

REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JULY 2, 1975

The regular monthly meeting of the Tippecanoe County Drainage Board was held in the County Council Room of the Tippecanoe County Court House on Wednesday, July 2nd, 1975 with the following members present: Bruce Osborn, William Vanderveen, Fred Hoffman, Robert L. Martin and Gladys Ridder.

Minutes
Approved

Upon the reading of the minutes of the special called meeting held on June 13th, 1975, Bruce Osborn moved the minutes be approved as read. The motion was seconded by William Vanderveen. The following two letters are the result of that meeting:

Lafayette, Indiana
June 17, 1975

RE: S. W. Elliott Ditch

Dear Landowner;

This report is to inform you as an interested landowner on that part of the S. W. Elliott ditch which is the main tile branch, that after hearing testimony and seeing evidence that there is a real need to take steps to eliminate the pond on Richard H. Smith's property and after due consideration it was recommended to the Drainage Board by the County Surveyor that the tile portion of the main ditch be changed in classification from one in need of periodic maintenance to one in need of reconstruction.

It should be made into an open ditch rather than tile. If this should be done the costs of reconstruction would be based on an assessment determined by benefits and damages to the various tracts involved.

Should you have any questions concerning this, please feel free to call or write the Tippecanoe County Surveyor.

Sincerely,

/s/
Robert L. Martin, L. S.
Tippecanoe County Surveyor

Lafayette, Indiana
June 17, 1975

RE: Ilgenfritz ditch

Dear Landowner;

I am writing this letter in order that you may be informed as to the action taken by the Tippecanoe County Drainage Board at the meeting held on June 13, 1975.

It was brought out at the meeting that to perform any kind of maintenance at this time on the outlet of the Ilgenfritz ditch would most likely do some damage to properties located further downstream, especially those properties located on the Dismal Creek Ditch.

Since Dismal Creek Ditch is not presently established as a part of the legal drainage system of Tippecanoe County it was recommended that those owners affected by it's condition take steps to have it established as part of the legal system. Until this situation is taken care of, I will not undertake any cleaning or deepening of the Ilgenfritz Ditch. If you have any questions regarding this, please feel free to call the Tippecanoe County Surveyor's Office.

Sincerely,

/s/
Robert L. Martin, L.S.
Tippecanoe County Surveyor

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REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JULY 2, 1975 CONTINUED

The following letter was received from Dr. Andrew B. Schilling, P.P.:

May 23, 1975
Ref. No. 384-75

The County Drainage Board
County Courthouse
Lafayette, Indiana 47901

RE: Review and comments on the proposed Acres-0-Lake Campground Project.

Gentlemen:

Enclosed kindly find one copy of a site plan in connection with the above referenced project.

This office is respectfully requesting your three member board as to reviewing, evaluating, and commenting on the drainage and sewerage aspects of this project.

The proposed campgrounds are planned at the intersection of Interstate 65 with State Road 38 in Tippecanoe County abutting the Western Pancake House and a number of residential homes in the area. Dr. Carr, a dentist who is one of the abutting owners has stated repeatedly both at the rezoning public hearing held by APC and the Board of Commissioners, that his property has been flooded by the placing of the Western Pancake House in this location. Furthermore, the APC Executive Director has spotted at the time of his site inspection traces of septic tank overflow in this project area.

Kindly review and report on this project prior to the June public hearing to be held by APC.

Very truly yours,

/s/
Dr. Andrew B. Schilling, P.P.
Executive Director

ABS/ssh

Lafayette, Indiana
July 2, 1975

Dr. Andrew B. Schilling, P.P.
Executive Director
Area Plan Commission
Tippecanoe County, Indiana

RE: Acres-0-Lake

Dear Sir:

The Tippecanoe County Drainage Board reviewed the site plan, as submitted, for the above project at it's regular meeting, held on July 2, 1975.

It was determined that the surface water treatment would be adequate for this type of development. Any review of the sewage aspect would necessarily be the responsibility of the Board of Health, therefore, this approval shall be for the surface water plan only.

Sincerely,

/s/
Robert L. Martin, L.S.
Tippecanoe County Surveyor

RLM/gr

Don Snyder, Clinton County Surveyor, Carroll Beeson, Montgomery Co. Surveyor together with Ellsworth Biesecker, Clyde C. Johnson, Frank Pletch, Clinton Co. Commissioners and Sam Boots, Don Yundt, Montgomery Co. Commissioners met with our Board to discuss the reconstruction of a part of the John McLaughlin ditch. Arthur Waddell was also present at the meeting.

Informal
J. McLaughlin
drain
joint meeting

Mr. Snyder spoke for the many landowners of Clinton County who are in the watershed area of the tile portion of the McLaughlin drain. He said they were very much in need of a maintenance fund for the tile had many blow-ups. He said in their county one of the tile branches was referred to as the W. M. Milner ditch. The County Attorney said to set up a maintenance on that branch with the information given to those people that when the McLaughlin ditch is reconstructed that they will also be assessed on the main ditch.

Mr. Beeson said they had been so busy and were still not in position to set up a reconstruction or maintenance hearing on the McLaughlin ditch. Because the majority of the McLaughlin ditch is in Montgomery County, Mr. Beeson would have to be the ex-officio member of the joint Board and pretty much inform the rest of the Board when and what he planned to do. He could also delegate the work load to other members of the Board. Because Mr. Martin is a registered surveyor he would do the engineering field work with Mr. Snyder assisting him. Mr. Beeson did not feel that he had the time to give to this project as yet.

The law states that the president of the various boards appoint one member to serve on the joint board. Mr. Bruce Osborn will serve from Tippecanoe County, Ellsworth Biesecker will serve from Clinton County as Chairman of the Joint Board and Sam Boots from Montgomery County will serve on the Board and also as Secretary to the Board. Mr. Osborn moved that Mr. Biesecker make a feasibility study and all would go from there. Mr. Osborn moved that the meeting adjourn and the motion was seconded by William Vanderveen.

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REGULAR MEETING OF THE TIPPECANOE COUNTY DRAINAGE BOARD HELD JULY 2, 1975 (CONTINUED)

Chas. Kemmer (see below)

(absent)
Robert F. Fields, Chairman

William Vanderveen
William Vanderveen, Vice Chairman

Bruce Osborn
Bruce Osborn, Board Member

ATTEST:

Gladys Ridder
Gladys Ridder, Executive Secretary

Judge
Kemmer

Judge Charles Kemmer appeared before the Board to request a waiver of the 75 foot easement on a tract of land in the Lydia Hopper Legal Drain watershed area. He asked the Surveyor if he would go to the site of the land his client wanted to purchase and help determine if the request would be necessary. The Board said when all of the information was gathered to come back and then the decision could be made. Mr. Kemmer will be placed on the agenda for the August 6th, 1975 meeting.

REGULAR MEETING OF
TIPPECANOE COUNTY DRAINAGE BOARD
MARCH 7, 1984

The Tippecanoe County Drainage Board met in regular session Wednesday, March 7, 1984, at 8:30 a.m. in the Community Room of the Tippecanoe County Office Building.

In Attendance: Bruce Osborn, Chairman, Eugene Moore and Sue Reser, Boardmembers, Michael Spencer, Surveyor, Dan Ruth, County Highway Engineer, Fred Hoffman, Attorney, George Schulte, Engineer, and Maralyn D. Turner, Secretary.

I Tile Bids - 1984

Mike Spencer made recommendation to accept both tile bids for 1984 previously submitted by Economy Tile Company, P.O.Box 157, Economy, In 47339, and from Reed's Quality Tile Company, 10 West Hoop Street, Flora, In 46929, motion made by Eugene Moore to accept both bids, seconded by Bruce Osborn. The Tippecanoe County Drainage Board unanimously approved the motion.

Tile Bids

II LOCKWOOD III

LockwoodIII

Robert Grove, representing Tippecanoe Builders requested final approval on revised final drainage plan.

Major Changes: Storm Event and Lockwood Drive Culvert

Mr. Grove stated that old plan was based on 100 year storm event, would like to base new plan on 50 year storm event, changing antecedant moisture condition from 3 to 2. Mr. Grove purposed to use existing pipe and add 48" pipe beside it. Mr. Schulte agreed with quantity run off, but feels a 54" diameter pipe size would carry the run off, reason would be better maintenance and long term performance. Mike Spencer agreed to 1 - 54" diameter pipe. Dan Ruth stated: It isn't standard practice to use two different pipe sizes, feels he is not in position yet to make a decision, needs more information on subject. George Schulte recommended removal of small pipe, pipe can be salvaged without any problem and used elsewhere. Mr. Grove ask acceptance of 50 year criterion design, George said ordinance calls for 50 year design and normally a designer should check for 100 year to see what it does to local area and difference between 100 year high water and the house pad elivation, safety valves should be here. Chris Kovich asked who was going to pay for the removal of the pipe? Pipe was put in by developer, much discussion was given to who the 18" pipe belongs to, since it is County right of way, replacing with a different pipe size makes different condition. Mr. Kovich said, "if the County can use pipe elsewhere, fine", or if county will reaffirm what was state in letter. Mr. Bruce Osborn read letter dated November 22, 1983

Gentlemen:

This is to advise that Tippecanoe County Highway Department will assist in the purchasing and installation of Structure # 2 as shown on the construction plans of Lockwood Subdivision, Part 3.

Said Structure # 2 is in Lockwood Part 2 and consists of 90" of 54" C.M.P.

The County will pay \$2,500.00 and replace the asphalt base and surface where siad pips is placed.

Signed by, Bruce V. Osborn, President, Board of Commissioners of the County of Tippecanoe.

Letter to
Tippecanoe
Builders
Lockwood

Gene Moore ask if changing pipe size would save builders lots. George Schulte answered question, that this would save buildrs lots, reason for replacing the existing eighteen inch (18") pipe is to

provide a positive outlet capable of passing the runoff from 100 year storm event from land upstream (offsite), as well as to provide a positive outlet from land owned by the builders. By replacing the eighteen inch pipe with a larger pipe Tippecanoe Builders gave up only one lot instead of three or four lots as originally planned to meet the drainage ordinance requirements. After much discussion Tippecanoe Builders are willing to go along with design and the County agreement. County will accept 18" pipe, pay the builder \$2,500.00 and replace the asphalt base and surface.

kbord III Blackbird Pond - Robert Grove Representing John Smith Developer

Property is located west of West Lafayette, Indiana, between Lindbergh Rd and McCormick Road west of Cherry Lane. The site contains 80 acres which is proposed for residential planned development. An impervious surface ratio of 45 percent is usually used and acceptable with Area Plan Commission. Site contains an existing eight acre pond. This pond receives runoff from approximately 300 Acres including the 80 Acre site the major portion of the upstream watershed is in agricultural use. The 80 Acres site is also in agricultural use at this time, runoff from this upstream area is conveyed to the site under Linbergh Road by two culverts; as 60 inch and 15 inch. The soils in this water shed range from Carlisle muck near the pond to a well drained Russell silt loam in the north portion of the watershed. The topography is near flat to slightly sloping with an overall difference in elevation in the watershed of 31 foot in 5,000 foot. The area is slow draining with a time concentration of one hour used for the upstream 225 acres. The existing pond is now drained to the southwest under McCormick Rd, through a 24 inch corrugated metal pipe. This pipe is almost entirely blocked. Therefore, it is not uncommon for water to overflow McCormick Rd at the discharge pipe. The difference in elevation between the Proposed Drainage Plan consists of piping storm water from the 80 Acres development for 10-year, one-hour storm to the existing pond, plus piping and channeling the 50 year storm runoff north of Lindbergh Road through the development to the pond. The only modification proposed for the pond is to clean out the existing 24" discharge pipe under McCormick Rd. The existing pond provides a large amount of storage, this being the basis of complete run off, effect on the pond. If 24" culvert were cleaned out the invert of culvert is elevation of 669, difference between the depth of water as result of the development the elevation raised 3.6". Mr. Robert Grove ask the Drainage Board to waive the following requirements as stated in Drainage Ordinance.

1. Since the pond in its natural condition supports fish, we are requesting that the ten foot depth requirement be waived.
2. Request that the natural slopes be accepted as stable.
3. Since the natural pond bottom and adjacent shoreline have a low gradient, request that the safety and maintenance ledge requirement be waived. We are proposing to provide a surface treatment such as stone from the permanent pool elevation to at least the 100 year storm high water elevation.
4. Since the pond now receives runoff from over 300 Acres, it is very unlikely that the pond would dry up. We are requesting that the means of maintaining the designed water level during prolonged dry periods be waived.
5. Since the pond is not man-made, it does not drain naturally. The only way to empty the pond would be by pumping over an extended period of time. We are requesting that the requirements for auxiliary means of draining the pond be waived.
6. Since the pond surface area is in excess of eight acres, natural aeration occurs which is evident from the existing aquatic life, therefore we are requesting that the aeration facilities requirement be waived.

Mr. John Leitner whose property is south of the proposed 80 Acres development was present and pointed out that drainage from the Purdue dairy farm property comes around and gets into pond, not sure amount of flow. Mr. Leitner would like to keep tile size the same (24") and requested to have Purdue clean their ditch, doing this would permit an even flow out of the pond and across his property. Drainage Board requested time to study the Drainage Ordinance before taking action. Things to be left open - Size of pipe, (may want to change from 24" to 36",) would be up to the developer that there is a good positive outlet downstream to get rid of the water. Board will take letter of 7 points under advisement and get back with the developer.

wood IV Willowood East Part III

t Part Final approval has been reviewed by Mike Spencer and George Schulte.
I Major Changes:

Revisions made in overall drainage plan, detention plan based on new 100 year flood elevation 616 from Department of Natural Resources.

Pipe under Strawsma drive problem with side ditch on east side of 400 E. pipes are undersized. George Schulte recommended it should carry a 25 year storm event. 40 Acres can get into ditch designed with 65 c.f.s. Water goes North to Railroad tracks and east across gully. Developer Galema & Strawsma. Property south of development is the problem. Drainage from the South through waterway was cut off with the First or Second section of subdivision. Maintenance of basin is a concern. Galema & Strawsma are willing to work with board for legal drain easement, put an access road (gravel to outlet structure.) Creek or stream that runs through development is extension of Crist Fassnacht ditch. Fassnacht ditch a tile ditch stops on Richard Harlow property on 500 E. south of 300 N. Mr. Hoffman asked if Fassnacht ditch was big enough to handle another legal ditch, this being one mile west and downstream from Fassnacht tile outlet. Developers are purposing to make legal drain within the Subdivision, giving county the right to go in and maintain basin and storm drainage structures. Developers must petition for a legal drain. Watershed would be Subdivision. Discussion of drainage problems which were created back 15 years with First Subdivision. Some of the area runs off directly, most of it is piped directly to the basin which requires 6" orifice plate to meet requirements, would like to crank it up to 8" the net discharge 2 c.f.s. George Schulte recommended 8". There being many problems, after much discussion board advised Mr. Grove to conduct further study on project and get back with board in two(2) weeks.

berry V Woodberry - Plan Development

lopment Mr. Hoffman asked to be excused since he had worked with Mr. Moore on this project.
will be given. Mr. Grove requested final approval. These items are to be taken care of before final approval

1. Detention basin to be made a legal drain.
2. Revised easement is wider on upper detention basin.
3. Show that he has increased storage volume by 6%.
4. Need calculations and report sealed by Personal Engineer and Registered Land Surveyor.
5. Show detention storage data on plans.
6. Index to plans.

Woodbury Plan Development approval contingent of the 6 items being changed to Drainage Board satisfaction.

VI Hearing on Dismal, Ilgenfritz, and Luther Lucas Ditches

Dismal,
Ilgenfritz
Luther Lucas
Ditches

Mr. Bruce Osborn read items to be considered in the Hearing:

1. Hear a Petition to establish the Dismal Creek as a Legal Drain.
2. Establish a maintenance fund for the Dismal Creek.
3. Combine the above noted drains into a single drainage system.

Dismal
Ilgenfritz
Luther
Lucas
Ditches

Names of those landowners at the meeting. H. LeRoy Moor, Woodberry Plan Development, James VaNess, Lafayette Engineers, Thelma Clearwater, Patricia L. House, Florence Moore, John C. Rice, Robert McCabe, Alan Kemper, Ralph Jackson, Lafayette, National Bank, Farm Manager, representing the Robert Wallace farm, Mary L. Kerkhoff, Robert C. Lahrman, Raul L. Hamman, P.O.A. representing Helen F. Kepner, Klaus & Martha Peters, Cathy Blue, Marjorie E. Phillips, Mrs. Charles McDonald, Duane McDonald, Weldon E. Vaughn, Agnes Vaughan, Louis P. Vaughan, Harold Boesch, Tom Sosbe, Ram Cloyd, and Jim Cloyd.

Mr. Hoffman, Attorney read petition:

Petition:
Dismal Creek

IN THE MATTER OF THE DISMAL CREEK
IN THE MATTER OF THE DISMAL CREEK DRAIN PETITION

Petition
Dismal
Creek

Robert Lahrman, petitioner, by his counsel, David A. Rosenthal of Rosenthal, Greives & O'Bryan and the undersigned petitioners are each qualified to file this petition, pursuant to I.C. 36-9-27-54 to establish a new regulated drain known as the Dismal Ditch which is now the existing Dismal Creek which runs from U.S.52 to the Wea Creek, entirely in Tippecanoe.

That the area affected by such drain is set forth on the map attached hereto.

That in the opinion of petitioners the proposed drain will;

- (1) improve the public health;
- (2) benefit a public highway in a county or a public street in a municipality;
- (3) drain the grounds of a public school; or
- (4) be of public utility as follows:
 - (a) to prevent serious erosion to valuable farm land;
 - (b) better drainage for tiled land which have outlets below ditch level;
 - (c) better maintenance for the ditch which has been neglected in the past;
 - (d) To establish a maintenance fund to correct any problems that may arise.

That in the opinion of petitioners the costs, damages, and expenses of the proposed drain will be less than the benefits accruing to the owners of land likely to be benefited by the drain.

It is understood that the petitioner shall pay the cost of notice and all legal costs, if the petition is dismissed. Signed by the following Landowners. Steven R. Hankins, Ray Jackson das Harold Boesch's petition, Robert Kochert, Donald L. Hankins, Louis R. Vaughan, Robert L. Peabody, Robert McCabe, Ruth V. Stewart, Mary Louise Kerkhoff, Kenny Farms, Inc., Charles I. Kenny, Jr., Thomas Price, Harold Boesch, Weldon E. Vaughn, Florence K. Moore, Betty Peabody, Agnes Marie Vaughan, John L. Miller, James J. Pilotte, Larry A. Schultz, Vincent Hatke, William R. Yost, Ruhl Robbins, Dan Dexter, H. Kenneth Hart, Karen Mellady, Lloyd J. Fidler.

Copy of letter of those who remonstrated.

Letters of
Remonstrat-
monce.

February 16, 1984

IN THE MATTER OF THE FOLLOWING DITCHES OR DRAINS Dismal Creek, George Ilgenfritz, Luth Lucas
Gentlemen:

Reference is made to your Notice of Hearing dated January 20, 1984 addressed to Elias McCoy, 6423 S. 300 E., Lafayette, Indiana, indicating that 132 Acres located in Section 26, Township 22, Range 4, in the name of Elias McCoy is located in the watershed of one of the above ditches or drains and is subject to assessment for maintenance costs.

Elias McCoy is now deceased. Keltie McCoy Pendleton is the executrix of his estate and is the sole heir who is now the owner of the land described within the proposed Dismal Creek Legal Drain for the reason that the land described in the Notice is not in the Dismal Creek watershed but is on the Wea Creek watershed. All surface water from the land, and all water flowing through existing tile from the land, drains into Wea Creek and not into Dismal Creek.

Since the land in question is not to be benefitted by the proposed Dismal Creek Drain, it is inappropriate that it is assessed for maintenance.

Keltie McCoy Pendleton
Executrix of the Estate of Elias McCoy and Landowner
By: Paul D. Ewan, her attorney

March 2, 1984

To: Tippecanoe County Drainage Board

We are the owners of 11 Acres in which the Dismal Ditch runs through a portion of our property. Our objection to this is our concern what may gain from this action. We intend to use the land for wildlife. And our concern is about any future work to the ditch which may disturb the trees and wildlife. We are also interested in what right of ways we maybe subject to in the event any work is ever to be done. We will be in attendance on the hearing date, March 7, 1984.

Signed by: Mr. and Mrs. Thomas P. Sosbe

February 27, 1984

Tippecanoe County Drainage Board

Dear Sirs:

This letter is in reference to the S E ¼ N W ¼ of Sec 28, Twp.22, Range 3.

I am objecting to my land being placed in the Dismal Creek watershed. I have never seen the 40 Acres in question drain South or West. It was tiled in 1910 (approximately) into the Hopper Ditch that was never put under assessment by the Tippecanoe County Drainage Board. The 40 Acre tract was owned in the early 1900's by a woman named Hopper.

About 4 or 5 years ago, I retiled this 40 acre tract and hooked into the existing Hopper Ditch Main. This Main goes north and east coming out on Wyandotte Road by I -65. For the above reasons, I feel I am in the Dismal Creek Watershed. I would appreciate your removing this tract (S E ¼ of N W ¼, Sec. 28 Twp. 22 Range 3) from the assessment and clear up your records.

Sincerely,
Lewis J. Beeler

Dismal, Ilgenfrita, and Luther Lucas Ditches Continued.

Letter of One letter received was in favor and reads as follows:
In Favor: January 30, 1984

Tippecanoe County Drainage Board
County Office Building
20 N. 3rd St.
Lafayette, In 47901

Attention: Mike Spencer

Dear Sirs:

I have received a notice of the meeting to be held regarding work to be done on the ditches in Wea Township. Since I am leaving tomorrow to go to Florida, where I expect to remain until the first of April, I wish to be recorded as favoring the making of the ditches into a court ditch. The suggested cost of \$1.00 per drained acre seems to be reasonable.

I have 78.6 in fee simple and a life estate in 320 Acres. Robert C. Lahrman farms these acres.

If there is anything else I can do in this cause, please let me know. My Florida address is: 1188 Pomper Lane, Naples, Florida, 33940

Very truly yours,
Ruth V. Stewart

Mike Spencer, County Surveyor, explained the water shed area was taken from a map that the Soil & Water Conservation had drawn up in 1948 for the Dismal Creek area, he could see where that could be incorrect and ask the landowners who have problems or think their land doesn't drain into the ditch give their names and address, as soon as the weather permits he will be out in the area and work with them as well as go to the Soil Conservation, since they actually had drawn up the map in 1948. Soil Conservation has new aerial photographs. Mr. Klaus Peters had though his land was out of the area, but finds that the land is in the area, all his land drains to the west. Mrs. Catherine Blue joins Mr. Peters. Robert Lahrman reported that as they drove over the area they found alot of land that isn't on the 1948 map that is in the Dismal Creek ditch area. Mr. Hoffman as the landowners to give their names and address to Mike Spencer as he requested. Ralph Jackson representing Robert Wallace Farm Sec.19, Twp. 22, Range 3, containing 76.77 acres is assessed in both the George Ilgenfritz and the Dismal Creek Drainage, he requested this to be on record. Alan Kemper feels that $\frac{1}{2}$ of his water goes into Wea Creek, legal description of property Pt $s\frac{1}{2}$ SE $\frac{1}{4}$ Sec 26, Twp 22 Rge. 4. Forest Johnson said he thinks State Highway should have more acres, and he should have less acres. Bob McCabe same problem. Mr. Hoffman pointed out that would be taken out, but would have to check with the Highway. State Highway has 8 $\frac{1}{2}$ Acres in Dismal Creek, Highway does have some acreage in Ilgenfritz watershed. Board of Commissioners 41 Acres. Harold Boesch wants acreage checked. Harold Cloyd, Route 3, NorthManchester, Indiana wants acreage checked. Bruce ask Robert Lahrman to identify acreage that had been misses. Marie Crouse 40 Acres, check neighbor on west side of Crouse, check Kenny Farms on 450 road, ditch drains into Dismal goes to Road 500. Florence Moore requested her acreage be checked. Mike assured all that acreage would be checked and changes made accordingly.

Mr. Hoffman, Attorney, Stated: To make a legal drain a petition must be signed by 10% of the acreage involved or 25 % of assessed valuation. Total acres of the signed petition in favor was 1,596.224. Total acreage 6,857.154. The petition is good.

Mrs. James Phillips asked about weeds and willows in Ilgenfritz ditch and why Dismal was not a legal drain even though it has legal drains draining into it? Mr. Hoffman stated you can make anything a legal drain, unfortunately in the past alot of legal drains were made legal drains that didn't have a positive outlet, policy of Drainage Board now is to not permit that, they have to drain into the Wea Creek or the Wabash River so the water can get away, now the board has extended them to get an outlet, this is what the board has done to get the Dismal a legal drain. Ilgenfritz and Luther Lucas have a positive outlet.

Mr. Robert Lahrman gave an example and ask for verification of an Illegal Drain. Example: People have farmland, they survey it, it would not drain into these ditches, but by installing tile and running to the ditch getting water out that would not normally run that way. Would this be an illegal attachment to legal drain? Do they have to get permission to hook onto that? If they do, aren't they a part of that drain? Mr. Hoffman said, yes. Code specifically says that you can not attach onto a legal drain without the permission of the Drainage Board. Drainage act went into affect 1965, wasn't really working till the 1970's.

John Rice ask what benefits were going to be? Mr. Hoffman said he had traveled the ditch with Mike Spencer, found beaver dams and debris blocking ditches. Mr. Hoffman stated there would be no benefits till these items were cleaned out. Forest Johnson ask Bruce Osborn if it had been mentioned that Luther Lucas and Ilgenfritz ditches were in conjunction with Dismal? Answer yes. Luther Lucas and Ilgenfritz ditches are legal ditches? Answer yes. Why hasn't the outlet been cleaned out, due to the fact that there has been a maintenance fund for these two ditches? Maintenance Fund has legal description, point to point, beginning and end in water shed area, by law that's only place money had been spent on that particular ditch. Mr. Forest Johnson ask if any money had been spent and how does landowner go about maintaining the ditches? Answer to Mr. Johnson's questions. It is up to the Landowner to notify the Surveyor or Drainage Board of any problems or needs of maintenance to the ditches.

Mrs. Donald McDonald ask how much of a right-way is Drainage Board requesting? 75' on each side of ditch. Will ditch be straightened? Not under maintenance, maintenance only takes care of what is there. That would come under reconstruction. Mrs. Blue had questions about checking Widmer ground she feared lots would drain into her pasture land. Mike to check it out.

Eugene Moore moved the Board establish Dismal as a legal drain and establish a maintenance fund of \$1.00 per acre for the Dismal Creek, seconded by Sue Reser. Unanimously accepted by the Tippecanoe County Drainage Board.

Bruce Osborn ask that the ditch have a single name. Ditch will be known as Dismal Creek Ditch with branches of Ilgenfritz and Luther Lucas.

The proposed assessment is as follows:

PROPOSED ASSESSMENT METHOD TO EQUALIZE ACCOUNTS FOR DRAIN COMBINATION

The Luther Lucas Drain and the George Ilgenfritz Drain are established Legal Drains and have established maintenance funds with monies previously collected in these funds. The Dismal Creek has no funds. A method has therefore been proposed to equalize the amount per acre balance of these three accounts over

Dismal Creek, Continued

over a five year period.

Note: The drain watershed to which your property is being assessed is underlined at the top of your Hearing Notice.

By dividing the dollar amount in each drain account by the total number of assessed acres in that drain's watershed, the following balances are derived:

Dismal Creek	\$0.00 per acre balance
Luther Lucas	\$3.00 per acre balance
George Ilgenfritz	\$5.00 per acre balance

To equalize these three account balances, the following is proposed:

Dismal Creek, Landowners in the Dismal Creek watershed will pay assessments (at the rate of \$1.00 per acre) for two (2) consecutive years, reaching a \$5.00 per acre balance at the end of this five year period.

Luther Lucas, Landowners in the Luther Lucas watershed will pay assessments (at the rate of \$1.00 per acre) for two (2) consecutive years, reaching a \$5.00 per acre balance. No assessments will be paid for the remaining three years of the five year period.

George Ilgenfritz, Landowners in the George Ilgenfritz watershed will pay no assessments during the five year period, since this account already had a \$5.00 per acre balance. At the end of the five year period, the three accounts will then be equalized at the \$5.00 per acre collected balance. Assessments collected after this five year period will be per Indiana Drainage Code as applicable to all Legal Drains.

Bruce Osborn ask for volunteers from lower end, upper and middle end of ditch to form a committee to help the Surveyor.

Alan Kemper ask question on bridges. Who is to maintain crossings on the ditch? Mike said, Landowners maintain their own crossing.

There being no further business to come before the board, the meeting was adjourned at 10:45 a.m.

Bruce V. Osborn
Eugene A. Moore

BRUCE OSBORN, CHAIRMAN

EUGENE MOORE, BOARDMEMBER

Sue M. Reser
 SUE RESER, BOARDMEMBER

ATTEST:

Maralyn D. Turner
 MARALYN D. TURNER, SECRETARY

Tippecanoe County Drainage Board
August 5, 2015
Regular Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, Vice President Tracy Brown, member Thomas P. Murtaugh, 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

Tracy Brown made a motion to approve the June 3, 2015 Drainage Board Regular Meeting minutes as written. Thomas Murtaugh seconded the motion. Motion carried. Thomas Murtaugh made a motion to approve the June 3, 2015 Crist Fassnacht Maintenance Hearing minutes as written. Tracy Brown seconded the motion. Motion carried.

Legado Development Ph. II / Rolling Maul Ph. III

Clem Kuns from TBird Design Services appeared before the Board to present Legado Development Ph. II/Rauling Maul Ph. III to the Board. (Phase I of the Legado Dev. Project was approved by the Drainage Board in March of 2014.) The Legado Ph. II site was located northwest side of Schyler Avenue and southwest of Conservation Club Road. The Rauling Maul Ph. III site was located on the south side of Conservation Road, north-northwest of the intersection of Conservation Road and State Road 25. Mr. Clem Kuns noted one of the developers was in attendance today- Jeff Deboy. The project sites would adjoin and share a common drive connecting the two developments. The Legado Ph. I Master Plan included Phase II of Legado Development with no addition detention or water quality required. This phase of the project included an expansion of Legado Drive and an access road to the back portion of the site located on the east boundary of tract. The entire site (until it breaks over the hill) drained into an existing infiltration basin built during Phase I of Legado project. A small northern portion of the site drained around and in between the existing buildings to the north. A waste water treatment facility would be constructed for this runoff. The overall Legado site consisted of approximately 12 acres.

The Rauling Maul site's runoff would be reduced under the proposed development. Rauling Maul Ph. III runoff flowed west to east with a portion discharged to an existing 18" tile inlet at the east property line to a small pond. The eastern portion of the Rauling Maul site drained north to the floodplain. A small portion of the southern area of site- approximately a third- drained to the east and northeast to the adjoining tract-Brennaco site- owned by Paul Whistler. New soccer fields and a concession stand were proposed. Due to underdrains and storm runoff collected somewhat channelizing the flow; a stilling basin would be located at the northeast corner which would reduce the runoff from the 6 acre site. The said basin was approximately 75 feet in length with a wall; the runoff would overflow the top evenly as a sheet flow release rather than a point of discharge release. Mr. Kuns requested approval for this project and approval of exemptions from the Board's as recommended in the July 31, 2015 Burke memo. President Byers referred to the Surveyor for his recommendation(s).

The Surveyor stated the following for the record; in 2014, Kenneth White 2937 Conservation Club Road appeared before the Board prior to the first phase of the Legado project. He had stated he felt the Legado project was causing problems with his septic system. Per the Surveyor's request, Ron Noles, Chief Environmentalist of the Tippecanoe County Health Department made a site visit to Mr. White's tract. Mr. Noles found Mr. White's septic system was partially failing. This was due to improper final grading which created a concaved depressional area above his absorption trench laterals (finger system) causing his septic issues. A pump system was also included in the septic system design due to the trench laterals located on higher ground. Mr. Noles found the pump was not working properly. Mr. Noles' inspection found Mr. White's septic issues were not caused by the adjoining development, but by his own system's design and lack of grading.

The Surveyor recommended approval of the requested variance of the BMP requirement and exemption from detention as stated in the July 31, 2015 Burke memo for the Legado Ph. II and Rolling Maul Ph. III project. Thomas Murtaugh made a motion to grant the variance and exemption as stated in the July 31, 2015 Burke memo. Tracy Brown seconded the motion. Motion carried. Thomas Murtaugh made a motion to grant approval with the conditions as stated in the July 31, 2015 Burke memo for aforesaid project. Tracy Brown seconded them motion. Motion carried.

Carriage Estates Phase III

There was no representative from Lakeland Innova Tech, Lafayette Indiana representing the developer of Carriage Estates Phase II Waste Water Treatment Plant Improvements appearing in front of the Board today. Responding to Mr. Murtaugh's inquiry, the Surveyor stated he had no issues representing the project to the Board in the absence of a representative for the aforementioned project. He stated the site was located on approximately 7 acres at the end of Bridgeway Drive at the southwest end of Carriage Estates III, immediately west of both Carriage Estates and Indian Creek. He reviewed the site utilizing G.I.S. and noted the expansion was a result of IDEM requirements. The existing treatment plant improvement would increase the capacity for current needs. The project consisted of replacing existing lagoons with a new processing facility. The WWTP was protected by a berm from Indian Creek, as the site was essentially a bowl in shape and captured all stormwater. The expansions were large open tanks with no tops which would capture the stormwater which would also be treated prior to flowing downstream. Responding to Mr. Byer's inquiry, the Surveyor stated there were no conflicts with the Indian Creek study completed by Christopher B. Burke Engineering. There was no impact on said creek as there would be no stormwater discharge from the site. He then recommended approval with the conditions as stated on the July 31, 2015 Burke memo. The President asked for public comment. Pat Jarboe of TBIRD Design Services approached the Board and stated his firm had been involved with this project on the survey portion. Regarding Indian Creek's floodplain, the project was located outside of the actual boundary of the said floodplain regardless how the current floodplain maps indicate. The Surveyor stated he agreed with Mr. Jarboe. There were no other public comments.

Tracy Brown made a motion to grant approval with the conditions for the Carriage Estates Phase III as stated on the July 31, 2015 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Zach Beasley/Other Business

Petition to Establish a Maintenance Fund for the Lydia Hopper County Regulated Drain

The Surveyor presented a signed petition to establish a maintenance fund for the Lydia Hopper County Regulated Drain. He noted over 50% of the benefited acreage within the watershed was represented on the signed Petition. He requested the Board accept and refer the Petition as presented back to the Surveyor for a maintenance report preparation. There was no public comment.

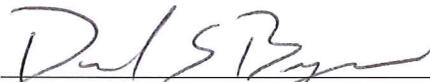
Thomas Murtaugh made a motion to accept and refer the Lydia Hopper Regulated Drain Petition as presented by the Surveyor for a maintenance report as requested. Tracy Brown seconded the motion. Motion carried.

2015 Ditch Spray Program

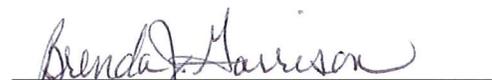
The Surveyor informed the Board the 2015 Ditch Spray program had begun. Daltons Inc. would be working in the county spraying various ditches on the list.

Public Comment

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



David S. Byers, President

Tracy Brown, Vice President

Brenda Garrison, Secretary

Thomas P. Murtaugh, Member

Tippecanoe County Drainage Board
December 9, 2015
Lydia Hopper#124 Regulated Drain Maintenance
Landowner Hearing Minutes

Those present were:

Tippecanoe County Drainage Board President David S. Byers, Vice President Tracy Brown, member Thomas P. Murtaugh, 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.

David Byers opened the Hearing and thanked attendees in the room for coming. He then turned the Hearing over to the Surveyor for his report. The Surveyor read the following into the record: Maintenance Report Lydia Hopper #124 Regulated Drain Tippecanoe County Drainage Board October 26, 2015- The Lydia Hopper Regulated Drain was originally established by the Tippecanoe County Superior Court in 1908 Case Number 9251. The drain and its watershed are located in sections 21 and 28 of Township 22 North and Range 3 West in the political township of Sheffield, Tippecanoe County, Indiana. Until now no petition from the watershed landowners has ever been filed to create a maintenance fund, therefore no maintenance fund currently exists on the Lydia Hopper Regulated Drain. There are approximately 3050 lineal feet of open ditch and approximately 4850 lineal feet of tile ranging in size from 10 inch to 15 inch to be maintained by this maintenance fund. The watershed contains 251.366 acres. It is the recommendation of the Tippecanoe County Surveyor that a sum of \$21,670.00 is needed to maintain and improve the existing drainage system. An assessment of \$10.00 per acre and a \$20.00 minimum collected over an 8 year period is recommended. This will generate \$20,109.25 over an 8 year period. It is the professional judgement of the Tippecanoe County Surveyor that the proposed maintenance rate is necessary and will ensure that funds are available to promote adequate drainage in this watershed for the future, respectfully- Zach Beasley. He then turned the Hearing back over to President Byers. Dave Byers asked for public comment concerning the issue at hand.

Tim Fitzgerald, owner of Exploration Acres (located within watershed) and son of Donna Beeler 5701 Newcastle Road Lafayette Indiana 47905 approached the board. He brought along with him a historical Beeler farm tile location map. He provided the Surveyor with a copy. He stated the pipe was not in good shape as each year they experience tile breakdowns which have indicated the main tile is not going to last much longer. The Surveyor, at Mr. Fitzgerald's inquiry, explained the difference between periodic maintenance and drain reconstruction. He stated the instances in which maintenance funds could be used. The Surveyor stated they can excavate the tile (8-12inch) - move a couple sections out of the way and with a light shining into the tile check condition for any blockages. Mr. Fitzgerald stated there were two areas of concern he had- mainly due to tile breakdowns. The Surveyor stated his office would look into this further and stated he would be in contact with Mr. Fitzgerald or Donna Beeler his mother in the near future. Dave Byers asked for additional public comments. There was none. He asked the attorney to read the Board's Findings and Orders into the record. The attorney read the following into the record:

In the matter of the Lydia Hopper #124 Regulated Drain/Findings and Order (Annual Maintenance)

This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on October 26, 2015. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed. Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana were filed. Remonstrances were not filed. Evidence was presented by the Tippecanoe County Surveyor and landowners affected were present. A list of those present is filed herewith. After consideration of all the evidence, the Board does now FIND THAT:

- (1) The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on October 26, 2015.
- (2) Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.
- (3) Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.
- (4) The legal drain consists of 3050 lineal feet of open ditch and 4850 lineal feet of tile.
- (5) The present condition of the ditch is in need of repair.
- (6) The ditch needs the following maintenance at present:
Open Ditch Dredging and tile repair

- (7) There is now 0.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 251.366 acres total.
- (9) Estimated annual cost of maintenance is \$2,708.75.
- (10) Estimated annual benefits the land drained exceeds repair and maintenance costs.
- (11) A fund for annual maintenance should be established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: \$10.00 per acre with a \$20.00 minimum.
- (13) The assessment list filed herewith should not be amended.
- (14) The assessment list filed herewith is fair and equitable and should be adopted.
- (15) The assessment should be collected with the May 10, 2016 taxes.

NOW, THEREFORE, IT IS ORDERED THAT:

- (1) A maintenance fund be established for the Lydia Hopper #124 Regulated Drain at the annual rate of \$10.00 per acre and \$20.00 minimum benefited to be collected over an eight (8) year period.
- (2) The Schedule of Assessments filed herewith are adopted and made a part hereof.
- (3) The first annual assessment shall be collected with the May 10, 2016 taxes.

Tracy Brown made a motion to approve the Findings and Orders of the Lydia Hopper #124 Regulated Drain as read by the Attorney. Thomas Murtaugh seconded the motion. Motion carried.

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



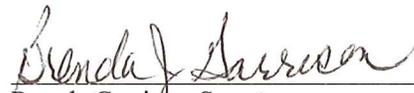
David S. Byers, President



Tracy Brown, Vice President



Thomas P. Murtaugh, Member



Brenda Garrison, Secretary

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

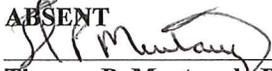
- 1.) Drains in need of Reconstruction
 - a. Elliott, S.W. (#100)
 - b. J.B. Anderson (#02) (Clarks Hill Portion)
 - c. Edwards (Not Maintained)
 - d. McBeth (Not Maintained)
 - e. F.E. Morin (#57)
 - f. Marion Dunkin (#25)
 - g. Huffman-Weimert (Not Maintained)
- 2.) Hearing and Rates Established in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



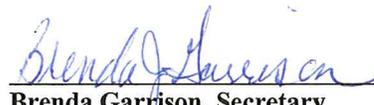
Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary