

MINUTES OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD AUGUST 2, 1972.

Present at meeting. The Tippecanoe County Drainage Board held it's regular meeting on August 2, 1972, at 9:00 o'clock am.. with the following members present: Bruce Osborn, Dale Remaly, Edward Shaw, Dan Ruth, Fred Hoffman, John Garrott and Gladys Ridder.

Minutes Approved Upon motion of Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, the minutes of the July 5, 1972 meeting were approved as read.

Other Business of the Board A petition was submitted to the Board from National HOMes Construction Corporation by their attorney, Thomas McCully, and reads as follows:

STATE OF INDIANA)
) SS:
TIPPECANOE COUNTY)

To: The Tippecanoe County Drainage Board
 Court House
 Lafayette, Indiana

PETITION

National Homes Construction Corporation, hereinafter referred to as the Petitioner, respectfully shows and petitions the Board as follows:

1. The Petitioner is the owner of a certain tract of land located in the City of Lafayette, Indiana, shown on Exhibit A filed herewith. Said real estate is bounded by South Eighteenth Street on the west, the Penn Central Railroad on the northeast, and Elliott Ditch, a legal open ditch, on the south.

2. The Petitioner proposes to develop the westerly portion of said real estate for multi-family housing and the easterly portion for single family housing as shown on Exhibit A.

3. There is presently a statutory 75' right-of-way in favor of the Board extending from the top edge of the bank of such ditch on which no permanent structures may be placed.

4. This Board may modify said right-of-way and in the opinion of the Petitioner the same may be modified from 75' to 50' without adversely affecting the public interest or the rights of the Board.

5. Such modification of the right-of-way to 50' from the top edge of the bank will permit development of the real estate as set forth on Exhibit A.

WHEREFORE, the Petitioner requests that the Board:

(a) Modify the statutory right-of-way from 75' to 50' along the north side of Elliott Ditch from South Eighteenth Street easterly to the Penn Central Railroad.

(b) Permit construction of a roadway as a permanent structure within said 50' right-of-way as shown on Exhibit A.

NATIONAL HOMES CONSTRUCTION CORPORATION

By /S/ Thomas R. McCully
 Thomas R. McCully, Its Attorney

STUART, BRANIGIN, RICKS & SCHILLING
801 The Life Building
Lafayette, Indiana 47902
317+742-8485

Attorneys for Petitioner

It was the decision of the Board to reject this petition.

Drains Referred The Board referred the following ditches to the Engineer to prepare for maintenance funds: Charles E. Daugherty, Lauramie Township, County Farm Ditch, Tippecanoe and Wabash Townships, Simeon G. Yeager, Wabash Township, and Isaac Gowen, Tippecanoe Township, in Tippecanoe County and Prairie Township, in White County.

9:30 a.m. Hearing on Fred Haffner Ditch The Engineer opened the hearing on the Fred Haffner Drain by reading his report and making his recommendations to the Board. There had been no remonstrances and no charges against this ditch. The only one attending was Carl Hendrickson who farms the Eva Palmore ground. Mr. Hendrickson had a question on the West Branch where he said the SCS had done some extension. Because considerable tile has been added, Mr. Ruth suggested walking and measuring the 3770 Feet of the legal ditch and find exactly where the ditch ends, possible the North line of the Haan property.
Upon motion by Dale Remaly, seconded by Bruce Osborn and made unanimous by Edward Shaw, the Board voted to establish a \$1.00 per acre maintenance fund.

10:30 a.m. Hearing on the Grant D. Cole Ditch The Engineer opened the hearing on the Grant D. Cole Ditch by reading to the Board his report and making his recommendations. Landowners in attendance were Carl Hendrickson and Fred Trost. The Trost acreage was in error and the Board voted to change it from 120 Acres to 65 acres. There were no remonstrances and no charges against this ditch. Those present were in favor of a fund to maintain the ditch so upon motion by Bruce Osborn seconded by Dale Remaly and made unanimous by Edward Shaw the Board voted to establish a \$1.00 per acre assessment.

11:30 a.m. Hearing on Wesley Mahin Ditch The Engineer opened the hearing on the Wesley Mahin ditch by reading his report and making his recommendations to the Board. Those in attendance were Mrs. Rose Mae Glass, Charles Bohart and Marian Bohart. Mr. Bohart said they were assessed on both the Mahin and Walters ditch for the same acreage and after discussing the situation it was decided he belonged on the Walters ditch so the acreage was removed from the Mahin assessment list. Mr. Bohart also reported water problems that did not have any bearing on the legal drain but resulted from what seemed to be a highway ditch. Mr. Osborn asked John Garrott, the surveyor to check the situation and report back to the Board of Commissioners at their regular meeting on Monday August 7, 1972.

At 1:30 p.m., the Engineer opened the hearing on the William J. Walters Ditch by reading his report and making his recommendations. Many remonstrances were received and read aloud. As many of the people in this watershed area were also assessed on other drains in the same area, it was agreed to revise the legal description of the William J. Walters drain. Those in attendance were: Simon J. Lehe, Andy Klinkhamer, Gwin Robinson, Virgil Shultz, Donald W. Brown, Richard W. North and Northwestern Farms, Inc. by their attorney Edward Chosnek, Kenneth Calloway, William W. Peneton, John Warner, Frank Harner, K. Kensinger, Francis H. Davis, Maxine Taylor and James Milligan, White County Surveyor.

The new legal description will be

After much discussion, the Board decided to recess this hearing until the regular meeting on October 4th, 1972, at 1:30 p.m. The secretary was instructed to re-notify all land-owners of the new time and place for the continued hearing.

After the hearings were completed the Board then signed the order and findings and the certificates of assessment on the ditches where maintenance funds were established. Upon motion by Bruce Osborn, seconded by Dale Remaly and made unanimous by Edward Shaw, the Board adjourned.

Bruce Osborn
Bruce Osborn, Chairman

Dale Remaly
Dale Remaly, Vice Chairman

Edward J. Shaw
Edward Shaw, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 6, 1988

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

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

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

Many questions need to be answered before action is taken.

VALLEY FORGE

Valley Forge

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

MEETING TIME CHANGE

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

JOHN HOFFMAN DITCH

JOHN HOFFMAN DITCH

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

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

Mr. Hoffman conducted election of officers.

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

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

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

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

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

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

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

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

Mr. Spencer asked for questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Moore asked the feeling of the property owner.

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

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

January 6, 1988 Drainage Board Meeting Continued

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

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

Malcomb Miller supports Mr. Frey's statement.

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

Michael stated they would be maintaining what there is now.

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

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

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

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

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

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

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

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

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

Michael stated the grade can be checked.

Mr. Barr would agree to keep the water going.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Bruce V. Osborn

Bruce V. Osborn, Chairman

Sue W. Scholer

Sue W. Scholer, Boardmember

Eugene R. Moore

Eugene R. Moore, Boardmember

ATTEST:

Maralyn D. Turner

Maralyn D. Turner
Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, JANUARY 4, 1989

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOFFMAN
DITCH

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

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

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

Eugene R. Moore

Eugene R. Moore, Chairman

Bruce V. Osborn

Bruce V. Osborn, Board Member

Sue W. Scholer

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

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR Meeting January 3, 1990

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

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

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

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

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

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

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

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

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

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

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

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

COUNTRY CHARMS

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

TRASH TRANSFER

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

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

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

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

Sue W. Scholer stated there are two recommendations made.

1. The erosion control. 2. The calculations.

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

COUNTRY
CHARMS

TRASH
TRANSFER

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

✓
DIMMENSION

DIMENSION CABLE

CABLE

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

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

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

George stated they are asking for final drainage approval.

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

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

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

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

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

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

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

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

WAL-MART

WAL- MART

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

WAL-MART CONTINUED
JANUARY 3, 1990 DRAINAGE BOARD MEETING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE ROAD

STATE ROAD 38 PROJECT AGREEMENT

38 PROJECT AGREEMENT

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

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

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

ORCHARD PARK

ORCHARD PARK

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

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

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

The services that were included are:

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

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

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

THE ITEMS READ ARE NEEDED FOR THE ENTIRE WATERSHED

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

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

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

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

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

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

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

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

CARROLL COUNTY JOINT DRAIN

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

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

Hubert Yount, seconded. Motion carried.

DRAINAGE BOARD ATTORNEY CONTRACT

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

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

Nola J. Gentry, seconded. Motion carried.

ACTIVE AND INACTIVE DITCHES

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

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

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

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

DISCUSSION ON TILE BIDS

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

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

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

JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

HADLEY LAKE DRAIN

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

PINE VIEW FARMS

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

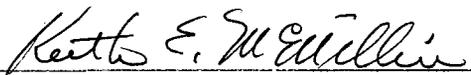
Discussion followed.

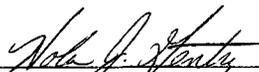
Mike Spencer recommended preliminary approval to the Board.

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

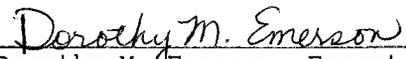
Hubert Yount, seconded. Motion carried.

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


Keith E. McMillin, Chairman


Nola J. Gentry, Member


Hubert D. Yount, Member

ATTEST: 
Dorothy M. Emerson, Executive Secretary

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

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

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

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

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

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

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

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

Hire the Attorney

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

Active and Inactive Ditches for 1993

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

ACTIVE DITCHES

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

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

INACTIVE DITCHES

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

Storm Water Drainage Improvement Plan

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

Mr Peterson discussed the alternative improvements.

Alternative #1 Low flow pipe and high flow channel.

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

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

Mr. Hoffman asked how big the pipe would be?

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

Alternative #2 All pipe improvements.

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

Pipe size ranges from 54 inches to 60 inches.

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

Alternative #3 All channel improvements.

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

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

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

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

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

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

Commissioner Gentry answered there will be a reconstruction hearing.

Discussion followed.

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

Meeting adjourned.


William D. Haan, President


Nola Gentry, Vice President


Hubert Yount, Member

ATTES: 
Shelli Hoffine, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 5, 1994

The Tippecanoe County Drainage Board met Wednesday January 5, 1994 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

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

ELECTION OF 1994 OFFICERS

Mr. Hoffman asked nominations for the President of the Tippecanoe County Drainage Board. Commissioner Haan nominated Commissioner Gentry, seconded by Commissioner Yount. Unanimously approved.

Mr. Hoffman turned the meeting over to Commissioner Gentry to preside.

Commissioner Gentry asked nominations for Vice President of the Tippecanoe County Drainage Board. Commissioner Gentry nominated Commissioner Haan, seconded by Commissioner Yount. Unanimously approved.

-APPOINTMENTS-

Commissioner Haan moved to appoint Shelli Hoffine for Executive Secretary of the Tippecanoe County Drainage Board, seconded by Commissioner Yount. Unanimously approved.

Commissioner Haan moved to appoint J. Frederick Hoffman as Attorney for the Tippecanoe County Drainage Board pending an agreement of a contract, seconded by Commissioner Yount. Unanimously approved.

Commissioner Yount moved to extend the existing contract into 1994 for Christopher Burke Engineering, LTD. to provide engineering services to the Tippecanoe County Drainage Board pending review of the contract, seconded by Commissioner Haan. Unanimously approved.

-MEETING DATES FOR 1994-

January 5, 1994	July 6, 1994
February 2, 1994	August 3, 1994
March 9, 1994	September 7, 1994
April 6, 1994	October 5, 1994
May 4, 1994	November 2, 1994
June 1, 1994	December 7, 1994

Commissioner Haan moved to accept the meeting dates for the Tippecanoe County Drainage Board, seconded by Commissioner Yount. Unanimously approved.

Commissioner Yount moved approve the minutes from the last Drainage Board meeting held December 1, 1993. Seconded by Commissioner Haan. Unanimously approved.

Joe Bumbleburg asked the Board to approve a resolution for vacation of a drainage easement located on a part of lot 5 in Capilano By the Lake Subdivision, Phase I. The drainage easement ended up in the middle of lot 5 when it was replatted.

Mr. Spencer stated he has been out to the site, Mr. Cunningham of Vester and Associates checked the easement and it definitely will not cause a problem with the lot or any of the adjoining lots. Mr. Spencer recommended the vacation of the drainage easement in lot 5, Capilano By the Lake Subdivision, Phase I.

The petition and the resolution to vacate a portion of a drainage easement on lot 5, Capilano by the lake subdivision, Phase I is on file in the Tippecanoe County Surveyor's Office.

Commissioner Yount moved to approve the resolution to vacate a portion of an easement on lot number 5, Capilano by the Lake Subdivision, Phase I, seconded by Commissioner Haan. Unanimously approved

HAWKS NEST SUBDIVISION, PHASE I

Greg Hall, Intercon Engineering, asked the Board for final approval of Hawks Nest Subdivision, Phase I and the detention ponds for the entire project. Mr. Hall also, requested a variance for exceeding the four foot of depth in Basin A.

Mr. Spencer stated he recommended approval of Phase I and the detention ponds.

Mr. Hall stated there will be eighteen lots in Phase I, one detention basin will be located in this phase.

Commissioner Haan asked if the permits from the IDNR have been processed?

Mr. Stolz stated that the portion that was requiring a permit has been moved from the floodplain and no longer requires a permit.

Commissioner Yount moved to grant the variance to exceed the maximum four foot depth in Basin A, seconded by Commissioner Haan. Unanimously approved.

Commissioner Yount moved to grant final approval of Hawks Nest Subdivision, Phase I and the detention basin for the entire project, seconded by Commissioner Haan. Unanimously approved.

TRIPLE J POINTE SUBDIVISION

Bob Grove, representing Smith Enterprises, asked for preliminary approval of Triple J Pointe Subdivision, which involves fifteen acres with 75 lots, located off Old Romney Road and County Road 250 South. The proposal is to detain the water offsite which will hold seventy two acres of offsite runoff, then take the ten year flow through the subdivision to a basin that will hold the 15 acres of developed subdivision, a pipe will carry the runoff from the basin to an existing structure of Ashton Woods Subdivision detention system. The ditch will be used as overflow for runoff that exceeds the 10 year flow.

Commissioner Yount asked if pipe along Old Romney Road would be in the road right-of-way if so, has the County Highway Department approved a permit for the pipe?

Mr. Grove stated yes, we are proposing to put the pipe in the right-of-way and no, we have not obtained a permit from the Highway Department.

Mr. Spencer stated the Highway Department has a set of plans, but he has not heard a report from them.

Commissioner Yount asked about the use of the pond offsite easement?

Mr. Grove stated that G. Mark Smith will be preparing an agreement for the easement.

Mr. Spencer stated John Fisher did a drainage study of the Wea-Ton drainage area, in the report it shows the watershed area delineated certain runoff values for sub-areas within the watershed area. Ashton Woods kept in compliance with the idea for sub-areas to be within the watershed area, at that time, the Board accepted the idea. Ashton Woods created an outlet for the Wea-Ton watershed area and during construction they have created the outlet channel and incorporated their storage area with Old Romney Heights storage area. In the study, there are recommendation about how water moves to the east as development progresses. A pipe was sized under Old Romney Road at the end of the channel to pick up water to the east. Triple J Pointe Subdivision does not comply with this idea as far as construction of proper pipe size under Old Romney Road to convey the water from the east.

Mr. Grove stated Smith Enterprises asked John Fisher for the drainage study, but were not able to obtain a copy. It was decided to make an alternate route from the project's outlet to go along the east side of Old Romney Road in an easement just outside the right-of-way, provide a manhole and a crossing based on a 10 year predeveloped flow from the Wea-Ton area.

Commissioner Gentry suggested getting a meeting set up between the Commissioners, the Surveyor, Smith Enterprises, Mr. Gloyeske, and Mr. Fisher.

Commissioner Yount moved to continue Triple J Pointe Subdivision with Mr. Grove's consent until after the above meeting has been held, seconded by Commissioner Haan. Unanimously approved.

HARRISON & MCCUTCHEON HIGH SCHOOLS IMPROVEMENTS

Kyle Miller, Triad and Associates, presented the Board with the plans to improve Harrison High School and McCutcheon High School. Harrison and McCutcheon will be adding approximately one acre of roof to the existing structures over what is now parking lot signifying no increase in the volume of runoff for either plan. Harrison's storm sewer pipes run around the perimeter of the school, some of the pipe are undersized and will be replaced along with all new pipe to go around the perimeter of the constructed area. All roof drainage will run into the storm sewer then to an existing pipe and discharge into the **Cole Ditch/"Burnett Creek"**. Mr. Miller indicated a portion of one existing outfall pipe will be replaced and a permit from the IDNR is required for construction in the floodway area.

Commissioner Gentry asked what the design is of the outfall pipe into the creek?

Mr. Miller stated there will an end section on the pipe and that rip-rap will be placed on both sides of the banks.

Mr. Miller explained that McCutcheon High School storm sewer pipes run the perimeter of the existing structure and outlets into the **Wea Creek**. The

improvements will replace what is now asphalt and the storm sewer pipe around the perimeter of the constructed area.

Commissioner Yount moved to approve Harrison High School's final improvement plan subject to the approval of the permit from the IDNR, seconded by Commissioner Haan. Unanimously approved.

Commissioner Yount moved to approve McCutcheon High School's final drainage improvement plan, seconded by Commissioner Haan. Unanimously approved.

ACTIVE DITCHES FOR 1994

Ditch No.	Ditch Name	Four Year Assessment	Balance Fund 94
2	Anderson, Jesse	\$15793.76	\$11549.19
3	Andrews, E.W.	2566.80	987.71
4	Anson, Delphine	5122.56	1365.36
8	Berlovitz, Juluis	8537.44	7288.07
13	Brown, Andrew	8094.24	4625.60
14	Buck Creek (Carroll Co.)		
15	Burkhalter, Alfred	5482.96	4285.72
20	County Farm	1012.00	(994.25)
26	Darby, Wetherill (Benton Co.)		
27	Ellis, Thomas	1642.40	760.68
29	Fassnacht, Christ	2350.56	965.04
31	Gowen, Issac (White Co.)		
33	Grimes, Rebecca	3363.52	3357.75
37	Harrison Meadows	1532.56	-0-
48	Lesley, Calvin	3787.76	1622.08
53	Mahin, Wesley	3467.68	2864.18
54	Marsh, Samuel (Montgomery Co)		
57	Morin, F.E.	1434.72	-0-
58	Motsinger, Hester	2000.00	1090.53
59	O'Neal, J. Kelly	13848.00	7398.17
60	Oshier, Aduley	1624.88	-0-
64	Rayman, Emmett (White Co.)		
67	Rickerd, Arthur	1064.80	842.58
71	Skinner, Ray	2713.60	(64.53)
72	Smith, Abe	1277.52	1053.33
73	Southworth, Mary	558.08	314.04
74	Sterrett, Joseph C.	478.32	-0-
76	Swanson, Gustav	4965.28	(1473.83)
84	Walters, William	8361.52	6716.94
87	Wilson, Nixon (Fountain Co.)		
89	Yeager, Simeon	615.36	342.15
91	Dickens, Jesse	288.00	-0-
93	Dismal Creek	25420.16	86.15
94	Shawnee Creek	6639.28	-0-
95	Buetler, Gosma	19002.24	16368.00
100	Elliott, S.W.	227772.24	76956.82
101	Hoffman, John	72105.03	34631.86
102	Brum, Sophia (Benton Co)		
103	Moore H.W. (Benton Co)		
104	Hadley Lake	65344.56	4402.77
105	Thomas, Mary (Carroll Co)		
106	Arbegust-Young (Clinton Co)		

INACTIVE DITCHES FOR 1994

Ditch No.	Ditch Names	Four Year Assessment	Balance Fund 94
1	Amstutz, John	\$5008.00	\$5566.86
5	Baker, Dempsey	2374.24	2814.71
6	Baker, Newell	717.52	2016.73
7	Bell, Nellie	1329.12	2077.51
10	Binder, Michael	4388.96	5513.73
11	Blickenstaff, John M.	7092.80	7994.87
12	Box, N.W.	11650.24	15333.92
16	Byers, Orin J.	5258.88	7337.50
17	Coe, Floyd	13617.84	18262.88
18	Coe, Train	3338.56	7923.36
19	Cole Grant	4113.92	9940.56
21	Cripe, Jesse	911.28	1557.87
22	Daughtery, Charles	1883.12	2290.95
23	Devault, Fannie	3766.80	7764.58
25	Dunkin, Marion	9536.08	12390.41
28	Erwin, Martin	656.72	1095.68
30	Fugate, Elijah	3543.52	5114.39
32	Gray, Martin	6015.52	8253.80
34	Hafner, Fred	1263.44	1559.07
35	Haywood, E.F.	7348.96	7564.29
36	Haywood, Thomas	2133.12	2799.85
39	Inskeep, George	3123.84	7655.03
40	Jakes, Lewis	5164.24	6026.73
41	Johnson, E. Eugene	10745.28	14592.35
42	Kellerman, James	1043.52	1063.29
43	Kerschner, F.S.	1844.20	4618.29
44	Kirkpatrick, Amanda	2677.36	3110.15
45	Kirkpatrick, Frank	4226.80	4440.35
46	Kirkpatrick, James	16637.76	16816.54
47	Kuhns, John	1226.96	1528.87
50	McCoy, John	2194.72	3182.80
51	McFarland, John	7649.12	8766.27
52	McKinney, Mary	4287.52	5791.10
55	Miller, Absalm	3236.00	5168.30
56	Montgomery, Ann	4614.56	5250.77
61	Parker Lane	2141.44	3261.19
63	Peters, Calvin	828.00	2327.12
65	Resor, Franklin	3407.60	5659.22
66	Rettereth, Peter	1120.32	1975.43
68	Ross, Alexander	1791.68	3895.39
69	Sheperdson, J.A.	1536.72	3609.60
70	Saltzman, John	5740.96	6920.20
75	Stewart, William	765.76	900.58
77	Taylor, Alonzo	1466.96	3447.90
78	Taylor, Jacob	4616.08	6544.52
79	Toohey, John	542.40	1069.50
81	Van Natta, John	1338.16	2714.51
82	Wallace, Harrison	5501.76	6573.81
83	Walters, Sussana	972.24	2061.09
85	Waples, McDill	5478.08	9188.51
86	Wilder, Lena	3365.60	4921.20
88	Wilson, J & J	736.96	5639.22

90	Yoe, Franklin	1605.44	2509.75
92	Jenkins	1689.24	2549.43
96	Kirpatrick One	6832.16	11352.18
97	McLaughlin, John		

OTHER BUSINESS

Mr. Spencer asked if section six, letter F of the Drainage Ordinance, Submittal and Consideration of Plans, could be clarified to clear up questions pertain to the twenty days submittal deadline being twenty working days or twenty calendar days.

Commissioner Yount suggested changing the twenty days to thirty calendar days and requiring a review memo from the County Engineering Consultant to the petitioner, ten days prior to the hearing date.

Mr. Hoffman stated he will write an amendment to the Drainage Ordinance, letter F in section six, Submittal and Consideration of Plans, to change the twenty days submittal to thirty calendars days and the Surveyor will make a report to the petitioners not less than ten days prior to the hearing date.

GREAT LAKES CHEMICAL

Mr. Spencer stated all the landowners along the proposed channel have been informed of the Great Lakes project, the County has a complete set of construction plans, a drainage report, and Army Corp of Engineers permit. The County does not have IDNR or the IDEM, but those have been filed and should be approved soon. Ken Baldwin had some question for insurance reasons on fencing around the sediment basin before the water goes into **Hadley Lake**. The County will contribute \$700,000.00 dollars out of that the County has spent approx \$150,000.00 on Engineering, the Engineer's construction estimate is 1,040,000.00.

Commissioner Gentry asked what the time table is on advertising for reconstruction, and does the project have to be advertised before the bidding or concurrent with the bid process?

Mr. Hoffman stated the advertising has to be done before the bid processing. The County would have to give thirty to forty day notice and then have the hearing, if approved the bidding can go out, all that together would take about three months.

Judy Rhodes asked if there was any legal document showing West Lafayette committing to an agreement of participation in this project?

Commissioner Gentry stated that the County has a signed worksheet by Nola J. Gentry and Mayor Sonya Margerum showing the break down of contribution between the State of Indiana, Tippecanoe County and the City of West Lafayette for Great Lakes Chemical Corporation/**Cuppy McClure** watershed project

Ms. Rhodes asked and received a copy of the worksheet.

Being no further business Commissioner Yount moved to adjourn until February 2, 1994, seconded by Commissioner Haan. Unanimously approved.

TIPPECANOE COUNTY DRAINAGE BOARD
 REGULAR MEETING
 FEBRUARY 1, 1995

The Tippecanoe County Drainage Board met Wednesday February 1, 1995 in the Community meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney pro-tem David Luhman; and Drainage Board Secretary Shelli Muller.

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held January 4, 1995. Commissioner Gentry moved to approve the minutes, Seconded by Commissioner Jones. Motion carried.

ACTIVE AND INACTIVE DITCH LIST 1995

Mr. Luhman read the active ditch list into the minutes.

Ditch No.	Ditch Name	Four Year Assessment	Balance Fund 94
2	Anderson, Jesse	15793.76	\$15745.45
3	Andrews, E.W.	2566.80	1385.41
4	Anson, Delphine	5122.56	1302.37
13	Brown, Andrew	8094.24	5365.93
14	Buck Creek (Carroll Co.)		
16	Byers, Orrin	5258.88	4453.68
18	Coe Train	3338.56	112.19
20	County Farm	1012.00	(724.45)
26	Darby, Wetherill (Benton Co.)		
27	Ellis, Thomas	1642.40	874.96
29	Fassnacht, Christ	2350.56	630.15
31	Gowen, Issac (White Co.)		
33	Grimes, Rebecca	3363.52	(5780.23)
35	Haywood, E.F.	7348.96	6405.57
37	Harrison Meadows	1532.56	399.99
42	Kellerman, James	1043.52	513.73
46	Kirkpatrick, James	16637.76	13804.40
48	Lesley, Calvin	3787.76	511.43
51	McFarland, John	7649.12	6823.11
52	McKinney, Mary	4287.52	2344.53
54	Marsh, Samuel (Montgomery Co)		
57	Morin, F.E.	1434.72	264.90
58	Motsinger, Hester	2000.00	184.36
59	O'Neal, J. Kelly	13848.00	9902.13
60	Oshier, Aduley	1624.88	429.56
64	Rayman, Emmett (White Co.)		
65	Reser, Franklin	3407.60	(1799.25)
71	Skinner, Ray	2713.60	2003.50
73	Southworth, Mary	558.08	470.62
74	Sterrett, Joseph C.	478.32	120.35
76	Swanson, Gustav	4965.28	(314.21)
87	Wilson, Nixon (Fountain Co.)		
89	Yeager, Simeon	615.36	515.63

91	Dickens, Jesse	288.00	93.96
93	Dismal Creek	25420.16	5408.64
94	Shawnee Creek	6639.28	1004.91
100	Elliott, S.W.	227772.24	95756.64
102	Brum, Sophia (Benton Co)		
103	Moore H.W. (Benton Co)		
104	Hadley Lake	65344.56	15588.62
105	Thomas, Mary (Carroll Co)		
106	Arbegust-Young (Clinton Co)		

Mr. Luhman read the inactive ditch list into the minutes

Ditch No.	Ditch Names	Four Year Assessment	Balance Fund 94
1	Amstutz, John	\$5008.00	\$5797.94
5	Baker, Dempsey	2374.24	2931.55
6	Baker, Newell	717.52	2100.45
7	Bell, Nellie	1329.12	2163.76
8	Berlowitz, Julius	8537.44	9835.71
10	Binder, Michael	4388.96	4844.52
11	Blickenstaff, John M.	7092.80	7352.92
12	Box, N.W.	11650.24	14523.89
15	Burkhalter, Alfred	5482.96	5661.22
17	Coe, Floyd	13617.84	19021.00
19	Cole Grant	4113.92	10353.24
21	Cripe, Jesse	911.28	1622.55
22	Daughtery, Charles	1883.12	2386.04
23	Devault, Fannie	3766.80	8086.91
25	Dunkin, Marion	9536.08	11422.15
28	Erwin, Martin	656.72	1141.16
30	Fugate, Elijah	3543.52	5326.70
32	Gray, Martin	6015.52	6440.23
34	Hafner, Fred	1263.44	1380.75
36	Haywood, Thomas	2133.12	2916.09
39	Inskeep, George	3123.84	7972.80
40	Jakes, Lewis	5164.24	5493.58
41	Johnson, E. Eugene	10745.28	13692.14
43	Kerschner, F.S.	1844.20	4165.28
44	Kirkpatrick, Amanda	2677.36	3239.28
45	Kirkpatrick, Frank	4226.80	4754.52
47	Kuhns, John	1226.96	1592.33
50	McCoy, John	2194.72	3185.39
53	Mahin, Wesley	3467.68	3878.12
55	Miller, Absalm	3236.00	5382.84
56	Montgomery, Ann	4614.56	5468.74
61	Parker Lane	2141.44	3276.36
63	Peters, Calvin	828.00	2423.73
66	Rettereth, Peter	1120.32	2057.43
67	Rickerd, Arthur	1064.80	1148.17
68	Ross, Alexander	1791.68	4057.08
69	Sheperdson, J.A.	1536.72	3759.44
70	Saltzman, John	5740.96	7207.47

72	Smith, Abe	1277.52	1430.16
75	Stewart, William	765.76	937.96
77	Taylor, Alonzo	1466.96	3591.02
78	Taylor, Jacob	4616.08	6759.96
79	Toohy, John	542.40	1113.90
81	Van Natta, John	1338.16	2827.20
82	Wallace, Harrison	5501.76	6195.61
83	Walters, Sussana	972.24	2146.65
84	Walters, William	8361.52	8906.49
85	Waples, McDill	5478.08	9569.95
86	Wilder, Lena	3365.60	5125.49
88	Wilson, J & J	736.96	5873.30
90	Yoe, Franklin	1605.44	2613.93
92	Jenkins	1689.24	2655.25
95	Butler-Gosma	19002.24	20988.51
96	Kirkpatrick One	6832.16	11653.93
97	McLaughlin, John		
101	Hoffman, John	72105.03	55880.51

Mr. Spencer stated the John Hoffman Ditch is on a three year assessment which started in 1991 with a ten dollar an acre assessment. It is now necessary for the Board to schedule a meeting between Clinton, Carroll and Tippecanoe Counties to reduce the assessment.

Commissioner Haan appointed himself and Commissioner Gentry to serve on the Tri County Board.

CHRISTOPHER B. BURKE ENGINEERING CONTRACT

Mr. Luhman stated after reviewing the original contract from Christopher B. Burke Engineering a few items were discussed and changes were made. The contract was revised with one exception on page 6 paragraph 24. The suggested revision was if a contractor was doing work based upon the Engineers plans the contractor would indemnify Burke for any damages to Burke because of the contractors negligence. Also suggested was to include Burke as a named insured on the insurance policy. Mr. Luhman explained the main reason for the suggestion was so the County and Christopher B. Burke Engineering would not be held liable.

Commissioner Gentry moved to approve the contract with Christopher B. Burke Engineering, LTD., and authorize the President of the Board to sign the contract, seconded by Commissioner Jones. Motion carried.

OTHER BUSINESS

Mr. Spencer presented the Board with the reforestation proposal for the Cuppy-McClure Drain, which will comply with the DNR requirements for a 2 to 1 mitigation on tree removal. The Parks Department for the City of West Lafayette suggested sites for the trees replacement. Mr. Spencer explained he wanted the Board to be aware of the progress and that Mr. Ditzler of J.F. New will submit the plan to Dan Ernst of the Indiana Department of Natural Resources.

Being no further business, Commissioner Gentry moved to adjourn until March 1, 1995, seconded by Commissioner Jones. Meeting adjourned.

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING
JANUARY 3, 1996

The Tippecanoe County Drainage Board met Wednesday January 3, 1996 in the Commissioners Meeting Room of the Tippecanoe County Courthouse, Lafayette, Indiana with William D. Haan calling the meeting to order.

Those present were: Tippecanoe County Commissioners William D. Haan, Nola J. Gentry, and Gene Jones; Tippecanoe County Surveyor Michael J. Spencer; Drainage Board Attorney J. Frederick Hoffman; Drainage Board Engineering Consultant Dave Eichelberger, and Drainage Board Secretary Shelli Muller.

ELECTION OF OFFICERS

The first item on the agenda was to elect new officers for 1996.

Mr. Hoffman opened the floor to nominations for President.

Commissioner Haan nominated Commissioner Gentry.

Commissioner Haan moved to close nominations for president, seconded by Commissioner Jones. Motion carried, Commissioner Gentry was elected.

Mr. Hoffman turned the meeting over to the President.

Commissioner Gentry asked for nominations for Vice President.

Commissioner Haan nominated Commissioner Jones for Vice President.

Commissioner Haan moved to close nominations for Vice President, Commissioner Gentry seconded. Motion carried, Commissioner Jones was elected.

APPOINTMENTS TO THE BOARD

The next item on the agenda is to renew the contracts with Hoffman, Luhman & Busch as the law firm.

Commissioner Haan moved to renew the 1995 contract with Hoffman, Luhman and Busch, seconded by Commissioner Jones. Motion carried.

Mr. Spencer presented the Board with two proposals for the contract with Christopher B. Burke Engineering Limited.

- 1) A proposal for professional engineering services on a varied rate depending on specified standard charges.
- 2) a proposal for professional engineering services on a fixed rate of \$50.00 per hour.

Commissioner Gentry asked for a report on the number of engineering review hours in 1995 for all the projects submitted in 1995. The discussion of which contract to be used will be continued at the February meeting.

Commissioner Haan moved to extend the 1995 contract with Christopher B. Burke Engineering Limited for one month into 1996, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to reappoint Shelli Muller as Drainage Board Secretary for 1996, seconded by Commissioner Jones. Motion carried.

1996 ACTIVE/INACTIVE DITCH LIST

Mr. Hoffman asked for the active and inactive ditches to be placed in the minutes.

Commissioner Haan moved to place the 1996 active/inactive ditch list the minutes, seconded by Commissioner Jones. Motion carried.

1996 - ACTIVE/INACTIVE DITCH LIST

ACTIVE

E.W. ANDREW, ANSON-DEPHINE, JULIUS BERLOWITZ, BEUTLER-GOSMA, ANDREW BROWN, TRAIN COE, COUNTY FARM, THOMAS ELLIS, FASSNACHT-CRIST, REBECCA GRIMES, HARRISON MEADOWS, EUGENE JOHNSON, JAMES KELLERMAN, AMANDA KIRKPATRICK, FRANK KIRKPATRICK, JAMES KIRKPATRICK, CALVIN LESLEY, MARY MCKINNEY, F.E. MORIN, KESTER MOTSINGER, J. KELLY O'NEAL, AUDLEY OSHIER, FRANKLIN RESER, SKINNER RAY, JOSEPH STERRETT, GUSTAV SWANSON, JACOB TAYLOR, JESSE DICKENS, DISMAL CREEK, SHAWNEE CREEK, SAMUEL ELLIOTT, JOHN HOFFMAN, BUCK CREEK, DARBY-WETHERHILL, ISSAC GOWEN, SAMUEL MARSH, EMMETT RAYMAN, WILSON-NIXON, SOPHIA BRUMM, H.W. MOORE, MARY THOMAS, ARBEGUST-YOUNG

INACTIVE

JOHN AMSTUZ, JESSE ANDERSON, DEMPSEY BAKER, BAKER VS NEWELL, NELLIE BALL, MICHAEL BINDER, JOHN BLICKENSTAFF, NATHANIEL BOX, ALFRED BURKHALTER, ORIN BYERS, FLOYD COE, GRANT COLE, JESSE CRIPE, CHARLES DAUGHERTY, FANNIE DEVAULT, MARION DUNKIN, MARTIN ERVIN, ELIJAH FUGATE, MARTIN GRAY, FRED HAFNER, E.F. HAYWOOD, THOMAS HAYWOOD, GEORGE INSKEEP, LEWIS JAKES, FLOYD KERSCHNER, JOHN KUHN, JOHN MCCOY, JOHN MCFARLAND, WESLEY MAHIN, ABSOLEM MILLER, ANN MONTGOMERY, PARKER LANE, CALVIN PETER, PETER RETTERETH, ARTHUR RICHERD, ALEXANDER ROSS, JAMES SHEPHERDSON, JOHN SALZMAN, ABE SMITH, MARY SOUTHWORTH, WILLIAM STEWART, ALONZO TAYLOR, JOHN TOOHEY, JOHN VANNATTA, HARRISON WALLACE, SUSSANA WALTERS, WILLIAM WALTERS, WAPLES-MCDILL, LENA WILDER, J&J WILSON, SIMEON YEAGER, FRANKLIN YOE, JENKINS, KIRKPATRICK ONE, MCLAUGHLIN, JOHN HOFFMAN

Commissioner Gentry mentioned the ditches that are in red:

COUNTY FARM, REBECCA GRIMES, FRANKLIN RESER, GUSTAV SWANSON

Mr. Spencer read a letter he received from Betty J. Michael.

"December 29, 1995

Nola J. Gentry, President
Board of Commissioners

Michael J. Spencer
County Surveyor

Re: Interest on Drainage Funds

At the Fall County Auditor's Conference held by the State Board of Accounts, a session was held concerning drainage ditches, charges, billings, investments, interest, etc.

The County Board of Accounts supervisors instructed the Auditors and personnel concerning the above issues. We were informed that most Counties put interest earned on Drainage funds into the County General Fund since County general pays for expenses such as tax bills, Surveyor and Drainage Board Budgets.

An alternative in some cases is to credit this interest to the County Drain Fund (unapportioned). When we inquired about the feasibility of apportioning the monthly interest into more than 100 separate drainage funds, the answer was a dead silence of incredibility that this was being done.

We have double-checked this information with District Board of Accounts personnel and have been told that there is nothing in the statutes that mandates interest should go into each Drain fund or even into the County General Drain Fund.

Therefore, as of January 1, 1996, we will be willing to allocate the monthly interest to either the General Drain Fund or to the County General Fund but NOT to each individual Drain account. Please let me know your preference.

Sincerely,

Betty J. Michael"

Mr. Hoffman stated the ditches are trust funds and the landowners in the watershed areas know the ditches are earning interest, it would not be appropriate to discontinue the investment.

Commissioner Haan moved to direct Mr. Hoffman to write a letter stating per the agreement that was made when the ditches were established the interest was to be allocated, but the Board is willing to distribute the interest on a semimonthly bases to coincide with the spring & fall settlements, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to approve the 1996 Drainage Board schedule, seconded by Commissioner Jones. Motion carried.

APPROVAL OF MINUTES

Commissioner Haan moved to approve the minutes from the December 6, 1995 Drainage Board meeting, seconded by Commissioner Jones. Motion carried.

BRENTWOOD COMMUNITY

Mr. Spencer stated Brentwood Manufacture Home Community is located off US52 West, South of the Elk's Country Club. They asked for preliminary drainage approval, which he recommended as long as the IDNR approved the construction within a floodway. There are approximately 280 lots on 60 acres with a dry bottom retention pond.

Mr. Spencer explained the retention pond does not comply with the Ordinance therefore the developer is asking for a variance. The Ordinance requires a 48 hour discharge time, the plans actual peak discharge is closer to 75 hours.

Commissioner Haan moved to grant preliminary approval to Brentwood Community contingent on the approval of construction in a floodway from IDNR, revised calculations and the request for the variance to the Ordinance, seconded by Commissioner Jones. Motion carried.

SOUTHERN MEADOWS

Mr. Spencer recommended granting Southern Meadows Subdivision final approval. The development is located at the corner of South 18th Street and 350 South within the City of Lafayette. Mr. Spencer explained the development needs approval from the County Drainage Board because it drains to the Elliott Ditch. At the Urban review meetings it was determined any development below the railroad tracks draining into Elliott Ditch would be allowed to direct release into the Ditch without onsite detention. The development includes a water amenity onsite, which water will flow into and out, but is not being planned as a detention pond and does not comply with the requirements of the Ordinance. Mr. Spencer had a question as to whether or not the pond would have to comply with the requirements of the Ordinance.

Mr. Hoffman stated the pond would not have to meet the Ordinance requirements as long as it does not affect the drainage.

Mr. Spencer explained the site drains to the pond.

Commissioner Haan stated if the majority of the site drains to the pond it is a retention pond and should meet the requirements of the Ordinance.

Ron Miller, Schneider Engineering, stated the current discharge in a one hour storm duration to Elliott is 2.7 hours. With the installation of a 42 inch pipe draining from the water amenity discharge into the Elliott in a one hour storm will be a little over an hour.

Commissioner Haan moved to grant final approval of Southern Meadows Subdivision with the condition the pond meets the Drainage Board Ordinance requirement for a non-fenced pond, seconded Commissioner Jones. Motion carried.

VILLAGE PANTRY #564R

Mr. Spencer introduced Village Pantry #564R, which is located at the corner of Brady and Concord, East of the existing Village Pantry. Weihe Engineering submitted final drainage plans and after the review it was recommended to grant final approval with the variance of a 12 inch pipe to a 10 inch concrete pipe for the outfall of the proposed detention area in order to limit the discharge.

Commissioner Haan moved to grant the variance of the Ordinance from a 12 inch required pipe to a 10 inch proposed pipe, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to grant final approval of Village Pantry #564R, seconded by Commissioner Jones. Motion carried.

PETITION TO ESTABLISH O'FERRALL LEGAL DRAIN

Mr. Hoffman excused himself from the meeting 9:45 a.m.

Mr. Spencer asked the Board to acknowledge the petition to establish the O'Ferrall Legal Drain, branch of the Alexander Ross Ditch as a valid petition.

Commissioner Haan moved to acknowledge the petition as a valid petition to establish the O'Ferrall Legal Drain, branch of the Alexander Ross Ditch and the petition represents over 10 percent of the effect landowners, seconded by Commissioner Jones. Motion carried.

Mr. Hoffman returned to the meeting at 9:57 a.m.

ALEXANDER ROSS DITCH EASEMENT REDUCTION

Mr. Spencer explained on the Meijer site two branches of the Alexander Ross Ditch were described, one on the Southeast corner of the site and the other along the West side of the site. After the construction of the site it was discovered the pipe described along the West side of the site is not actually on the Meijer site. Meijer is asking the description of the pipe on the West side be corrected and the easement on the Southeast corner be reduced from 75 feet to 25 feet center of the pipe either side.

Mr. Hoffman stated Mr. Spencer will have to define the easement as only being on the Southeast corner of the site and redefine the easement on the West side of the property.

Commissioner Haan moved to reduce the easement of the Alexander Ross Ditch located at the Southeast corner of the Meijer site from 75 feet to 25 feet either side of the center of the pipe, seconded by Commissioner Jones. Motion carried.

Commissioner Haan moved to direct Mr. Spencer to correct the Survey maps to show the actual location of the Alexander Ross Ditch and document that the ditch does not run through the West side of the Meijer property, seconded by Commissioner Jones. Motion carried.

Commissioner Gentry asked Mr. Spencer to do a field check on the erosion of the Alexander Ross Ditch bank behind Meadowbrook Subdivision.

SANWIN APARTMENTS

Bob Grove presented the Board with Sanwin Apartments drainage plan and asked for preliminary approval. Located North of US52 West and East of County Road 250 West, the site consist of 3.11 acres and is planned to include a multi-family development with 63 units and a commercial area along the highway. After review from Christopher B. Burke Engineering consultant a revised preliminary plan was submitted addressing the concerns of the memo. The majority of the site, in the

revised plan, drains to the Northeast and Ken Baldwin will provide a 20 foot easement for a 12 inch outlet pipe that runs from the Northeast corner of the site to the existing McClure Ditch.

Commissioner Haan moved to grant preliminary approval of Sanwin Apartments, seconded by Commissioner Jones. Motion carried.

Cuppy-McClure - update

Mr. Spencer stated the notices for the hearing to be held February 7, 1996 on the reconstruction of the Cuppy-McClure Drain were sent January 2, 1996.

Mr. Spencer stated RUST Environmental & Infrastructure has submitted several proposals for construction inspection.

Commissioner Gentry suggested Mr. Spencer get other bids for the construction inspection or consider in-house inspections.

Being no further business Commissioner Haan moved to adjourn until February 7, 1996, seconded by Commissioner Jones. Meeting adjourned.

DRAINAGE BOARD MINUTES JANUARY 3, 1996 REGULAR MEETING

TIPPECANOE COUNTY DRAINAGE BOARD
 REGULAR MEETING
 FEBRUARY 5, 1997

The Tippecanoe County Drainage Board met Wednesday February 5, 1997 in the Tippecanoe Room of the Tippecanoe County Office Building, Lafayette, Indiana with Commissioner Hudson calling the meeting to order.

Those present: Tippecanoe County Commissioners Kathleen Hudson and Gene Jones, Tippecanoe County Surveyor Michael J. Spencer, Tippecanoe County Drainage Board Attorney Cy Gerde, Engineering Consultant David Eichelberger, and Drainage Board Secretary Shelli Muller.

Commissioner Hudson stated Commissioner Chase resigned Monday February 3, 1997 which created a vacancy in the position of Vice President to the Drainage Board. She nominated Commissioner Jones to fill the vacancy, seconded by Commissioner Jones. Motion carried to elect Commissioner Jones as Drainage Board Vice President.

The first item on the agenda was to approve the minutes from the meeting held December 11, 1996. Commissioner Jones moved to approve the minutes, seconded by Commissioner Hudson. Motion carried.

Commissioner Jones moved to approve the minutes of the last meeting held January 8, 1997, seconded by Commissioner Hudson. Motion carried.

Mr. Gerde asked for the active and inactive ditch list to be placed in the minutes and a motion be made to approve the list.

ACTIVE DITCH LIST 1997

DITCH NO	DITCH	PRICE PER ACRE	TOTAL 4 YEAR ASSESSMENT	1996 YEAR END BALANCE
4	Anson, Delphine	\$1.00	\$5,122.56	\$2,677.72
8	Berlovitz, Juluis	\$1.25	\$8,537.44	(\$2,933.43)
13	Brown, A P	\$1.00	\$8,094.24	\$7,921.94
14	Buck Creek	\$0.00		\$1,385.55
15	Burkhalter, Alfred	\$1.50	\$5,482.96	\$4,129.61
18	Coe, Train	\$0.50	\$3,338.56	\$1,306.84
20	County Farm	\$1.00	\$1,012.00	(\$381.25)
25	Dunkin, Marion	\$1.50	\$9,536.08	\$9,285.65
26	Darby, Wetherill	\$1.50		\$1,106.43
27	Ellis, Thomas	\$1.00	\$1,642.40	\$1,483.50
29	Fassnacht, Christ	\$0.75	\$2,350.56	\$2,124.49
31	Gowen, Issac	\$0.00		\$101.76
33	Grimes, Rebecca	\$3.00	\$3,363.52	(\$10,770.77)
35	Haywood, E.F.	\$0.50	\$7,348.96	\$1,283.61
37	Harrison, Meadows	\$1.00	\$1,532.56	\$463.71
41	Johnson, E. Eugene	\$3.00	\$10,745.28	\$8,137.10
42	Kellerman, James	\$0.50	\$1,043.52	\$693.98
43	Kerschner, Floyd	\$1.00	\$1,844.20	(\$2,254.41)
44	Kirkpatrick, Amanda	\$1.00	\$2,677.36	\$781.97
45	Kirkpatrick, Frank	\$1.00	\$4,226.80	(\$7,821.61)
48	Lesley, Calvin	\$1.00	\$3,787.76	\$2,440.88
51	McFarland, John	\$0.50	\$7,649.12	\$7,160.70

54	Marsh, Samuel		\$0.00		\$0.00
55	Miller, Absalm		\$0.75	\$3,236.00	\$2,221.92
57	Morin, F.E.	\$1.00	\$1,434.72	(\$1,130.43)	
58	Motsinger, Hester	\$0.75	\$2,000.00	(\$348.42)	
59	O'Neal, J. Kelly	\$1.50	\$13,848.00	(\$1,975.03)	
60	Oshier, Aduley		\$0.50	\$1,624.88	\$1,048.80
64	Rayman, Emmett	\$0.00			\$326.57
65	Resor, Franklin	\$1.00	\$3,407.60	(\$2,025.96)	
74	Sterrett, Joseph	\$0.35	\$478.32		\$276.65
76	Swanson, Gustav	\$1.00	\$4,965.28		\$1,351.62
82	Wallace, Harrison		\$0.75	\$5,501.76	\$5,408.79
84	Walters, William	\$0.00	\$8,361.52		\$7,999.20
87	Wilson, Nixon		\$1.00		\$158.62
89	Yeager, Simeon		\$1.00	\$615.36	(\$523.86)
91	Dickens, Jesse		\$0.30	\$288.00	\$206.26
93	Dismal Creek		\$1.00	\$25,420.16	\$8,652.86
94	Shawnee Creek		\$1.00	\$6,639.28	\$3,411.51
95	Buetler/Gosma		\$1.10	\$19,002.24	\$9,981.77
100	S.W.Elliott	\$0.75	\$227,772.24	\$174,474.74	
102	Brum, Sarah		\$1.00		
103	H W Moore Lateral				
104	Hadley Lake Drain	\$0.00			\$38,550.17
105	Thomas, Mary		\$0.00		
106	Arbegust-Young	\$0.00			
108	High Gap Road	\$13.72			0.00
109	Romney Stock Farm	\$12.13			0.00

INACTIVE DITCH LIST 1997

	DITCH	PRICE	TOTAL	1996
	PER ACRE	ASSESSMENT	4 YEAR	YEAR END
			BALANCE	
AA				
1	Amstutz, John	\$3.00	\$5,008.00	\$5,709.97
2	Anderson, Jesse	\$1.00	\$15,793.76	\$21,291.57
3	Andrews, E.W.	\$2.50	\$2,566.80	\$2,847.14
5	Baker, Dempsey	\$1.00	\$2,374.24	\$3,270.71
6	Baker, Newell	\$1.00	\$717.52	\$2,343.45
7	Ball, Nellie	\$1.00	\$1,329.12	\$2,414.08
10	Binder, Michael	\$1.00	\$4,388.96	\$5,244.63
11	Blickenstaff, John	\$1.00	\$7,092.80	\$8,094.49
12	Box, NW	\$0.75	\$11,650.24	\$15,935.84
16	Byers, Orrin	\$0.75	\$5,258.88	\$5,266.89
17	Coe, Floyd	\$1.75	\$13,617.84	\$19,495.56
19	Cole, Grant	\$1.00	\$4,113.92	\$9,688.52
21	Cripe, Jesse	\$0.50	\$911.28	\$1,810.25
22	Daughtery, Charles	\$1.00	\$1,883.12	\$2,662.08

23	Devault, Fannie	\$1.00	\$3,766.80	\$8,650.12
28	Erwin, Martin V	\$1.00	\$656.72	\$1,273.19
30	Fugate, Elijah		\$1.00 \$3,543.52	\$6,272.90
32	Gray, Martin		\$1.00 \$6,015.52	\$7,478.52
34	Hafner, Fred		\$1.00 \$1,263.44	\$1,336.75
36	Haywood, Thomas	\$1.00	\$2,133.12	\$3,253.45
39	Inskeep, George	\$1.00	\$3,123.84	\$8,267.68
40	Jakes, Lewis		\$1.00 \$5,164.24	\$6,039.76
46	Kirkpatrick, James		\$1.00 \$16,637.76	\$21,244.63
47	Kuhns, John A		\$0.75 \$1,226.96	\$1,467.00
50	McCoy, John	\$1.00	\$2,194.72	\$3,009.24
52	McKinny, Mary		\$1.00 \$4,287.52	\$4,326.98
53	Mahin, Wesley		\$3.00 \$3,467.68	\$4,346.05
56	Montgomery, Ann	\$1.00	\$4,614.56	\$4,717.40
61	Parker, Lane		\$1.00 \$2,141.44	\$3,658.56
63	Peters, Calvin		\$1.00 \$828.00	\$2,704.13
66	Rettereth, Peter	\$0.75	\$1,120.32	\$1,511.11
67	Rickerd, Aurthur	\$3.00	\$1,064.80	\$1,281.00
68	Ross, Alexander	\$0.75	\$1,791.68	\$4,348.39
69	Sheperdson, James	\$0.75	\$1,536.72	\$4,194.37
70	Saltzman, John		\$2.00 \$5,740.96	\$6,867.50
71	Skinner, Ray		\$1.00 \$2,713.60	\$2,961.68
72	Smith, Abe	\$1.00	\$1,277.52	\$1,595.63
73	Southworth, Mary	\$0.30	\$558.08	\$677.23
75	Stewart, William	\$1.00	\$765.76	\$1,046.47
77	Taylor, Alonzo		\$1.00 \$1,466.96	\$4,006.46
78	Taylor, Jacob		\$0.75 \$4,616.08	\$5,066.61
79	Toohy, John		\$1.00 \$542.40	\$1,207.75
81	VanNatta, John		\$0.35 \$1,338.16	\$3,089.01
83	Walters, Sussana	\$0.75	\$972.24	\$2,395.01
85	Waples, McDill		\$1.00 \$5,478.08	\$9,781.97
86	Wilder, Lena		\$1.00 \$3,365.60	\$5,718.48
88	Wilson, J & J		\$0.50 \$736.96	\$6,552.77
90	Yoe, Franklin		\$1.00 \$1,605.44	\$2,916.35
92	Jenkins		\$1.00 \$1,689.24	\$3,014.50
96	Kirkpatrick One	\$0.00	\$6,832.16	\$13,956.64
97	McLaughlin, John	\$0.00	\$0.00	\$0.00
101	Hoffman, John		\$1.00 \$72,105.03	\$3,502.62

Commissioner Jones moved to approve the active and inactive ditches for 1997, seconded by Commissioner Hudson. Motion carried.

1997 CONTRACTS

ENGINEERING CONTRACT

Mr. Gerde stated he commends the contract written for Christopher B. Burke Engineering, Limited, but some verbiage was changed to better protect the County's interest.

Mr. Eichelberger stated the changes will be made and the contract ready for signature at the March meeting.

ATTORNEY CONTRACT

Mr. Gerde stated the contract for Drainage Board Attorney is ready for approval and the signature of the Drainage Board. The contract is the same format as Mr. Hoffman's contract with a few changes; date, name and hourly rate changed to \$140.00 per hour also, the last paragraph was added to the contract.

Commissioner Hudson read the paragraph that was added:

"All parties hereto agree not to discriminate against any employee or applicant for employment with respect to his hire tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of his race, religion, color, sex, disability, handicap, national origin or ancestry. Breach of this convenient may be regarded as a material breach of the contract."

Commissioner Jones moved to approve the contract for Drainage Board Attorney, seconded by Commissioner Hudson. Motion carried. The entire contract is on file in the County Surveyor's Office.

JAMES N. KIRKPATRICK DITCH

Mr. Spencer asked that the **James N. Kirkpatrick Ditch** proposal discussion be continued until the March meeting allowing time to fill the vacancy of the third Drainage Board member.

Commissioner Hudson moved to continue the discussion of the James N. Kirkpatrick Ditch proposals until the March Drainage Board Meeting, seconded by Commissioner Jones. Motion carried

OBSTRUCTION OF DRAINS

Mr. Spencer referred to the following "PETITION TO TIPPECANOE COUNTY DRAINAGE BOARD TO REMOVE OBSTRUCTION IN MUTUAL DRAIN OF MUTUAL SURFACE WATERCOURSE" the "DRAINAGE BOARDS POWER EXTENDED TO PRIVATE DRAINS" article in "Indiana Prairie Farmer" and Indiana Code amendment act No. 1277. All of these documents are on file in the County Surveyor's Office. Mr. Spencer wanted the Commissioners to be aware of and have a discussion on this issue. Mr. Spencer felt this law was to protect against man-made obstructions and asked Mr. Gerde to examine the possibility of the law including natural obstructions.

Mr. Gerde gave an example of where this law could be taken into effect. The first being on North 9th Street Road, north of Burnetts Road, the current condition causes water to travel across the road producing a hazardous condition. The reason for the water across the road is due to drainage problems outside the County Road Right-of-Way.

Mr. Steve Murray, Executive Director, Tippecanoe County Highway Department, stated another persistent problem is 200 South, east of the South fork of the Wildcat Creek. Mr. Murray explained no actual source of funding is available to work on obstruction of drains which do not have a maintenance fund. Mr. Murray asked the Drainage Board to consider creating a fund which would help the Surveyor's Office and the Highway Department to determine what action could be taken. Mr. Murray stated when a problem becomes severe enough the County Highway Department will clean out an obstruction that is off county road right-of-way to protect the road way, but the funds used for the clean-up are funds that could be used elsewhere.

Commissioner Jones stated Steve Wettschurack told him that FEMA was going to help out with the situation on North 9th Street.

Mr. Murray pointed out with the older residential subdivision the storm water system were allowed to outlet into privately owned ravines, there is no funding available to help with maintenance on these situations. If the storm water system becomes plugged or breaks down causing the streets to flood the County Highway Department has repaired the problem, using funds that were not intended for that type of repair.

Mr. Gerde's understanding is that in the majority of those situation the County does not have an easement, which cause a legal problem for the County.

Mr. Spencer stated in all cases where the County has worked out side the easement a complaint was filed therefore the landowners are willing to grant entry onto their land.

MARCH DRAINAGE BOARD MEETING DATE

Mr. Spencer explained the March 1997 Drainage Board meeting date needs to be changed, if possible. Mr. Gerde is going to be out of town on the scheduled meeting date of March 5, 1997.

Discussion of the next Drainage Board Meeting, after an agreed date and time, Commissioner Hudson stated the next Drainage Board meeting will be Tuesday, March 11, 1997 at 9:00 a.m.

Being no further business Commissioner Hudson moved to adjourn until Tuesday, March 11, 1997 at 9:00 a.m., seconded by Commissioner Jones. Meeting adjourned.

TIPPECANOE COUNTY DRAINAGE BOARD

February 4, 1998

regular meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd, and John Knochel, County Surveyor Mike Spencer, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Shelli Muller.

The Tippecanoe County Drainage Board met Wednesday, February 4, 1998, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

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

MIKE MADRID COMPANY

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

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

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

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

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

DRAINAGE BOARD 1998 CONTRACTS

Attorney

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

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

Engineering Consultant

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

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

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

1998 ACTIVE AND INACTIVE DITCH LIST

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

ACTIVE DITCH LIST

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

INACTIVE DITCH LIST

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

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

OTHER BUSINESS

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

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

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

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

MINUTE BOOK

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

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

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

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 3, 1999

Regular Meeting

Those present were:

Tippecanoe County Commissioners Ruth Shedd and John Knochel, County Surveyor Mike Spencer, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger and Drainage Board Secretary Shelli Muller.

The Tippecanoe County Drainage Board met Wednesday, February 3, 1999, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Shedd calling the meeting to order.

The first item on the agenda is to approve the 1999 Active and Inactive Ditch Assessment List. Mr. Luhman read the list.

ACTIVE

Delphine Anson Brown	Julius Berlowitz	Michael Binder	A.P.
Buck Creek Wetherhill	Train Coe	County Farm	Darby
Christ Fassnacht Hafner	Issac Gowen	Rebecca Grimes	Fred
E.F. Haywood Kirkpatrick	Harrison Meadows	Floyd Kerschner	Amanda
Frank Kirkpatrick McKinny	Calvin Lesley	John McFarland	Mary
Samuel Marsh Aduley Oshier Rickerd	F.E. Morin Emmett Rayman	Hester Motsinger Franklin Reser	J.Kelly O'Neal Aurthur
Joseph Sterrett Walters	Gustav Swanson	Jacob Taylor	William
Wilson Nixon Creek	Simeon Yeager	Jesse Dickens	Dismal
Kirkpatrick One Lateral	John Hoffman	Sophia Brum	HW Moore
Mary Thomas	Arbegust-Young	Jesse Anderson	

INACTIVE

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

Calvin Peters Saltzman Skinner Ray William Stewart	Peter Rettereth Abe Smith John Toohey Sussane Walters Franklin Yoe	Alexander Ross Mary Southworth John VanNatta McDill Waples Jenkins S.W. Elliott	John Lena Hadley
Shawnee Creek			
Buetler/Gosma Lake High Gap Rd	John McLaughlin Romney Stock Farm		

Commissioner Knochel moved to approve the list of Active and Inactive Ditch Assessment for the year 1999, seconded by Commissioner Shedd. Motion carried.

WATKINS GLEN SUBDIVISION, PHASE 4, PART 3

Tim Beyer of Vester and Associates, asked the Board for preliminary approval of Watkins Glen Subdivision, Phase 4, Part 3 located off County Road 400 East. The proposed subdivision consists of 9 lot on a 5 acre site. Mr. Beyer asked for a variance from the Drainage Ordinance that requires on-site detention. The majority of the proposed plan drains to an existing pipe and then to an existing detention facility for Watkins Glen South, Part V. The facility has the capacity to handle the additional runoff of Phase 4, Part 2.

Mr. Spencer recommended granting the variance for no on-site detention and preliminary approval of the drainage plan for Watkins Glen, Phase 4, Part 3.

Commissioner Knochel moved to grant preliminary approval of Watkins Glen, Phase 4, Part 3 and to grant the variance allowing no on-site detention, seconded by Commissioner Shedd. Motion carried.

SEASONS FOUR SUBDIVISION, PHASE III

Roger Fine, of John E. Fisher and Associates, asked the Board for approval of the outlet pipe for Seasons Four Subdivision, Phase III. The City of Lafayette requires the project to receive approval from the Tippecanoe County Drainage Board because of the outlet pipe into the **Elliott Ditch**. Mr. Fine informed the Board a DNR permit is pending for work in the floodway.

Mr. Spencer recommended approval of the outlet pipe, subject to the project receiving the DNR permit.

Commissioner Knochel moved to approve the outlet pipe into **the Elliott Ditch** for Seasons Four Subdivision, Phase III, subject to the approval of the DNR permit, seconded by Commissioner Shedd. Motion carried.

Being no further business, Commissioner Knochel moved to adjourn until March 3, 1999 at 10:00 a.m., seconded by Commissioner Shedd. Motion carried.

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

Those present were:

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

The Tippecanoe County Drainage Board met Wednesday, February 9, 2000, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 North 3rd Street, Lafayette, Indiana with Commissioner Kathleen Hudson calling the meeting to order.

The first item on the agenda is to approve the minutes from the January 12, 2000, Regular Drainage Board Meeting and minutes from the January 21, 2000, Special Drainage Board Meeting. Commissioner Knochel moved to approve the minutes of January 12, 2000, Regular Drainage Board Meeting and January 21, 2000, Special Drainage Board Meeting, seconded by Commissioner Shedd. Motion carried.

Commissioner Hudson welcomed Stephen Murray, as new County Surveyor, to his first meeting with the Drainage Board.

CROSSPOINTE APARTMENTS SUBDIVISION

Wm. R. Davis with Hawkins Environmental gave presentation for Crosspointe Apartments Subdivision. This site is located east of Creasy Lane, south of Weston Woods Subdivision and east of the **Treعه Meadows Relief Drain**. The applicant proposes to construct apartments and associated parking. The stormwater management plan for this area was the subject of previous studies conducted as part of the Amelia Avenue extension over the **Treعه Meadows Relief Drain**. Two issues from C.B. Burke Engineering report to be discussed. First issue is ponding of waters on project. The parking lot plans were intended to pond 7" of water. Second issue concerning previously discharge channel that has been schematic approved for the drainage of this site. Their intention is to use this channel for draining this site. If not approved as is a modification can be brought before the board.

Commissioner Hudson asked Dave Eichelberger to explain about the wet bottom ponds.

Dave Eichelberger, Drainage Board Engineering Consultant, stated the previous stormwater management plan indicated that portions of this development would drain to proposed wet-bottom ponds prior to discharging to the **Treعه Meadows Relief Drain**. However, it does not appear these ponds are proposed as part of this subject development on their plans. Are these ponds already in place, are they going to be constructed as part of this project or are they going to have some interim outlet to the **Treعه Meadow Relief Drain** between now and then? If are wanting final approval may need to have condition that proposed ponds are constructed or proposed outlet is approved.

Steve Murray asked Wm. R. Davis what was their intent.

Wm R. Davis commented there is another project that has risen to this area. The project is not moving very rapidly. They want to get these projects temporarily constructed as did in schematic approval of wet-bottom channel as part of this project.

Commissioner Hudson asked if these outlets would be the ones carrying water over parking lot. Answer was no.

Commissioner Hudson asked what was going to be done about the water ponding over the parking lot area.

Steve Murray stated 7" water ponding over parking lot is allowable by ordinance. This is backwater from 100-year flood as composed to conventional ponding for storage in the lot.

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

Commissioner Knochel moved to grant final approval to Crossepoint Apartments Subdivision subject to the outlets being constructed as part of this project, seconded by Commissioner Shedd. Motion carried.

WABASH NATIONAL SITE DETENTION

Wm. R. Davis with Hawkins Environmental gave presentation for Wabash National Site Detention. This is a 340-acre site located north of C.R. 350 South, between Concord Road and U.S. 52. This is a schematic design for Wabash National and is the second time for reviewing this site. We are trying to come up with an overall plan for final development of Wabash National property. They are not placing structures, etc, but are determining the amount of improved surface they can have, what areas need to be stoned, types of drainage, etc. Currently there is a tile branch of **Elliott Ditch** traversing this property. At present a lot of water stands on this property. We are proposing how to move this water in a developed condition. Will be stoning parts of the property after constructing diversion ditches. Will be removing tile in the **Elliott Ditch** Branch and make open drain. The present detention pond is adequate for future use. Wm. R. Davis is asking for approval of schematic design for Wabash National Site Detention.

Dave Eichelberger suggests preliminary approval of the ditch network and final approval of the continued use of the existing detention pond.

Commissioner Knochel moved to grant preliminary approval of the ditch design for the Wabash National Site Detention and final approval for the drainage pond, seconded Commissioner Shedd. Motion carried.

WILLIAMS COMMUNICATIONS – FIBER OPTIC CABLE

Harold Elliott with Williams Communications gave presentation to install fiber optic cable communication system. This cable will stretch from Atlanta, Cincinnati, Indianapolis and through Chicago. Part of this system will go through a portion of Tippecanoe County. Have received permits for the road crossings. Had been working with Mike Spencer for permits on drainage ditches. They had sent a letter earlier, recommended by Mike Spencer, explaining what they were going to do. Mr. Elliott stated he thinks they should have a permit due to all the bonding, etc. Mr. Elliott's purpose for being here today is to go over project, find out for sure what they do want, and get bond, etc. ready for the next meeting.

Commissioner Hudson asked Mr. Elliott if he received Dave Luhman's letter.

Mr. Elliott's comment was yes. Mr. Elliott stated they have included what Mr. Luhman asked for. Mr. Elliott had a question on drawing for each ditch. Can they use what we use as a typical ditch crossing with it put to the ditch we are crossing? Instead of a complete profile of each ditch.

Dave Luhman asked if it would be similar to what is used on highways. If so, that would be adequate. Mr. Elliott commented yes. Williams Communications will furnish drainage board with a complete list of where line is as built.

Steve Murray stated he would like Mr. Elliott to give as much information possible to the contractor, so they can narrow down their area to start being aware that there may be a legal drain there.

Mr. Elliott commented there would be a crew out to survey each of the legal drains so contractor knows exactly where they start and will be. They are running a minimum of 42" below ground. Some of the survey work is being done now.

Steve Murray asked if they would trench or plow the lines.

Mr. Elliott stated the plan was to plow. When you go across ditches we know you can't plow. So we will be trenching these lines.

Steve Murray stated they would want the cable trenched not plowed. When you trench you can see turned up broken tiles. When you plow there is no visible evidence of broken tiles. May be 3 to 5 years before drain collapses and backs up. A lot of counties have gone too only allowing trenching now days as opposed to plowing.

Commissioner Knochel stated his concern was when turning up some private tiles who will repair. They want someone who is knowledgeable to do the field tile repair.

Mr. Elliott commented he had talked with Mike and would like for the drainage board to hire someone in our county to act as an inspector to find the legal drains and bill Williams Communications for that service.

Steve Murray commented his concern is finding an inspector. It doesn't matter if the drainage board hires or if Williams Communications hires. Stephen thinks it would be better if drainage board hired the inspector.

Mr. Elliott asked about a pay scale agreement. This can all be worked out when I come back for the next meeting.

Steve Murray asked what is your construction schedule.

Mr. Elliott stated this year, this spring. It depends on all the permits coming in and all the easements that are being required one way or the other.

Steve Murray felt comfortable with this if they are willing to work under the drainage board conditions.

Mr. Elliott suggested the \$5,000 bond might not be large enough. There is more potential damage than \$5,000.

Dave Luhman recommends \$25,000.00 bond. Wait on final draft at the March 1, 2000 meeting for details.

Mr. Elliott will return for the March 1, 2000, meeting with final draft and details.

2000 ACTIVE AND INACTIVE DITCH ASSESSMENTS

Mr. Luhman read the 2000 active and inactive ditch list

ACTIVE

Jesse Anderson	Delphine Anson	Julius Berlovitz	Michael Binder
A.P.Brown	Buck Creek	Orrin Byers	Train Coe
County Farm	Thomas Ellis	Christ Fassnacht	Issac Gowen
Rebecca Grimes	Fred Hafner	E.F. Haywood	Harrison Meadows
James Kellerman	Floyd Kerschner	Amanda Kirkpatrick	Frank Kirkpatrick
Calvin Lesley	John McFarland	Mary McKinny	Samuel Marsh
Ann Montgomery	F.E. Morin	Hester Motsinger	J.Kelly O'Neal
Aduley Oshier	Emmett Rayman	Franklin Resor	Aurthur Rickerd
Joseph C. Sterrett	Gustav Swanson	Nixon Wilson	Simeon Yeager
Jesse Dickens	Dismal Creek	Shawnee Creek	Kirkpatrick One
John Hoffman	Sarah Brum	HW Moore Lateral	Mary Thomas
Arbegust-Young	High Gap Road	Romney Stock Farm	Darby Wetherill Ext 2
Darby Wetherill Reconstruction			

INACTIVE

John Amstutz	E.W. Andrews	Dempsey Baker	Newell Baker
Nellie Ball	John Blickenstaff	NW Box	Alfred Burkhalter
Floyd Coe	Grant Cole	Jesse Cripe	Charles E. Daughtery
Fannie Devault	Marion Dunkin	Darby Wetherill	Martin V. Erwin
Elijah Fugate	Martin Gray	Thomas Haywood	George Inskip
Lewis Jakes	E.Eugene Johnson	James Kirkpatrick	John A. Kuhns
John McCoy	Wesley Mahin	Absalm Miller	Lane Parker
Calvin Peters	Peter Rettereth	Alexander Ross	James Sheperdson
John Saltzman	Ray Skinner	Abe Smith	Mary Southworth
William Stewart	Alonzo Taylor	Jacob Taylor	John Toohey
John VanNatta	Harrison B. Wallace	Sussana Walters	William Walters
McDill Waples	Lena Wilder	J & J Wilson	Franklin Yoe
Jenkins	Buetler/Gosma	S.W. Elliott	Hadley Lake Drain

Commissioner Knochel moved to approve the list of Active and Inactive Assessment for the year 2000, seconded by Commissioner Shedd. Motion carried.

OTHER BUSINESS

PETITION FOR ENCROACHMENT ON UTILITY & DRAINAGE EASEMENT LOT 63, RED OAKS SUBDIVISION

Steve Murray gave presentation of this petition for encroachment on utility & drainage easement Lot 63, Red Oaks Subdivision. The petition for encroachment reads as follows: The undersigned, John L. Maloney, who owns 609 Bur Oak Court, does hereby request permission of the Tippecanoe County Commissioners and the Tippecanoe County Drainage Board to encroach 25 feet into the utility and drainage easement at the rear side of their home on Lot 63, Red Oaks Subdivision, Wea Township, Tippecanoe County, Indiana, as shown on the diagram hereto attached and made a part of this petition. Diagram will be on file in surveyor's office. Stephen commented the real concern is the 25 feet encroachment will be too far down the bank and into the water level. This could be an obstruction if maintenance needs to be done to the bank for erosion purposes or pipe out fall. A 10-foot encroachment will bring to the top of bank. Stephen stated he would not recommend any more encroachment then to the top of the bank.

Commissioner Hudson asked if 10 foot would encroach into the utility and drainage easement.

Steve Murray commented without an actual survey tying the house to the lot lines we wouldn't know for sure. It would appear the 10-foot at the top of bank is roughly the easement line that they want to encroach into. If we do not grant requirement for encroachment they can not go any further than the top of bank.

Commissioner Hudson asked if Bill Augustin of Gunstra Builders was aware of this being on the agenda.

Steve Murray commented he had talked to Bill Augustin this week and thought he was aware of the agenda.

Commissioner Knochel asked if they wanted to build a deck and if it was already built.

Steve Murray answer was didn't believe so. Chris from surveyor's office had been out in the last month and took pictures. No deck was in the pictures.

Dave Luhman asked if they wanted to resubmit this petition for an amendment asking for a lower amount of encroachment. If the Drainage Board denies this petition they can resubmit another petition.

Commissioner Knochel moved to deny request for 25 foot encroachment on utility and drainage easement for Lot 63, Red Oaks Subdivision, Wea Township, Tippecanoe County, seconded by Commissioner Shedd. Motion carried.

CHICAGO TITLE INSURANCE COMPANY

Dave Luhman gave presentation regarding request of letter from Drainage Board to Chicago Title Insurance Company. The property is located at 3815 SR 38 E known as the **Kyger Bakery**. There has already been a dry closing on the sale. There are 2 buildings that come within the 75-foot easement. The Chicago Title Insurance Company in order to issue their title insurance need letter from Drainage Board acknowledging that buildings on this property were constructed prior to the requirement of the 1965 Drainage Act and are thus legally located structures and do not constitute illegal encroachments. Have tax records from Fairfield Township Assessors Office that show these structures were built in 1948. Dave Luhman presented Commissioner Hudson with letter on Drainage Board stationery for signature stating these structures were built prior to the requirements of the 1965 Drainage Act and are thus legally located structures and do not constitute illegal encroachments. Dave Luhman has reviewed this with Mr. Bumbleburg, who represents Kyger, and has his approval.

Commissioner Knochel moved president of Drainage Board to sign this letter stating the building were built before 1965 and do not constitute illegal encroachments, seconded by Commissioner Shedd. Motion carried.

Being no further business Commissioner Knochel moved to adjourn meeting, seconded by Commissioner Shedd. Meeting adjourned.

Kathleen Hudson, President

Doris Myers, Secretary

John Knochel, Vice President

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
February 2, 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, County Highway Engineer Tim Wells, and Drainage Board Secretary Brenda Garrison. GIS Technician Shelli Muller was absent.

Approval of January 5, 2005 Minutes

John Knochel stated the January 5, 2005 minutes reflected his attendance. As he was absent for that meeting, he made a motion to approve the minutes with a correction indicating his absence. KD seconded the motion and the January 5, 2005 Drainage Board Regular minutes were approved with the correction as stated.

Comprehensive Stormwater Management Ordinance

Steve Murray updated the Board regarding compliance with the Federal Clean Water Act through Rule 13 and Rule 5 in Indiana. Part C was to be filed November 4, 2004. However an extension was requested and IDEM (Indiana Department of Environmental Management) granted an additional ninety days. February 4, 2005 was the extended deadline. IDEM granted an additional thirty-day extension. The filing deadline of Part C was now March 4, 2005. The following entities were on track to adopt and pass the Comprehensive Stormwater Management Ordinance in accordance with the federal guidelines; Lafayette, West Lafayette, Dayton and Battleground, as well as Tippecanoe County. Cost sharing was utilized between the entities.

The ordinance was patterned off of the existing Stormwater Ordinance, which addressed stormwater quantity. Provisions were added to address stormwater quality, and the various control measures as required by the aforementioned rules. A steering committee, project team and subcommittee reviewed technical standards. The Surveyor stated a majority of the local engineering companies were included in this process. Implementation of the federal guidelines had been a two to three - year process. The Drainage Board Attorney and Surveyor reviewed the ordinance and made appropriate corrections. The Surveyor stated he felt the ordinance was a good product for the community.

Pat Jarboe approached the Board and asked when the ordinance would be implemented and what would be the length of the interim period. The Surveyor stated he was unable to answer, as it was a federal mandate and would depend on legal aspects of the federal guidelines. The Surveyor felt once the ordinance had passed both readings, it would take precedence over the existing ordinance at that time. Copies of the proposed ordinance were available for public review at this time. It was discussed whether it should be on the web page, however the Surveyor felt it should be available by CD at this time only.

At that time, the Surveyor presented Ordinance No. 2005-04-CM amending Tippecanoe County Code, repealing Section 155.01, and adding the new Section 155.01 Comprehensive Stormwater Management Ordinance. Exhibit A was the Stormwater Ordinance guidelines as well as the Technical Standards Manual. John Knochel made a motion to approve and pass Ordinance No. 2005-04-CM on first reading. KD Benson seconded the motion. The following voted as indicated: KD Benson- yes, John Knochel-yes, Ruth Shedd-yes. Ordinance No. 2005-04-CM regarding Comprehensive Stormwater Management was passed on first reading unanimously. It was agreed to place the ordinance on the next Drainage Board meeting agenda for the second reading, followed by a Special Commissioners' Meeting for a second reading also.

Water Safety Committee

Mike Wylie of Schneider Engineering approached the Board as a member of the previously established Water Safety Committee. He stated he was in attendance to today give an update to the Board on the Committee's progress. The committee was formed to look at public safety issues, both in design and education. A design subcommittee and an educational (outreach to schools etc.) subcommittee were formed out of the main committee members. Mike stated he would like to review the outcome of these committees at the next Drainage Board meeting in March. A Power point presentation would likely be made at that time. The Surveyor stated safety recommendations from the subcommittee were included in Ordinance No. 2005-04-CM. The Surveyor also stated Mike would be added to the March meeting Agenda of the Drainage Board.

Other Business

Classification of Drains

In accordance with I.C. 36-9-27-34, the Surveyor presented a Report of Drains to the Board. The report listed classification of drains, drains in need of reconstruction, urban drains, drains in need of periodic maintenance, and drains with insufficient maintenance funds. He then reviewed the report for the Board. (A copy of which would be included in the official minutes book.)

Drains in need of Reconstruction: He stated reconstruction for the Berlowitz Drain was in the initial process. He noted an informal meeting regarding the Jakes Ditch had been held this past year with the benefited landowners. The original tile had eroded out and an open ditch had been created at the lower end. The upper end of the tile was exposed. Elliott Ditch had been a part of an ongoing planning process, specifically Branch #11 and the F-Lake detention facility behind Ivy Tech. Branch #11 of S.W. Elliott Ditch had been designed and would go to construction in the near future. J.N. Kirkpatrick's lower end had been reconstructed. In anticipation of a large industrial park near the upper end, a preliminary plan was in place for reconstruction from Concord Road to 450 East for the J.N. Kirkpatrick. Investigation of the Anson drain had been done. It was anticipated the drain would be presented for reconstruction or an assessment rate increase sometime this year. The J.B. Anderson, which served Clarks Hill, had another round of flooding the past couple of weeks. The Frank Kirkpatrick drain was also in need of reconstruction.

Urban Drains: In accordance with Indiana Code, the Surveyor designated drains that are in need of reconstruction and served an urban or urbanized area as Urban Drains. The drains listed were: S.W. Elliott, Berlowitz, J.N. Kirkpatrick, and the Alexander Ross which ran roughly behind the Super Wal-Mart located on S.R. 26.

Drains in need of Periodic Maintenance: The D. Anson, J. Blickenstaff, A. Brown, Burkhalter, T. Coe, County Farm, C. Daugherty, M. Dunkin, T. Ellis, M. Erwin, R. Grimes, F. Haffner, E.F. Haywood, L. Jakes, F. Kerschner, A. Kirkpatrick, F. Kirkpatrick, C. Lesley, F.E. Morin, H. Mottsinger, F. Resor, M. Southworth, J. Vvannata, and the H.B. Wallace were all drains listed in need of periodic maintenance. The Surveyor stated for the most part, these drains had their assessment rates set in the late 1960's. The present and future costs of construction projects required an increase of assessment rates from roughly \$1.00 an acre closer to \$2.00 - \$3.00 an acre, for adequate maintenance. KD Benson requested a GIS presentation of the drains listed on the report in the near future as time permits. John Knochel made a motion to accept the 2005 Report of Drains submitted by the Surveyor. KD Benson seconded the motion and the Board accepted the 2005 Report of Drains as submitted by the Surveyor.

The Surveyor presented Tippecanoe County Drainage Board Resolution No. 2005 – 01-DB to the Board for their approval. In accordance with I.C. 36-9-27-42, the Resolution increased assessments by twenty-five percent (25%) for the following drains: J. Blickenstaff, A. Brown, T. Coe, C. Daugherty, M. Dunkin, T. Ellis, M. Erwin, F. Haffner, F. Kerschner, A. Kirkpatrick, C. Lesley, H. Wallace, and S. Yeager. The drain had an insufficient maintenance funds in place. The Surveyor stated either the tile was in need of a significant amount of maintenance, or cleanout of the open ditch was warranted. He stated every ten to twelve years an open ditch should be cleaned out. In response to K.D.'s inquiry, the Surveyor stated a letter would be sent to White County regarding their acceptance of the proposed assessment increase of the Andrew Brown Joint Drain. John Knochel made a motion to adopt Resolution No.2005-01-DB as presented. KD. Benson seconded the motion. The Board adopted Resolution No.2005-01-DB, a Resolution Increasing Assessments for the Periodic Maintenance of Regulated Drains.

Maintenance Bonds

Prophets Ridge Phase 1 / Prophets View Subdivision Phase 1 / Paramount Lakeshore Subdivision

The Surveyor presented the following three Maintenance Bonds for acceptance; Maintenance Bond No.4175907 in the amount of \$37,060.00 for Prophets RIDGE Subdivision Phase 1 from Fairfield Contractors, Maintenance Bond No. 69839855 in the amount of \$2000.00 for Prophets VIEW Subdivision Phase 1 (located on Pretty Prairie Road) from Norma G. & Rita A. Deboy, and Maintenance Bond No. 400TF4545 in the amount of \$23, 329.70 for Paramount Lakeshore Subdivision from Milestone Contractors. The Surveyor stated the subdivisions had been completed and approved. John Knochel made a motion to accept the three Maintenance Bonds as presented by the Surveyor. K.D. Benson seconded the motion. The Drainage Board accepted the aforementioned Maintenance Bonds.

Professional Engineering Services for Engineering Review Contract

The Surveyor presented the annual contract from Christopher B. Burke Engineering for professional engineering review service. The cost of their service was in turn billed to the developer of projects submitted for review. Dave Eichelberger from Christopher B. Burke Engineering stated the rate per hour was raised from \$70.00 per hour to \$75.00 per hour. John Knochel made a motion to approve the contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD. as presented. K.D. Benson seconded the motion. The contract between the Tippecanoe County Drainage Board and Christopher B. Burke Engineering LTD. was approved as presented to the Board.

Lewis Jakes Ditch

While researching the status and condition of Jakes Ditch, it was discovered the Drainage Board approved a rate increase from \$1.00 an acre to \$2.00 an acre in April of 1983. Research indicated the present assessment of \$1.00 per acre was never changed accordingly. After conferring with the Board’s attorney, it was agreed the rate of \$2.00 per acre set in the April 1983 meeting was valid. The Surveyor requested a formal vote in order for the increase to be activated by the Auditor’s office. John Knochel made a motion to approve the \$2.00 per acre assessment rate as set in the April 1983 Drainage Board meeting. In addition the said rate be in effect starting with the 2005 tax season. K.D. Benson seconded the motion. The Lewis Jakes Regulated Drain assessment of \$2.00 per acre was formally approved beginning with the 2005 tax season.

Public Comment

As there was no public comment, John Knochel made a motion to adjourn the meeting. KD seconded the motion. The meeting adjourned.

Ruth Shedd, Vice President

John Knochel, Vice President

Brenda Garrison, Secretary

KD Benson, Member

Tippecanoe County Drainage Board
Minutes
January 11, 2006
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.

Election of Officers

Board Attorney Dave Luhman accepted nominations for 2006 officers of the Tippecanoe County Drainage Board. John Knochel nominated KD Benson for President. Ruth Shedd seconded the motion. KD Benson was elected President with no objections. Ruth Shedd nominated John Knochel for Vice President. KD Benson seconded the motion. John Knochel was elected Vice President with no objections.

Approval of Minutes

John Knochel made a motion to approve the December 7, 2005 Regular Drainage Board minutes as well as the December 19, 2005 Special Drainage Board minutes as written. Ruth Shedd seconded the motion. The aforementioned minutes were approved as written.

Bridge Mill Phase 1

Tim Beyers of Vester and Associates appeared before the Board to request final approval for Bridge Mill Phase 1 Subdivision. The development site consisted of 42 lots on approximately 147 acres and located on County Road 200 North between County Roads 400 East and 500 East. Farmington Subdivision lies to the west and Northridge Subdivision lies to the north of the development site. Phase 1 would be located at the southeast corner of said site. The majority of the site drained to a proposed detention pond (Pond A), one of four which would be constructed for the development. Pond A would be constructed during Phase 1 and additional detention ponds during future phases. A portion of the site drained to an existing 18" culvert beneath County Road 200 North then south along the west side of Northridge Subdivision and into the existing facility within said Subdivision. The Northridge Subdivision overall drainage design was reviewed as previously requested by the Surveyor. Mr. Beyer stated the study indicated when the project was fully developed; runoff to County Road 200 North would be less than the present condition. A portion of the site's drainage which currently was routed to the culvert under 200 North would be routed to the north with the phasing of the proposed development. At that time he requested final approval. John Knochel clarified Northridge Subdivision was designed to handle 13.5 cfs runoff. At the completion of Bridge Mill Subdivision the runoff total would be reduced to 9 cfs. In response to KD's inquiry Mr. Beyer stated the area's present drainage would not change until the project was fully completed. Runoff would not be increased due to the proposed project's construction. In response to John Knochel's inquiry, Mr. Beyer stated less runoff occurred from a grassed yard than an agricultural field. Mr. Beyer stated at the present condition the culvert would overtop the road in a 100 year event. After the development was completed the runoff should stay within the culvert and not overtop the road.

Randall Sly (Lot 21- Northridge Subdivision) 54 Steeple Chase Court approached the Board. He stated the Northridge Subdivision retention pond was mostly located on his lot. Mr. Sly asked if the cfs would increase at any time during the interim of phases. He stated the existing pond was located behind his home and during heavy rains he has witnessed the drainage "gushing" down the side of the hill to the pond. He was concerned that the drainage would be increased during the interim of the planned phases. Mr. Beyer stated there would be no drainage increase caused by the development. In response to his inquiry, the Surveyor reviewed the process of development submissions and the ordinance pertaining to. He stated when the Northridge Subdivision was designed less detail information was available due to new technology (GIS data). He stated as an example the availability of ten foot contours as opposed to two foot contours available now for drainage design studies. When the study of Northridge was completed ten foot contours indicated 13cfs runoff and using the data available now (two foot contours) indicated 15cfs runoff. As the phases were completed the cfs would be reduced to 9 cfs, meaning the amount of discharge through the culvert under County Road 200 North was below what was anticipated in the Northridge drainage designed to handle. Me. Sly indicated the pond needed to be cleaned out and asked who was responsible. The Surveyor stated the homeowner's restricted covenants indicated the Homeowners Association or the individual lot owners were responsible for the maintenance of the existing detention pond. In response to Mr. Sly's inquiry, the Surveyor stated if swales and/or ponds were not maintained it could have a negative impact on the drainage. John Knochel stated a site visit prior to this meeting indicated the existing pond was in need of maintenance. John Houston 40 Huntington Way

Northridge Subdivision approached the Board. Mr. Houston stated his property lies south of the proposed subdivision and adjacent to the culvert under County Road 200 North. He stated while he was not opposed to developments he was opposed the use of a septic mound system. In response to his inquiry concerning runoff from the said system, the Surveyor stated due to the Phase II Clean Water Act treatment would be required. Mr. Beyer stated the septic plans had not been finalized and were required to be submitted to the State Department of Health for approval. The Surveyor stated at that time the construction plans would not be signed by the Surveyor as well as the County Highway Department before sanitary designs were indicated on the plans. The Surveyor recommended final approval with conditions as indicated on the January 5th, 2006 Burke memo in addition to the submittal of proof by calculation indicating the drainage conditions during the interim of the development's phases would not worsen. John Knochel made a motion to grant final approval of Bridge Mill Phase 1 with the conditions as stated on the Jan. 5th, 2006 Burke memo as well as the added condition of interim modeling and calculations provided to the Surveyors office. Ruth Shedd seconded the motion. Bridge Mill Phase 1 was granted final approval with conditions as stated. Note: Due to a prior appointment, Commissioner Ruth Shedd left the meeting during the discussion of the above project (Bridge Mill Phase 1)

New North Middle School

Pat Jarboe and Meredith Buyer from TBIRD Designs appeared before the Board to request *preliminary approval* for the New North Middle School. The site consisted of fifty acres and was located at the northwest corner of County Roads 50 West and 600 North. The majority of the site drained to the south into an existing culvert under County Road 600 North and the remainder drained to the east through culverts under County Road 50 West. Mr. Jarboe informed the Board Steve Ford with Scholer Corporation and Mark Deyoung with Stuart and Branigan representing the Tippecanoe County School Corporation were in attendance as well. Mr. Jarboe stated significant issues with this site were a large upstream watershed as well as a downstream conveyance along the Fred Haffner Regulated Drain which flowed through the site. The tile crossed under 600 North and through the property of Harold and Barb Webster (in attendance today) and then opened to an open ditch on their property as well. GIS was utilized for review of the route of said Regulated Drain. Mr. Jarboe stated input from the Surveyor's office as well as the consultants were utilized. The impact study to the drain was completed and submitted to the Surveyor office for their records. An overview of the drainage study for the Board which included the Cole Ditch as well as technical information of the Haffner Regulated Drain relating to the Cole ditch was given by Mr. Jarboe. He stated storage was taken into account with three separate ponds to handle the watershed on the site. The drain time of an existing 24" culvert under County Road 600 North was approximately one hundred hours versus the proposed condition time of approximately thirty six hours. The effects of the upstream properties should be entirely positive with the rerouting of the Haffner tile through the proposed pond systems. Mr. Jarboe stated in the existing condition runoff leaves the site under County Road 600 North and has overtopped the road in the past. In the proposed condition it would not overtop the road and would be maintained in the pond system. In addition, the proposed drainage design was modeled with future development of the properties in the watershed in mind. The Surveyor stated the portion of the Haffner Regulated Drain under county maintenance ran to approximately 330-360 feet below the headwall. A large ridge through the proposed site located in the southeast corner would need to be lowered in order to accommodate the new school building. The ridge dictated an emergency routing path to the east as opposed to the south in the existing condition. He then reviewed the emergency route and stated it had been studied very carefully. Other issues were the proposed project would require multiple variances such as the dry detention ponds would need to be 0.3 and 0.7 larger than the minimum of four feet allowed by ordinance. Due to the depressional storage allowable release rate requirements under predeveloped and post developed calculations for County Road 600 North would not be met, a variance would be requested as well. Since the said rate could not be met, an increase on the Haffner Regulated drain downstream was proposed. Concerning the outfall structure for Pond D, one 3x6 box culvert was proposed to handle the flow as opposed to routing the offsite flow around the site. The downstream restriction would be removed, the flow increased and under County Road 600 North the existing 24" pipe would be replaced with a larger structure. In order to store the proposed amount of water in addition to building on the site, an increase in the amount of flow variance would be warranted.

The Surveyor stated he was not recommending preliminary or final approval as there were technical issues still pending. A multiple number of meetings had taken place concerning this site and he stated two major issues were pending; the emergency overflow to the east- which would have to be approved by the Drainage Board and the County Highway Department (due to potential impact on County Road 600 North) and the release variance on the Haffner Regulated Drain (the effect it would have downstream). He stated he was most concerned about the conveyance's effect as it crossed the County Farm. He stated the post construction water quality issues were also a concern and had not been addressed to date. When Winding Creek and Coyote Crossing plans were submitted for approval a direct release was requested at that time. Due to flooding problems associated with Burnett's Creek the Board denied the request. From State Road 43 to the Battleground area a significant amount of flooding historically had occurred.

Dave Eichelberger stated the Jan. 6, 2006 Burke memorandum indicated issues which needed to be addressed and felt T-Bird Designs would address those. However a response to the memorandum had not been received to date and he could not make a recommendation until they had been addressed and submitted for a review. T-Bird was working on the issues and Dave did not feel it was ready at this time to make a recommendation. John Knochel stated he felt this should be tabled until the issues were addressed.

In response to the Surveyor's inquiry regarding the proposed emergency route, Mr. Jarboe stated since the southeast corner was the lowest point on the site the whole site would drain much easier to the east as opposed to routing the runoff to the south. Mr. Jarboe stated emergency routing to the south would impact existing structures. In routing the runoff to the south the existing swale would have to be entirely reformed as it was not presently adequate for the required Ordinance technical standards to be met. In addition the amount of pipe required could double or triple.

Barbara Webster 805 West 600 North presented photographs taken in June of 2004 which indicated overtopping of County Road 600 North and flooding of her property. She stated the culvert which was put in when the road was blacktopped was smaller than the original and felt it was not sufficient for the area's drainage. In response to the Surveyor's inquiry, Mrs. Webster stated it was the first rainfall event which she was aware of overtopping the said road. Mr. Jarboe stated the impact on the Webster's property would also be minimized if the emergency routing was to the east and added an emergency routing to the south would cause "significant detrimental impact" to the existing structures south of County Road 600 North. The floodplain of the Burnett Creek was a basis for the emergency routing to the east.

Mark Deyoung approached the Board. A local attorney representing the School Board Corporation on this project stated emergency routing to the east was due to the hopes of minimizing any impact to the south. He reiterated if emergency routing was designed to go to the south, it would not have the positive effect to the Webster property as would the proposed designed. He stated a preliminary approval from the Drainage Board would assist the School Corporation in scheduling and project cost. Cost overruns were an issue and the architects stated they need an inclination from the Board to proceed. The Surveyor reiterated he was concerned about the emergency overflow routing to the east. He reiterated due to the possible effect to County Road 600 North, the County Highway department needed to be involved as well. Mr. Deyoung agreed.

John Knochel then made a motion to table the request to a date determined by the County Surveyor. KD Benson seconded the motion. New North Middle School project was tabled to a future date to be determined by the Surveyor. KD Benson stated cooperation between all parties was appreciated. She added the Drainage Board had always worked very hard alongside the School Corporation. Once all the required information was submitted the Board looked forward to assisting the corporation with this project as well.

Hickory Ridge Phase 4

Tim Beyer with Vester and Associates appeared before the Board to request final approval for Hickory Ridge Phase 4. The site was located southwest of the intersection of County Roads 250 East and 450 South and consisted of approximately twenty-one acres. The previously approved Phase 2 detention pond would facilitate the runoff from this phase. The pond would be enlarged and a storm line extended from the project area to Phase 2 and would be installed during this phase of the overall development. The pond's outlet had been modified to serve as a Stormwater quality measure for this phase as well as previously approved phases. The majority of the back yards and other grassed area continue to drain to the south and met the Stormwater Ordinance exemption requirements. Such that the ten year developed run off rate was less than the two year predeveloped and one hundred year developed was less than the ten year predeveloped rates. Tim stated phases two and three had not been final platted to date. The Surveyor stated the maintenance access easement was required and should be indicated in a covenant as well as the plans. A variance was requested for the emergency overflow path from the required thirty feet width to twenty-two and one half feet width. The Surveyor stated he recommended the variance as requested.

John Knochel made a motion to approve the variance request of the emergency overflow path width to the twenty-two and one half feet. KD Benson seconded the motion. The variance was approved as requested. The Surveyor then recommended final approval with the condition as stated on the January 3, 2006 Burke memo. John Knochel made a motion to grant final approval for Hickory Ridge Phase 4 with the conditions as stated on the January 3, 2006 Burke memo. KD Benson seconded the motion. Hickory Ridge Phase 4 was granted final approval with the conditions as stated on the January 3, 2006 Burke memo.

Steak N Shake Promenade Parkway

James Shinneman representing Weihe Engineers appeared before the Board to request final approval for Steak N Shake Promenade Parkway. The site was located at the southwest corner of County Road 350 South and County Road 250 East

(Concord Road) and considered to be "Block one" at Concord Plaza. The site's runoff would be conveyed south through storm sewers to a main system which was being constructed with the new Wal Mart supercenter and discharged to a detention facility constructed with said supercenter project. The conditions listed on the January 3, 2006 Burke memo had been met. The Surveyor then recommended final approval with the condition as stated on the January 3, 2006 Burke memo for Steak N Shake Promenade Parkway.

John Knochel made a motion to grant final approval with conditions as stated on the January 3, 2006 Burke memo. KD Benson seconded the motion. Steak N Shake Promenade Parkway was granted final approval with the conditions as stated on the January 3, 2006 Burke memo.

Other Business

The Surveyor presented a proposed list of meeting dates for 2006. KD Benson stated she had a conflict with the March date. The Surveyor had a conflict with the February date. Therefore the February date was changed to 9 a.m. on February 2, 2006. The March date was changed to March 8, 2006 at 10 a.m.

Steve Murray

The Surveyor presented Maintenance Bond # 1750818 for Butler Meadows Phase One dated July 22, 2005 from Atlas Excavating written by Hanover Insurance and in the amount of \$13055.00 and recommended acceptance by the Board. John Knochel made a motion to accept Maintenance Bond # 1750818 for Butler Meadows Phase One dated July 22, 2005 from Atlas Excavating written by Hanover Insurance and in the amount of \$13055.00. KD Benson seconded the motion. Maintenance Bond # 1750818 for Butler Meadows Phase One dated July 22, 2005 from Atlas Excavating written by Hanover Insurance and in the amount of \$13055.00 was accepted as presented.

2005 Regulated Drain Maintenance Report

The Surveyor noted a 2005 Drain Maintenance Report was available for the Board's review. He stated he would present an active and inactive list to the Board as time allowed, hopefully at the February meeting.

Public Comment

As there was no public comment, John Knochel made a motion adjourn. KD Benson seconded the motion. The meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
February 2, 2006
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, 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.

Approval of Minutes

John Knochel made a motion to approve the January 11, 2006 Drainage Board minutes with the change of year's date from 2005 to 2006. Ruth Shedd seconded the motion. The January 11, 2006 Drainage Board minutes were approved with the change as aforementioned.

Avalon Bluff Section 3

Brandon Fulk appeared before the Board to request final approval for Avalon Bluff Section 3. The site consisted of thirty-five acres with approximately 105 lots and located at County Road 500 South and County Road 250 East (Concord Road). Section Three was located in the southern part of the overall development. Brandon stated letters were received from downstream landowners and their concerns had been addressed in the overall design. (The downstream landowners desired to maintain the quantity and quality of water discharging to their pond systems.) Observation was completed and documented (at the request of the Surveyor's office) concerning the pond discharge south of CR 500 South and downstream through the agricultural fields via Kenny ditch to Wea Creek as well as the flow through Concord Place and the Mieher property. The detention facility was roughly twice the required size as the historical overtopping of Concord Road was considered in their plan. A chamber system was designed for maintenance at the pond outfall. Brandon stated they concurred with the January 25, 2006 Burke memo and requested final approval. KD asked for public comment.

Russ Tarter 5729 South 200 East Lafayette Indiana 47909 presented pictures of flooding from a large rainfall event in 2004. Robert Mieher 1915 Wea School Road Lafayette Indiana 47909 approached the Board. He stated he did not have a "happy history" with the County regarding drainage. He had granted the county permission to cut through his "only large field" to straighten Wea School Road. Subsequently the gravel road became part of his property. Old ceramic broken down tile was located where the drainage ditch outlet into Wea Creek. There was a six to eight foot drop at that location and the tile fell in. He stated the twelve inch culvert was never adequate for the drainage as water historically overflowed Wea School Road. Approximately twenty years ago, the County cleared out the trees and vegetation between Wea School Road and Wea Creek without informing him. Within a year the ditch had eroded to Wea School Road. He contacted the County and was told it was his property and responsibility. Mr. Mieher stated the School Road was paved in approximately the 1960's and the clearing approximately 1985. Dave Eichelberger stated according to the ordinance, they could have released approx. 15 cfs which would have been a reduction of the existing condition. Since the 12 inch culvert under Concord Road could not handle that, they reduced the flow to 3.6 cfs. This resulted in the larger pond size. The anticipation was a lower flow rate in the ditch and should improve the drainage in that area. Ted Reihle 2214 Aberdeen Way Lafayette Indiana 47909 approached the Board and asked if drainage would be affected at his location. Mr. Reihle's property would not be affected by this plan. He felt the drainage system would not handle any additional drainage. GIS was utilized to review the area in question. Brandon stated at times when notifying downstream landowners they may stretch the notification. The Surveyor stated the Engineer Review memos were now on the website so landowners notified could review the memos before the meeting. Brandon stated that the project site did not drain to the JN Kirkpatrick Regulated Drain. KD asked if the pond owner was present and in agreement with the plan. Greg Boesch 4500 East 700 South Lafayette Indiana 47909 stated it was his understanding the drainage plan as designed would not add to or take from the existing downstream pond. The Surveyor noted there would be a slight decrease in water quantity due to the Hunters Crest Project's drainage which the Schneider Corporation was presently working on. Dave Eichelberger stated the reduction to the pond was approximately three or four percent less than the current amount of water to the pond. The larger impact to the pond would be Hunters Crest project as it consisted of approx. eighty percent of the watershed and the project at hand represented about twenty percent of the watershed. Dave Eichelberger stated the Schneider Corporation was aware of Mr. Boesch's concerns and looking at the water quantity and quality. While the release rate was above the allowable amount and less than the existing rate technically a variance was required. Brandon

agreed and requested a variance based on the tables within the ordinance for allowable release rate on the proposed conditions utilizing the existing flows as a maximum perimeter. The Surveyor recommended a variance of the release rate in the southeast corner of the subject development. John Knochel made a motion to grant the variance of the release rate for Avalon Bluffs Section Three relating to the southeast corner of the property. Ruth Shedd seconded the motion. The variance was granted as recommended. The Surveyor recommended final approval with the conditions as stated on the January 25, 2006 Burke memo. John Knochel made a motion to grant final approval with the conditions as stated on the January 25, 2006 Burke memo. Ruth Shedd seconded the motion. Avalon Bluffs Section Three was granted final approval with the conditions as stated on the January 25, 2006 Burke memo.

Concord Plaza Lot 2 LOT 1 AS OF JUNE 2006 CHANGED BY APC

Brandon Fulk of Schneider Engineering Corporation appeared before the Board to request final approval of Concord Plaza Lot 2. The site was located at the southwest corner of County Road 350 South and County Road 250 East (Concord Road) and consisted of 6.5 acres within the Wal Mart Super Center master plan west of Wal Mart Supercenter. The project was designed to adhere to the drainage plan submitted for the Super Center site. Brandon stated water quantity and quality was taken into account for this portion of the site as well. He requested final approval at that time. The Surveyor noted Promenade Parkway was platted and designed as part of Stones Crossing Commercial Subdivision. At that time Branch #5 of the JN Kirkpatrick Regulated Drain cut across that area. The branch was intercepted within the thirty foot easement and reconstructed on their property at their own expense at that location while providing a route for the new storm sewer which served the roadway. A stretch of the branch was vacated by Wal Mart and taken in along the east side into their storm sewer system. In addition, Branch #5 of the JN Kirkpatrick Regulated Drain had been intercepted further upstream and relocated. The vacated portion of the Branch #5 JN Kirkpatrick Regulated drain was technically a still considered a Regulated Drain, however did not serve as a regulated drain any longer. Formal steps were warranted to remove it as a regulated drain from the record; however it does serve the roadway. The road has a sixty- foot road right of way and a thirty foot drainage (regulated drain) easement. Some of the parking area would be within the thirty-foot easement. The Surveyor stated his office as well as the highway department did not object to the said use of the easement. He wanted the Board to be aware of the anomaly as he thought the developer of Stones Crossing would be required to request a vacation of that portion of Branch #5 of the JN Kirkpatrick Regulated Drain. Board Attorney Dave Luhman stated either the landowner could request the vacation or the Surveyor could include the recommendation with his annual classification report to the Board. The Surveyor stated his recommendation would be to remove the regulated drain status and let it exist as a storm sewer within a platted drainage easement due the service to the public road. The Surveyor then recommended final approval with the conditions as stated on the January 30th, 2006 Burke memo. John Knochel made a motion to grant final approval with the conditions as listed on the January 30th, 2006 Burke memo. Ruth Shedd seconded the motion. Concord Plaza Lot 2 was granted final approval with conditions as stated. The vacated portion of Branch #5 would be addressed at a later date.

Lafayette Pavilions Phase 2

Ryan McCroskey with Woolpert Inc. appeared before the Board to request final approval for Lafayette Pavilions Phase 2. The site consisted of approximately twenty-one acres and was located at the southwest corner of State Road 26 and Creasy Lane within the City of Lafayette. The Surveyor noted this project outlet to the Wilson Branch (aka Treece Meadow Relief Drain) of the S.W. Elliott Regulated Drain via a culvert under Creasy Lane and the Board would be looking at the impact to the regulated drain only. The master drainage plan was previously approved on July 6, 2005 by the Board. The phase was remodeled at the engineer consultant's request. The revised release rate was less than originally approved. The configuration of the storm and model was 17 cfs which was less than the allowable 24 cfs. Ryan requested final approval. The Surveyor recommended final approval for the Lafayette Pavilions Phase 2 with the conditions as stated on the January 27, 2006 Burke memo. While the project was inside the city, he stressed the importance of erosion control. He was concerned silt would not migrate through the Wilson Branch of the SW Elliott Regulated Drain. John Knochel made a motion to grant final approval with the conditions as stated on the January 27, 2005 Burke memo. Ruth Shedd seconded the motion. Lafayette Pavilions Phase 2 was granted final approval with the conditions as stated.

New North Middle School (AKA Battleground Middle School)

Pat Jarboe of TBIRD Designs Inc. appeared before the Board to request final approval for the New North Middle School. The site consisted of fifty acres and was located on the northwest corner of County Road 50 West and County Road 600 North. Pat stated this project was initially brought before the Board at the January meeting. The challenge of this project was the existing watershed to the north as well as future development of the area. Concerns pertaining to the Fred Haffner Regulated Drain had been reviewed and studied. He stated the site layout had not changed since last month's presentation. There were three inline ponds, as every square foot that could be accommodated for storage was utilized to minimize downstream impact. The emergency flow characteristics onsite were now in the existing emergency routing channels. (What went to the east prior to this project would continue to go the east. What went to the south prior to the project would go the south.) What was within the Fred Haffner Regulated Drain watershed would stay in the said watershed even during emergency routing conditions. Pat stated in none clogged conditions the site would contain up to a five hundred year storm event onsite, before emergency routes were utilized, and was an improvement over existing conditions. Regarding the Fred Haffner Regulated Drain there were several improvements; one of which was the inline pond system. He thought this would be relocation or a reconstruction of the legal drain with the said inline ponds becoming a part of the drain. Improvements on the Hal and Barb Webster's property were planned. Note: Hal & Barb Webster were in attendance at the January meeting, however absent at the present meeting. Pat stated they agreed with the conditions on the January 30, 2006 Burke memo as well as a letter from the County Highway department and were addressing those comments. The variances requested were as follows: 1. Dry detention ponds onsite depth- variance to exceed depth requirement by approximately a foot (Approaching five feet during hundred year storm event) 2. Release rate from the site during hundred year event under County Road 600 North (within Fred Haffner Regulated Drain) -variance for increased release rate 3. Overflow rate for emergency routing (hundred year storm event) - variance for increased overflow rate 4. Existing Flow restrictions (Fred Haffner Regulated Drain – 24 inch culvert modification required under County Road 600 North) – variance for increased flow 5. Pipe openings size - variance for larger grate opening for entire site (potential for clogging due to agricultural watershed) 6. Pond D Quality issue (total sediment removal requirement-80%) - variance for the total percentage-72% of sediment removal: for this area only. Pat added he also requested the relocation of the Fred Haffner Regulated Drain- onsite only. Pat stated Variance # 3 and #4 could be combined to one request, which would make a total of 5 variances requested. He then requested final approval pending the approval of the requested variances.

KD asked if there was a signed document from the Websters stating they had no objections to this plan. Mark Deyoung, Attorney for Tippecanoe School Corporation approached the Board. He stated the Websters were presently in Australia and were satisfied with the proposed improvements through their property and the Board's discussion held last month. He stated a document had not been prepared as he felt it was not required under the circumstances. Another meeting with the Websters would be held before construction started. Any required signatures would be obtained at that time; he stated the Websters had been very cooperative throughout the process. The School Corporation believed the proposed improvements were within the area legally authorized for said improvements. The Board's Attorney stated while the board was not required to obtain the consent of a downstream landowner; they did have to insure the landowners were notified and had the opportunity to object. KD then noted the Websters were present at the January meeting. Pat stated he concurred with Mark Deyoung as the Websters were anxious to have the improvements done on their property. The engineer consultants requested data from TBIRD showing results if the drain was in a clogged condition. The drainage plan's design indicated there would be no water running through their property up to a five hundred year event. It would be through the underground pipe which outlet at the existing headwall. The Websters should not see any water on their property with this design unless the pipe was in a clogged state. Clogged condition criteria were requested. A barrier was added to the design at the north end of the property to catch some of the debris before entering the site lessening the amount of debris through the site.

The Surveyor stated he felt it best to discuss the Resolution to declare the Fred Haffner Regulated Drain an Impact Area. He stated he had discussed this with the Board Attorney and was not prepared for the resolution to be passed today however felt it prudent to bring it to the Board's attention. Declaring the Fred Haffner Regulated Drain Watershed an Impact area allowed for increased requirements within that area. As that area was developed, the School Corporation could possibly recoup some of their investment as the improvements would not solely serve the School Corporation. The cost of improvements would be substantial and there was no guarantee other than goodwill they would be shared by developers within that area. GIS was utilized at that time to review the drain watershed area. He stated there were a couple of options in this instance. He could declare it an Urban Drain meaning it was in need of reconstruction, Declare the area an Impact area and he felt this was the best option. The School Corporation were the first developers north of County Road 600 North to have to deal with the fact the Fred Haffner tile and the culvert under County Road 600 North were not adequate to convey water from that area. The Attorney noted declaring it a Drainage Impact Area allowed more flexibility in requirements which might be imposed on developers within the watershed. An example would be the required participation in regional detention pond storage fees.

The Surveyor noted if this was declared an impact area it would not increase the School Corporation's responsibilities over and above what was agreed to today. In response to KD Benson's inquiry, the Surveyor stated everything above County Road 600 North would be included in the impact area and possibly extend to its terminus. The Surveyor noted he wanted to discuss this in principle and did not expect a ruling today.

The Surveyor stated with the exception of the five foot depth pond variance, the site had dictated granting of the variances. He stated there were instances where the designer had done everything reasonably possible to meet the ordinance sediment removal percentage requirements. He felt they had provisions in place which would substantially improve the water quality. After a meeting held with TBIRD and Dave Eichelberger it was determined they could not meet the eighty percent sediment removal requirement. He noted at the corner of the parking lot runoff sheet flowed to the pond. A vegetative strip would be placed in that area. The site's overall percentage of sediment removal was close to ninety which exceeded the ordinance requirement. In response to KD Benson's concern of the variance, Pat stated his focus was to allow no impact greater than point one foot (a tenth of a foot) on the downstream portion of the Haffner drain. This dictated pushing up the depth of the dry bottom pond. The edge of the pond would have a five to one side as the five foot depth would be close to the middle of the pond.

The Surveyor stated he was prepared to recommend granting the variances listed as numbers 1,3 and 6 in the January 30, 2006 Burke memo as well as the pond depth variance. Mark Young asked if there was an inconsistency between the four listed and the 6 requested. The Surveyor noted there was not. The Board Attorney then stated the variances should be granted separately for clarification. John Knochel then made a motion to allow the 5 foot maximum dry pond depth on the southwest corner as requested. Ruth Shedd seconded the motion. John Knochel made a motion to grant a variance for larger openings on the ponds A, B, D and addressed in the memo and condition #3. Ruth Shedd seconded the motion. John Knochel made a motion to grant a variance concerning the release rates and addressed as condition #1 on said memo as well as the requested flow restriction variance. Ruth Shedd seconded the motion. John Knochel made a motion to grant a variance addressed as condition #6 in the said memo. Ruth Shedd seconded the motion. Dave Eichelberger noted the emergency routing plan was addressed in the overall plan and would not need a variance. The variances were granted as requested. The Surveyor then stated as the regulated drain would be relocated through the ponds the developer was aware of the maintenance responsibility of the relocated drain on their property. As it was the Tippecanoe School Corporation's property and time was crucial for costs etc. there were still details to be worked out but was confident it would be done. John Knochel made a motion to approve the relocation of the Haffner Regulated Drain through the applicant's site subject to the Surveyor's approval of the final plans as well as the reconstruction through the Webster's property south of County Road 600 North. Ruth Shedd seconded the motion. The relocation was granted as requested. The Surveyor then recommended final approval with the conditions as stated on the January 30, 2006 memo for Battleground Middle School (aka New North Middle School). John Knochel made a motion to grant final approval with the conditions as stated on the January 30, 2006 memo for Battleground Middle School (aka New North Middle School). Ruth Shedd seconded the motion. The Battleground Middle School (aka New North Middle School) was granted final approval with conditions as stated.

Other Business

The Surveyor presented a Petition to Encroach on a County Regulated Drain Easement with a private drive crossing and culvert on the Delphine Anson Regulated Drain west of County Road 100West submitted to his office by Ernest Agee. He recommended granting the Petition as presented. John Knochel made a motion to approve the Petition as presented by the Surveyor. Ruth Shedd seconded the motion. The Petition to Encroach on a County Regulated Drain Easement with a private drive crossing and culvert on the Delphine Anson Regulated Drain west of County Road 100West submitted by Ernest Agee was approved.

2006 Contracts

Legal Services Contract and Engineering Consultation Services

The Surveyor recommended the Board approve the 2006 Legal Services Contract as presented. John Knochel made a motion to approve the contract with the legal firm of Hoffman, Luhman and Masson. Ruth Shedd seconded the motion. The contract was approved. The Surveyor presented the 2006 contract for Engineer Consultation fees with Christopher B. Burke Engineering and recommended approval. John Knochel made a motion to approve the contract as presented. Ruth Shedd seconded the motion. The contract for professional engineering consultation with Christopher B. Burke was approved as presented.

2006 Drain Regulated Drain Status List

The Surveyor presented the 2006 Regulated Drain active/inactive list and recommended its acceptance by the Board. John Knochel made a motion to approve the 2006 Regulated Drain active/inactive list as presented. Ruth Shedd seconded the motion. The 2006 Regulated Drain Active and Inactive list as presented by the Surveyor was approved. The list would be included in the official minutes book immediately following the official minutes of this meeting.

**Steve Murray
Drain Classification Report**

The Surveyor informed the Board he would be submitting his Drain Classification Report at the next meeting depending on the number of items on the Agenda. He noted last year a special meeting was held for the report. March 8, 2006 would be the next meeting.

KD Benson asked for public comment. As there was no other business before the Board, John Knochel made a motion to adjourn. Ruth Shedd seconded the motion. The meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
March 8, 2006
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, Project Manager Zachariah Beasley (Drainage Board Secretary Brenda Garrison was absent).

Approval of Minutes

John Knochel made a motion to approve the February 2, 2006 Drainage Board minutes. Ruth Shedd seconded the motion. The February 2, 2006 Drainage Board minutes were approved as written.

Hunters Crest Section 3

Brandon Fulk of Schneider Engineering appeared before the Board to request final approval for Hunters Crest Section 3. The site was located on the south side of County Road 450 South just east of County Road 250 East (Concord Road). Brandon stated this section consisted of 22.5 acres of the overall development's 143 acre site. Section 1 and 2 were granted approval by the Board in the fall of 2005 and construction was underway. A system of swales and storm sewers routed to a new detention pond and outlet to a 24" culvert under County Road 450 South flowing north to the JN Kirkpatrick Regulated Drain was designed for a majority of Section 3. The remaining portion of Section 3 would drain into an existing wetland along the eastern boundary of the site. The project was located within the JN Kirkpatrick Regulated Drain watershed. Brandon stated utilizing the pond system as a treatment train; point discharges with stormceptors were designed to assist in the Stormwater quality discharge. Brandon stated the developer concurred with the March 2, 2006 Burke review memo and requested final approval for Section 3. After concurring with the Board's attorney, the Surveyor stated the project was subject to the Revised JN Kirkpatrick Regulated Drain Impact Area. The revised resolution would be presented to the Board at the present meeting. The Surveyor stated the present phase did not drain to the south. He then recommended final approval with conditions as listed on the March 2, 2006 Burke memo as well as subject to the Revised JN Kirkpatrick Regulated Drain Impact Area Resolution.

John Knochel made a motion to grant final approval with conditions listed on the March 2, 2006 Burke memo as well as subject to the Revised JN Kirkpatrick Regulated Drain Impact Area Resolution. Ruth Shedd seconded the motion. Hunters Crest Section 3 was granted final approval with conditions listed on the March 2, 2006 Burke memo and subject to the Revised JN Kirkpatrick Regulated Drain Impact Area Resolution.

TSC South Elementary School

Meredith Beyer from T-Bird Designs appeared before the Board to request preliminary approval for the TSC South Elementary School project. The site was located on the north side of County Road 450 South just east of County Road 250 East (Concord Road). The Upper JN Kirkpatrick Regular Drain Reconstruction would adjoin the north side of the project and serve as the final outlet for the site. Two temporary detention basins would be utilized until reconstruction project was completed. Meredith stated the offsite drainage would be addressed at a later date and requested preliminary approval of the proposed plan at that time. Responding to KD's inquiry, Meredith confirmed both dry detention bases could be utilized at a later date for other purposes.

The Surveyor had met with the landowners in the Upper J.N. Kirkpatrick Regulated Drain watershed and stated they were interested in constructing an open ditch in lieu of the agricultural tile. He stated he hoped to start construction this fall on the project. Right of Entries would be required and he stated the landowners present were agreeable. He then recommended granting preliminary approval for the TSC South Elementary School. As this project was located in the Upper JN Kirkpatrick Regulated Drain Impact Area, they would be subject to the Revised Upper JN Kirkpatrick Regulated Drain Impact Area Resolution.

John Knochel made a motion to grant preliminary approval for TSC South Elementary School subject to conditions listed on the February 24, 2006 Burke memo and the Revised Upper JN Kirkpatrick Regulated Drain Impact Area Resolution as stated by the Surveyor. Ruth Shedd seconded the motion. TSC South Elementary School was granted preliminary approval with conditions as listed on the February 24, 2006 Burke memo and subject to the Revised Upper JN Kirkpatrick Regulated Drain Impact Area Resolution.

Other Business

Assignment of Fortune Park Easement to City of Lafayette

The Surveyor presented an Assignment of Fortune Park Easement to City of Lafayette for the Boards approval. He noted this concerned the Treece Meadows Relief Drain/Wilson Branch of the S.W. Elliott Ditch. The last sentence of the first paragraph stated "This assignment is made subject to the reservation unto the assignors of the proceeds of all assessments related to the *drainage systems and facilities* served by such Drainage Easement, assumption by assignee of all responsibility for maintenance of the Drainage Easement, and assumption by assignee of all other obligations of assignors under the terms of the Drainage Easement accruing after the effective date of this assignment" and should be amended to read "This assignment is made subject to the reservation unto the assignors of the proceeds of all assessments related to the *drainage systems, facilities and watershed* served by such Drainage Easement, assumption by assignee of all responsibility for maintenance of the Drainage Easement, and assumption by assignee of all other obligations of assignors under the terms of the Drainage Easement accruing after the effective date of this assignment."

The Attorney explained this document related to the drainage easement granted to the County in 1991 with the development of Wal-Mart site south of Sam's Club. This was granted at that time with the understanding in the future it could be granted to the City of Lafayette. The City of Lafayette requested the easement at this time as they planned to construct sewer facilities within it. The rights under said easement would be assigned to the City. The County would retain the drainage assessments with respect to the easement within the watershed in order to maintain funding of the Regulated Drain.

John Knochel made a motion to approve the Assignment of Fortune Park Easement to City of Lafayette. Ruth Shedd seconded the motion. The Assignment of Fortune Park Easement to the City of Lafayette was approved with the revision as stated by the Surveyor. The Attorney noted he would make the revision on the document and obtain the additional signatures as required.

Steve Murray

Petition to Establish a New Regulated Drain/Sec 13, 14 23N 3W

The Surveyor noted his office received a Petition to Establish a New Regulated Drain in Section's 13 and 14 Township 23North and Range 3West and located at 1025 East and 100 North, North of Pettit on State Road 26 from Todd Welch. Based on the preliminary analysis of the watershed, approximately 49 percent of the benefited landowners had signed the petition. He recommended the petition be referred to him for a report. The Attorney stated he had reviewed the petition and it met the basic requirements of the statute.

John Knochel made a motion to refer the petition back to the Surveyor for a report. Ruth Shedd seconded the motion. In response to KD's inquiry, the Surveyor estimated it would be at a minimum of six month time frame for his investigation and report to the Board. The Petition to Establish a New Regulated Drain in Sections 13 and 14 Township 23North and Range 3West was referred to the Surveyor for a report.

Revised Resolution #2006-01-DB/Upper JN Kirkpatrick Drainage Impact Area

The Surveyor presented a Revised Resolution of the Upper JN Kirkpatrick Drainage Impact Area for approval. He stated he had met with most of the major property owners within the watershed last October. As a result of that meeting, he asked Dave Eichelberger of Christopher Burke Engineering to prepare technical language to the existing JN Kirkpatrick Drainage Impact Area Resolution#2005-05-DB. The original regional detention concept would cost in excess of 6 million dollars which proved to be too costly. He had agreed to utilize some EDIT monies in developing a new outlet (open ditch) and the developers would provide their own regional detention. He stated this would also reduce the release rates. The Attorney stated this document supplemented the initial resolution which established the impact area and quantified the discharge rates for the Upper JN Kirkpatrick Drain. The post developed discharge rate had to be limited to 233 cfs. This meant each development in the watershed must utilize the release rate of .13cfs per acre to meet the resolution requirements. The remaining 2005 resolution restrictions would be in effect. Although it was unlikely, developers may have to participate in a

regional detention facility if constructed. He noted a developer's internal facilities would have to be established as regulated drains and they would be bound to consent to the reconstruction of JN Kirkpatrick Regulated Drain. In response to KD Benson's inquiry, Dave Eichelberger stated the models had been in place since the mid 1990's for the reconstruction of the lower Kirkpatrick and were revisited for the regional detention preliminary/conceptual plan of the upper portion. The Surveyor stated he had requested specific numbers in this instance. Dave then stated the rate was fairly restrictive however they were based on a detailed setup of an entire watershed. Whereas, allowable release rates within ordinances were generally release rates spread out over an entire county and were not site specific. He pointed out in Hamilton and Hancock County the studies were completed with gage streams data. The release rates were as low as .05, .07 and .09 cfs per acre. In response to Pat Jarboe's (attende) inquiry, Dave stated .13cfs related to a 100 year storm event as he did not have numbers for the 10 year. They had concentrated on the 100 year storm event only. The Surveyor noted Christopher Burke was in the process of remodeling the channel. They would provide that information at time of completion.

John Knochel made a motion to approve the Resolution #2006-01-DB/ Establishing the Upper JN Kirkpatrick Regulated Drain a Drainage Impact Area. Ruth Shedd seconded the motion. Resolution 2006-01-DB Establishing the Upper JN Kirkpatrick Regulated Drain a Drainage Impact Area was approved as presented.

Resolution 2006-02-DB/Establishing the Fred Haffner Regulated Drain a Drainage Impact Area

The Surveyor presented Resolution #2006-02-DB Establishing the Fred Haffner Regulated Drain a Drainage Impact Area for approval. He noted this would affect the TSC North (aka Battleground) M.S. project while adding the drain had an inadequate outlet. He recommended the impact area cover the entire watershed. One of the reasons to declare this watershed an impact area was the high cost involved with construction of a positive outlet. The Surveyor felt it fair that all future developments within the watershed share a prorated cost for the said outlet. The Attorney reiterated in order to provide a positive outlet it was necessary to improve that drain. Construction of a new regulated drain crossing at County Road 600North was planned. Tippecanoe School Corporation would make the improvements. One of the conditions which may be imposed within that watershed would be a new development could be required to pay their prorated share (determined by the Drainage Board) of TSC's costs for construction of said improvements. As a secondary condition, each newly constructed drainage system within the watershed would have to provide a positive outlet to the Haffner Regulated Drain. The present conditions relate to information at hand. In the future additional conditions may be imposed as information becomes available.

John Knochel made a motion to approve Resolution #2006-02-DB Establishing the Fred Haffner Regulated Drain a Drainage Impact Area. Ruth Shedd seconded the motion. Resolution #2006-02-DB Establishing the Fred Haffner Regulated Drain a Drainage Impact Area was approved as presented.

Resolution 2006-03-DB/ Julius Berlovitz Regulated Drain Drainage Impact Area

The Surveyor presented Resolution 2006-03-DB Establishing the Julius Berlovitz Regulated Drain a Drainage Impact Area. He noted this had been discussed by the Board in the past and the Board was familiar with the watershed. A regional detention concept final plan was complete. He reviewed A.B.C. and D. of the resolution stating the conditions: A. All stormwater drainage control systems within the Berlovitz Impact Area shall participate in the Berlovitz *legal drain*. B. Each Storm water drainage system within the Berlovitz Impact Area shall provide a positive outlet to the Berlovitz Regional Detention Basin. C. The developer of each storm water drainage control systems within the Berlovitz Impact Area shall petition to establish all internal drainage facilities as regulated drains and as condition of approval may be required to waive its right to remonstrate against higher rates for reconstruction thereof. D. The developer of each storm water drainage control system within the Berlovitz Impact Area shall, as condition of approval, consent to such reconstruction of the Julius Berlovitz Legal Drain as may from time to time be required. The Surveyor stated condition A should be revised as follows: A. All Stormwater drainage control systems within the Berlovitz Impact Area shall participate in the Berlovitz *Regional Detention Basin*. John Knochel made a motion to approve Resolution #2006-03-DB establishing the Berlovitz Drainage Impact Area with the revision as noted by the Surveyor. Ruth Shedd seconded the motion. Resolution #2006-03-DB Establishing the Julius Berlovitz Drainage Impact Area was approved with the revision as noted by the Surveyor. The Attorney will provide a revised document for the Board's signatures.

Drain Classification Report Presentation to Board/Special Meeting Date

The Surveyor requested a special meeting to present the Classification of Drains (Partial) to the Board. The special meeting was set for March 24, 2006 at 10 a.m.

Public Comment

The Attorney explained the meaning of “Drainage Impact Area”. A drainage impact area is an area with unique characteristics without a positive outflow. Declaring a resolution allows special restrictions on development to improve the drainage problems in addition to those required by the County Drainage Ordinance and the State Drainage code. By definition it may be the entire watershed or a part thereof.

As there was no additional public comment, John Knochel made a motion to adjourn. Ruth Shedd seconded the motion. The meeting was adjourned.

KD Benson, President

John Knochel, Vice President

Zachariah Beasley, Acting Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
May 3, 2005
Regular Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, 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.

Approval of Minutes

John Knochel made a motion to approve the April 5, 2006 Regular Drainage Board minutes as written. Ruth Shedd seconded the motion. The April 5, 2006 Regular Drainage Board meeting minutes were approved as written.

St. Andrew United Methodist Church

Pat Jarboe of TBIRD Designs appeared before the Board and requested final approval for the St. Andrew United Methodist Church Phase 1. The site consisted of 18.3 acres and located on the East side of C. R. 50West aka County Farm Road south of C. R. 500North in Wabash Township.

Pat stated a system of swales and culverts directed into two downstream dry detention ponds would outlet to a side ditch along the east side of C. R. 50West and ultimately south into the Boes Ditch. (The Boes ditch flowed from south to northwest crossing two large box culverts underneath C. R. 50West aka County Farm Road). Pat stated the two ponds on the downstream end would accommodate full build out of the site. The entire site's Stormwater was treated before existing by a storm sceptor. He stated no variances were required for this project site and they were currently working to meet the conditions listed on the April 12, 2006 Burke memo. He then requested final approval for the St. Andrews United Methodist Church.

The Surveyor reviewed the site with the Board and noted a drainage study was completed on C.R. 50West (County Farm Road) many years ago by Bernardin Lochmiller & Associates. A copy could be located in the Surveyor and/or County Highway's office. He noted the regulated portion of the Boes Ditch stopped south of the site. The portion pertaining to the site was considered a natural stream. While there have been some complaints from that area historically; they were not extreme problems. He felt it prudent to take photographs downstream from the culverts under C.R. 50West through Hawthorne Ridge to C.R. 500North documenting the present conditions of the natural channel area. Pat stated the runoff rate of the site was reduced from approximately 30 cfs to 8 cfs. He stated they had taken photographs from the culvert under C.R. 50West to Hawthorne Ridge. They would also take photographs from Hawthorne Ridge to C.R. 500North as advised. Derrin Sorenson, developer approached the Board in response to KD's request for public comment. Derrin stated he was in attendance for information only. As stated on the April 12, 2006 Burke memo, a covenant would be required listing the site's drainage quantity and quality provisions to include the BMP's. Gary Schroeder approached the Board and stated for the record; since the box culverts were installed he had not seen any drainage problems. Steve reiterated his recommendation to Pat concerning the review of the Bernardin Lochmiller & Associates Drainage Report on C.R. 50West (County Farm Road).

The Surveyor recommended final approval with conditions as stated on the April 12, 2006 Burke memo as well as photograph documentation of the existing channel downstream of the culverts under C.R. 50West (County Farm Road). John Knochel made a motion to grant final approval with conditions as stated on the April 12, 2006 Burke memo as well as the additional condition for submission of documentation (photographs) of the existing channel downstream. Ruth Shedd seconded the motion. St. Andrew United Methodist Church Phase 1 was granted final approval with conditions as stated on the April 12, 2006 Burke memo as well as photograph documentation of the existing channel downstream.

Fred Haffner Regulated Drain/Tile Relocation

The Surveyor informed the Board along with the New North M.S. aka Battleground M.S. project, a "Request Authorization for Reconstruction of a Regulated Drain" in accordance with I.C. 36-9-27-52.5 was submitted to his office for Drainage Board approval. (Relocation of a County Regulated Drain at the owners' expense and subject to the Surveyor's approval of the plan) He explained John Haans family farmed the property and property to the north of the project location for many years. They also desired to acquire some of the excess fill from the school project. The Surveyor stated the fill would be

basically placed behind the old farmhouse. In addition he had suggested a revision to the School Corporation's Erosion Control Plan to include as an amendment or the submission of their own erosion control plan. Fox Contractors Corporation of Fort Wayne in conjunction with the Haans, had agreed to replace the stretch of the Haffner Regulated tile which ran through the Haan property. The Surveyor reviewed the site for the Board. He stated he was in possession of a letter signed by the Contractor as well as John and Marilyn Haan owners requesting the relocation and replacement of the tile at their own expense. He saw no negative impact and recommended the Board approve the request subject to his final approval of the relocation plans. He would meet onsite with the parties involved to work out a few minor details. He added the Contractors were more than qualified to do the work.

John Knochel made a motion to approve the Fred Haffner Regulated Drain Relocation portion which ran through the Haan property. Ruth Shedd seconded the motion. The Fred Haffner Regulated Drain Tile Relocation Request was approved as submitted.

Maintenance Bonds
Mason's Ridge/Lindberg Village Phase 3

The Surveyor presented Maintenance Bond #4934050 from Fairfield Contractors written by Great American Insurance in the amount of \$58,780.00 for Mason's Ridge and an Irrevocable Letter of Credit #292 from A&K Construction Inc. written by Lafayette Savings Bank in the amount of \$12,992.00 for Lindberg Village Phase 3 for acceptance by the Board. He stated both projects had been inspected and were complete. He then recommended acceptance from the Board.

John Knochel made a motion to accept the Maintenance Bond and Letter of Credit as presented by the Surveyor. Ruth Shedd seconded the motion. Mason's Ridge Maintenance Bond #4934050 for \$58,780.00 from Fairfield Contractors and Lindberg Village Phase Three Letter of Credit #292 for \$12,992.00 were accepted by the Board as presented by the Surveyor.

Public Comment

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

KD Benson, President

John Knochel, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board

Minutes

June 30, 2011
Special Meeting

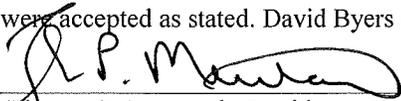
Those present were:

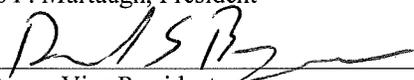
Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Drainage Board Attorney Dave Luhman and Drainage Board Secretary Brenda Garrison.

Regulated Drain Projects

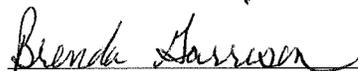
The meeting was brought to order by Mr. Murtaugh. He stated the only item on the Agenda was to open quotes for upcoming projects under \$25,000.00. The following projects were under consideration: Michael Binder #10 Regulated Drain, Fred Haffner #34 Regulated Drain, Harrison Meadows #37 Regulated Drain, Franklin Yoe #90 and the S.W. Elliott Treece Meadows Relief Branch #100. The attorney noted he would open the quotes from each Contractor as they had submitted. The first quotes were submitted from Tony Garriott and the attorney read them in the order as stated: M. Binder #10 Regulated Drain \$7000.00, F. Haffner #34 Regulated Drain \$12,500.00, H. Meadows #37 Regulated Drain \$10,031.00, F. Yoe #90 Regulated Drain \$2,100.00, Treece Meadows Branch of the Samuel W. Elliott #100 Regulated Drain \$20,475.00. The next submission was from Lauramie Excavating and was read as stated: Treece Meadows Branch of the Samuel W. Elliott #100 Regulated Drain \$5,600.00, F. Yoe #90 Regulated Drain \$1,800.00, F. Haffner #34 Regulated Drain \$11,745.00, M. Binder #10 Regulated Drain \$5,410.00, there was no quote for the Harrison Meadows #34 Regulated Drain. The next submission was from Rinehart Excavating and was read as stated: Treece Meadows Branch of the Samuel W. Elliott #100 Regulated Drain \$12,600.00, M. Binder #10 Regulated Drain \$5,880.00, F. Yoe #90 Regulated Drain \$1,740.00, F. Haffner #34 Regulated Drain \$16,575.00, there was no quote for the Harrison Meadows #34 Regulated Drain. The next submission was from Cheesman Inc. and read as stated: M. Binder #10 Regulated Drain \$6,500.00, F. Haffner #34 Regulated Drain \$13,620.00, Harrison Meadows #34 Regulated Drain \$9,795.00, F. Yoe #90 Regulated Drain \$3,600.00, Treece Meadows Branch of the Samuel W. Elliott #100 Regulated Drain \$6,000.00. The next submission was from Fairfield Contractors Inc. and was read as stated: M. Binder #10 Regulated Drain- Time and Material with cost sheets for equipment rental rates and other rates with no operator attached, F. Haffner #34 Regulated Drain- Time and Material with cost sheets as aforementioned, H. Meadows #37 Regulated Drain- Time and Material with cost sheets as aforementioned, F. Yoe #90 Regulated Drain- Time and Material with cost sheets as aforementioned, Treece Meadows Branch of the Samuel W. Elliott #100 Regulated Drain- Time and Material with cost sheets as aforementioned. There were no fixed amounts submitted by Fairfield Contractors Inc. Responding to Mr. Murtaugh' inquiry, the attorney stated since the Surveyor's request was for prices and not time and materials - these quotes would be non responsive. The next submission was from Birge Farm Drainage and read as stated: M. Binder #10 Regulated Drain \$8,400.00, F. Haffner #34 Regulated Drain \$10,500.00, F. Yoe #90 Regulated Drain \$8,400.00, there were no quotes for the Treece Meadows Branch of the Samuel W. Elliott #100 Regulated Drain and the Harrison Meadows #37 Regulated Drain quote was not included. The next submission was from Wise Farm Management Corp. and included only one quote for the F. Yoe #90 Regulated Drain in the amount of \$1,320.00. These were the quotes which were received for the projects as listed. The attorney noted all quotes were submitted on the forms provided by the Surveyor's office except where noted (Fairfield Contractors Inc.).

The attorney noted the following lowest quotes were submitted as stated previously: F. Haffner #34 Regulated Drain from Birge Farm Drainage in the amount of \$10,500.00, M. Binder #10 Regulated Drain from Lauramie Excavating in the amount of \$5,410.00, Harrison Meadows #37 Regulated Drain from Cheesman Inc. in the amount of \$9,795.00, F. Yoe #90 Regulated Drain from Wise Farm Management Corp. in the amount of \$1,320.00, Treece Meadows Branch of the Samuel W. Elliott #100 Regulated Drain from Lauramie Excavating in the amount of \$5,600.00. The Surveyor noted one reason for the differences in prices was due to the time restraints, the Surveyor's office did not have a chance to type the specifications for each project and provide those to the contractors. Therefore they each gave him a rough estimate on the projects. He did speak with each individual contractor and inform them what was to be accomplished with each project. David Byers made a motion to accept the lowest quotes for the drainage projects as aforementioned. John Knochel seconded the motion. The F. Haffner #34 Regulated Drain from Birge Farm Drainage in the amount of \$10,500.00, M. Binder #10 Regulated Drain from Lauramie Excavating in the amount of \$5,410.00, Harrison Meadows #37 Regulated Drain from Cheesman Inc. in the amount of \$9,795.00, F. Yoe #90 Regulated Drain from Wise Farm Management Corp. in the amount of \$1,320.00, Treece Meadows Branch of the Samuel W. Elliott #100 Regulated Drain from Lauramie Excavating in the amount of \$5,600.00 were accepted as stated. 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

August 3, 2011

Regular Meeting

Those present were:

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Zachariah Beasley, Matthew Salsbery from Hoffinan Luhman Masson for 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 July 6, 2011 Regular Drainage Board minutes as written. John Knochel seconded the motion. The July 6, 2011 Drainage Board meeting minutes were approved as written.

Chapelgate Senior Apartments

Tim Beyers of Atlas Excavating Inc. appeared before the board to request approval of the Chapelgate Senior Apartments without underground detention. Mr. Byers stated the detention for this project would be a duplicate detention since it was provided for in the previously approved Blackthorne Planned Development in 2001. He provided the Board with an exhibit which indicated the entire detention area. The site was located south of US 52 and west of Co. Rd. 300 West (Klondike Road). A portion of the Indian Creek floodplain was filled with the excavated material for the planned building, drive lanes and parking areas. The building itself would be located in the northeastern portion of the site. He noted from 1996 to 2006 he was with Vester and Associates and during that time he designed an overall drainage plan for the entire area while designing the Blackthorne Planned Development detention. He stated they knew at the time the western portion of the entire area would be developed for residential apartments or commercial property in the future. The overall plan called for detention storage in 2 existing ponds on the Blackthorne Development site. He noted the release rate from the ponds allowed direct release to Indian Creek as shown on the exhibit. He stated it would have been difficult to include detention within the Chapelgate site due to the proximity to Indian Creek and US 52. In 2001 the floodplain was allowed to be filled in without compensatory storage. Tim stated he included the additional tract added for this development in his current analysis. He adjusted the overall 2001 Blackthorne drainage plan using the 2011 allowable release rate requirement and stated the results were approximately 12 CFS less than the original plan in 2001. Tim stated the underground detention proposed was a duplicate of what had previously been provided. For that reason he requested approval without underground detention for Chapelgate Sr. Apts.

The Surveyor noted the Whitsett Group were the developers with Evergreen Planners the consultants for the project. In February 2011 this project was granted final approval for mass earthwork and grading only. At that time the 1.4 acre portion of the site was in the floodplain. The 2 ponds constructed accommodated the floodplain compensation and were not intended as detention for the project. The site had been certified since the February 2011 certification out of the floodplain. The 1.4 acre site was then designed and the consultant returned to the Board for approval of the site in June. They received approval with conditions at that time. The conditions were met, reviewed and he signed the plans. A building permit was issued and work had begun at the site. Since that time Mr. Beyers had approached him and inquired why underground storage was required. The Surveyor informed Tim he would have to prove it was not necessary, and present it to the Board for approval without underground detention storage. The Board and the Surveyor's office were familiar with the area due to numerous drainage problems within the Indian Creek watershed. He has had numerous complaints from landowners in the last ten years. In December of 2010 it was suggested a more restrictive release rate was warranted due to the area's drainage issues. The Board hired Christopher B. Burke Engineering LTD to conduct an Indian Creek watershed study due to the drainage issues of the area. More restrictive release rates for the Indian Creek Watershed area were probable once the study was complete. A July 28, 2011 Christopher Burke memo recommended underground storage request to be denied for this project. Since the release of the memo, Mr. Beyers submitted additional information which clarified a few of the issues. In light of the new information submitted, the Surveyor recommended action on this project be tabled to the September meeting. This would allow a complete review of the additional information submitted in the last 24 hours. Mr. Murtaugh stated as this area was a very difficult watershed he agreed with the Surveyor. Mr. David Byers stated there were design possibilities that would allow for the removal of the underground storage and agreed this was a difficult watershed. Mr. Tim Beyers stated he felt the developer would be willing to work on a compromise in this situation. David Byers made a motion to table Chapelgate Sr. Apt's. until the September meeting. John Knochel seconded the motion. Chapelgate Sr. Apt's. was tabled until the September Drainage Board meeting.

Zach Beasley

S.W. Elliott Regulated Drain #100 Branch #11 Reconstruction Report

The Surveyor presented Branch #11 of S.W. Elliott Regulated Drain Reconstruction Report to the Board. The Surveyor's office sent this report to the two largest landowners within the watershed. He noted the report was detailed and lengthy;

therefore he would give a brief historical summation. This project had been under discussion for 10 plus years, he noted he was the third County Surveyor which had worked on this project. The project was formally referred to the County Surveyor for a reconstruction report in November of 2009. Engineering design work and appraisals have since been completed. Due to the complicated watershed it had taken some time to prepare the report. He read the following from the report: Branch 11 of the S.W. Elliott is located in the Northeast Quarter of Section 2, Township 22 North, and Range 4 West. It was originally constructed as a tile to provide subsurface drainage to farm fields located north of the Elliott Ditch west of its intersection with State Road 38. However, the last few years has seen the transition of the land use from mainly agricultural to urban land. Even though a portion of the watershed of Branch 11 of the S.W. Elliott is still being farmed, it is reasonable to conclude that the watershed can be classified as urban land, as defined by IC 36-9-27-2 which states "Urban Land" means affected land that "is used or will in the reasonably foreseeable future be used generally for commercial, industrial, large estate, higher density residential, or similar purposes". Therefore, according to IC 36-9-27-67, Branch 11 of the S.W. Elliott has been classified as an urban drain per the county surveyor's classification report. He then gave a short summary of what the Report contained for the Board. The first 5-7 pages contained an explanation and history with different alternatives from a technical engineering view along with the Surveyor's recommendation based on cost and other factors at this time. Exhibits, options cost breakdown, landowner's costs were all included in the report. He stated INDOT would be responsible for approximately \$190,000.00 of the overall project cost. He notified INDOT at the beginning of this year and provided the information regarding the project, so they should not be surprised. He noted the March 2011 Classification Report along with support letters from the City of Lafayette Mayor's office and City Engineer's office was included with this report. He then referred to Board for any questions. Responding to Mr. Murtaugh' inquiry, the Surveyor noted the report would be included with the notification of hearing when sent out for the official reconstruction hearing. The Surveyor recommended the Board take the report under advisement. Mr. Murtaugh then asked for public comment. Jerry Brand of INOK Investments and LB Associates approached the board and stated he appreciated the effort on the Surveyor's part for this project as it was a tremendous amount of work. He stated INOK Investments had been working on this issue for approximately 13 years now , therefore he requested the Board move in the quickest fashion with the reconstruction. The attorney noted comments regarding the report would be accepted after the report and schedule assessments were officially filed. He discussed the process of judicial review if a lawsuit was filed with the courts against the reconstruction project. He noted it would not stop the project from proceeding. The Surveyor noted the Board did not necessarily have to agree with his recommendation regarding what option to proceed with. Therefore he advised any comments Mr. Brand may have regarding all the options included in the report should be formally submitted to the Board. Discussion was held regarding the cost of annual maintenance and cost of reconstruction and the difference. The Surveyor noted annual maintenance costs indicated within the report was an annual assessment for continued maintenance of the drain once the drain was reconstructed. Annual maintenance fees are completely separate from reconstruction costs. Gary Schroeder approached the Board and stated he was not opposed to the project he had issues which regarded the benefits and damages and how costs were allocated to the tracts within the watershed. He noted he would address those with the Board at a later date. The Surveyor then stated his office received many calls regarding development interests within that area. There was no other public comment. David Byers made a motion to take the reconstruction report under advisement until the September meeting. John Knochel seconded the motion. The Reconstruction Report for Branch #11 of the S.W. Elliott Regulated Drain #100 was taken under advisement until the September meeting.

Petition to Remove Obstruction/Jennifer Parks

The Surveyor reported on the Petition to Remove an Obstruction filed with his office and discussed with the Board at the last meeting by Jennifer Parks 8058 N. Meridian Line Road W. Lafayette Indiana. He stated the Health Dept. provided a copy of the septic system layout for Jenifer's property which was completed in 1998. From 1998 to 2002 the system was functioning with no problems. He reviewed the area in question with the Board using the GIS site. He noted the home next to Mrs. Parks was also constructed in 1998 and same contractor used for installation of both septic systems. Both systems have a curtain drain /perimeter drain (4 inch in diameter). Both of these tiles drain to the north and were connected to a six inch plastic pipe which drained to the north on the west side of Meridian Line Road. It continued north until it tied into the Anson Regulated Drain. The Anson Regulated Drain was being used as an outlet for the private system. In 2002 Phil Kerkhoff owned the property adjoining her property. Mrs. Parks claimed a piece of his farming equipment ran over the standpipe/breather and smashed the tile in the process. The Surveyor noted in the past they attempted to jet the tile but were unable to insert the jet hose into the tile as it could not go either direction in the tile. The Surveyor agreed that only minimal amount water was able to enter the tile. While he was in agreement the tile looked as though it had been run over by a piece of equipment he did not think it was intentional. He reviewed photographs (taken May 2004) with the Board of the tile which indicated the riser was flat and should be vertical. His observation was based on inspection in 2004 and again in 2011. It indicated the riser had been pushed down into the tile and possibly caused the underground tile to be smashed. There was a small amount of water in the pipe which was not moving when he inspected it recently. He stated there was a combination of issues that could have caused the problem. Willow tree roots located close enough to the tile could have caused the obstruction as well. Responding to Mr. Murtaugh, the Surveyor stated he had not been in contact with Phil Kerkhoff. Mrs. Parks responding to Mr. Knochel and stated Mr. Kerkhoff would not repair the tile. He had sold the property and was not willing to cooperate with her. She stated he blamed the obstruction on Ms. Koche's willow trees. Denton Sederquist was the current owner of the property where the tile

was located. The Surveyor noted when he inspected the tile recently Mr. Dehai (contractor) was in attendance and stated he would charge approximately 500-1000 dollars to excavate around the manhole (breather). Mr. Ron Noles of the Health Department noted they were the agency in 1998 which required the perimeter drain to be installed due to the seasonal high water issues. Both systems were inspected and they were in working order. He stated Mr. Dehai was confident the blockage was at the breather location. Mr. Noles wrote a memo addressing some issues and suggestions that could possibly assist Mrs. Parks with her perimeter drain and would provide to her today. Since there was no proof of the tile being smashed by Mr. Kerkhoff, he could not be held liable. The Attorney noted if an obstruction was found unintentional, the board may order the obstruction to be removed and the cost spread among the benefitted landowners. Responding to Mr. Murtaugh' inquiry, Mrs. Parks stated she would like to see Mr. Kerkhoff fix the obstruction as she felt he was the one who caused the problem in the first place. Mr. Noles stated when his dept. first received the complaint in Dec. 2003 from Mrs. Parks, Mr. Kerhoff owned the property where the obstruction existed at that time. He noted no documentation was located within his office that Mr. Kerkhoff was granted permission to install said tile. The Surveyor would confirm with the County Highway department the tile was not within their right of way. The Surveyor felt the obstruction was not done intentional. David Byers made a motion to remove the obstruction and bill those affected parties. John Knochel seconded the motion. The obstruction would be removed and tile repaired, billing would go to the affected landowners.

Petition for Encroachment Crossing on a Regulated Drain Easement/ Delphine Anson Regulated Drain

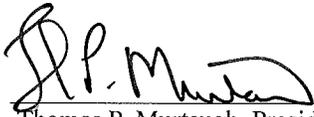
The Surveyor presented a Petition for Encroachment Crossing on a regulated drain easement on the Delphine Anson Regulated Drain to the Board. Mr. Brian Shepler and Lorraine Corriveau submitted the petition to his office which involved an unmaintained branch of the Delphine Anson Regulated Drain. He used GIS to review the location of the crossing requested due to drainage issues within the area. The plan was to replace the existing unmaintained branch tile with a tile one diameter larger for the width of the planned driveway and ten feet on either side. The Surveyor recommended the petition to be approved as submitted. David Byers made a motion to grant approval of the Petition for Encroachment Crossing on a regulated drain easement regarding (Branch #36 unmaintained) of the Delphine Anson Regulated Drain. John Knochel seconded the motion. The Petition for Encroachment Crossing on a regulated drain easement regarding (Branch #36 unmaintained) of the Delphine Anson Regulated Drain was approved as submitted.

Maintenance Rate Hearings

The Surveyor requested maintenance assessment rate hearing dates to be set in September for the following drains; Michael Binder #10, Fred Haffner #34, Franklin Yoe #90. David Byers made a motion to set a Maintenance Rate Hearing for each of the aforementioned drains on September 21, 2011 at 10:00 a.m. John Knochel seconded the motion. September 21, 2011 at 10:00 a.m. hearings for the M. Binder #10, F. Haffner #34 and the F. Yoe #90 Regulated Drains was scheduled.

Public Comment

As there were no public comment, John Knochel made a motion to adjourn. The meeting was adjourned.



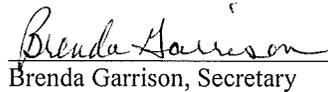
Thomas P. Murtaugh, President



David Byers, Vice President



John Knochel, Member



Brenda Garrison, Secretary

Tippecanoe County Drainage Board

December 7, 2016

Regular Meeting Minutes

Those present were:

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

Approval of Minutes

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

Whittaker Planned Development

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

2827 Commercial Subdivision

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

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

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

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

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

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

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

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

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

Zach Beasley/Other Business

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

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

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

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

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

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

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

Zach Beasley/Other Business

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

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

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

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

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

Petition to Partially Vacate the Fred Haffner #34 Regulated Drain

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

Petition for Reconstruction Marion Dunkin #25 Regulated Drain

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

Bonds:

Hawthorne Lakes Sec. 4- Maintenance Bond #106597473

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

West Lafayette Apostolic Christian Church- Performance Bond#41355475

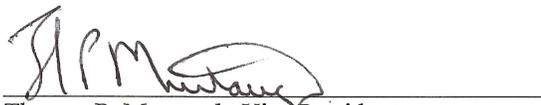
The Surveyor presented Performance Bond #41355475 written by Aspen Inc./Platte River Ins. Company in the amount of \$30,600 regarding the West Lafayette Apostolic Christian Church project for approval by the Board. David Byers made a motion to approve Performance Bond #41355475 for West Lafayette Apostolic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

Public Comment

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



Tracy Brown, President



Thomas P. Murtaugh, Vice President



David S. Byers, Member



Brenda Garrison, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD

RESOLUTION NO. 2016 - 02 -DB

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

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

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

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

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

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

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

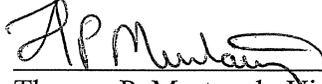
NOW THEREFORE BE IT RESOLVED that the Alexander Ross Regulated Drain 2016 Master Plan Report is hereby approved.

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

TIPPECANOE COUNTY DRAINAGE BOARD



Tracy A. Brown, President

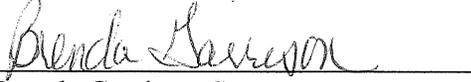


Thomas P. Murtaugh, Vice President



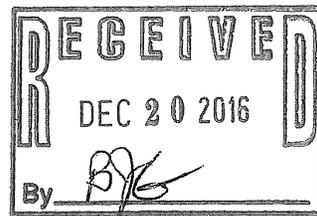
David S. Byers, Member

ATTEST:



Brenda Garrison, Secretary

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AGREEMENT

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

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

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

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

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

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

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

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

THE PARTIES NOW THEREFORE AGREE AS FOLLOWS:

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

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

(921 A)

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

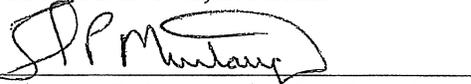
4. The Brand Properties are permitted to continue discharging water into Haggerty Pond: a) for the currently developed parcels (the Haggerty Point I&II and Haggerty Point III parcels as listed in ¶3), at the volumes and rates as are being discharged on as of the date of this agreement and, b) for the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

AGREED:

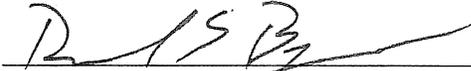
TIPPECANOE COUNTY DRAINAGE BOARD:


 Tracy A. Brown, President

Dec. 7th 2016
 Date

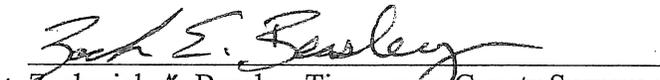

 Thomas P. Murtaugh, Vice-President

Dec. 7th 2016
 Date


 David S. Byers, Member

Dec. 7th 2016
 Date

ATTEST:

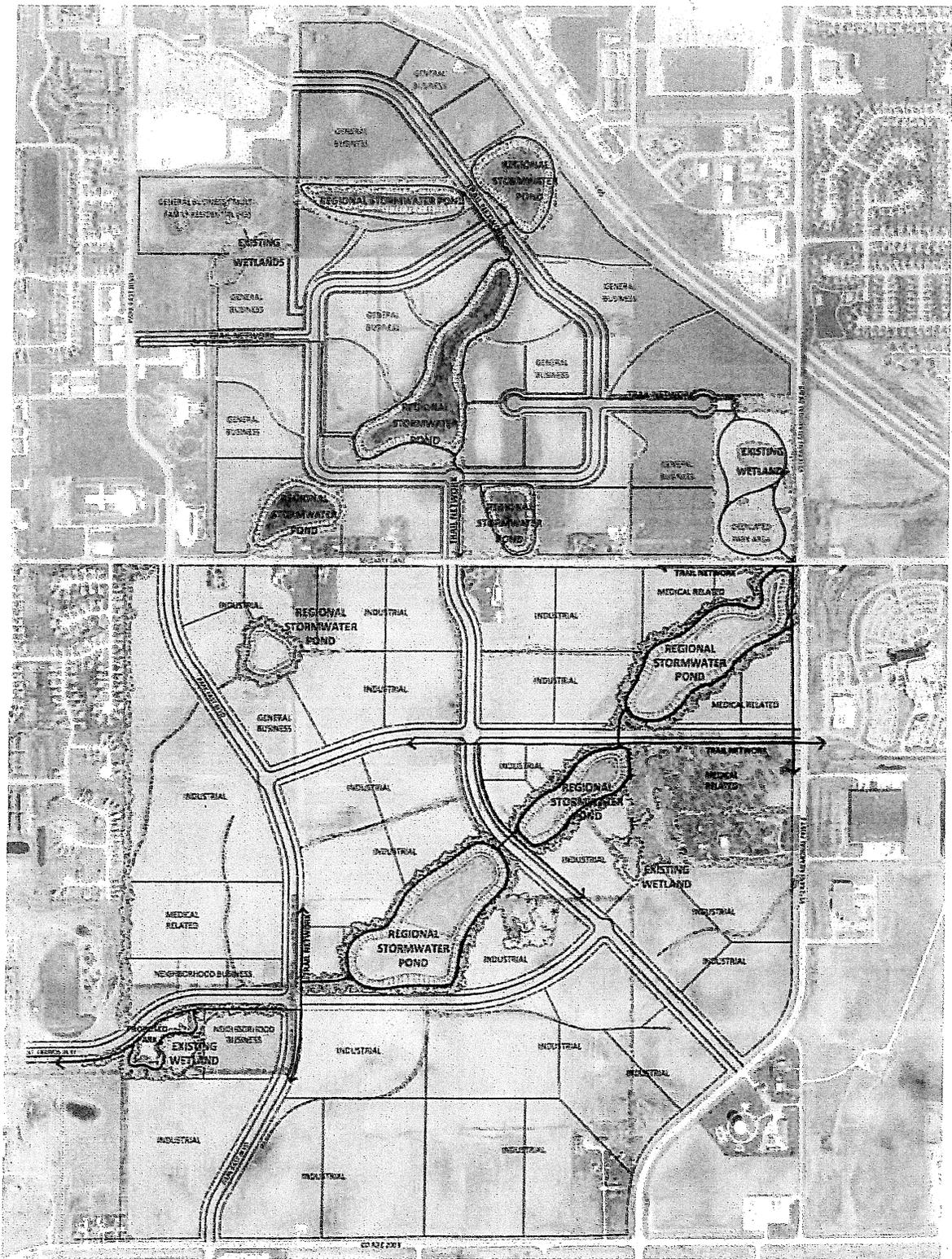

 Zachariah A. Beasley, Tippecanoe County Surveyor
 E.

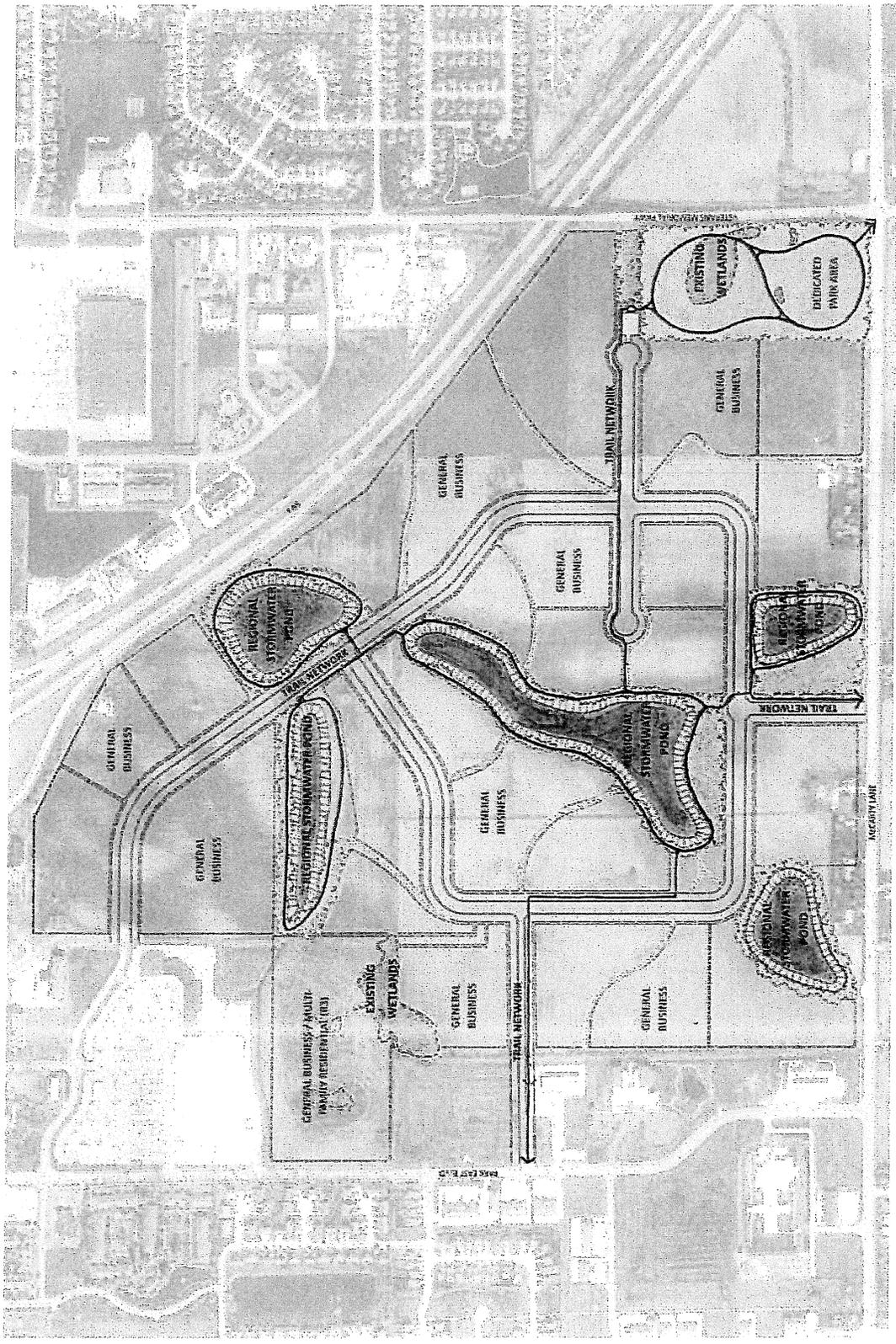
Dec. 7th 2016
 Date

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


 By Jerry A. Brand

Date: 12/12/16





ALEXANDER ROSS
COUNTY REGULATED DRAIN
MASTER PLAN



Tippecanoe County Drainage Board
February 1, 2017
Regular Meeting Minutes

Those present were:

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

Approval of Minutes

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

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

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

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

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

Drainage Board 2017 Professional Engineering Assistance Contract

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

Lafayette YMCA

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

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

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

Belle Tire (Lot 4A 26 Crossing Subdivision)

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

USGS Geological Stream Gages WREC Contract Support

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

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

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

2017 Classification Report/2017 Drain Assessment Activity Report

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

Zach Beasley/Other Business

Appointment of Drainage Board member to Tri-County Board

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

Outstanding Reconstruction Assessments

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

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

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

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

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

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

Classification of Drains

Per IC 36-9-27-34

February 2017

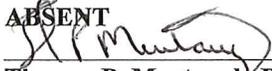
- 1.) Drains in need of Reconstruction
 - a. Elliott, S.W. (#100)
 - b. J.B. Anderson (#02) (Clarks Hill Portion)
 - c. Edwards (Not Maintained)
 - d. McBeth (Not Maintained)
 - e. F.E. Morin (#57)
 - f. Marion Dunkin (#25)
 - g. Huffman-Weimert (Not Maintained)
- 2.) Hearing and Rates Established in 2011, '12, '13, '14, '15 and 2016
 - a. Michael Binder (#10)
 - b. John Blickenstaff (#11)
 - c. Train Coe (#18)
 - d. Fred Haffner (#34)
 - e. E.F. Haywood (#35)
 - f. Mary Southworth (#73)
 - g. Franklin Yoe (#90)
 - h. Jess Dickens (#91)
 - i. Romney Stock Farm (#109)
 - j. John Hengst (#117)
 - k. Calvin Lesley (#48)
 - l. Audrey Oshier (#60)
 - m. Combs Ditch (#118)
 - n. Leader Newton (#115)
 - o. Thomas Ellis (#27)
 - p. John McFarland (#51)
 - q. Hester Mottsinger (#58)
 - r. J. Kelly O'Neal (#59)
 - s. Franklin Resor (#65)
 - t. Harrison Wallace (#82)
 - u. Eldora K. Lois (#119)
 - v. Frank Kirkpatrick (#45)
 - w. Elijah Fugate (#30)
 - x. Mary McKinney (#52)
 - y. Harrison Meadows (#37)
 - z. Shepherds Point (#121)

- aa. James Kellerman (#42)
 - bb. Alonzo Taylor (#77)
 - cc. Clymer Norris (#122)
 - dd. Crist Fassnacht (#29)
 - ee. Peter Rettereth (#66)
 - ff. Ann Montgomery (#56)
 - gg. Gustav Swanson (#76)
 - hh. Nathaniel W. Box (#12)
 - ii. Lydia Hopper (#124)
 - jj. Amanda Kirkpatrick (#44)
 - kk. John McLaughlin (#97)
 - ll. Martin Erwin (#28)
 - mm. Waples McDill (#85)
- 3.) Urban Drains
(I.C. 36-9-27-68 Urban Drains are classified as in need of Reconstruction)
- a. S.W. Elliott (#100)
 - b. Julius Berlowitz (#8) (Include Filbaum)
 - c. Alexander Ross (#48)
 - d. Cuppy McClure
- 4.) Drains in need of Periodic Maintenance
Please see attached sheet-Exhibit A
- 5.) Insufficient Maintenance Funds
- a. E.W. Andrews (#03)
 - b. Floyd Kerschner (#43)
 - c. F.E. Morin (#57)
 - d. John Saltzman (#70)
 - e. Ray Skinner (#71)
 - f. Abe Smith (#72)
 - g. Joseph Sterrett (#74)
 - h. William Stewart (#75)
 - i. John Toohey (#79)
 - j. John Vannatta (#81)
 - k. Suzanna Walters (#83)
 - l. J.B. Anderson (#02)
 - m. Dismal Creek (#93)
 - n. Moses Baker (#114)
 - o. Grant Cole (#19)
 - p. Shawnee Creek (#94)
 - q. Kirkpatrick One (#96)
- 6.) Proposed Drains for hearing in the near future / Request these drains be referred to Surveyor for preparation of Maintenance Report)
- a. Andrew Brown (#13)
 - b. F.E. Morin (#57)
 - c. Parker Lane (#61)
 - d. John Vannatta (#81)
 - e. Dismal Creek (#93)
 - f. Beutler Gosma (#95)
 - g. Jacob Taylor (#78)
 - h. E.W. Andrews (#03)
 - i. Suzanna Walters (#83)
 - j. Jesse B. Anderson (#02)
 - k. Floyd Kerschner (#43)
 - l. Joe Sterrett (#74)
 - m. Moses Baker (#114)
 - n. Grant Cole (#19)
 - o. Shawnee Creek (#94)
 - p. Kirkpatrick One (#96)
 - q. John Saltzman (#70)

- r. Ray Skinner (#71)
 - s. Abe Smith (#72)
 - t. William Stewart (#75)
 - u. John Toohey (#79)
- 7.) Drain Assessments recommended to be raised 25% starting May 2015
No Maintained Regulated Drains Applicable in 2017
 - 8.) Petition for New Regulated Drain referred to Surveyor
 - a. Huffman Weimert Drain (Town of Buck Creek)
 - 9.) Existing Drains referred to Surveyor for Report
 - a. Julius Berlovitz(#08) (Remaining Phases)
 - b. F.E. Morin (#57)
 - c. Huffman Weimert (Not Maintained)
 - d. Marion Dunkin (#25)
 - 10.) Drain that should be vacated
 - a. That portion of the Felbaum Branch (Part of Julius Berlovitz #08 Regulated Drain) East of County Road 550East

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

ABSENT



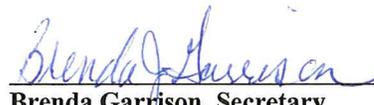
Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary

Tippecanoe County Drainage Board

May 3, 2017

Regular Meeting Minutes

Those present were:

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

Approval of April 5, 2017 Regular Meeting Minutes

David Byers made a motion to approve the April 5, 2017 Regular Drainage Board Meeting minutes as written. Tracy Brown seconded the motion. Motion carried.

Zach Beasley/Other Business

Petition for Removal of Obstruction: S.W. Ventures Group LLC/Scott Jones

Surveyor Zach Beasley stated a Petition for Removal of Obstruction was filed in his office on April 21, 2017 by SW Ventures Group LLC (Scott Jones). He informed the Board a rear yard swale had been obstructed by filling it in with dirt in the Mason Ridge Subdivision on the south side of the City of Lafayette. The Surveyor reviewed the area in question within Mason Ridge Subdivision. Generally, a rear yard swale servicing lots numbered 36 through 39 was the issue. The Surveyor noted the swale could serve as the emergency routing for additional lots and area as well. Mr. Scott Jones (S.W. Ventures Group LLC.) approached the Board. He stated the following: The rear yard swale was filled in approximately five years ago by the owner of Lot #36 located at 1710 Sandstone Court East Lafayette Indiana. The action caused flooding to occur mostly on lot #37- 1718 Sandstone Court East Lafayette owned by SW Ventures Group LLC/Scott Jones. Members of the H.O.A. (Home Owners Association) talked with the landowner of lot #36 five years ago and he removed the dirt from the swale at that time. However, he the owner did not have a contractor do the work and removed the dirt himself. The removal of the dirt was not done correctly and flooding problems persisted. Mr. Jones stated he was not the owner at that time and had moved into this location after that occurred. Last summer (2016) Mr. Scott Jones received a letter from the HOA about high weeds and standing water on his lot (#37) which led him to find out about the swale obstruction five years prior to his moving in. He stated while the flooding occurs mainly on his lot, during a hard rainfall flooding will also occur on Lots #38 and #39. He stated discussions with the H.O.A. have been ongoing for 6-10 months trying to figure out a way to fix the problem. He informed the Board that a couple years ago the homeowner placed tiles within the swale however it did not work and the problem still persisted. He stated he did not cause the problem and the neighbor who caused the problem should be the one responsible financially to fix the problem. Ongoing discussions with the H.O.A. to try and reach an agreement had not been settled to date. He added the H.O.A. has known about this issue for five years and had not resolved the problem. The H.O.A. has now proposed a cost share solution which he would be responsible for the majority of it. They were well aware of it prior to his moving to that location. He did not think it was fair that he would have to bear the majority of the cost since he "just walked into this situation and did not cause it." He stated he was experiencing the most damage from the obstruction therefore he should not have to bear the majority of the cost. He asked the Board for assistance with this problem. Responding to Attorney Masson's inquiry, Mr. Scott stated there was a meeting held with all those involved including lot#36; landowner Mr. William Wolford. Mr. Wolford did not agree to work with Mr. Scott regarding the alleged obstruction. Tracy Brown made a motion to refer the Obstruction Petition back to the Surveyor to conduct an investigation and prepare a report to the Board. David Byers seconded the motion. Motion carried. David Byers made a motion the Surveyor present the Obstruction Report to the Board during the June 7, 2017 Drainage Board Meeting. Tracy Brown seconded the motion.

Molter/Standiford Private Drainage Issue

The Surveyor stated there was a private drainage issue on agricultural ground between Mike Molter and Gary Standiford that which had been going on for approximately two years. The issue involved a private drainage ditch. The Surveyor stated he, as well as some of the Board members had met privately with both of them on several occasions. The issue escalated a week ago. The Surveyor recently asked the Board Attorney if it would be prudent to issue a letter on behalf of the Drainage Board (if the Board would so request) which outlined the County Drainage Board and County Surveyor's duties per the Indiana Drainage Code. This will give the parties an official document so they know what the lack of authority is the Board and Surveyor have in this particular situation. He then requested the Drainage Board to direct Attorney Masson to issue a letter to the landowners. David Byers made a motion to direct Attorney Masson to issue a letter outlining the duties and lack of authority of the Drainage Board and Surveyor to Mr. Mike Molter and Mr. Gary Standiford as recommended by the Surveyor. Tracy Brown seconded the motion. Motion carried.

J.B. Anderson Reconstruction

The Surveyor stated he had two informal meetings with the landowners- one in Nov.2015 and one in Dec.2016. Based off the landowner's request, the Surveyor proposed a ten year project for both maintenance and reconstruction of the J.B. Anderson regulated drain. Approximately a month ago, the Surveyor heard back from the 35 large landowners within the watershed. Over 50% of the benefitted acreage of the large landowners was in favor of the proposed ten year project. He stated he has spoken with the attorney about this project. He recommended the Board officially authorize him to proceed with the reconstruction project as planned. He added due to the size of the project it would take 18-24 months to conduct the field research, design and report prior to holding a public hearing. Due to the time frame involved, many landowners would like to be informed periodically of the status of the project; therefore he would like to send them project status updates quarterly until the hearing is set. Tracy Brown made a motion to direct the Surveyor to proceed with the J.B. Anderson Reconstruction project as requested. David Byers seconded the motion. Motion carried.

Fred Haffner #34 Regulated Drain Hearing Request

The Surveyor requested the Drainage Board set a public hearing for the Fred Haffner Regulated Drain #34 to decrease the annual maintenance rate. A maintenance rate was set a few years ago and since that time subdivisions have been developed in the watershed which in turn vacated a large number of feet of tile infrastructure. Since the infrastructure had decreased a hearing is in order to decrease the assessment. He requested July 12, 2017 immediately after the regular scheduled meeting the public hearing be held. David Byers made a motion to set a public maintenance hearing on the Fred Haffner #34 Regulated Drain for July 12, 2017 immediately after the regular meeting scheduled. Tracy Brown seconded the motion. Motion carried.

Berlowitz Upper End Stormwater Conveyance Expansion Project

The Surveyor gave an update regarding the Upper Berlowitz Regulated Drain expansion project and the pending landowner agreement with Franciscan Health. In the last Board meeting the Franciscan Health representatives stated thirty days would be enough to come to a decision. The thirty days have passed and the Surveyor had not heard back from them. He stated he called their attorney representatives and they had no new news for the Board. He asked the Board whether to proceed with the project or not. He noted the plans and contract documents would be available for pickup by contractors on May 10th, 2017 from his office if they so desired to proceed. David Byers made a motion for the Surveyor to proceed with the Upper Berlowitz Stormwater Conveyance Expansion project as planned. Tracy Brown seconded the motion. Motion carried. President Murtaugh made motion to set June 14th at 9am to open submitted bids for the aforementioned project.

Public Comment

Ron Kerber approached the Board. Mr. Kerber stated this regulated drain hearing process makes him very nervous. He stated if 51% of landowners agree to something that he did not feel added value to him, the Board could assess him for something that he did not feel he wanted or was not necessarily a priority to him. He requested the Board do two things: 1. Consider projects that minimize the total impact at one time to certainly less than something like the annual income per acre. 2. Look at the economic value of what is being done as once the Board's project is complete-most farms need pattern drainage after- which costs approximately \$800-\$1000 more and asked the Board to look at the economic impact the Board is causing relating to agricultural land. He stated he cannot attend the F.E. Morin regulated drain hearing set for July 12th. He asked the Board look at adding into the reconstruction plans the branch under the road so that he could tap into it to service his low end of property. The Surveyor stated that Les Christenson, landowner to the south of Mr. Kerber was thinking of constructing a pond at that location which could affect the noted branch and its future location. The Surveyor stated he would review the request and plans and possible costs. If it can be added and stay within the contingencies of the project, then it may not be a problem to add the said branch to the plans. Mr. Kerber thanked the Board for their time and stated he would be very pleased if the branch could be added to be included with the maintenance of the drain.

As there was no other comment, David Byers made a motion to adjourn. The meeting was adjourned.

Thomas P. Murtaugh, President

David S. Byers, Vice President

Tracy Brown, Member

Brenda Garrison, Secretary