tile. Theoretically an agricultural tile should be located down deep enough that farming over it should not cause a problem. The Surveyor reiterated monies from a County Regulated Drain maintenance fund could not be used on private tiles. The attorney stated in the case of obstruction to a mutual drain, a Petition to Remove an Obstruction to a Mutual Drain could be filed with the Drainage Board. The Board would then hold a hearing to decide whether this was an intentional or unintentional obstruction. He reviewed in more detail the drainage law for Mrs. Parks regarding this situation. The Surveyor stated the petition would be available for Mrs. Parks if she chose to proceed. She stated she would proceed with the process.
David Byers made a motion to direct the Surveyor to investigate the private tile subject to Mrs. Parks filing the petition with the Surveyor's office. John Knochel seconded the motion. The Surveyor was directed to investigate the private tile subject to Mrs. Parks filing a Petition to Remove an Obstruction to a Mutual Drain.

**Delphine Anson Drain/ Ernest Agee and Bret DeCamp**
Mr. Ernest Agee 8533 North C. Rd. 100 West, West Lafayette Indiana 47906, approached the Board to discuss the Delphine Anson Regulated Drain and the drainage issue associated with it. He stated Mr. Bret DeCamp 8832 North C. Rd. 100 West, West Lafayette Indiana 47906 and Alan Gray 8822 North C. Rd. 100 West, West Lafayette Indiana 47906 were in attendance as well. He submitted pictures of standing water on his, Mr. DeCamps and Mr. Gray's properties. He noted that he felt the foamy substance on the top of the standing water shown in the pictures was runoff from chemicals used on the farm fields which ultimately entered into the Anson Ditch. He stated it had been stagnating this year as long as 17 days. He stated he was not against farming he knew well its importance. He informed the Board, he had spoken with Mark Eastman from the Soil and Water Conservation District concerning the farm to the north however they won't put any waterways in. He stated this issue was getting worse and at present time the water had sat for 4-5 days within the ditch. The standing water hindered Mr. Gray's ability to enter his home through his drive. He reiterated the seriousness of the problem. The Surveyor stated it was important to note there were two different regulated drain watersheds (Delphine Anson and Andrew Brown) involved with this drainage issue. The watersheds boundary cuts northwest and southeast through Mr. Alan Gray's driveway. He further explained the watersheds were the Andrew Brown Regulated Drain watershed which routes northeast and the Delphine Anson watershed which routes to the southwest. He reviewed the driveway in question using the G.I.S. site for the Board and the entire drainage for their benefit. He noted the watershed boundaries were completed using the old U.S.G.S. Quadrant Angle maps with 2 foot contour intervals. He stated when he investigates this issue he would confirm the boundaries. He stated the boundaries could be off a hundred foot or more horizontally due to the accuracy of the historical information at that time. He also stated there was a depressional area near Mr. Gray's driveway. Last fall he worked with Allen Gray to investigate the branch of the A. Brown drain which ran under the interstate as he was unable to locate any maintenance records for information on it. He noted when the A. Brown Regulated Drain was originally constructed the interstate was not in existence. He had the branch excavated east and west of I65 and potholed in several areas on both sides of it. He found nothing that indicated the branch had a blockage of any kind. He reviewed the construction plans for I65 and then conducted an onsite inspection of the pipe, it's size etc. The I65 construction plans were followed regarding installation and size of the pipe in question. He went further and hired a jetting company to jet under the interstate and it proved to be open. A breather was installed on the west side of I65 for future investigation due to the dry weather last fall. He noted the maintained portion of said branch stopped short of the aforementioned depressional area. Mr. Agee interjected stating the D. Anson drain was also a problem in addition to the A. Brown drain. He noted the main tile of the D. Anson Drain was located between Mr. DeCamp and Mr. Gray's homes. Mr. Allen Gray approached the Board and stated he had been working with the Surveyor over a year now and he was very accommodating and great to work with. He stated the issue for him was the A. Brown ditch was not flowing fast enough for whatever reason. He stated from his perspective he did not care if the depression area was drained. He stated he did not want the standing water on his "road" (driveway). He noted this road was approved by the County Highway to put it at that location and in the three years he has lived there it has been under water 8 times. Almost all

of the water flows from the farm fields to the north and from the interstate overflow ditch. There was an overflow pipe that route the interstate drain into the farm field north of his location and then drained to his location. The additional water from the interstate's runoff along with the runoff from the farm fields, created the enormous amount water in the depressional area. It continued to get worse as time goes by. He requests the Board take action to fix the problem. He then reviewed a video taken a few days earlier with the Board using his IPAD. The water had not moved in 4 days. He noted his power electrical box located between his home and Mr. DeCamp's home was under water. He stated there would be no way any emergency vehicles could access his home through the standing water over his drive. He would like the Board to consider some way to move the water out of the depressional area faster and route it to the Anson ditch. He noted he was in agreement with Mr. Agee that there was a large amount of chemical substance within the runoff from the farm fields to the north them this last event and it continues to get worse. He felt a filter strip should be placed down to disable the chemical substances from exiting the farm fields. Responding the Surveyor's inquiry, Mr. Gray noted this last rainfall was over 5 inches as Mr. Agee's 5 inch rain gauge overflowed. He reiterated he knew this happened from time to time however his driveway had been under water seven to eight times since he lived there. He expressed his frustration that the road/driveway was approved by the County to be put in that location and he did not understand how they could have approved it in this location. Mr. Bret DeCamp 8832 North C. Rd. 100 West, West Lafayette Indiana 47906 stated in the past he and Mr. Gray have rented a 4 inch waste water pump and it ran for 3 days nonstop pumping the water back into the Anson Ditch. This was done on 5 different occasions just to access the driveway/road and enter their homes. His wife runs a daycare out of their home and the water over the drive hindered the business greatly. She informed her clients when the water is up (often) that there is no way for an emergency vehicle to access their home. This was also a great concern for his own family if something should happen. He expressed concern that the Anson Ditch had not been completely reconstructed to date. Only part of the ditch was reconstructed and that did not include his area. He felt if the entire drain had been completed the problem would not be as bad. Farm runoff has started to erode the ground in his area due to the amount and speed of the overflow. The tile had not been fixed in that area yet. He would like the reconstruction to get started in this area even if it meant a new hearing and an additional assessment. The Surveyor reviewed the Anson tile location for the Board. He clarified a reconstruction hearing was held regarding the Anson Tile Drain. A reconstruction and maintenance rate was set at that time. Presently the balance of the reconstruction cost was close to being paid off. The entire Anson Drain watershed was studied and onsite inspections were completed prior to the said hearing. The reconstruction would be done in four phases. In phase one fifteen hundred feet of fifteen inch pipe was replaced. There was more work to be done to complete the entire reconstruction. The phases would be completed as time and money allowed. The job was stopped on the north side of C. Rd. 850N; the tile underneath the road was replaced last year. He noted from the time the reconstruction rate was set to the time the project started the price of gas and pipe skyrocketed due to the economy. The monies were depleted so the project was halted at that point. The initial reconstruction phase would be paid in full this year. His intention was to let the fund build back up and proceed to the next phase. He felt it would be a hard sell to the farmers within the watershed to raise the assessment rate again (to increase the fund balance quicker) since the present rate was set in the last 5-6 years. Mr. DeCamp noted a culvert was installed between the two houses by the bend and it was close to being destroyed by the overflow. If this happened his driveway culvert would be next.

Responding to Mr. Murtaugh' funding inquiry; the Surveyor stated that area could potentially be reconstructed next year. Monies would have to be borrowed from the General Drain Fund. At this time there were numerous projects in the works which had impacted that fund greatly. He stated he planned to ask the County Council for funds budgeted to the General Drain Fund during the Budget hearings. The balance of the General Drain Fund was at an all time low due to the many projects at hand and drains minimal assessment rates. Also the Drainage Code stated the Council will from time to time allocate funds for it. In researching this it was found there had not been any monies allocated for this fund for twenty to thirty years by the Council. It has been planned from the beginning to reconstruct the entire drain not just part of it. However due to money constraints and cost of reconstruction it would have to be done in phases. He agreed with all three landowners the tile was not in working order and had not been in years, it was plugged and in need of the reconstruction completed as soon as possible. Discussion was held of possible solutions regarding eliminating the standing water over the drive. The Attorney explained the process in submitting a Petition to Establish a New Regulated Branch of a Anson Regulated Drain as well as a Petition to Establish a New Regulated Drain (one that did not connect to an existing regulated drain) and a Petition to Connect into the Anson Regulated Drain. Mr. Agee thought a short extension pipe under the driveway and routed to the Anson drain would be a better solution. The Surveyor noted his office would provide the Petition of choice. Mr. Agee stated to the Board water behind his house (first house north of C. Rd. 850N) was draining properly and he had seen a great improvement with the first phase of reconstruction. Mr. Decamp and Mr. Gray thanked the Board for their time.

As there was no other public comment, David Byers made a motion to adjourn. The meeting was adjourned.

Thomas P. Murtaugh, President

David Byers, Vice President

John Knochel, Member

Brenda Garrison, Secretary

# Tippecanoe County Drainage Board
**October 3, 2012**
**Regular Meeting Minutes**

**Those present were:**

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

**John Saltzman Regulated Drain #70**

Vice President Tom Murtaugh informed the Board John Voss, Supervisor and Loretta Olinger, EHS Director, both of Cargill Inc., was in attendance today. They were attending to present to the Drainage Board a $25,150.00 contribution toward the overall cost of the recently completed John Saltzman Regulated Drain #70 -2 stage ditch project. Mr. Murtaugh stated the Board greatly appreciated their support and referred to the Surveyor for an overview of the project. The Surveyor began noting in 2011 landowner Brian Buck contacted him regarding severe erosion on the John Saltzman open ditch which was rapidly increasing. (The location was in Section 1 Township 23 North and Range 3 West.) The Surveyor noted he conferred with Kent Wamsley from the Nature Conservancy regarding the 2 stage ditch projects and benefits. He informed the Board the Surveyor's office designed the project and received contributions from The Nature Conservancy ($25,000), Indiana Small Mouth Alliance Organization ($1000), Soil-Water Conservation District ($1000), Wabash River Enhancement Organization ($2500) and landowner Brian Buck ($8000) in addition to Cargill Inc. to cover the majority of the project's cost. He stated due to the generous contributions received, the remaining amount to be paid by landowners assessed on the ditch was $4500.00. Mr. Voss stated this was an opportunity for Cargill to work with County Government regarding environment projects and specifically drainage improvement for the farmers and landowners who benefit from the John Saltzman drain. He stated Cargill strives to be environmentally friendly and believed this project was certainly one which would assist the farmers in an environmentally friendly way. Tom Murtaugh expressed the Board's appreciation and thanked them for their monetary contribution.

**Contracts**
The President referred to the Attorney regarding contract opening of the Train Coe #18 and Combs #118 Regulated Drain Projects. The Attorney stated one packet was submitted for the Train Coe Drain #18 project by Tony Garriott. The total estimate submitted was $22,885.00 by Tony Garriott. He recommended the estimate to be taken under advisement and reviewed for compliance with bid specifications. Possibly award the project later in the meeting. John Knochel made a motion to take the submission by Tony Garriott under advisement and review for compliance. Tom Murtaugh seconded the motion. The submission by Tony Garriott was taken under advisement. The Attorney then stated one packet was submitted for the Combs Ditch #118 project by Central Indiana Drainage. Central Indiana Drainage submitted a total estimate of $28000.00. He recommended the estimate be taken under advisement and reviewed for compliance with bid specifications. Possibly award the project later in the meeting. John Knochel made a motion to take the submission by Central Indiana Drainage under advisement and review for compliance. Tom Murtaugh seconded the motion. The submission from Central Indiana Drainage was taken under advisement. Mr. Murtaugh noted the quotes were being reviewed for compliance and possibly awarded at the end of the meeting today.

**Approval of Minutes**
John Knochel made a motion to approve the September 5, 2012 regular minutes as written. Tom Murtaugh seconded the motion. The September 5, 2012 regular meeting minutes were approved as written.

**Purdue Research Park Phase 3 Part 2 Section 1**
Keith Stuerenberg appeared before the Board to present Purdue Research Park Phase 3 Part 2 Section 1 to the Board for conditional approval. The project site consisted of approximately 5 acres located specifically on the west side of Yeager Road within the overall research development's site at the northwest corner of Kalberer Road and CR 100 West (Yeager Road) within the city limits of West Lafayette. The future Challenger Road would act as a basin divide between the north and south and drain both areas located in Section 1. Detention basins would be constructed in both the north and south drainage areas for stormwater quality and quantity control. Mr. Stuerenberg noted they received the September 28, 2012 Burke memo and agreed with the comments. The Surveyor reiterated the project site was within the West Lafayette city limits and as such the Board's review today regarded discharge to the Baker Dempsey, Yeager Drains and Hadley Lake outfall only. As the project had been in front of the Board prior to today, revisions to the plans had been made since, therefore

it was resubmitted. The Surveyor then recommended conditional approval as stated on the September 28, 2012 Burke memo. John Knochel made a motion to grant conditional approval as recommended by the Surveyor. Tom Murtaugh seconded the motion. The Purdue Research Park Phase 3 Part 2 Section 1 was granted conditional approval as requested.

**Zach Beasley/Other Business**

*Bonds/Letter of Credit*

The Surveyor presented Maintenance Bond #105827282 in the amount of $17,498.00 dated Sept. 6, 2012 submitted by Fairfield Contractors for Winding Creek Section 6 for approval by the Board. John Knochel made a motion to grant approval for Maintenance Bond #105827282 in the amount of $17,498.00 dated Sept. 6, 2012 submitted by Fairfield Contractors for Winding Creek Section 6. Tom Murtaugh seconded the motion. Maintenance Bond #105827282 in the amount of $17,498.00 dated Sept. 6, 2012 submitted by Fairfield Contractors for Winding Creek Section 6 was approved by the Board.

The Surveyor presented Letter of Credit #S502386 in the amount of $25,000.00 dated Sept. 21, 2012 submitted by American Fibretech for Industrial Pallet for approval by the Board. John Knochel made a motion to grant approval for Letter of Credit #S502386 in the amount of $25,000.00 dated Sept. 21, 2012 submitted by American Fibretech for Industrial Pallet. Tom Murtaugh seconded the motion. Letter of Credit #S502386 in the amount of $25,000.00 dated Sept. 21, 2012 submitted by American Fibretech for Industrial Pallet was approved by the Board.

***Petitions***

The Surveyor noted he had three Petitions to present to the Board. The first petition was a Petition to Encroach from Wabash Valley Association regarding placement of utility poles within the John Boes Regulated Drain Easement. He stated this was a utility pole placement project along County Farm Road just north of Kalberer Road. He recommended approval of the petition as submitted. John Knochel made a motion to approve the Petition to Encroach on the John Boes Drain as presented by the Surveyor. Tom Murtaugh seconded the motion. The Petition to Encroach on the John Boes Drain Easement submitted by Wabash Valley Association was approved by the Board. The second petition was a Petition to Encroach on the S.W. Elliott Regulated Drain #100 submitted by Ivy Tech Community College regarding a Pedestrian Bridge. He recommended approval by the Board. John Knochel made a motion to approve the Petition to Encroach on the S.W. Elliott Regulated Drain #100 for a Pedestrian Bridge as presented by the Surveyor. Tom Murtaugh seconded the motion. The Petition to Encroach on the S.W. Elliott Regulated Drain #100 submitted by Ivy Tech regarding a Pedestrian Bridge was approved as presented. The third petition was a Petition to Encroach on the S.W. Elliott #100 Regulated Drain submitted by Ivy Tech regarding a parking lot. John Knochel made a motion to approve the Petition to Encroach on the S.W. Elliott Regulated Drain #100 regarding a parking lot as presented by the Surveyor. Tom Murtaugh seconded the motion. The Petition to Encroach on the S.W. Elliott Regulated Drain #100 submitted by Ivy Tech regarding a parking lot was approved by the Board.

**Contracts:**

The Attorney stated both contract packets were reviewed and appeared to comply with the specifications of each drain project at hand. The first was a Bid of $22,885.00 received from Tony Garriott for the Train Coe Regulated Drain #18 project. John Knochel made a motion to accept the bid from Tony Garriott for the Train Coe #18 Regulated Drain project. Tom Murtaugh seconded the motion. Tony Garriott was awarded the bid for the Train Coe Regulated Drain #18 2012 project. The second was a bid of $28,800.00 received from Central Indiana Drainage for the Combs Ditch #118 project. John Knochel made a motion to accept the bid from Central Indiana Drainage in the amount of $28,000.00 regarding the Combs Ditch #118 Regulated Drain project. Tom Murtaugh seconded the motion. Central Indiana Drainage was awarded the bid for the 2012 Combs Ditch #118 project.

**Public Comment**

Monica Torrez (Lot 82 the Orchards Subdivision) 1285 Priscilla Drive West Lafayette Indiana 47906 approached the Board. She provided the Board with pictures of the aforementioned lot and surrounding area for their review. Discussion was held regarding the history (see historical minutes) of the drainage issue. She stated this issue had gone on for 7 years and noted additional landscaping had been added by her neighbors (Saks) through the years which have made the situation worse. The Homeowner Covenants were reviewed by the Board. She requested approval by the Board to go forward with the drainage improvement plan prepared by Starr Associates. She noted she had been in touch with the Surveyor office throughout this time and the drainage plan was reviewed by the Surveyor office. She noted the Surveyor Mr. Beasley had been very helpful the last three years. John Knochel stated the issue would be investigated further. If Drainage Code allowed the Board -acting within the drainage easement- to access Deborah and Robert Saks lot –the Board would approve implementation of the drainage plan. He stated they would also assist with a portion of the cost. The Surveyor noted there were three options. The easiest option would be if the neighbors gave permission to enter their lots for work to be completed quickly and efficiently. The second option was Monica and her husband could file a Petition to Obstruct with his office and the Drainage Board. The third would be for her and her husband to file a civil suit against her neighbors and the Homeowners Association of their

Subdivision. There was a fourth option as well which was to file a Petition to Establish a Regulated Drain regarding the Subdivision drainage infrastructure. The Surveyor noted he had sent the Saks an email last evening proposing a solution to the issue. Mrs. Saks replied with an email in which she stated they would review the plan and get back in touch with him. He suggested waiting until Mrs. Saks replied back, and then go forward from there. The Attorney explained steps of submitting an obstruction petition to the Board and the cost thereof. Monica stated they have tried very hard to work with the neighbor for a joint resolution however it has been to no avail. She would appreciate greatly any assistance from the Board they could give her. The Surveyor stated he would be in touch with her as soon as he receives a reply from Mrs. Saks. Monica Torrez thanked the Board for their time on the matter.

As there was no other comment, John Knochel 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
**March 13, 2013**
**Regular Meeting Minutes**

**Those present were:**

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

**Approval of Minutes**

David Byers made a motion to approve the February 6, 2013, 2013 regular minutes as written. John Knochel seconded the motion. The February 6, 2013 regular meeting minutes was approved as written.

**S.W. Elliott Regulated Drain Branch #11 Reconstruction Contract Award**

The Surveyor referred to the Attorney for the status of his review of the bids previously received by the Board in the February 6, 2013 meeting. The Attorney stated he reviewed all the submitted bids and they conformed to the requirements of the specifications of the contract. The Surveyor recommended the Board accept the lowest bid submitted by Milestone Contractors in the amount of $238,565.95. David Byers made a motion to accept the lowest bid for the S.W. Elliott Regulated Drain #100 Branch #11 Reconstruction Contract submitted from Milestone Contractors LP in the amount of $238,565.95. John Knochel seconded the motion. The S.W. Elliott Regulated Drain #100 Branch #11 Reconstruction Contract submitted by Milestone Contractors LP in the amount of $238,565.95 was accepted by the Board. .

**S.W. Elliott #100 Regulated Drain Branch #11/ Construction Observation Contract**

The Surveyor presented the S.W. Elliott Regulated Drain Branch #11 Reconstruction Part –Time Observation Contract submitted by Christopher B. Burke Engineering LLC in the amount of $40,000.00. He recommended approval of the contract. David Byers made a motion to approve the S.W. Elliott Regulated Drain Branch #11 Reconstruction Part –Time Observation Contract submitted by Christopher B. Burke Engineering LLC in the amount of $40,000.00. John Knochel seconded the motion. The S.W. Elliott Regulated Drain Branch #11 Reconstruction Part –Time Observation Contract submitted by Christopher B. Burke Engineering LLC in the amount of $40,000.00 was approved as presented.

**Resolution #2013-01-DB/Establishing Indian Creek Impact Drainage Area**

The Surveyor reviewed the history of drainage issues within the Indian Creek watershed. Within the last 2-5 years his office has received numerous drainage complaints, in the area from US 52 and Klondike or Taft Road to County Road 400 West and US 52 intersections. He noted there were other areas of concern within the watershed; however this area was the most problematic. In 2010 the Board determined a Drainage Study of Indian Creek was warranted. Phase one of the study proposed stricter release rates for development within the watershed. The resolution presented would assist in lowering development discharge rates located within the watershed. (Note: See Sept. 2010 minutes: a petition for a new regulated drain was also provided to Judy Bowers, landowner which has not been submitted to Surveyor to date.) The Attorney read the resolution into the record as follows: 2013-01-DB-RESOLUTION ESTABLISHING INDIAN CREEK IMPACT DRAINAGE AREA: WHEREAS, the Tippecanoe County Comprehensive Stormwater Management Ordinance as established by Ordinance No. 2011-27-CM authorizes the Tippecanoe County Drainage Board to classify certain geographical areas as Impact Drainage Areas and to enact and promulgate regulations in respect thereto; and WHEREAS, the Tippecanoe County Drainage Board has found that Indian Creek within the Indian Creek Impact Drainage Area, is a natural stream which receives runoff from a large watershed area as well as additional runoff associated with overflow from the Hadley Lake watershed; that an existing restrictive railroad culvert which is inadequate to accommodate the tributary stream flows is located approximately 4,700 feet downstream of the U.S. 52 crossing of Indian Creek; and that based on the size of the Indian Creek watershed, the introduction of Hadley Lake flows, and the limited capacity of the existing restrictive railroad culvert, there is not an adequate outlet for the watershed, resulting in documented Indian Creek flooding of the Elks Golf Course, the Capilano Estates sole entrance drive, portions of Taft Road, and several residences along Taft Road, and that such flooding has caused or threatens damage to property, endangerment of life, and hinders emergency vehicle access; and WHEREAS, the Tippecanoe County Drainage Board has found and determined that the protection of the public health

and general welfare requires the imposition of special requirements for development within the Indian Creek Impact Drainage Area. NOW, THEREFORE, BE IT RESOLVED that the geographical area more fully described on Exhibit A attached hereto and by reference made a part hereof be and it is hereby designated as an Impact Drainage Area pursuant to Chapter 6, Section 8 of the Tippecanoe County Drainage Code and shall be known as the Indian Creek Impact Drainage Area. BE IT FURTHER RESOLVED, that in addition to complying with all other requirements of the Tippecanoe County Drainage Code, any sub divider, property owner, developer, or contractor, as a condition of approval of any new business, commercial and industrial development, residential subdivision, planned unit development, and any redevelopment or other new construction located within the Indian Creek Impact Drainage Area shall comply with such further and more restrictive stormwater quantity and quality measures than those set forth in the Tippecanoe County Drainage Code or in the Indiana Stormwater Quality Manual as the Drainage Board may from time to time determine to be required to meet the purposes of the Tippecanoe County Drainage Code, which may include, without limitation thereby, the following:

A. All future developments within the Indian Creek Impact Drainage Area must utilize post-developed allowable release rates as defined on Exhibit B;
B. Overflow/diversion paths in the reach of Indian Creek between Morehouse Road and U.S. 52 and into and out of Hadley Lake, as defined on Exhibit C, must be protected. If changes to the flow capacity in these areas are proposed, appropriate compensation will be required.

PASSED AND ADOPTED THIS 13th day of March, 2013. TIPPECANOE COUNTY DRAINAGE BOARD
Thomas Murtaugh, President, David Byers, Vice President, John Knochel/ ATTEST: Brenda Garrison, Executive Secretary
End of Resolution

The Attorney stated Exhibit A indicates the Drainage Impact Watershed, Exhibit B indicates the Maximum Allowable Release Rates for sub areas within the watershed, Exhibit C indicates Overflow Diversion Paths that must be protected. There was no public comment. Responding to the Mr. Byers inquiry, the colors on Exhibit B differentiated the sub basins. David Byers made a motion to approve Resolution #2013-01-DB Establishing Indian Creek Impact Drainage Area. John Knochel seconded the motion. Resolution #2013-01-DB Establishing Indian Creek Impact Drainage Area was approved as presented.

**Regulated Drain Classification Report/Surveyor**

The Surveyor presented the 2013 Regulated Drain Classification Report to the Board. According to I.C. 36-9-27-34 the County Surveyor shall from time to time prepare and submit a regulated drain classification report. His report included the following information: "Drains in need of Reconstruction, Hearing and Rates Increased established in 2011 and 2012, Urban Drains, and Drains in need of Maintenance, Insufficient Maintenance Funds, and Drains with a 25% Increase in Assessment, Drains that should be vacated and Proposed Drains for Hearings in the near future". He noted the attached Exhibit A reviewed all the County regulated drains and actions taken and that which did include the 25% increase passed by the Board last month as well as previous years. The Surveyor stated those drains marked "not maintained" currently did not have maintenance fund established. Petitions have been provided to those interested landowners on these drains. The Attorney stated when a drain is included on the report as in need of reconstruction; it did not require a signed Petition to start the process for reconstruction. The two drains (Edwards and Verhey noted) were in need of reconstruction prior to establishing a maintenance fund for each of them. David Byers made a motion to accept and approve the 2013 Surveyor's 2013 Regulated Drain Classification Report as submitted to the Board. John Knochel seconded the motion. The 2013 Surveyor's 2013 Regulated Drain Classification Report was accepted by the Board.

**Raineybrook Phase 3 Part 2 Section 2 Maintenance Bond#105852502**

The Surveyor presented Travelers Casualty Insurance Maintenance Bond#105852502 in the amount of $6,747.00 submitted by Fairfield Contractors Inc. for Raineybrook Phase 3 Part 2 Section 2. He recommended approval. David Byers made a motion to approve Raineybrook Phase 3 Part 2 Section 2 in the amount of $6,747.00 submitted by Fairfield Contractors Inc. John Knochel seconded the motion. Maintenance Bond#105852502 was approved as aforementioned.

**Petition to Encroach with a Bioreactor Bone Private Drain/Josh Cox**
**Maintenance Agreement Bone Private Drain/Josh Cox**

The Surveyor presented a Petition to Encroach on a Regulated Drain Easement with a Bioreactor on the Bone Private Drain along with a corresponding Maintenance Agreement for said encroachment and area around it on farmland owned by Josh Cox and located at County Road 660 South. Specifically the encroachment was just east of the culvert approximately 1250 feet south of County Road 660 South. He noted a bioreactor was a bypass system which consisted of a pipe coming off of

the main tile which leads to a woodchip bed and an outward pipe located under the woodchip bed returned the runoff into the main tile during low flow conditions only. It is relatively new to the area. He recommended approval. David Byers made a motion to accept the Petition to Encroach on a Regulated Drain Easement with a Bioreactor on the Bone Private Drain along with a corresponding Maintenance Agreement for such encroachment and area surrounding it. John Knochel seconded the motion. The Petition to Encroach on a Regulated Drain Easement along with a corresponding Maintenance Agreement was approved as presented to the Board.

**Public Comment**

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

John Knochel, Member

# Tippecanoe County Drainage Board
## November 6, 2013
## Regular Meeting Minutes

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

President Tom Murtaugh opened the meeting and introduced James Butcher, Project Manager of the Surveyor's Office. He informed attendees Mr. Butcher was sitting in for the Surveyor in his absence due to illness. The President noted it was the first attendance absence by the Surveyor in ten years.

**Approval of Minutes**
David Byers made a motion to approve the October 2, 2013 regular Drainage Board Meeting minutes and the October 2, 2013 J.K. O'Neal #59 Regulated Drain Hearing minutes as written. Tom Murtaugh seconded the motion. The October 2, 2013 Regular Drainage Board Meeting minutes and the October 2, 2013 J.K. O'Neal #59 Regulated Drain Hearing minutes were approved as written.

**Buffalo Wild Wings**
Attorney Joe Bumbleberg introduced Mike Deboy of Deboy Land Services Inc. regarding the ongoing parking issue associated with the Buffalo Wild Wings tract. The said tract -aka Lot 2 of Creasy at the Crossing Sec. 1- was located within the City of Lafayette limits more specifically at the intersection of Creasy Lane and S.R. 38. Mr. Deboy stated due to Branch #13 of the S.W. Elliott #100 Regulated Drain's (two 66 inch metal corrugated pipes) onsite location and the Buffalo Wild Wings desire to expand their parking (westward), the culvert and pipes were examined to determine their status. He noted the pipes were located on the east side of S.R. 38 and continued easterly under S.R. 38 making a circular motion and continue south parallel or adjacent to Creasy Lane. The issue at hand was a recent request to expand parking with additional parking spots. It was previously determined that the said drain shall be removed and replaced with reinforced concrete pipe with any expansion of the parking area by the Board. (See 2005Drainage Board minutes) One of the issues with the pipes was that they were installed in the approximate year of 2000 as part of a reconstruction and the Surveyor's office to date were unable to locate the original plans for the reconstructed pipes. Therefore they requested a pipe status investigation. An investigation was completed by SLB Pipe Solutions for Deboy Land Development Services and forwarded to the Surveyor Office for their review. Other than normal wear and tear there was no apparent damage to the pipe. He noted the pipes were approximately half full at the time of inspection. An in depth review was conducted of the drainage system. He requested the Board approve the request for additional parking without replacing the existing system as previously directed. He stated his client would maintain the proper cover over the said system and bear the financial responsibility for replacement of parking area if maintenance on said drain was required. The County would not be financially responsible for the removing and replacement of the parking materials. He stated his client was willing to maintain the cover and place a Geo-Mat with a stone cover across the pipes once the sod has started to grow as an added protection. As far as future use of the area it would accommodate service trucks deliveries and additional parking only. At that time he again asked the Board's approval for the building of an additional parking area on the Buffalo Wild Wings site. He noted no drainage issues have arose since Buffalo Wild Wings was completed.

Tom Murtaugh stated he understood from a previous informal mtg with Mr. Deboy that a structural report would be completed as well. Mr. Deboy noted he had contacted numerous structural engineer firms. All structural Engineer Firms contacted were reluctant to certify as this would require the complete excavation of the pipes. Referring to the televised report of the pipes already completed as requested, he stated he did not feel there were issues with the pipes condition that could be identified. Tom Murtaugh stated what was not known if the pipes were installed the same way on the subject property as it had been previously under S.R. 38. Mr. Deboy stated the firms he had contacted stated the only to find the structural status would require the exposure of the entire 300 feet of pipe. Tom Murtaugh asked if it could be completed by exposing a smaller portion of the pipe instead of the entire length. Mr. Deboy asked if exposing a small amount of pipe and certifying it would be sufficient for the Surveyor's consultant. Mr. Butcher interjected the Surveyor's office required a Structural Engineers certification and they would defer to the Structural Engineer hired to determine what he would need exposed for the certification. Drainage Board Consultant David Eichelberger suggested they seek the cmp manufacturer's structural engineer's certification. Mr. Deboy stated he had and they chose not to certify for numerous reasons not related to the structure but internal. Mr. Butcher stated if a certification which included the statement that no future problems were anticipated due to additional parking on top of the pipes were submitted to his office for the record, then his office would not have issues with the additional parking request. Tom Murtaugh stated the Board would not have any issues as well once a Structural Engineer Certification was obtained and the Surveyor's office was satisfied. Responding to Mr. Deboy's inquiry, David Eichelberger stated the Structural Engineer's report should **also** include a review of all areas where asphalt /polymer lining had exposed the cmp as

well in addition to the pipe's ability to handle the loads. The Certification report should also include any repair requirements prior to construction of the additional parking project is applicable. Mr. Deboy stated his client would agree to the requirement of a covenant to run with the property which stated the owner would be responsible to bear the costs resulting from removal of any of the asphalt parking area during maintenance performed. David Byers stated as a safety issue the Board had the responsibility to keep the public safe. This would not only protect the public but also Buffalo Wild Wings. Mr. Deboy would inform the Surveyor's office how his client elects to proceed in this matter.

**Ivy Towns and Flats Offsite Borrow Area**
Jim Pence of Schneider Corp. appeared before the Board to present Ivy Towns and Flats Offsite Borrow Area to the Board. The offsite area is planned for the east side of the Cuppy McClure Branch of Hadley Lake #109 Regulated Drain to provide fill to the west side of Cuppy McClure Branch of the said drain. The site was located on the north side of the future Cumberland Ave. Extension just west of U.S. 52. An approximately 1.35 acres would consist of a wet detention pond utilized for this project site only. The pond and its outlet would be required to be analyzed prior to any possible future development's use for Stormwater Quality or Quantity. The design of this project met the Indian Creek release rates as required in the Indian Creek Resolution #2013-01-DB. This site was strictly designed for the Borrow area. He then requested final approval for his project. James Butcher stated the Surveyor's office recommended approval with the conditions as stated on the October 31, 2013 Burke memo. There was no public comment. David Byers made a motion to approve the Reduction of Easement and Encroachment on the Cuppy McClure Branch of the Hadley Lake #109 Regulated Drain. Tom Murtaugh seconded the motion. The Petition for Easement Reduction and Encroachment on the Cuppy McClure Branch of Hadley Lake #109 Regulated Drain was approved as submitted. David Byers made a motion to grant final approval with the conditions as stated on the October 31, 2013 Burke memo. Tom Murtaugh seconded the motion. Ivy Towns and Flats Offsite Area was granted final approval with the conditions as stated on the October 31, 2013 Burke memo.

**Lot 5 Valley Lakes Shoppes**
Justin Frazier of TBIRD Design appeared before the Board to present Lot 5 Valley Lakes Shoppes to the Board. Lot 5 consisted of approximately 21 acres of which approximate1.12 acres is planned for this project. The project site was located on the southwest corner of Regal Valley Drive and Regal Valley Place. He stated runoff from the development would outlet into the JN Kirkpatrick Regulated Drain #46. There was no detention planned as the entire site met the allowable curve number (cn). A waiver for detention was granted previously for Phase 1 and Phase 2 of the overall development on June 4 and December 3 2003. He noted this was located within the City of Lafayette limits. The Drainage Board was reviewing the site's allowable release rates only. There was no public comment. James Butcher stated the Surveyor's Office recommended approval with the conditions as stated on the October 25, 2013 Burke memo. David Byers made a motion to grant final approval with the conditions as stated on the October 25, 2013 Burke memo. Tom Murtaugh seconded the motion. Lot 5 Valley Lakes Shoppes project was granted final approval with the conditions as stated on the October 25, 2013 Burke memo.

**SIA Proposed Additions**
Stan Jones of R.Q.A.W. appeared before the Board to present to the Board. The site was located along S.R. 38 between C.R. 475 East and I65 within the City of Lafayette limits. A Revised Master Drainage Plan includes the revisions of all previous reports and the proposed changes to the existing Pond#01 onsite. Mr. Jones noted the site met the allowable release rates to the Parker Ditch Regulated Drain#61. The Board was reviewing the allowable release rates only for this project. The runoff would be collected and conveyed to the existing storm sewer and basin system prior to discharge to Parker Ditch #61 Regulated Drain. There was no public comment. David Byers made a motion to grant conditional approval with the conditions set on the November 1st, 2013 Burke memo. Tom Murtaugh seconded the motion. The SIA Proposed Additions was granted conditional approval with the conditions on the Nov. 1, 2013 Burke memo as presented.

**Other Business**
**Petition to Encroach Cuppy McClure Branch of the Hadley Lake #109 Drain /West Lafayette**
James Butcher presented a Petition to Encroach on the Cuppy McClure Branch of the Hadley Lake #109 Drain submitted by the City of West Lafayette for approval. He stated the Surveyor's office recommended approval. There was no public comment. Dave Byers made a motion to accept the Petition to Encroach on the Cuppy McClure Branch of the Hadley Lake #109 Drain. Tom Murtaugh seconded the motion. The Petition to Encroach on the Cuppy McClure branch of the Hadley Lake Drain #109 and submitted by the City of West Lafayette was granted approval by the Board.

**Petition to Reconstruct Amanda Kirkpatrick Regulated Drain #45/Forest Goings**
James Butcher presented a Petition to Reconstruct the Amanda Kirkpatrick Regulated Drain #45 which was submitted by landowner Forest Goings. James Butcher reviewed the drain area utilizing GIS for the Board. He noted well over 50% of the affected landowners had signed the Petition. He recommended the Board accept and refer the Petition back to the Surveyor's Office for a Reconstruction Report to be presented at a future date. There was no public comment. Dave Byers made a motion to accept the

Petition to Reconstruct the Amanda Kirkpatrick Regulated Drain #45 submitted by landowner Forest Goings and refer it back to the Surveyor Office for a Surveyor's Reconstruction Report. Tom Murtaugh seconded the motion. Petition to Reconstruct the Amanda Kirkpatrick Regulated Drain #45was accepted and referred back to the Surveyor's Office for a Reconstruction Report.

**Petition to Establish a New Legal Drain /Shepherds Point**

James Butcher presented the Petition to Establish a New Legal Drain for the Shepherds Point Subdivision. The site was located Southeast of C.R 500 North and Salisbury intersection. He explained this was an older subdivision. There were some developed as well as undeveloped lots within the subdivision. He stated it was the intent of the submitter- Brian Keene for the storm system to be regulated by the County and included in the Drain Maintenance program. The Petition was signed by the vacant lots owner Brian Keene. David Byers stated he was reluctant to accept due to the fact only the vacant lot owner signed the petition. No owners of the lots developed had signed it. However he then made a motion to accept the Petition as submitted and refer it back to the Surveyor Office for a Report "with hesitation". The Attorney then explained no action by the Board was required regarding acceptance into the system at this time. The steps required a landowner hearing prior to approval. Tom Murtaugh seconded the motion. The Petition to Establish a New Legal Drain for Shepherds Point Subdivision was accepted and referred back to the Surveyor Office for a Surveyor's Report back to the Board.

**Maintenance Bond # 9029580854 /Harrison Highlands Phase 2 Section 1**

James Butcher presented Maintenance Bond #9029580854 in the amount of $17,800.00 regarding Harrison Highlands Ph. 2 Sec. 1 Subdivision and written by Continental Insurance. Mr. Butcher explained this was for the storm sewer system outside the public right of way. David Byers made a motion to accept the Maintenance Bond as presented. Tom Murtaugh seconded the motion. Maintenance Bond #9029580854 in the amount of $17,800.00 regarding the Harrison Highlands Ph. 2 Sec. 1 Subdivision and written by Continental Insurance was accepted by the Board.

**Maintenance Bond # B-0353260 /Tippecanoe County Indoor Soccer Facility**

James Butcher presented Maintenance Bond # B-0353260 in the amount of $8570 regarding the Tippecanoe County Indoor Soccer Facility and written by Cincinnati Insurance Company. Mr. Butcher noted this was for Phase 1 of the Tippecanoe County Indoor Soccer Facility project. David Byers made a motion to accept the Maintenance Bond as presented. Tom Murtaugh seconded the motion. Maintenance Bond #B-0353260 in the amount of $8570 regarding the Tippecanoe County Indoor Soccer Facility and written by Cincinnati Insurance Company was accepted by the Board.

**Performance and Payment Bond #929580837/S.W. Elliott Regulated Drain #100 Branch #11 Reconstruction Project**

James Butcher presented Performance and Payment Bonds both numbered 929580837 and both in the amount of $627,760.00 regarding the reconstruction of Branch #11 of the S.W. Elliott Regulated Drain #100, written by Continental Casualty Company and submitted by Milestone Contractors Inc. for acceptance. David Byers made a motion to accept the Performance and Payment Bonds as submitted by James Butcher. Tom Murtaugh seconded the motion. Performance and Payment Bonds numbered 929580837 in the amount of $627,760.00 regarding the reconstruction of Branch #11 of the S.W. Elliott Regulated Drain #100, written by Continental Casualty Company and submitted by Milestone Contractors Inc. were accepted by the Board.

Tom Murtaugh announced once the meeting was adjourned there would be a five minute break before the scheduled Hester Mottsinger Regulated Drain#58 Hearing would begin.

**Public Comment**

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

ABSENT
John Knochel, Member

# Tippecanoe County Drainage Board
## April 2, 2014
## Regular Meeting Minutes

**Those present were:**

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

**Approval of Minutes**

John Knochel made a motion to approve the March 5, 2014 regular minutes as written. David Byer seconded the motion. The March 5, 2014 regular meeting minutes were approved as written.

**Faith Ministries Senior Housing**

Jim Pence from Schneider Corp. appeared before the Board to present Faith Ministries Senior Housing. The approximate 2.0 acre project site was located on the northeast corner of State Road 26 and County Road 550 East and the north side of the existing drainage basin. This project would be the first phase of an overall design associated with the 2013 Master Drainage Plan. Mr. Pence noted the Master Drainage Plan had received conditional approval in 2013 by the Board and was followed during development of this project. Pond #5 would be constructed in compliance with the Revised Stormwater Ordinance as the existing pond would not handle the additional runoff. Pond #5 would be located east of the existing pond and would handle the water quality and quantity for the entire 43 acre campus to the west. Mr. Pence stated a total of nine buildings would be constructed - eight of which would be for Senior Housing and one for a Community Building. He stated they agreed with the comments made on the March 21, 2014 Burke memo and requested approval at that time. The Surveyor stated he recommended final approval with the conditions as stated on the March 21, 2014 Burke memo. Responding to President Byer's safety inquiry, Mr. Pence stated there was life safety stations placed around the existing pond; however it is not required by Ordinance for dry bottom ponds. He stated the Master Plan model was being revised and would be submitted to the Surveyor's office and to Christopher B. Burke Engineering for the record once completed.

President Byers asked for public comment. There was none. John Knochel made a motion to grant approval with the conditions as stated on the March 21, 2014 Burke memo. David Byers seconded the motion. Faith Ministries Senior Housing was granted approval with the conditions as stated on the March 21, 2014 Burke memo.

**Zach Beasley/Other Business:**
***Petitions***
The Surveyor presented a Petition to Encroach on Hadley lake #104 Regulated drain submitted by American Suburban Utilities for the Los Tres Grandes project. (American Suburban Utilities Sanitary Pipe Installation) He stated he recommended approval by the Board. John Knochel made a motion to approve the Petition to Encroach on the Hadley Lake Drain #104 submitted by American Suburban Utilities. David Byers seconded the motion. The Petition to Encroach on the Hadley Lake #104 Regulated Drain was granted approval by the Board. The Surveyor presented a Petition to Encroach on the Grant Cole #19 Regulated Drain and the Simeon Yeager #89 Regulated Drain submitted by American Suburban Utilities regarding the Los Tres Grandes project. (American Suburban Utilities Sanitary Pipe Installation) as well. John Knochel made a motion to grant approval for the Petition to Encroach on the Grant Cole #19 Regulated Drain and the Simeon Yeager #89 Regulated Drain submitted by American Suburban Utilities regarding the Los Tres Grandes project. David Byers seconded the motion. The Petitions to Encroach on the Hadley Lake #104 Regulated Drain, Grant Cole #19 Regulated Drain and the Simeon Yeager #89 Regulated Drain submitted by American Suburban Utilities regarding the Los Tres Grandes project (American Suburban Utilities Sanitary Pipe Installation) were granted approval by the Board. The Surveyor noted the route of this project as follows: with the removal of three lift stations, the route would be from Tippecanoe County Villas on Salisbury Road- West along Co. Rd. 500, cross Yeager Road and run along Hadley Lake #104 Open Ditch over to Morehouse Rd. underneath the pipes which drain Hadley Lake #104 Regulated Drain.

*Letters of Credit*

The Surveyor presented Letter of Credit #50600-22 for Winding Creek Section 5 Subdivision and written by Lafayette Community Bank in the amount of $5000.00 submitted by Timberstone Development for approval. John Knochel made a motion to grant approval Letter of Credit #50600-22 for Winding Creek Section 5 Subdivision and written by Lafayette Community Bank in the amount of $5000.00 submitted by Timberstone Development. David Byers seconded the motion. The Surveyor presented Letter of Credit #50600-20 for Blackthorne Phase 2 Subdivision and written by Lafayette Community Bank in the amount of $50,000.00 submitted by Timberstone Development for approval. John Knochel made a motion to grant approval of the Letter of Credit #50600-20 for Blackthorne Phase 2 Subdivision and written by Lafayette Community Bank in the amount of $50,000.00 submitted by Timberstone Development. David Byers seconded the motion. Letter of Credit #50600-22 for Winding Creek Section 5 Subdivision written by Lafayette Community Bank in the amount of $5000.00 and Letter of Credit #50600-22 for Winding Creek Section 5 Subdivision written by Lafayette Community Bank in the amount of $5000.00 and submitted by Timberstone Development were approved by the Board as requested.

*Waivers*

The Surveyor stated his office received a letter from the Montgomery County Drainage Board regarding a waiver of their rights to a Joint Drainage Board for the upcoming Frank Kirkpatrick #45 and Elijah Fugate #30 Regulated Drains Reconstruction Hearing. He stated they chose to waive their rights to a Joint Board and allow Tippecanoe County Drainage Board to administer the Public Hearings proceedings for the reconstruction of aforementioned drains.

**Public Comment**

President Byers asked for Public Comment. There was none. John Knochel made a motion to adjourn. The meeting was adjourned.

David S. Byers, President

John Knochel, Vice President

Brenda Garrison, Secretary

Absent

Thomas P. Murtaugh, Member

# Tippecanoe County Drainage Board
**September 3, 2014**
**Regular Meeting Minutes**

**Those present were:**

Tippecanoe County Drainage Board President David S. Byers, Vice President John Knochel, member Thomas P. 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.(CBBEL). Evan Warner, G.I.S. Technician and James Butcher, Project Manager from the Surveyor Office were also in attendance.

**Approval of Minutes**

John Knochel made a motion to approve the August 6, 2014 regular minutes as written. Tom Murtaugh seconded the motion. Motion carried. The August 6, 2014 regular meeting minutes were approved.

**CSX Raub Siding**

James Inge from AMEC Engineering (Earth and Environmental) Inc. approached the Board to present CSX Raub Siding project for drainage approval. The project site was located approximately 800 feet south of County Road 800 South to approximately 1000 feet north of County Road 625 South. The site consisted of approximately 19.68 acres total area with approximately 14.63 acres disturbed with this project. Mr. Inge stated they agreed with the July 17, 2014 review memo and would continue to meet the conditions stated. The Surveyor stated the side rail being installed by CSX was located specifically just west of the County Road 800 South and U.S. 231 intersection, where an existing rail crossed County Road 800 South. He then reviewed the area for the Board utilizing G.I.S. He noted there were no regulated drains involved and CSX was in possession of the DNR permit required. He recommended approval with the conditions as stated on the July 17th Burke memo. Responding to Commissioner Byer's inquiry, Mr. Inge stated construction was planned to start next month. John Knochel made a motion to grant approval with the conditions as stated on the July 17, 2014 Burke memo. Tom Murtaugh seconded the motion. The motion carried. CSX Raub siding project was approved with conditions as stated on the July 17, 2014 Burke review memo.

**Upper Berlowitz Master Plan**

David Eichelberger with Christopher B. Burke Engineering LLC (CBBEL) approached the Board to present an update on the Master Plan regarding the Upper Berlowitz Regulated Drain Watershed. The City of Lafayette and the Tippecanoe County Surveyor Office joined forces and financial responsibility to establish a Master Plan for the upper portion of the Berlowitz Regulated Drain Watershed. Mr. Eichelberger stated the Master Plan included 4 regional detention ponds designed for the 100 year storm event. One pond was located on each side of County Road 550 South; one on the west side of Interstate 65 and one on the south side of McCarty Lane. The pond on the West side of McCarty Lane was partially constructed previously when the county road was extended as a positive outlet. Currently construction of this pond was being completed. The previously built ponds allowed continued development within the watershed to date. The upper portion of the watershed was bound by McCarty Lane, Haggerty Lane and Veterans Memorial Parkway as well as a development to the east. The goals of the plan were to meet the previously determined (1992) detention analysis, provide regional stormwater measures for the upper portion including stormwater collections in the most environmentally friendly way possible. The stormwater collection systems would be placed at convenient locations with minimal amount of disturbance to the area. This would allow future development positive drainage outlets. CBBEL worked with the City of Lafayette's Engineer's Office and the County Surveyor's Office keeping in mind any trails for walking/biking, roads and other amenities located within the watershed. An informal meeting was held on the 25th of August and all watershed landowners were invited to attend. No permits were required with the proposed construction included in the plan. He informed the Board he would be meeting with the City and the County Redevelopment Commissions on the 17th and the 18th of this month as well and would complete the official report in the near future. With this report would be a preliminary set of plans of major features such as; pipe sizes and elevations to be utilized for future developments within the watershed. All stormwater quality measures for the upper portion of the watershed would be provided for within the Master Plan. Developments would not be required to design stormwater quality measures or detention ponds to be included on their site as long as they met the preset perimeters within the Master Plan. Discussion was held regarding cost for detention storage as no amount other than the existing $15,000.00 per acre storage requirement has been determined. Commissioner Byers stated if there were any specific questions from the attendees they were welcome to speak with Mr. Eichelberger after the meeting today. He thanked Mr. Eichelberger for the status update.

**Petition to Encroach Hadley Lake/Cuppy McClure**

The Surveyor presented a Petition to Encroach on the Cuppy McClure Branch of Hadley Lake Regulated Drain submitted by M.E.D. Institute and dated August 18, 2014. He noted M.E.D. Institute plans to erect a fence along their boundaries to stop trespassers. This

action requires the Petition as the fence would cross the open ditch and tile of said drain. He stated he reviewed the request and recommended approval by the Board. John Knochel made a motion to approve the Petition to Encroach on the Cuppy McClure Branch of the Hadley Lake Drain as presented by the Surveyor. Tom Murtaugh seconded the motion. Motion carried. The Petition to Encroach on the Cuppy McClure Branch of Hadley Lake Regulated Drain submitted by M.E.D. Institute and dated August 18, 2014 was approved by the Board.

**Maintenance Increase Hearings request**

The Surveyor requested 2 December 10th 2014 landowner hearings regarding increases in maintenance assessments on the James Kellerman and Harrison Meadows Regulated Drains. The Hearings would immediately follow the regular meeting to be held on that date. John Knochel made a motion to set Landowner Hearings for the James Kellerman and Harrison Meadows Regulated Drains as requested by the Surveyor. Tom Murtaugh seconded the motion. Motion carried. The James Kellerman and Harrison Meadows Regulated Drains Maintenance Increase Hearings would be held immediately following the regular meeting scheduled on December 10th, 2014. (Note this is the second Weds. of the month due to scheduling conflicts with the Board members)

**Bonds/Letters of Credit**

The Surveyor presented a Performance Letter of Credit #305 submitted to his office by Superior Structures in the amount of $10,000 and written by the Lafayette Savings Bank for the Jessup Paper project. He recommended approval. John Knochel made a motion to approve the Letter of Credit as presented to the Board by the Surveyor. Tom Murtaugh seconded the motion. The motion carried. The Performance Letter of Credit #305 written by Lafayette Savings Bank for the Jessup Paper project in the amount of $10,000.00 was approved as requested.

**Zach Beasley**

The Surveyor noted he had been receiving complaints from landowners located in existing sections/phases of subdivisions regarding contractors not following the current Drainage Ordinance rules on individual residential lots during the construction of additional phases/sections. He provided the Board with pictures of several residential lots currently being developed / constructed with no stormwater measures being utilized. He noted someone was dumping paint down the storm sewer/curb inlets in one picture. In another photo a concrete pumping truck was being washed in the middle of a cul-de-sac and the dirt/cement off the truck was shown running into the curb inlet. Additional photos of residential lots within subdivisions showed mud in streets, no stormwater measures taken on lots where homes were being constructed, silt fences installed wrong or not at all etc. He stated his office has repeatedly met with contractors/home builders to review the requirements of the ordinance. He continues to get the complaints as many contractors are not following the stormwater measures. He requested the Board direct the Attorney to draft a letter signed by the Board members to all contractors/utilities regarding sediment control rules and the possibility of fines associated with not following rules outlined in the current Stormwater Quality and Quantity Drainage. John Knochel made a motion to direct the Attorney Mr. Luhman to prepare a letter to all contractors/utilities regarding sediment control measures required by Ordinance and the fines which could be implemented by the Drainage Board for failure to follow. Tom Murtaugh seconded the motion. Motion carried. The Attorney would prepare a letter signed by the Board members to all contractors/utilities regarding sediment control measures required by Ordinance and the fines which could be implemented by the Drainage Board. This letter would be sent out by staff in the Surveyor Office.

**Public Comment**

Commissioner Byers asked for public comment. There was none. John Knochel made a motion to adjourn. The meeting was adjourned.

David S. Byers, President

John Knochel, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

# Tippecanoe County Drainage Board
**December 10, 2014**
**Regular Meeting Minutes**

**Those present were:**
Tippecanoe County Drainage Board President David S. Byers, Vice President John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman, Drainage Board Secretary Brenda Garrison and Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering LLC. Evan Warner, G.I.S. Technician and James Butcher, Project Manager for Surveyor Office were also in attendance. Member Thomas P. Murtaugh was absent.

**Approval of Minutes**
John Knochel made a motion to approve the November 5, 2014 regular minutes as written. David Byers seconded the motion. Motion carried.

**Bob Rohrman Property**
Tori Tripp of Bunnell Land Surveying and Engineering appeared before the Board to present the Bob Rorhman Property project for approval. The existing site was located within the City of Lafayette, specifically a quarter (1/4) mile from State Road 38 and Creasy Lane intersection on the west side of Creasy Lane- across from St. Elizabeth East. The site was also located within the S.W. Elliott Drainage Impact Area and the Drainage Board review regarded the release rate only. Ms. Tripp stated Wilson Branch (aka Treece Meadows Relief Drain) of the S.W. Elliott Regulated Drain was located on the site's western boundary and the project outlet to three locations on the said Branch. Two of the three outlets were pre-existing and would be maintained by the owner. The third outlet would be a storm sewer replacing the existing swale. She reminded the Board during the August 6, 2014 Drainage Board meeting a drain encroachment of 75' from the top of the bank on the Wilson Branch of the S.W. Elliott Regulated Drain was approved for this project. The Surveyor reiterated the project was located within City Limits and stated the approval by the Board regarded the release rate only. Responding to the Surveyor, Ms. Tripp stated they did not anticipate additional encroachments. The Surveyor recommended approval with conditions as stated on the Dec. 4, 2014 Burke memo. There was no public comment. John Knochel made a motion to grant approval with the conditions as stated on the December 4, 2014 Burke memo. David Byers seconded the motion. Motion carried.

**Purdue Agronomy Center (ACRE)**
Jim Pence of Schneider Corp. appeared before the Board to present the Purdue Agronomy Center project for approval. The center's expansion was northwest of the existing Beck facility. The site was consisted of approximately nine (9) acres and located on the Purdue Agronomy Farm approximately 1,300 feet east of Co. Rd. 500 West on the north side of U.S. 52. This site was located within the Indian Creek Drainage Impact Watershed. Two dry detention basins were planned for the project. Due to the restricted nature of the area's release rates, due diligence was exercised to reach the required rate or as close to the required rate as possible. He stated they were requesting three variances due to the strict release rate required for this watershed area.

The Surveyor stated Randy Baum of IDEM (Indiana Dept. of Environmental Mgmt.) would review this project for compliance with the Rule 5 SWPPP (Stormwater Pollution Prevention Plan). He stated any future Purdue projects would be submitted through SWCD and IDEM will review the Rule 5 information. He stated three variances were required due to the very restrictive rates required under the Impact area resolution. He noted if the said resolution was not in place, the ordinance would allow the 5.4cfs release rate. The said resolution required .13cfs release rate, the design had a .81cfs release rate. The detention ponds would function as designed within the 48 hour perimeter as required. Though not adhering to the resolution's required release rates, the detention draw down requirements were being met and the design release rates were substantially lower than the standard rates. Based on this, the Surveyor stated he was recommending the three variances as requested. He recommended approval with the conditions as stated on the December 4, 2014 Burke memo. There was no public comment. John Knochel made a motion to grant the variances (1, 2, and 3) as outlined in the Dec. 4, 2014 Burke memo along with the additional conditions listed in the Burke memo. David Byers seconded the motion for the variances and the conditional approval. Motion carried.

**Soleado Vista Subdivision**
Patrick Williams of TBIRD Design Services appeared before the Board to present Soleado Vista Subdivision for approval by the Board. The site consisted of 31 acres located on the east side of Morehouse Road ½ mile north of Kalberer Road (Co. Rd. 350North) near the Tippecanoe County Memorial Gardens Cemetery. The Dempsey Baker County Regulated Drain was located along the south side of the property and was the primary outlet for the site. The project site was located within the Indian Creek Watershed Impact Area. Mr. Williams stated they agreed with the conditions as stated on the December 5, 2014

Burke memo, however one condition warranted discussion. He stated, when this project began it was located within the City of West Lafayette. As of December 9th, 2014 it was dis-annexed from the City of West Lafayette. As such, hit was their assumption the Drainage Board would adopt the comments prepared by the City prior to dis-annexation. He then asked the Board for their approval.

The Surveyor stated there were two items of concern and were additional conditions: 1. All items related to the offsite water from the east on PRF (Purdue Research Farm) and anything to do with that or the discharge of the water into the Dempsey Baker County Regulated Drain (open ditch and/or tile) will be required to be addressed as it was a major concern. 2. The Petition to Encroach and the Petition to Reduce the Easement on the Dempsey Baker Regulated Drain must be corrected and revised prior to approval by the Board. He recommended the variances as requested on the December 5, 2014 Burke memo. He then recommended approval of the project with the two aforementioned conditions along with those conditions listed on the December 5, 2014 Burke memo. Responding to John Knochel, the attorney clarified the petitions could be approved by the Board conditionally: subject to the Surveyor's approval of the corrected documentation. There was no public comment.

John Knochel made a motion to approve the variances requested on the December 5, 2014 Burke memo subject to the Surveyor's approval of the revised encroachment petition and reduction of easement petition documents aforementioned. The Board approval was subject to conditions on the December 5, 2014 Burke memo relating to the Dempsey Baker Regulated Drain specifically conditions #3 and #4 under Stormwater Quantity close review . Responding to David Byers inquiry, the Surveyor stated while there would be an increase in discharge to Hadley Lake, it would be released over a longer period of time due to onsite detention. David Byers seconded the motion. Motion carried.

**Zach Beasley/Other Business**
The Surveyor presented a list of the 2015 Drainage Board Meeting dates for approval by the Board. John Knochel made a motion to approve the 2015 Meeting Dates as presented by the Surveyor. David Byers seconded the motion. Motion carried.

The Surveyor requested a March Reconstruction Hearing for the Alonzo Taylor Regulated Drain. John Knochel made a motion to conduct a March 4, 2014 Reconstruction Hearing for the Alonzo Taylor Regulated Drain. David Byers seconded the motion. Motion carried.

The Surveyor requested an April 1, 2015 Reconstruction Hearing for the Clymer Norris Private Drain. John Knochel made a motion to conduct an April 1, 2015 Reconstruction Hearing for the Clymer Norris Private Drain. David Byers seconded the motion. Motion carried.

**Petitions:**
The Surveyor recommended approval for a Petition to Vacate the Treece Meadows Relief Drain (aka Wilson Branch) of the S.W. Elliott Regulated Drain located on Lot 2 of the Crosspointe Commercial Subdivision submitted by the Schneider Corporation. John Knochel made a motion to grant approval for the Petition to Vacate the Treece Meadows Relief Drain (aka Wilson Branch) of the S.W. Elliott Regulated Drain located on Lot 2 of the Crosspointe Commercial Subdivision. David Byers seconded the motion. Motion carried.

**2014 STATUS UPDATE**
The Surveyor stated his office had installed/constructed approximately 5 miles of new county regulated drains (tile sizes 24"-12" range), constructed/installed ½ mile of new county regulated ditch aka open drain, and moved in access of 35,000 yards of dirt for Berlowitz Pond#3 all within the calendar year of 2014. He was pleased with his office staff and the Boards work in these projects. He expressed his appreciation of Commissioner John Knochel's public service during his time in County Government. He stated Mr. Knochel had been a pleasure to work with and wished him well on his retirement.

David S. Byers, President

John Knochel, Vice President

Thomas P. Murtaugh, Member

Brenda Garrison, Secretary

# Tippecanoe County Drainage Board
**September 11, 2017**
**Drainage Board Minutes**

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

**#46 J.N. Kirkpatrick Regulated Drain Dredging Project Quotes:**
Regarding the J.N. Kirkpatrick Regulated Drain #46 dredging project, Attorney Masson opened the following quotes:
Tony Garriott: $79,516.40- Huey Excavating: $82,845.00
Thomas Murtaugh stated the quotes would be taken under advisement and if in compliance would be awarded at the end of today's meeting.

**Approval of Minutes**

**August 2, 2017 Regular Minutes**
**August 2, 2017 Huffman Weimert #125 Regulated Drain Hearing Minutes**
David Byers made a motion to approve the August 2, 2017 Regular Drainage Board Meeting minutes and the Huffman Weimert Regulated Drain #125 Hearing minutes as written. Tracy Brown seconded the motion. Motion carried.

**Romney Regional Sewer District**
George Lewis of GRW Engineers appeared before the board to request approval of the Romney Regional Sewer District project. The site consisted of approximately 2 acres and was located on the north side of C.R. 1200 South southeast of the town of Romney Indiana. Runoff would be collected via swales and conveyed to a bio-retention basin located within the southern portion of the site. The bio-retention basin would outlet into an unnamed tributary of Romney Stock Farm Regulated Drain #109. (A petition to encroach on the Romney Stock Farm Regulated Drain #109 was approved by the Board in the August 2017 regular meeting.) Mr. Lewis stated he was working with the County Highway Department to address any concerns they may have. He noted they were in agreement with the August 28, 2017 Burke memo and would follow up with appropriate documentation. He requested approval at that time. Responding to the Surveyor's inquiry regarding entrance off the highway, Mike Spencer (in attendance) confirmed the Highway Dept. had been consulted and were working with Mr. Lewis. The Surveyor recommended approval with the conditions as stated in the August 28, 2017 Burke memo. David Byers made a motion to approve the Romney Regional Sewer District project with the conditions as stated in the August 28, 2017 Burke memo. Tracy Brown seconded the motion. Motion carried.

**Country Squire Subdivision**
Justin Frazier with TBIRD Design Services Corp. appeared before the board to request approval for Country Squire Subdivision. The site was located on approximately 5.6 acres of an overall 12 acre site north of US 52 on Morehouse Road. Colony Pines Subdivision was located to the north and Country Squire Estates (apartment complex) to the south of the current project's location. A dry detention basin would be constructed and outlet into the existing storm sewer infrastructure to the north within Colony Pines Development. The detention's runoff was conveyed through the Colony Pines stormwater system and ultimately to the Dempsey Baker regulated drain into the Hadley Lake regulated drain. Mr. Frazier stated they had no objections to the September 6, 2017 Burke memo and requested approval at that time. He confirmed downstream notification was complete and the proof of notification would be submitted to the Surveyor's office for the record.

The Surveyor emphasized the site discharged into an existing storm pipe located in the southwest corner of the Colony Pines site, and that which the northwest dry detention basin for Country Squire Subdivision was located as well. He noted his concern of the emergency routing plan was addressed. The designers went above and beyond what the Ordinance required. They mapped the entire conveyance north through Colony Pines and provided an exhibit of that route as well. The Surveyor pointed out two items of concern. The first was the finding that in the existing condition today the 100 year emergency routing with the pipe being blocked (which was a worst case scenario) the Condominium to the west of the emergency route and immediately north of the Country Squire project, the 100 year elevation was basically at the finished floor elevation then routed out to the street then north to the Dempsey Baker regulated drain. The second item to point out was in the proposed condition, the existing situation would improve. They proposed to regrade the swale through Colony Pines which would give the unit to the west a one foot freeboard elevation and more to the unit on the east side. He thanked the designers for their

public safety point of view and going the extra mile. Responding to the Surveyor's inquiry, Mr. Frazier stated they had every intention to meet with the H.O.A. of Colony Pines Development to obtain an agreement regarding any work planned within the Colony Pines development. The Surveyor then recommended approval with the conditions as stated on the September 6, 2017 Burke memo. Responding to David Byers inquiry of fencing around the pond, the Surveyor confirmed it was a dry detention pond and the design met the ordinance standards. Tracy Brown stated the Board appreciated the extra effort given for the public's future safety. Mr. Frazier acknowledged it was their job to provide plans which was in the best interest of all those involved. Tracy Brown made a motion to approve the Country Squire Subdivision with conditions as stated on the Sept. 6, 2017 Burke memo. David Byers seconded the motion. Motion carried.

**Zach Beasley**

**A&M Thomas Joint Regulated Drain #105 Waiver Request**
Surveyor Beasley presented a letter from the Carroll County Surveyor requesting a waiver of an upcoming Maintenance Increase Hearing on the Andrew and Mary Thomas #125 joint regulated drain. The Surveyor stated he and the attorney had reviewed the request. He informed the Board Carroll County had the majority of acreage benefitted within the watershed and were the administrators for this drain. He recommended the Board approve the waiver, noting Carroll County had approximately 95% of the benefitted acreage. David Byers made a motion to grant a waiver of attendance as requested by the Carroll County Surveyor for the Maintenance Increase Hearing on the joint regulated drain known as the Andrew and Mary Thomas #105. Tracy Brown seconded the motion. Motion carried.

**Lindberg Village Phase 6 Subdivision Maintenance Bond**
The Surveyor presented Maintenance Bond #1231743 in the amount of $77,417.07, dated Sept. 11, 2017 written by Cincinnati Ins. Co. regarding the Lindberg Village Phase 6 Subdivision for approval. Tracy Brown made a motion to grant approval for Maintenance Bond #1231743 in the amount of $77,417.07, dated Sept. 11, 2017 written by Cincinnati Ins. Co. for the Lindberg Village Phase 6 Subdivision. David Byers seconded the motion. Motion carried.

**John L. Hengst #117 Regulated Drain/ Branch #08**
The Surveyor requested a reconstruction hearing for Branch #08 of the John L. Hengst Regulated Drain #117 to be held on November 1, 2017 immediately following the regular scheduled meeting of the Board. David Byers made a motion to set the reconstruction hearing date for Branch #08 of the John L. Hengst Regulated Drain #117 on Nov. 1, 2017 immediately after the monthly meeting of the board. Tracy Brown seconded the motion. Motion carried.

**#46 J.N. Kirkpatrick Regulated Drain Dredging Project Quotes**
After compliance review of the #46 J.N. Kirkpatrick Regulated Drain Dredging Project Quotes and finding they were in order, Tracy Brown made a motion to award the JN Kirkpatrick #46 Regulated Drain Dredging project to Garriott Excavating in the amount of $79,516.40. David Byers seconded the motion. Motion carried.
Thomas Murtaugh thanked those that submitted a quote for this project.

**Public Comment**
As there was no public comment, David Byers moved to adjourn. The meeting was adjourned.

Thomas P. Murtaugh, President

David S. Byers, Vice President

Tracy A. Brown, Member

Brenda Garrison, Secretary

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thomas P. Murtaugh, President

David S. Byers, Vice President

Brenda Garrison, Secretary

Tracy Brown, Member