

TIPPECANOE COUNTY DRAINAGE BOARD MEETING

MARCH 4, 1987

The Tippecanoe County Drainage Board met Wednesday, March 4, 1987 at 8:30 A.M. in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana 47901.

Chairman Bruce V. Osborn called the meeting to order with the following being present: Eugene R. Moore and Sue W. Schlor boardmembers, J. Frederick Hoffman drainage attorney, Michael J. Spencer surveyor, George Schulte county highway engineer and Maralyn D. Turner Executive Secretary, others present are on file.

**CROXTON
WOODS**

Robert Grove representing Phyllis Croxton, requested Item I. The condition of approval in construction plans in offsite inlet to the tile. This has been submitted to Michael Spencer surveyor, the drawing of the proposed offsite inlet, which will meet the condition. They are proposing to put inlet structure right on the tile behind the Flower Shop. This is not on the owners property she will have to obtain an easement from the other property owners. Mr. Grove doesn't think there will be any problem.

Item II. Condition was creating a legal drain. There are some difficulties with this, as these people are not going to create a legal drain through their building; therefore, they are asking some alternatives, one would be to create an easement without putting the building in a legal drain or easement. Michael thought it had been discussed at previous meeting, that since there would be no legal drain all the way to an outlet they were going to address it on a self maintenance deal in the subdivision. Mr. Grove said this would be an alternative. There would be more of a watershed area outside of the subdivision. A large section would be picked up along the State Highway where they are coming down the hills. An easement would be provided all the way through to the detention basin, if this was sold. (Speaking of the area joining the subdivision). Easement could go through undeveloped portion and whoever would sell that property the easement would go with it. They would always have that option. Mr. Grove felt the property owners wouldn't argue with that as Croxton Woods is providing them with a safety valve. Mr. Hoffman asked how wide is the easement? Mr. Grove stated at this point there is none. Mr. Hoffman understood that they were going to put one. Question: Homeowners going to own? Right, at this point the easement would be 25 to 30 feet. Problem is they can't get from the top to the bottom, but still want to protect the flow line. Mr. Osborn felt the County would be better off staying out of the drainage. Mr. Hoffman felt they should have a public easement on there so the Homeowners Association can take care of it, instead of them coming in and wanting the County do something. Michael Spencer felt all plans submitted were OK, the only thing he ask that they get an easement and get a written covenant saying they are going to create a Homeowners Association. Mr. Grove ask if the outlet was the only conditions? To the knowledge of Mr. Spencer this is correct, however he will check and if there is anything else he will let Mr. Grove know. There will be three easements, one along the property lines, piece to get into the inlet and one to get all the way across down the property. Mr. Osborn ask if the holding area was OK? Yes.

Eugene R. Moore moved to give approval to plans submitted with the three easements and the necessary covenants submitted to the surveyor and the drainage attorney for their approval, seconded by Sue W. Scholer, Unanimous approval given.

**PARK
EAST**

Robert Grove representing Park 65 Corporation requested Conceptial approval of drainage plans for the project known as Park East. Property is located Southwest of Intersection of I-65 and State Road 26 East all the way to Treece Meadows down to McCarty Lane. The area has been rezoned up to 1,000 feet from McCarty Lane. They are looking at a 3 area Phase project as far as drainage. Phase I area outlets through 2-40X66" cross pipe under State right of way. Part of the problem in the area at the present time is that it is an agricultural type drainage, the inward elevation of the pipes is 654, the elevation in the area is 666, there are cattails in the area and has slow flow situations all the way down to the outlet. They first thought of using the outlet, looking at how it affects the other areas 3500 feet away ran into problems with grade running through a storm sewer system makes it worse. Owners have committed to put another pipe in which would be 4 foot lower than the pipes there now. Several reason for this. 1. Can better serve the area,

it allows to take approximately 20 acres of area which would be going into the Treece Meadows system. Taken through the First Phase handling through the detention basin and outletted to the 48" pipe. Michael ask, why? They are trying to develop in some reasonable fashion from the economic stand point. They want to keep it in packages so they can handle the area. Phase I will help Treece Meadows drainage system, if Phase III was never built they have done something for the area by dropping the outlet four (4) feet that gives a four(4) foot storage in the basin, which amounts to an overflow situation, they are not using that other than for an emergency overflow. The system will remain intact, they are not disturbing it. If the two pipes are running full they might carry anywhere from 160 to 180 cfs. Phase I consists of 145 acres, they anticipate 395 cfs, 100 year storm event coming into the basin with reduction to 80 cfs outlet to the 48". Another complication of Phase I is that there are two legal drains, one goes dead center in Phase I a commitment for 9 acres is on at the present time. The other goes where the two pipes are now. Legal drain would have to be vacated in developing the first Phase. Before development could be done in the other area the second legal drain would have to be vacated. The legal drains would have to be replaced with storm sewer system. Phase II consists of 240 acres which goes almost to Treece Meadows. They are proposing one large detention basin with a new outlet under I-65. Analysis of the area they would want to come through the basin with storm sewer system before getting into the final analysis they would want to reduce the size of the system. Michael ask if it would be a new pipe under the Interstate? Yes, it would be a 48" pipe. This would be looking at 470 cfs reduced to 80. Phase III is tributary to the Treece Meadows drain. Plans would be to go through the area and plug all the connections that go to Treece Meadows drain, Treece's main would be routed through the basin which would have a new outlet upstream water would go through the Treece Meadow system which has always been a problem. There is 20 acre feet of storage and an outlet of 42" maximum flow of 60 cfs. Basically there are 520 acres of all three discharges there would be approximately 220 cfs, .46cfs per acre. This is just a Conceptual plan, they haven't gone through any computer program that show any different rates. They are just asking for Conceptual approval of Phase I and here to answer any questions the board may have or any changes the board wants to see done. The way it is being developed they have a road system which may develop into two culdesacs this is not tied down till each parcel is sold at that time they will know where lot lines are. They are just looking at the over all area.

George Schulte had questions in regards to the runoff north of Treece Meadows. Mr. Grove stated at this point that area is out of their control. At one time they did approach the people about coming into the whole project. They will have to outlet to Park East system, but would be held to the requirements of the onsite storage if they were included in the plan.

George Schulte stated that the problem now in that area is the discharge from that area. Originally the complications had not been considered, Michael agreed, he stated the ditch on north side of Treece Meadows goes over and picks up an area of Caterpillar and side ditches. Michael just wants them not to forget all that water. Mr. Grove stated that they have the outlet proposed now to just control their runoff. If they know they have X number coming through they can enlarge and let it go through and even store. Right now they are stretching 20 acre feet just to control what they have another pipe can be placed, however he doesn't think they should be responsible for their storage. George Schulte again stated the concern of the board is to make sure the people on the offsite have a positive outlet so they can get through without impacting Park East and not to impact Treece Meadows any more. George Schulte ask what the plans were for south of McCarty Lane. Michael Spencer ask how they were going to hook in? Plan now is to cross the road that goes directly west. They will be handling everything on the north side. Michael wants to check the watershed map he thinks a little on the south side of McCarty lane goes to the north in the Ross ditch. Eugene Moore ask if they were taking out of one watershed and putting into another, is this a problem? Mr. Hoffman stated this is OK as long as a burden isn't put on the people below. Question: Nine acre piece, where are you going with the existing tile? They had talked with Mr. Hoffman in regards to the two outlets under 65, they plan to reroute it. Mr. Hoffman said the board wouldn't care as long as they had an in go and out go and where they ran it through the area didn't make any difference. Michael ask how soon they were going to come back with the first section? Mr. Grove stated that it will be right away depending on the out come of today's meeting and approval. Michael ask if the pipe would start underneath the interstate to provide themselves with an outlet? NO. Michael ask if they had started getting their permits from the State. Question was ask how far does the Ross drain go? Goes just a little south of McCarty Lane, at least that is the watershed area. Mr. Osborn ask George if he had any input. Mr. Schulte feels that area three really needs to have a sit down conversation and discussed thoroughly as it is a problem area. Area I and II he doesn't see any problems. Area III is a problem and it's going to be there until it is resolved. Developer only asks that the other landowners that are involved in Park East project is that they understand what Park East is trying to accomplish here and not expect to have a free ride. Park 26 wants to resolve the problem too. George's concern is that the offsite does not have a positive outlet. Unless Park East makes an allowance for the offsite to come into Park East system they are going to have a very large system of their own, they need to start evaluating whether it is better to provide a positive outlet for all that offsite (an open channel) or make system big enough to handle till the area is developed above.

Don McLaughlin a partner in Park East stated that Area III will be the second Phase developed. If things go the way they expect it to some of the improvements would be going in in 1989-1990, northern area will develop first then to the four lane developing toward the southwest.

Mr. Hoffman informed the board that he represents one landowner in the area, he felt he did not have conflict of interest. The board saw no problem.

Sue W. Scholer moved to give Park East approval to their Conceptual Drainage Plan as presented and that the surveyor see that a meeting is held to discuss Area III drainage, seconded by Eugene R. Moore, unanimous approval was given.

SUBARU-ISUZU AUTOMOTIVE

SIA

Pat Long planning associate, and Steven Gress engineer involved in drainage and other aspects of the site design. Mr. Long stated they are here to discuss the plant site and ask for approval for temporary drainage for construction phase. A full set of plans have been presented to Michael Spencer, the plans included the drainage plans, discussion was on temporary construction drainage, basically drainage will not be changed on the site from current drainage no water will be discharged off the site, the site is mostly self contained and the plan to keep it that way until they have approval to discharge water into the legal drain. They are taking the 50' square French drain and expanding it to a 1600' x 250' French drain, this will be pond #4, this will not alter drainage on the site and it's affect on the surrounding area. They will be draining the existing lakes out there (pancake lakes), they will be pumped dry into onsite drainage, the two ponds will be filled up. It is felt that drainage problems with the Town of Dayton will be resolved.

Mr. Long was open for question.

Bruce V. Osborn ask if the drainage plans were for just site work? Yes, this is just earth moving, no building. Only involves the roads surrounding it. There will be parking area during site building. RQAW is not involved in the design of the Parker legal drain. Midstates Engineers was hired by the State to do the Parker drain. Once permanent drainage approval is given they will go back in and line all four basin. Until that time they are leaving them with a granular base, alot of seepage can be expected, the site is going to drain just like it has. Instead of having the 50' square hole they will have four good sized one. Bruce ask if they are going to contain all the runoff? Yes, everthing will be contained, this is adequate. What storm event? Two year. George Schulte said one concern maybe siltation, basin will plug up pretty quick. George doesn't know how they are going to control sedimentation, but if they go into those basins problems will occur. Mr. Gress stated they calculated 70 acre feet for runoff of site, this would go into pond. George ask if they had looked at their permeability of granular sub straita to determine the rate the water will percolate into ground.

Mr. Osborn ask how long will we see temporary drainage? Till this fall. They have talked with I.E.D.C. and Midstates in regards to the Parker ditch. This lands on the State on how they get the Parker ditch approved and upgraded. No Industrial waste will go to Parker ditch, it will go to the Lafayette Waste System. All flow is monitored. Parking lots and roof runoff will go to the Parker only.

Mr. Osborn ask about liability. Michael Spencer requested this be in writing with a seal. Mr. Long assured the board that RQAW wants the system to work, therefore, everything is being checked in detail. Final plans have a baffle on pond four (4), so if there is any accident it will catch the oil.

Bruce Osborn ask about inspection when they start reconstructing Parker ditch. The board requested a County official be present when this starts. The board again stressed they wanted Liability backing from RQAW.

Betty Newton property owner in the area was concerned about the pancake lakes and compaction. She was assured there would be extensive fencing around the site while construction was going on.

Eugene R. Moore moved to grant approval for the temporary drainage for site work only, and that RQAW present in writing their liability responsibility, seconded by Sue W. Scholer, unanimous approval was given.

OTTERBEIN OTTERBEIN DITCH DITCH

Michael Spencer received a petition February 9, 1987 requesting Reconstruction of the Town of Otterbein Ditch. He hasn't been able to get to Benton County to get the list of property owners affected. He isn't sure if we have 10% of the landowners in Tippecanoe County, he would guess Tippecanoe County would have more than half by looking at the map. A letter has been sent to the Benton County Surveyor asking him to have their board to appoint board member so that a joint board can be formed. Mr. Hoffman stated they won't have a board meeting until April 1, 1987. Mr. Hoffman stated Tippecanoe County only needs to appoint one member as they already have one member. Bruce Osborn moved to appoint Sue W. Scholer to the Otterbein ditch board and Michael Spencer Surveyor, seconded by Eugene R. Moore carried. Those representing Tippecanoe County will be Bruce V. Osborn, Sue W. Scholer, and Michael J. Spencer. This is Sue Scholer's district.

KIRKPATRICK OPEN DITCH KIRKPATRICK RICK OPEN DITCH

Michael Spencer received petition to establish a maintenance fund for the Kirkpatrick Open Ditch. The ditch starts in the Town of Kirkpatrick in Montgomery county flows north into Wea Creek at 1300 South Road, east branch of Wea Creek. This has been on ASCS(their own district), they are having trouble getting funds in, however, they have \$9,000.00 plus in a fund. Mr. Hoffman ask if it was a voluntary thing or established under Section 13? Michael stated that it is a voluntary. Petition was signed by 62% of the landowners. Michael had written Montgomery County asking them if they wanted to form a Joint Drainage Board. They replied back that they did not want to form a Joint board. Mr. Hoffman stated Montgomery County should be a part of the board to protect their landowners. When Michael has time he will go to Montgomery County to get a list of property owners.

BRITT DRAIN BRITT DRAIN

Michael Spencer wanted the board to know that in December 1986 he did receive a Trust Agreement for the maintenance of the Britt Drain. All was executed properly. They are in the process of taking bids to get work completed that needs to be done toward maintenance.

S.W. ELLIOTT DITCH ELLIOTT DITCH

Michael Spencer submitted a Draft Proposal for the Study of S.W. Elliott ditch. There are some changes that need to be done in the letter as soon as this is done they can be advertised.

Question: Whose going to pay for it? General Drain Fund. Mr. Hoffman checked this out and said it could be done , then reimbursed at the time of reconstruction. Mr. Hoffman had a call from Rick Steiner a representative of the Indiana Employer Development Commission requesting a letter letter be written to the Lt.Governor in pursuant that they be ask to be on the Study Committee for the S.W.Elliott ditch. Mr. Hoffman talked with Mr. Gordon Kingma and felt this should be done. Mr. Steiner and another representative will be attending the next study meeting.

Allen Egilmex, Department of Highway Supervisor, was present. Mr. Osborn ask him to come up as he would be involved in the study of the existing 38. Bruce ask if any money was coming from Industries? Not at the present time. The Department of Highway have to find out what will drain into Elliott ditch from 38. They are planning to have the Interchange drain into the Parker ditch. Originally they had planned to drain into the two ponds just off I-65. They have been talking with RQAW in regards to the Interchange. Problems they are having, any ditch work they have to do along I-65 has to go through Federal Highway Administration. It will involve alot of additional right of way and reconstruction from SR 38 to 200 South because the side slopes have to be flat. Temporarily they are talking about going on the west side of the Interchange with drainage. State Rd 38 from the west ramp Intersection the water drains into the Elliott ditch now. With the preliminary cross sections they came up with it appears to be a flat ditch with a .2% grade all the way to the Elliott ditch. Problems with Elliott ditch he has heard second handed that it is over capacity;therefore, whats done here will affect highway improvements. They are trying to get an urban design cross section on State Rd 38 using curb and gutter and storm sewer system. F.H.A. told them not to bother writing a letter to this affect as they have to go with 65 mph design which would mean an open ditch south under new highway. Michael ask if they would present their study of the ditch so the County knows how it is going to

affect the county? Yes. if they would run ditch straight all the way on the south side the ditch would be 10-12' deep(open ditch) without using a cross pipe. Using cross pipe depth would possibly be 5-6' deep. Question was ask when was the Elliott ditch notices going to go out? Michael told the board whenever he has the time to get all assessments check and when they are ready to go out he wants them done properly. Time and Help is the factor. It was suggested that in getting help Dan Ruth be considered as he is knowledgeable of the assessments and the system. Michael wants them done right. He was ask how much time it would take? After much discussion, Michael pointed out that he has petitions for Branch 13 this is another time consuming project. He is concerned about the other two separate drains down Creasey Lane.

Sue W. Scholer moved because of the urgency of the Elliott ditch project that an emergency be declared. Money needs to be obtained to pay for extra help in getting notices out for the hearing money to be taken from the General Fund #95, seconded by Eugene R. Moore, Unanimous approval given.

In looking over the Draft Proposal changes need to be made. Michael and Mr. Hoffman will make changes in wording and the area of study. Time set for proposals to be in April 1, 1987, 120 days. Mr. Hoffman felt that the study should be environmental impact all the way to the river. Wording should be Environmental Assessment.

Sue W. Scholer moved that advertising be made and proposal requests be mailed out for Elliott ditch drainage study as reworded by Michael J. Spencer and Fred Hoffman, to be due 9:00 A.M., April 1, 1987, seconded by Eugene R. Moore, unanimous approval.

There being no further business the meeting adjourned at 10:35 A.M.

Barry V. Miller

Sue W. Scholer

Eugene R. Moore

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

TIPPECANOE COUNTY DRAINAGE BOARD MEETING
WEDNESDAY, FEBRUARY 3, 1988

The Tippecanoe County Drainage Board met Wednesday, February 3, 1988 in the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana.

Chairman Bruce V. Osborn called the meeting to order at 9:00 A.M. in the Community Meeting room. Those present were: Sue W. Scholer Boardmember, Michael J. Spencer Surveyor, Mark Houck Drainage Consultant, David Luhman Acting Drainage Attorney, and Maralyn D. Turner Executive Secretary., others present are on file.

VALLEY FORGE PHASE III

Robert Grove engineer, representing Roy Prock developer ask for final drainage approval for Valley Forge Phase III with the condition that Michael Spencer and Mark Houck have a chance to review the last request presented. Calculations were requested for 10 year calculations with storm sewer, 100 year storm sewer with direct run off with predevelopment flow, also detention calculations. This has been prepared and presented.

Michael stated they had met with Bob and this is his response.

Mr. Grove this is the last thing to be presented.
stated

Michael asked if Mr. Schulte was satisfied with the inlet capacity? Mr. Grove stated he felt that Mr. Schulte was satisfied, however Mr. Schulte had other requirements and they have been submitted to Mr. Schulte.

Mark Houck stated he and Michael had asked for 100 year calculations, the 10 year was just brought up in the last week. Mark stated at this point there will be no problems, it is just a matter of demonstrating the fact that the water will go where it is suppose to go at the time it is to go. One of the issues is getting water out of the culdesac into the detention ponds during a high return period storm. Mr. Grove stated they have shown that, it will go through the pipes on the 100 year calculations.

Mr. Houck stated that the issues have been laid out, the response is that Michael and he need to look at the calculations.

Sue W. Scholer moved to give conditional final drainage approval on Valley Forge Phase III, subject to Michael and Mark reviewing the technical information and in compliance with the County Highway Engineer that everything is satisfactory, seconded by Bruce V. Osborn, unanimous approval given.

BULLOCK BUILDERS

Robert Grove engineer, representing Bullock Builders owner asked for final drainage approval, location of property is south on Highway 231, south of the bowling alley consisting of 1 acre. Developer is building two garages that will be and office and the other a display for sales. Michael pointed out that this area has a problem of having a positive outlet. Mr. Grove's presentation of drainage control structure is on file.

BULLOCK BUILDERS CONTINUES-FEBRUARY 3, 1988

Mr. Osborn asked if they had worked on the right of way from the State Highway Department? Mr. Grove stated they are working on this.

Michael stated the plans presented are okay.

Sue W. Scholer moved to give Bullock Builder final drainage plan approval, seconded by Bruce V. Osborn, unanimous approval.

KIRKPATRICK DITCH

Eugene Moore and Bruce V. Osborn will serve on the Joint Drainage Board for the Kirkpatrick ditch. A hearing will be set sometime in March. Tippecanoe County has the most length of drainage and Montgomery County has the most acreage in the watershed area. Michael stated that Montgomery County did not want to set on the board, they wanted to waive their rights. Micheal told Russ Nelson Montgomery County surveyor that they had more acreage and that they should set on the board, they have agreed. This is why Michael is handling the procedures for the open ditch. What we are trying to do is get the outlet under maintenance. They have appointed two board members, those members are Bob Thayer and Dr. Marion Kirtley.

ELLIOTT DITCH

Sue W. Scholer asked if the board has started a procedure to get the flood plain defined for the report of the Elliott Ditch? Michael answered-yes. Mr. Christopher Burke has submitted that request to the Department of Natural Resources.

Sue W. Scholer presented a letter to Michael from Fred Hoffman attorney, in regards to Legislation of Districts, Indiana 8-1. 5-5-1- to 26 inclusive.

The board asked that the minutes reflect that the Elliott Ditch Task Force Special meeting was held January 21, 1988. The board wanted the minutes to state that the Study Booklet is in the surveyor's office, a cost of \$15.00 will be charged. Minutes are on record.

RAYMOND MILLER PROPERTY OWNER

Mr. Miller stated he has had drainage problems on his property created from drainage of an adjoining property owner. It has been since 1983 that he has asked that something be done to correct this matter. It came before the Court in May 1987, at that time a decision came forward, but to this date nothing has been done to the Court order. Mr Miller has lost \$8,000.00 with top soil and he has lost more since. Plans have been presented by Mr. Robert Grove to the surveyor, there are questions in regards to the plans, and Mr. Miller wants to know when he can get something done.

Mr. Osborn stated that Mr. Miller has been more than patient in this matter.

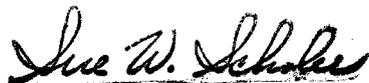
Robert Grove stated he did submit a design for structure that best meets the Court order. Mr. Grove stated that Mr. Spencer and Mr. Houck and he have agreed on the runoff from small rain storms, however they still question on the larger rain storms runoff. They may have to reduce the outlet control structure. They are trying to match the low rain fall.

Michael stated the problem is figuring out what the Judge has ordered. After much discussion the board asked that Robert Grove present a new proposal with new calculations of the structure design. A meeting was set for Friday, February 5, 1988 at 9:00 A.M. in the surveyor's office.

There being no further business the meeting adjourned at 9:25 A.M..



Bruce V. Osborn, Chairman



Sue W. Scholer, Boardmembers

Not Present

Eugene R. Moore, Boardmember

ATTEST:



Maralyn D. Turner, Executive Secretary

Otterbein Ditch-February 3, 1988

TIPPECANOE COUNTY DRAINAGE BOARD
Wednesday, February 3, 1988

The Joint Drainage Board for Benton and Tippecanoe County met for an organizational meeting for the Otterbein ditch in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, In.

David Luhman acting drainage attorney, called the meeting to order with the following being present. Sue W. Scholer Tippecanoe County Commissioner, Steve Conner Benton County Commissioner, Michael Spencer County Surveyor, and Jack Steele Benton County Surveyor. Others present are on file.

Mr. Luhman stated that Sue W. Scholer and Eugene R. Moore are to be the representatives for Tippecanoe County Joint Board and Steve Conner and Don Clute the representative for Benton County. Mr. Moore and Mr. Clute were unable to attend.

Mr. Luhman nominated Sue W. Scholer to serve as Chairman of the Joint Board, there being no further nominations, nominations were closed and Sue W. Scholer was unanimously elected Chairman of the joint board.

Sue W. Scholer appointed Maralyn D. Turner secretary to the board.

Sue W. Scholer asked Michael J. Spencer to make presentations in regards to the Otterbein ditch. Michael stated that a petition had been received requesting reconstruction of the Otterbein ditch and it accounted for 2,145.6 acres of the watershed area. Total watershed area is 2,820.8 acres. The petition represents 75% of acreage. Tippecanoe County has the most acres and length of drain.

Mr. Luhman stated the records should show that Michael J. Spencer County Surveyor by statue is an ex-official member of the board.

Michael stated what needs to be decided now is, what are we actually going to do. Acres and landowners, acres assessed and benefited by the project. A hearing will have to be held. Michael asked the board how they wished to hand the surveying and getting construction plans together and estimates. Go with an engineering firm or have the county's do it with their own personnel.

Chairman Scholer asked Michael how much information he had available? His answer is the legal description of the legal drain is all that he has.

Chairman Scholer asked if the board recommended that an outside firm do the findings. Michael stated that would depend on how fast. Michael stated we should get estimates of how much it is going to cost and get the approval from the landowners on the cost, as this will be a part of their assessment. A time will be set for a meeting after this has been done.

Mr. Conner asked what the reconstruction would entail?

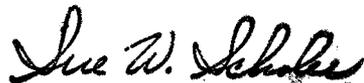
Michael stated the clearing and dredging of the ditch, leveling spoil etc. Michael asked if any one had contacted the Town of Otterbein Board about this request. The Town had signed the petition. This would be the ditch that runs west from the open ditch through the town. It is not a part of the legal drain. Mr. Steele stated this ditch is in terrible condition.

Mr. Conner is to contact the board and then let Michael Spencer and Sue W. Scholer know when they can meet with the Town board. First Monday of March is the Town's regular meeting.

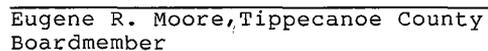
Michael stated if the Town wanted it to be taken into the Otterbein legal ditch the Town would have to petition to have the branch added to the legal drain.

Mr. Ernest Widmer stated that the branch they are talking about would take in some farm land on the west side of town.

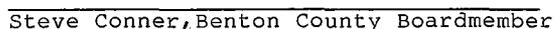
There being no further business the meeting adjourned at 1:45 P.M.



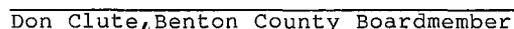
Sue W. Scholer, Chairman



Eugene R. Moore, Tippecanoe County Boardmember



Steve Conner, Benton County Boardmember



Don Clute, Benton County Boardmember



Maralyn D. Turner, Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, MARCH 16, 1988,

HEARING FOR TOWN OF KIRKPATRICK DITCH 9:00 A.M. Community Room of the Tippecanoe County Office Building 20 North Third Street, Lafayette, Indiana.

Bruce Osborn called the meeting to order stating that the purpose of the meeting was to organize Joint Board of Montgomery and Tippecanoe Counties for the hearing of the Town of Kirkpatrick ditch.

Mr. Hoffman drainage attorney swore the board members in to serve the Joint Board of the Kirkpatrick One drain they are Commissioners Robert Thayer and Marion Kirtley, Montgomery County, Bruce V. Osborn and Eugene Moore Tippecanoe County, and Don Kremer from White County.

Michael stated he has three other ditches by the name of Kirkpatrick and that is the reason for naming this ditch Town of Kirkpatrick. Mr. Osborn and Mr Hoffman felt that the ditch should be called Kirkpatrick One.

Mr. Hoffman conducted election of officers. Robert Thayer nominated Bruce V. Osborn as President, seconded by Marion Kirtley there being no other nominations, Bruce V. Osborn was elected President of the board.

Eugene Moore nominated Robert Thayer as Vice -President, seconded by Don Kremer, White County Commissioners.

Mr. Osborn asked Maralyn D. Turner to serve as secretary and Mr. Hoffman as drainage attorney.

Those present were: Michael Spencer Tippecanoe County Surveyor, Russ Nelson Montgomery County Surveyor, Eugene Moore and Bruce V. Osborn Tippecanoe County Commissioners, Don Kremer White County Commissioner, Robert Thayer and Marion Kirtley Montgomery County Commissioners. Others present are on file.

Mr. Osborn stated there was a new law passed that on a Joint Drainage Board there has to be five members, this is the reason for Mr. Don Kremer, White County Commissioner serving on the board.

Michael J. Spencer stated that a petition was received from property owners January 12, 1987 in the Kirkpatrick One watershed area. Petition was to establish a maintenance fund from County Road 1300 South to Town of Kirkpatrick. The amount to be established \$1.00 per acre to maintain the open drain along the existing route and not the tile drains that feed into it. There are problems with some of the headwalls where the tile system comes into the open ditch. There's approximately 3700 acres in the watershed area. There is a maintenance fund which has been voluntarily set up since the ditch was built in 1959. The latest that any maintenance has been done was back in 1972, this is per records of the Soil Conservation. Michael walked the ditch in February, there are some areas that need immediate attention if it becomes a County drain. When the ditch was built there was an old tile system, they left both ends of tile where they cross the ditch. When there is low water flow, water actually goes out of the open ditch into those tiles, this is causing alot of problems. Montgomery county has alot of tile wholes, banks are being blown out along the open ditch. Railroad side ditch south and west of Kirkpatrick has alot of silt and needs attention. If the property owners would want to put the tile system on the maintenance fund they could petition to do so.

Keith Stingley asked how come they are running this clear down to the road where the Perry Davis ditch runs? How's come they are not starting where they tore out the old tile? Michael answered the only reason he sent notices out to that point was that was the way the petition was presented. Mr. Stingley stated that it could be ran three miles more and catch everybody. Mr. Stingley objects as they are not hooked into it, they are hooked into the Isfelt drain. Mr. Stingley stated the Perry Davis ditch was built many years before the Kirkpatrick.

Mr. Hoffman stated if they are going to add they will have to have a petition to establish extending the legal drain. Michael stated the only thing he has to check with is the Soil Conservation records. Bruce asked if it went to the Wea drain? Michael feels that it does as well as up to the E.E. Johnson ditch.

Mr. Stingley stated there are no problems with the Perry Davis ditch, the fall is good. The only trouble with the Isfelt ditch is that he has tried for 10 years to drain it, it is all plugged up, tile is flat and it is a County ditch. He feels it isn't right to run the Kirkpatrick ditch to the other road. He feels it should start at the old tile. On further down he feels that it is cutting in on everybody else.

Mr. Osborn asked Michael to check on the legal description.

After checking Mr. Hoffman stated that it appears that the drain is longer. Michael stated the clean out was started at road 1300 South, when the drain was originally extended they started along the existing open ditch at a point approximately 3000' North and East of County Road 1300 South, then South along existing open ditch to a point where they took off with a new open ditch and dug the old tile out, along the railroad track down to the Town of Kirkpatrick. In looking at this the legal drain will have to start at the point where they started the reconstruction in 1959.

Mr. Hoffman stated since the people on the top section of the watershed area didn't get notices of this meeting another hearing will have to be held.

Barry Virgin asked how the voting among the landowners regulated if a maintenance fund is established. Who makes a decision of whether the ditch becomes a County ditch? Mr. Hoffman stated that it is already a County ditch (legal drain). Mr. Virgin stated there is money from a private drain. Mr. Hoffman stated he understands there has been money put into a voluntary fund to maintain the ditch. Since there is a voluntary fund something will have to be worked out in credits to the assessments. Mr. Hoffman stated that he assumes everyone knows how much they have put into the fund.

Mr. Osborn asked Eldon Horney if everyone knows how much they have paid into this fund?

Mr. Horney stated they have paid \$1.50 per acre since 1984 and paid for three years. Fund is in the Linden State Bank drawing interest at this time there is \$10,835.00. Mr. Osborn asked if this could be passed backed to the owners.

Mr. Horney stated that there has been changes in landowners in some cases. Mr. Hoffman stated the money would go with the land. Mr. Horney stated he would rather have it credited to the land that it came with. This will have to be taken under advisement. They have only used out of the fund one time. Mr. Horney stated there are records of the fund. Mr. Hoffman stated that after the maintenance fund is established that whoever represents the fund they should set down with the auditor, commissioners and surveyors to determine how to treat this fund. Mr. Horney stated he would personally like to see it turned over to the board and they decide how to distribute.

Mr. Keith Stingley asked if this is fair to the people on down the stream who have not had a vote on this yet? Mr. Osborn stated that notices will have to be sent out and another hearing be held.

Mr. Stingley asked if payment is made on the ditch according to how far you go up to the Kirkpatrick? If you are way down stream and don't fill in any sediment do you have to pay in? Mr. Hoffman again explained that it is on an acreage bases of acreage benefited within the watershed area. Mr. Stingley feels this is rotten, for the people downstream don't fill in, but all the blume ground up through Kirkpatrick is all filled in every five years. Mr. Hoffman stated everybody's water is going through that portion of the drain, Mr. Stingley stated not his.

Fred Klinker asked that the meeting be set after corn planting time.

After much discussion a Special meeting for a hearing was set for May 18, 1988 at 9:00 A.M.

There being no further business the meeting adjourned at 9:35 A.M.

Bruce V. Osborn
Bruce V. Osborn, President

Eugene R. Moore
Eugene R. Moore Boardmember

Robert Thayer, Vice-President

Marion Kirtley, Boardmember

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

Don Kremer, Boardmember

TIPPECANOE/MONTGOMERY COUNTY JOINT DRAINAGE BOARD
KIRKPATRICK ONE - HEARING
WEDNESDAY MAY 18, 1988

The Tippecanoe-Montgomery County Joint Drainage Board met in the Tippecanoe County Office Building Community Meeting room, 20 North Third Street, Lafayette, Indiana with Chairman Bruce V. Osborn calling the meeting to order at 9:00 A.M. Those present were: Eugene R. Moore Tippecanoe County Commissioner, James M.Kirtley and Robert M. Thayer Montgomery County Commissioners, Don G. Kremer White County Commissioner, Michael J. Spencer Tippecanoe County Surveyor, Russ Nelson Montgomery County Surveyor, J. Frederick Hoffman Drainage Attorney, and Maralyn D. Turner Secretary. Others present are on file.

Michael Spencer stated at the last hearing it was discovered that a portion of the open drain on the lower end had not been included in the watershed area, the area is 160 acres of land area has been included and notices have been mailed for this hearing today. This changed the acreage and footage. There is 12,770 feet of open ditch in Tippecanoe County, 4,805 feet in Montgomery County making a total of 17,575 feet. Tippecanoe County has the greatest length of drain and Montgomery County has the most acreage in the watershed area with 2,157.5, with the additional acreage in Tippecanoe County there is 1,709.14 acres. Michael stated that an inquiry from J.C. DePlanty had been received in regards to his acreage, the acreage was reduced to 116.20 instead of the 140.80 as previously recorded. A call was received from Mrs. William A. (Brenda) Dick's about the description of land between them and Food Fibers Inc. These were not exactly remonstrances, but notice that acreage needed to be changed.

Michael Spencer surveyor recommended that a Maintenance fund be established for Kirkpatrick One ditch at \$1.00 per acre.

Bruce V. Osborn asked Eldon Horney if he was satisfied with \$1.00 per acre. Mr. Horney stated it could be a little higher as maintenance is needed immediately. Discussion was that the rate could not be changed as the hearing request was for \$1.00 per acre it would have to be readvertised and another hearing held, the increase could be 20% more without a hearing.

Michael stated the only way to get around is when the tile lines that are to be contemplated to be added \$1.00 an acre will not take care of the tile and the open ditch. At that time it may be increased. Michael stated there was alot of tile that ran into the open ditch that was not included in the petition to establish a maintenance fund, just the open drain. Question was asked if they were legal drains, Michael answered he doesn't know if they are legal branches. The Isfelt ditch is a legal drain, but has no maintenance fund established.

Mr. Osborn stated that it has be recommended to the board to establish a maintenance fund for the Kirkpatrick One ditch with a \$1.00 per acre assessment.

Robert M. Thayer Montgomery County Commissioner moved to adopt the recommendation to establish a maintenance fund for the Kirkpatrick One ditch, seconded by Eugene R. Moore Tippecanoe County Commissioners, unanimous approval.

Bruce V. Osborn stated the board had had discussion in regards to the money collected privately by Mr. Horney that it would be up to Mr. Horney to decide how to disburse it to those who have paid in. If they want to put it in the fund they can. It has been done with one other ditch. Mr. Osborn stressed it was Mr. Horney's responsibility.

The Board signed the findings and order for maintenance fund to be established starting with May 1989 taxes.

There being no further business Eugene R. Moore moved to adjourn the meeting, seconded by Donald Kremer.

Bruce V. Osborn
Bruce V. Osborn, President

Eugene R. Moore
Eugene R. Moore, Boardmember

Robert Thayer, Vice-President

Marion Kirtley, Boardmember

Don Kremer, Boardmember

ATTEST: Maralyn D. Turner
Maralyn D. Turner, 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
WEDNESDAY, JUNE 7, 1989
KIRKPATRICK ONE DITCH HEARING FOR RECONSTRUCTION AND REGULAR MEETING

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

Eugene R. Moore called the meeting to order with the following being present: Bruce V. Osborn, Sue W. Scholer, Boardmember; Robert M. Thayer and James A. Kirtley, Montgomery County Commissioners; Michael J. Spencer, Surveyor; J. Frederick Hoffman, Drainage Attorney; and Maralyn D. Turner, Secretary; others present are on file.

Kirkpatrick One Hearing for Reconstruction

Michael J. Spencer surveyor presented maps and explained the out lay of the Watershed. The outlay is the same as the original in 1959. The ditch is all open ditch. Michael stated that a letter to the Landowners had been enclosed with each assessment. Michael's estimate to clean and clear the Kirkpatrick ditch is \$60,465.73. There are 3,840.94 acres in the watershed. The cost per acre would be \$15.71 per acre and \$3.00 per lot. He proposed to use the money that has been collected in the past approximately \$6,800.00 to reduce cost per acre assessment. If this were to be used it would cost \$13.97 per acre a reduction of \$1.74 per acre over the entire watershed. The assessments mailed to the landowners did not reflect the approximate deduction of \$1.74 per acre.

Clean ditch bottom approximately 3.4 miles and clear 8 acres of brush and trees both sides of the ditch, excavation to grade and level spoil 18,035 Lineal feet of open ditch, Repair Headwall at Station 45 + 70, furnish and install farm crossing as directed near Station 103 + 00.

Tippecanoe County has 13,250 feet and Montgomery County has 4800 feet. Michael stated he had questions, one completion time and two moving of fences. Bob Booher stated he would move his fences to reduce the cost of reconstruction, the crossing at Eldon Horney's as to whether that needs to be put back in with the railroad, it will take 30' of 54" pipe; since Eldon was not present that will have to be answered at a later time.

On the Allen Wright property there are some big cuts. Some areas where the old tile crosses the ditch years ago they just cut through those tiles and left both ends open, there are a lot of tile holes. Michael proposes to block off those at the in-let side of tiles with the outlet still open. As the other in-let on the other bank would not take water during a low flow drying out the bottom of the open ditch.

Along the railroad track where they are taking up the ties and rail Michael asked the company in Decatur if the contractor could sit on the right-of-way to dig the ditch instead of the field side. He was told if he wanted to do that they would have to get permits from the Railroad as they still own the land; until the questions are answered about the ownership a lot depends on how the land and right-of-way were acquired. Some was set up so it reverted back to the property owner if it ceased to be a railroad right-of-way. As of now the contractor will not be able to set on the right-of-way, getting permits could be a long process. Discussion continued in regards to the railroad right-of-way.

Discussion of how the reconstruction is paid for. Cost is spread out over a 5 year period it can be paid all at once or the five (5) year period with a 10% interest. Project will end at the Kirkpatrick Elevator at the tile outlet. He realizes that there are tile holes along the railroad tracks where the branch enter the open ditch., those tiles were not included in the petitions it was the open ditch only. Those tiles can be included with a petition as long as they drain into the Kirkpatrick open ditch. Mr. Todd asked why does Mrs. Wisley have to pay. Answer is because that water eventually ends up in the open drain. Mrs. Wisley stated she felt they should get a petition to get a tile to drain the ponds from her property. Michael stated that estimates would have to be made if a petition is presented, it will take time. Michael stated it does need maintenance down south and west of Kirkpatrick and along the railroad ditch. Discussion of Maintenance continued.

Letter dated June 2, 1989 from Oleen Wisley was read by Mr. Hoffman. In the letter she stated she has 125 acres with drainage problems. She expressed hope that this acreage would be included in correcting the problem, if not she thoroughly objects to the assessment. John Todd is tenant.

Much discussion continued and Michael asked the property owners to stay and he would try to answer any questions.

Sue W. Scholer moved to clean out and reconstruct the Kirkpatrick One ditch, seconded by Bruce V. Osborn, unanimous approval given. Property owners were in agreement for reconstruction.

Michael asked about the completion date. Contractors has expressed to complete the project this summer, instead of waiting till the crops are out of the fields this fall. This Michael is leaving up to the property owners. Bob Booher stated he would prefer fall since he is willing to take his fence out, after much discussion Michael was given the authority to go ahead and proceed with advertising.

PLAZA PARK

Robert Grove engineer, representing Plaza Park requested final drainage approval. West Lafayette City has jurisdiction over the area, they have a similar drainage ordinance to the county. Several meetings have been held and they have approval from the West Lafayette Board of Works. There are two agencies approving plans.

Mr. Hoffman asked if this drained into a legal drain. Mr. Grove stated he was not sure it drains to the north goes to PRF Land to 350 North and ties into a main stream. Michael stated that it eventually drains into the John Boes ditch. The ditch has been vacated from 350 South about 10 years ago, everything north of 350 is legal drain. The John Boes drain is effected.

Robert Grove explained that the project was started before West Lafayette City adopted their Ordinance. They have decided on - site storage, back yard storage, no one wanted that, they were still concerned about the effect down stream. What they did they opened up Cumberland where there are two small pipes 24" and 36". They propose to put in a 66" pipe. This water would flow to the 350 N, it will not increase the water flow into the John Boes ditch it will be detained with the existing culvert at 350 N, they are not exceeding the capacity there. Discussion continued.

Michael stated he had received a set of calculations with the rear yard storage. Michael has not seen any calculations on the downstream effect. Michael has talked with PRF and was told rather empathic they are not going to store their water on the PRF property, Michael has nothing in writing. Robert Grove stated those calculations do exist. Michael stated he knows this has been approved by the City of West Lafayette, but he has not received any documentations to the approval. Discussion continued.

Robert Grove stated he would like to have approval given upon the condition that the documents get to Michael. Robert stated that Michael is in need of the calculation of the existing storage South of 350. What Michael has now are calculations stopping at Cumberland Ave. Robert has this information, but did not have it with him.

Bruce V. Osborn moved that Plaza Park be continued until Michael Spencer, Surveyor receives further information, seconded by Sue W. Scholer, unanimous approval.

WAIVER OF JURISDICTION

Sue W. Scholer asked if the Board had proceeded with letters of Waivers of Jurisdiction with the two City's. Fred stated they have been approved and were given to the other two jurisdictions. The Board has not heard from either city. This project was started prior to the letters adopted, however these waivers would fit into the project. Sue stated the board needs to pursue having those a part of the process. The Board was in agreement. Fred stated he would check with the Cities.

BENNETT GREENHOUSE

Richard Bennett representing the Bennett Greenhouse and the family property at 3653, 3651 at McCarty Lane and Creasey Lane, 1028 South Creasey 1054 South Creasey and 1112 South Creasey. He stated something has to be done and he doesn't really know what to do, he feels theirs is a very localized problem at the corner and he knows the Board is well aware of their problem. He feels they are at the top of the drainage area and the water should be going away, but they are low; making the water stay. He has opinions, he feels water is coming across to the South and sitting on their corner, coming from Caterpillar not going east underneath Creasey fast enough getting in their land not being able to run south down along Creasey on their land fast enough. Water getting into wells, this happen 8-9 years ago. A two-three inch rain makes Caterpillars water comes their way. The natural drainage always went to the east across Creasey until they improved Creasey raising Creasey making a natural dam. He doesn't know what to do.

Bruce asked if he was talking about surface water? Yes. Discussion continued.

Sue W. Scholer asked Don Sooby what had been done in regards to the McCarty Project? Mr. Sooby stated they have not got the water problem resolved with Caterpillar. They are hoping to go ahead with the project getting right-of-way this year and hopeful go ahead with construction next year.

Mr. Hoffman stated with this project this may take care of some of Mr. Bennett's problems. Yes, a lot of the water is to be taken into the Layden ditch, the ditch is vacated as a legal drain; however the ditch still runs.

Mr. Bennett again stated that there is enough area on the NW corner of McCarty that it has to be taken care of. Thirty inch tile is not big enough to take care of the NW corner. Discussion continued.

Bruce V. Osborn suggested that Michael Spencer and George Schulte, County Highway Engineer, set a time to meet with Mr. Bennett and look at the problem. Michael has talked with George in regards to the problems in this area; George is aware of the problem and will have to look into some of the pipe sizing under the drives. Discussion continued.

RON HANCOCK LOT 103 POTTER HOLLOW SOUTH SUBDIVISION, PART FOUR

Ron Hancock of Woodmere Drive in Potter Hollow South bought property that has a drainage problem he presented pictures he has taken showing the problem that he has Michael and Gene have seen the problem. He has owned the property 6 weeks and he feels it has quadrupled in this time. Safety is a concern. Erosion is a great concern as it could reach

out to the street and under cut the street. He's been told it is his problem. Drain is in need of repair. He stated it drains too much of Potters Hollow. He feels he is draining as far as from D & R Fruit Market. Michael stated he doesn't believe it drains that far south, he would guess that it would come as far south as Kensington. This is not a legal drain. Discussion.

Mr. Hoffman asked who put this in? The developer, Les Baumgartner. Michael stated they are a set of in-lets in the street where the road makes sharp bend.

Bruce Osborn explained to Mr. Hancock legal drain assessments and how the County Highway portion would be involved.

Eugene R. Moore stated that the Drainage Board has no legal right to touch that drain, only thing the County would have to do would pay their share of what the street puts into the drain.

Mr. Hoffman stated the developer might be liable if he was still around.

Mr. Hancock stated that Mr. Baumgartner had been contacted about eight years ago and that went to no avail.

Mr. Hancock stated he had an estimate from Fairfield Contractors of \$2,800.00 to fix the drain, this could increase if nothing is done.

Discussion of Legal Drain assessments continued. The watershed has to be defined. There's approximately 20 acres and possibly 100 homes.

A letter to the Drainage Board of June 5, 1989 from Tippecanoe Mortgage Corporation in concern of the drainage easement and the problem that Mr. Hancock has. They asked that the Board hear Mr. Hancock's position and work with him to correct a difficult and potentially dangerous situation. Signed by Thomas H. Cougill, President.

Mr. Hancock has been advised to get a lot of concrete. Mr. Hoffman stated Mr. Hancock should get it fixed. Discussion if Mr. Hancock could get refunded for his expenses. This will have to be studied. The Board doesn't want to make a decision at this time. This would possibly have to go to Circuit Court. Discussion continued.

The Board advised Mr. Hancock he could not put used concrete fill in. Three months ago an adoption was made that the only place concrete fill had to be dumped in the landfill not on individual property.

Mr. Osborn stated the Board would do all they could if Mr. Hancock would get the 10% signatures. It is a lengthy procedure, it would take 6 months to a year. Discussion.

Michael asked if the Highway department could contribute to Mr. Hancock's estimate. Mr. Hoffman stated he thinks they could, the highway portion only. Acreage would be divided between Mr. Hancock and Highway.

Eugene Moore advised Mr. Hancock to work with Michael Spencer, and George Schulte; and try to get a petition for a legal drain.

Sue W. Scholer stated the Board should respond to the letter of Tippecanoe Mortgage Corporation and explain what is being done.

Weston Woods had been placed on the agenda; they withdrew from being heard.

There being no further business the meeting adjourned at 10:35 A.M.

Eugene R. Moore

Eugene R. Moore, Chairman

Bruce V. Osborn

Bruce V. Osborn, Boardmember

Sue W. Scholer

Sue W. Scholer, Boardmember

ATTEST:

Maralyn D. Turner

Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, SEPTEMBER 6, 1989

Tippecanoe County Drainage Board met in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Wednesday, September 6, 1989 with Eugene R. Moore, Chairman calling the meeting to order at 9:00 A.M.

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

KIRKPATRICK ONE DITCH BIDS

KIRKPATRICK
ONE DITCH

J. Frederick Hoffman attorney, opened the following bids and Bruce V. Osborn read Contractors and their submitted bid amount.

Douglas Ridenour and Sons Cleaning and Ditching-\$53,450.75; Bob Hodgen Construction-\$60,571.75; Merkel Excavating-\$79,446.25; Jim Dwenger-\$54,300.00; and Fauber's Construction Company, Inc.-\$74,152.50. Estimated cost for project \$60,465.73.

Eugene R. Moore stated if the bidders would like to meet with Todd Butler, Office and Field Technician for the surveyor in the Commissioners Meeting room and ask any questions in regards to the bids they could. Bids will be taken under advisement.

ELLIOTT DITCH

ELLIOTT

Roger Blevins, Engineer Manager of Alcoa Lafayette Works; presented a review of tentative plans for a volunteer clean up of a section of Elliott Ditch to the Drainage Board. He has worked with Michael Spencer with some of the preliminary works and they have walked the ditch. They are working with the Indiana Department of Environmental Management. Basically the scope of the clean up would be sediment removal in the bottom of the ditch from a place slightly up stream of Alcoa's discharge not yet determined to a point at the 18th Street bridge. This is essentially the section they are working with. The work would involve removal of the sediment, hauling and disposal in an environmentally sound disposal site. He has been in initial contact with the Railroad Companies that have bridges across the ditch asking some questions and working closely with Michael asking him the aspects he would be interested in from long term management of the ditch and leaving it in a better place than what they have found it. Aspects would be they would do a Plan and Profile survey of the ditch, they don't have good accurate information on the ditch at this time for the kind of sediment clean up they would be looking at. They would then look at removing brush along the maintenance easement of the ditch in that section, primarily on the South side of the ditch. They would survey before sediment removal and after sediment removal to establish a good profile for future reference. They would do final sampling to classify the sediment at sections predetermined along the ditch to determine disposal distribution methods preferred and then the clean up itself building series of coffer dams, maybe 5-6 coffer dams along the ditch pumping water around that section clean the section without water running through to keep it from reentering the water. This would be a final effort in the PCB problem that Alcoa has had. They have been working and analyzing at the source back in the plant at there internal sewer systems for quite some time. Identifying and cleaning the PCB's at the source and disposing them in the proper way. The time is right to go ahead and clean up that portion of the ditch.

Primarily they are talking about removing all loose sediment and 2-3 inches of hard pan underneath, they would essentially re-establish the profile of the ditch as it has been by removing sediment as most of the sediment has been freezing and thawing off the banks and worked itself down in to the ditch from the sides and some carry down through the ditch from up stream. This would be with approval of the Drainage Board and the Indiana Department of Environmental Management. The Railroad owners that they would be working with and whoever else the Drainage Board might deem necessary that they communicate with. Alcoa wants to be honest and open with all communications around the situation and the people who live along the ditch they want to make special effort to have good communication with them. Essentially they would see that section of ditch being in better shape than what is it today as far as functioning as a drainage ditch there would be a good solid survey information for plan and profile for future as the City and County develops in that area for future references.

Bruce V. Osborn asked what depth are they going? Answer-6 inches to 2 Feet. It appears that the sediment arranges from 6 inches to 2 feet in places built up and in some areas there is very little sediment build up. Bruce asked if they were stopping at 18th Street? Answer-Yes.

The contamination is higher level at their discharge for about 600-700 feet drops to a lower level from that point down to the first bridge, then it elevates between the two bridges, then drops off dramatically after the second bridge. They have been monitoring that for quite some time and they feel that range as it moves the sediment down the ditch built up behind the second railroad bridge, the first railroad bridge has two conduits in it and the second has one conduit, the water slowed down and they have dispositional area between the two bridges. This is the range of the Clean Up.

Eugene R. Moore asked Michael to make statement in regards to what Mr. Blevin's has done on this project.

Michael stated he and Roger has walked the ditch twice, middle of the winter years ago and more recently in the summer. Michael has been meeting with Roger quite frequently over the last couple of months and they have talked on how they are going to clear it and one of the things they still need to do is meet with the property owners along that section and give them explanation as there is only an easement, just have to make sure

there are no un-answered questions before the clean out starts and the Indiana Department of Environmental permits and approvals. This is needed for the Drainage Board protection later on.

Roger stated trucks would move along the South bank and essentially they would be working with in the 75 foot maintenance easement with no problem with the exception of the truck turn around as the tractor trailers pull in and turn around and a load coming out they would have swing around down near the railroad tracks on both sides and then bring the trucks back along the ditch and load out at the side of the ditch.

Bruce V. Osborn asked where are you going with the contaminated sediment? The are doing the final classification of the sediment with the Indiana Department of Environmental Management. The majority of the sediment is non-toxic as far as the EPA is concerned. It is regulated as a special waste in Indiana. Proper procedures are being done. The highly contaminated waste between the railroad tracks and south of the discharge is an EPA regulated waste material, it would go to a Chemically secure land fill yet to be fully determined.

The final sampling to be done will determine which type of land fill the waste will go. These will be the size of the coffer dams.

Bruce Asked if Alcoa was doing this themselves? Alcoa has basically three-four ways of doing the testing. The cost estimate for the clean up is a very difficult thing to do, they will have to get a plan survey, remove the brush, develop a profile then do some additional sampling in order to develop how much sediment is to be removed and where it is to go. They will use waste haulers that they deal with on a regular basis preferably on sediment hauling and disposal, they are all first class companies to deal with. Then they would look at the final phase of coffer dam construction and sediment removal. Bruce asked if they would have any trouble with access?

Michael stated they do as they can only come in off 18th Street or Concord Road on the south side, then they have the railroad tracks blocking them about half way down.

Sue W. Scholer stated the Board appreciates the cooperation with Michael and the effort that has been put into the project. Sue stated the Drainage Board does need to be involved. She feels as Michael that it is critical to get the property owners together so that they know what is happening. Alcoa most certainly wants the property owners to be well informed.

Bruce stated he assumed Alcoa has the adequate Liability for this process. The answer - YES- Environmental clean ups major situations as far as Liability is concerned and in a situation like this the corporation is backing the project.

Fred Hoffman asked what kind of determination had been made below 18th Street. Has testing been done there? Answer- they have done monitoring of the that entire section of Elliott ditch from Alcoa discharge down to Wea Creek for a number of years. As they have been cleaning up at the job site and the long term process of cleaning up the source. The interesting thing in 82-84-86, and 88 they have had two year picture of the sediment. There has been very little movement of sediment down the ditch as far as contamination has basically stayed the same. When you get below 18th Street it is a very low level of contamination. They will be doing the honest thing in communicating in whatever environmental regulations that would apply to that area of clean up and work with the Drainage Board in whatever plans they may have and make sure it is dealt with in an environmental responsive manner.

Bruce asked if they had done this in other locations? Roger stated corporately he can not speak to that. Specifically they have done clean ups and constantly trying to present a better environment, but as far as something like this project as complex as it is with people living along the ditch and on the corner of the City this is new to Alcoa. A lot of new things they are discovering along the way. It really involves alot of communication. Everything from checking what might be running underneath the ditch as far as utilities are concerned. There are some pine trees planted on the South side of the ditch near Concord Road. They want to make sure those don't get cut down as some one has put them there for a screen some distance back from the ditch. They want to be sensitive to those type of things.

Fred Hoffman asked Michael if the trees were on the right of way? Michael stated they had been planted there as requirements of Area Plan Commission when the land was re-zoned for the LCL Trucking Company, this was done years back. Michael stated also the City of Lafayette has a major sanitary sewer that runs along the ditch easement.

Eugene R. Moore too expressed the Boards appreciation and stated the Board would cooperate with Alcoa as much as they can.

Roger thanked the Board for their remarks and interest as good drainage is a critical concern for all of us. They want to maintain it in the best manner possible and do the environmental right thing.

ORCHARD PARK

Robert Grove representing the developer asked for final approval of his revised plans, which has been reviewed. Mr. Grove asked Michael if he had received the data back and if he has had all his questions answered? Michael stated he had not had all of his questions answered as of today. They are being answered at this time. One thing Michael has not seen yet is their petition for a legal drain for the subdivision site. Michael still has questions on the outlet pipe size that he has on his drawing, therefore he has no recommendation at this time.

Robert Grove stated he wanted to clarify one thing, he was under the understanding that the people down stream were petitioning or had submitted a preliminary petition for a legal drain. Michael stated he has a preliminary petition, but it is not in final form. Robert asked if they were to submit a petition? Answer - yes, one for the subdivision to become a legal drain.

Eugene R. Moore asked if Michael was asking for the Subdivision. Michael stated yes for Orchard Park Subdivision, if other property owners want to join on that petition that would be fine. Gene asked about the people South of the Subdivision? They don't have to, but if they want they can. Michael stated their (the people South) comes around in a separate pipe; the only thing they do share an is outlet.

Robert Grove stated that it might be of interest of what he did the last time in his revision. In trying to solve problems down stream of the development they have tried to slow down the off site water, there were some problems with that, now they are back to where they originally started. They did leave the basin larger, but they had brought the off site water through the subdivision. They are discharging into the existing pipe which was shown as a 24 inch pipe, but it is actually a 15 inch pipe. Their water is regulated before it gets into that system. This is what they are asking final approval of those construction plans. Robert stated he wasn't sure on the legal drain. He asked how far are they required to go from Kensington north? Michael stated the legal drain would be for the boundaries of the Subdivision. Robert stated which would include the storm pipe and the basin.

Fred Hoffman asked if it had a discharge into another legal drain? Michael stated hopefully it would become a part of the legal drain. It is on another persons property, there is talk of all of them joining together to make a legal drain out of the whole thing. The subdivision is in the middle, which is unfortunate. Michael does believe that down stream property owner is receptive to make a legal drain. Michael stated we could get the petition it could be added on below or above as he feels there is interest both ways joining on to a legal drain.

Mr.Hoffman stated that below would bother him as we do not want a legal drain going into a non-legal drain. Discussion continued.

Bruce asked Fred if he wanted some one to drain to the Wildcat, his answer was he wanted some one to do it. Bruce stated, just make Robert with his project. Discussion. Michael stated that Robert Grove and the property owner to the north should get together and submit a common petition or at least both parties sign it.

Robert asked if this was going to be a requirement for final approval of construction plans? Michael stated before they build on the property they will have to have a legal drain, Michael won't hold it to the construction plans, but will before they can build structure on the site. Build, he means homes. Construction work to the south can continue? Michael stated the Board has to decide.

Bruce asked if he had temporary facilities to hold run off during site preparation? Answer-No, as part of his site preparation he will be constructing his detention basin and outlet.

Robert Grove stated that possibly the first thing done will be the basin as they need dirt to build the rest of the site.

Michael stated he would like to see the comments from the Boards consultant on the review before final approval is given, if he takes an adjournment for two days or so to get the comments rather than to jump into request at this time.

Meeting recessed until Wednesday, September 13, 1989 until the technical part of the project has been reviewed and the developer can do some checking on their outlet pipes sizes and start the petition process.

Sue W. Scholer asked if Michael had in hand answers to his questions on the outlet? Answer-No. Michael stated he knows it is a 15 inch pipe and they keep showing it as a 24 inch pipe, their drawings need to be submitted with the correct size.

Sue also feels the petitions should be in hand before final approval is given. Mr. Hoffman stated this is the only safe way.

Bruce asked if Fred would deal with the Liability from the outlet of this project. He feels this is beyond the Boards capability.

Robert Grove stated he had some information for Blackbird and would like to submit it today. Board agreed to hear this later.

BROOKFIELD HEIGHTS SUBDIVISION

**BROOKFIELD
HEIGHTS**

Dale Koons of CML Engineering Services representing Brookfield Heights asked for final approval for drainage.

Michael stated the Board is not ready to give final approval to Brookfield Heights Subdivision.

Todd Frauhiger stated he has done a very preliminary review of the Subdivision, and the Board should recess until Wednesday, September 13, 1989 at 9:00 A.M., plans can be reviewed and completed with recommendations to the Board at that time.

Michael stated they are putting together a legal drain system within the subdivision, a petition would be needed and signed up. No hearing is needed, just the petition presented at this time so that hearings can be scheduled. Michael stated Dale could do this with Roy Prock and Mr. Curtis. Mr. Koons stated they are going to the Wildcat Creek with their legal drain.

Brookfield Heights recessed until Wednesday, September 13, 1989.

PSLAND P S LAND

Robert Grove representing P S Land stated he is not sure where they stand with PSI, there is more work to be done by the developer. At one time the Master Plan shows that the street going in on under the power lines with the lake next to it was a concern with PSI. PSI wanted the developer to stay east of the center line of the easement, the easement is 200 feet wide and 60 feet from any tower which the developer did. Now PSI has some other problems a meeting has been scheduled to meet in the next week. Michael stated he was to meet with Bill Crane this afternoon in regards to the project. Changes will have to be made.

Michael stated the board has looked at it from the technical end, the whole thing (PS Land drainage system) was approved back in the early 1980's. Michael stated they have some questions about the high water elevations. Bob has submitted some new data. Michael feels technically the plans may be OK, its just the final thing with PSI that is holding it up with the configuration of the lake, the outlet is Treece Meadows ditch and the outlet pipe that was approved in the early 80's is still going to be there and they are meeting their reduced release rate that was set at that time, the review is to make sure it does meet with the prior approvals.

Robert Grove stated one thing that has to be done is some modifications to adjust to the revised Drainage Ordinance, need to check the durations storms.

Michael asked that this be recessed until Wednesday, September 13, 1989 at 9:00 A.M.

Twyckeham TWYCKENHAM PHASE II SECTION II
PHASE II
SEC II

Mark Smith representing Smith Enterprises developer of Twyckeham Phase II Section II. September 30, 1987 Smith Enterprises came before the drainage board and requested that a conditional vacation of Ortman Legal drain be granted so that the developer could substitute a storm sewer system that will drain a 200 acre, 400 lot subdivision that they were proposing to build in the Twyckeham area. At that time the Board approved a conditional vacation of the first area of the drain that they were building and that area has been developed, the storm sewer is completed and accepted by the City of Lafayette, the drain has been vacated up to this point. They are now proposing to vacate the legal drain for Phase II Part II, Section II and IV. They are asking to use the same formula as they did in the first Phase. The vacation of the legal drain for the requested area is subject to five conditions. These conditions are:

1. The new drainage system be installed, approved, and functioning properly.
2. That all field tiles from offsite be properly connected to the new system. Reason for that is that Margaret Purdy and other land owners have tiles that flow into Ortman Legal Drain. Mr. Smith stated he believed that Ms. Purdy was satisfied with the vacation of the drain was done properly and not causing her any problems.
3. Certified As-Built drawings be submitted.
4. A letter be received from the City indicating approval and acceptance for maintenance. City has accepted and approved the construction drawings for the next area for the storm sewer that they are proposing to develop and Michael has seen them and approved them.
5. That the drain will be completed and approved before the Final Plat can be Recorded and Building Permits issued.

Mark stated they are progressing right along and they would like to have approval to go ahead.

Joe Bumbleburg attorney representing Margaret Purdy stated they are familiar with the previous conditions that the Drainage Board set on the developer in this project. Ms. Purdy's concerns exist today the same as they did in the beginning, that the tiles that comes from her field are not disrupted and the flow of drainage continue. Ms. Purdy had indicated to Mr. Bumbleburg that she has not experienced any problems with the development so far. It appears at this point that the conditions are working and if the conditions are continued it would be appropriate.

Question was asked if there was any one else involved?
Judge Thompson would be affected, he is north of Ms. Purdy. The landowners have tried to let the Smith Enterprises know where their tiles are.

Fred Hoffman asked if any one had talked to Judge Thompson?
All property owners were notified of the hearing. Judge Thompson was at the 1987 meeting, he will not be affected by this new phase of development.

Don Sobby, City Engineer stated one difference on this Phase is that the City will not be accepting the detention ponds for maintenance, the developer reportedly has set up a

special Homeowners Association that will have the Maintenance responsibilities on the detention ponds.

Mr. Sooby stated that the City has seen draft copies of articles for the corporations covenants as far as Mr. Sooby knows these have not been recorded as they do not have copies showing recording.

Michael asked about the pipe system, is the City going to accept maintenance of those systems or is it all going to be private. Mr. Sooby answered that he doesn't think that has been addressed at this time. The City is primarily concerned with the detention ponds making sure those are properly maintained. They will work out the details of the pipe systems themselves. Michael asked if that is included in the existing section that is already built or is that starting from this section for Phase II Section II & IV? Mr. Sooby answered that does not include the existing facilities.

Mr. Hoffman asked if the restrictions for the Subdivision will have this provision about the maintenance that the homeowners will maintain. Mr. Smith stated under the direction of the City they are forming a Homeowners Association that will cover the remaining undeveloped area of the subdivision, those people will pay dues and take the responsibility for the retention basins. Mr. Hoffman stated the Drainage Board should have their wording in the covenants that the County has the right to make an assessment. Mr. Hoffman and Don Sooby will meet and make sure the proper wording is included in the Covenants.

Michael stated he has no problem with the vacation of the legal drain as they petitioned as long as the same conditions apply that did before along with this one exception that Mr. Sooby speaks of.

Mr. Hoffman stated that another condition should be added that the restrictions provide that if the Homeowners don't provide maintenance that either the City or the Drainage Board has the right to do an assessment to the Homeowners as this has to be done. Discussion continued. Michael stated if this is going to be done and the drainage board is involved he would like to see a legal drain again. Michael stated he doesn't know what has to be done to get that in the City. Michael stated he had been under the understanding that the City had accepted the maintenance, he did not know about it till today.

Sue W. Scholer stated that the cities position is that it is going to have to run to the County Drainage because the City is not wanting to get involved in that maintenance. Sue stated this needs to be clarified. She asked if the City was requiring this to be done prior to the Cities approval? Answer-yes. Mr. Sooby stated that when they give an approval for construction drawings, the city has indicated that they will not accept the ponds for maintenance.

After much discussion it was decided that Michael Spencer and Fred Hoffman meet with the City as the Board feels this is not going to be first nor the last subdivision development involving both the City and the County Drainage Board.

Mark Smith stated the restrictive covenants of the Homeowners Association have to be recorded in conjunction with the final phase plat. Discussion of Conditions 4 & 5 in regards to the detention and the pipe systems. He was going to post maintenance bonds to the city just as any other storm sewer system that they develop. Michael asked Mark to get the language that they have written up to Fred and have him look at it and if the Drainage Board has some language that needs to be inserted they can.

Mr. Sooby stated if they are considering a legal drain for that area the City would certainly encourage the legal drain to cover the existing area as that would resolve alot of the problems. Michael stated he would go along with that as there has been a philosophy change in the City as far as drainage. This subdivision is really coming to the attention of the City and the County Drainage Board. The first section was approved by the City and the City said they would maintain it. With the change of philosophy Michael stated this isn't that all bad, but it is a hard place to make a legal drain, however there has to be someone maintaining it. If the County is going to maintaining, Michael wants it to be a legal drain, this would affect this vacation that is before the Board today.

Mark Smith stated from practical stand point the detention basins that will be built from now on will be much smaller and will be grass and low areas in yards, water will stand until it can run off. It isn't going to be as large of an area as in Part I.

Joe Bumbleburg stated in order that Ms. Purdy does not have to keep coming back to these meetings because of the technical matter which really isn't impacted upon her like the other covenants, he asked could Ms. Purdy be assured that the restrictions that the Board has are going to be in place that she can stop coming to the meetings.

Sue W. Scholer stated the Board is talking about adding the sixth condition and this would assure Ms. Purdy.

Twyckeham Phase II Sec II recessed until Wednesday, September 13, 1989.

Eugene R. Moore chairman, asked if there was anything else to come before the Board.

WILSON BRANCH OF ELLIOTT DITCH

Michael stated it was not on the agenda for today, but Mr. Mossbaum from Melvin Simon & Association are here to discuss the proposal to re-route a portion of the Wilson Branch of the Elliott ditch.

Myles Minton of Melvin Simon & Associates presented reports from Chris Burke to Michael. Mr. Minton stated they are working on developing a Community Center adjacent to the existing Tippecanoe Mall. He presented an Exhibit of the development. A new road proposed Maple Point Drive. The Community Center site is basically South of the Mall site, because of the expansion of the Mall in realignment of Maple Point Drive it had been approved a year or so ago, now it is necessary to realign the road. This makes the Community Center site to move further to the South. They have acquired additional property from Maple Point Enterprises. With the new expanded site plan for the Mall the Community would sit ventrally over the existing ditch. They have commissioned Chris Burke and Associates who had handle the other regional detention facility to design the concept to study a re-route of Wilson Branch. Basically the realignment entailed would be digging a new trench. The new ditch would be improved over what is already there. As the ditch there now is in irregular shape, varies in depth, slope and height on bank. This would be a gradual lay back bank design on a 3-1 slope with grassy banks. Section along Ross Road it would be more of rectangular shape with gabions. The realignment of the ditch as proposed to be on a common boundary line between the Community Center and property that is still owned by Maple Point Enterprises. They have consulted with them, they have concurred with the realignment, the Maple Point Enterprises property would drain in there as well. Mr. Minton stated why they are here today is to just let the Board know what their ideas are and if possible to get some response back whether it is feasible. Chris Burke's study of conclusions states that the re-alignment of the Wilson Branch of Elliott Ditch as proposed by Melvin Simon & Associates does not have a negative impact on the water surface profile as compared to their previous alignment which stayed along the existing channel center line or as compared to existing conditions. These results are based on the inclusion of the proposed Wilson Branch Reservoir. The re-alignment would be an improvement. They plan to take safety pre-cautions along Ross Road with guard rails on both sides. They would access for maintenance on both sides, and he stated he was sure Maple Point would likewise.

Mr. Hoffman asked what were they going to do about the sharp curve where the new ditch starts? This is addressed in the reports about the gabion walls. The gabions start at the under pass. Explanation continued.

They are only doing work on in the west side of Ross Road then it will hook into the regional detention facility to be built. This is critical for their project. Once this would be installed and improved they could go back in with appropriate fill material so they could place buildings and parking lots. The plan presented is not their final site plan.

Fred Hoffman asked if some one else owned the land across making it so they can not go straight across without making that right angle? Answer there are three to four separate owners.

Michael stated he has met with them and his biggest concern was that they move with the hydraulically and hydrologically is it going to do for the watershed area since they are putting bends in it. If they were not sharper bends than before. It was Michael's recommendation that they get an engineering firm on their own to look and give the Board a recommendation. They chose Chris Burke and Michael feels it was a wise decision since Chris is so familiar with the Elliott ditch projects. Based on the conclusions in the report and receiving the drawings and the final report, the board will have to make study.

Mr. Hoffman had concern in regards to 2 feet of water on State Road 38 in a 100 year storm. Michael stated that is with the existing bridge there now. In the report it is considerably less than the current condition there now. It is as good or better than what was indicated in Chris Burke study with leaving the channel where it is.

Mr. Hoffman asked if there was still going to be flooding over the highway? It will be alleviated by the new approach. Discussion and explanation continued on this subject.

Michael stated the new channel has more capacity than what the existing channel, but Fred stated it doesn't have enough capacity to prevent flooding. Michael stated the reason for the flooding is the State Highway bridge structure, not the channel. The old interurban abutments are on the north side of the bridge that more than half restrict the opening of the bridge. Hopefully this will be corrected when the new road is put in place. Discussion of whether fixing the bridge would eliminate the flooding continued. Mr. Hoffman stated he feels this is something that needs to be known. When a lot of money is being spent to fix something it should be so the highway would not be flooded.

Bob Mossbaum stated their firm would be happy to pass the concern on to Chris Burke to see if he can get the information out from the State, as this is something that needs to be resolved.

Sue W. Scholer stated her question along that line is: Milton Simons & Associates project is not causing that problem, but she would certainly want to know that what they are proposing would handle the change if that is corrected.

They asked that this be considered a preliminary report and ask Chris Burke to get an answer to the question on the bridge over State Road 38, and have those in his conclusions in his computer models.

Michael stated the Board has no control over this only as long as they are doing what they are suppose to. Mr. Hoffman stated if the problem could be resolved then the Board would have an obligation to try to prevent flooding Highways.

Bruce Osborn stated someone else should review what has been submitted today. This will be discussed.

SEPTEMBER 6, 1989 Drainage Board - Orchard Park

Sue W. Scholer asked what easements were being proposed? The drainage easements proposed in Chris Burke's regional detention report was a 75 foot easement from center line of the ditch. The easement is larger as it is 75 feet from top of bank, so what they would propose would be similar 75 feet from the center line a total of 150 feet in one area and what ever would be required for access for maintenance.

Michael asked since it is entering property and leaving property does the Board need to notify all the up stream property owners? Answer - NO. Discussion continued.

Michael asked them to give the Board a of couple of cross sections at various location to see what easements they will want to reduce to, and showing section of what they are going to construct so they can make some determination on what top opening that the Drainage Board is going to maintain. They presented a preliminary one today and will get a final one.

Bruce V. Osborn had concern in regards to mutual tile. The mutual tiles that come into that project, he feels these property owners should be notified and asked if they can show the developer where these tiles are, the developer should hook them on to their facilities. Discussion continued as to who would be responsible for that? County or the Developer? Michael asked them if they were going to be building themselves? They will be hiring a contractor for the job. They stated they would have a supervisor on the job, and assured the board that they would include the concerns of the mutual drain tie in. Bruce felt it would be best if the County had their own supervisor. Michael stated he would agree if they were County regulated ditches, but that area is developed all around this project except across Ross Road. Question is what else would it be draining as the existing Mall is there now. Discussion.

BLACKBIRD FARMS

**BLACKBIRD
FARMS**

Robert Grove appeared before the Board stating he was not on the Agenda. He stated he has additional data to present to Michael, but he wanted to point out to the Commissioners and Michael that he owes Mr. Leitner an apology. Mr. Leitner was correct in regards to the 35 acres that the water does come on to Blackbird Pond, cuts across the corner and gets in Blackbird Pond. What they are proposing to do is place an open ditch take the water on their side of the levy, not dumping it on his side, taking it to their pond.

Calculations have been run and have changed, the levy has been changed making it look more like an island, will have trees. Michael asked if they were making the pond smaller again? They will be deleting two islands. They have added another spillway to make it look good. The spillway will affect the detention structure. Flowing less depth since they have more spillway area. By adding the 35 acres they are adding to their side, the only outlet up to foot and half is a 15 inch pipe. The existing pipe is 24 inches, placed a dam holding the water on the development, doing everything they can to do make the situations down stream better. The 1 hour 100 year storm event of the 35 acres doesn't bother at all, it doesn't even come into the spillway. Getting into higher duration storm 6 hour their would be approximately 6 inches of water in each spillway, and at that point would be flowing across McCormick Road. Basically 6 hour 100 year the pond is pretty much full, basically see the additional 35 acres going right through the system even though they are reducing it some.

Sue W. Scholer asked if he has apologized to Mr. Leitner? Not at this time, but he is aware.

Mr. Hoffman asked how much work had to be done on Mr. Leitner's property? They are picking up at their property line, they will pick up any tiles from Mr. Leitner that they would be cutting and tie into their system. Mr. Leitner will have to show them.

Sue asked where we were on this project in regards to giving final approval. Michael stated the board needs this information presented here today. Reason for Robert Grove presenting this today was that it had been brought up in a public meeting and he wanted the board to aware of his error and that he did owe Mr. Leitner the apology as Mr. Leitner was correct. Robert asked if they could be heard next Wednesday, September 13, 1989. He has one thought do they have to have approval from City of West Lafayette. The city is reviewing it with their own consultant. At this point Robert stated he has a little problem jurisdictionally who does what. Is the County approving? Michael asked what are their conditions? They haven't reported back. Discussion continued.

There being no further business the meeting recessed at 10:30 A.M., and will reconvene at 9:00 A.M. Wednesday, September 13, 1989.

In the absence of Chairman Eugene R. Moore Chairman, Vice Chairman Sue W. Scholer called the recessed meeting of September 6, 1989 to order at 9:00 A.M. Wednesday, September 13, 1989.

Those present were: Bruce V. Osborn, Board member; Fred Hoffman, Drainage Attorney; Michael J. Spencer, Surveyor; Todd Frauhiger, Drainage Consultant of the Chris Burke Engineering, LTD; and Maralyn D. Turner, Executive Secretary; Don Sooby City Engineer others present are on file.

ORCHARD PARK

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September 13, 1989 Reconvened Drainage Board Meeting from September 6, 1989 ORCHARD PARK

Michael Spencer reported that he has received a Petition to Establish Legal Drain in the Orchard Park Subdivision submitted by Joseph T. Bumbleburg, Attorney for Petitioner John B. Scheumann, Mr. Scheumann owns ten percent (10%) in acreage of the land to be affected by the proposed improvement.

Michael asked if Fred had seen the petition? He has not seen the petition, and Michael had not reviewed the petition, but wanted it to be put on record that the petition had been received.

Michael stated he had received a report from Chris Burke Engineering. Mr. Burke and Todd Frauhiger have gone over the drainage calculations their recommendation to the board is to give conditional approval to Orchard Park with two conditions. The two conditions are:

1. The downstream conditions are addressed.
2. Proper erosion control methods are incorporated during construction.

Michael recommends that downstream be included in the legal drain petition and concurrently with the petition being filed for reconstruction for the downstream portion of the drain.

David Dilling property owner downstream from Orchard Park. The outlet pipe for the development and a large area offsite upstream all drains through Mr. Dillings back yard, beside and around behind his home.

Michael stated to alleviate the drainage problem in the area that is a priority to reconstruct downstream pipe system some how and some way.

Mr. Dilling stated they welcome that and they have presented a preliminary request along those lines. It has not been formalized because they feel they need the input of Mr. Spencer and the Board as to how the reconstruction should take place, and what would be appropriate and workable methods. This they are very concerned as the existing drain is very over whelmed in a rain like we had this last week the street drain was over whelmed in less than 15 minutes, putting the water right back upon the Orchard Park.

Mr. Dilling stated that Michael's recommendations is certainly in order and they certainly welcome the recommendation of how it should be done and any other input along those lines.

Discussion of petition submitted, petition is for just the subdivision area. Michael again stressed that the legal drains should be combined as they share the same outlet. A description of Mr. Dillings lot and his drainage easement should be included in the petition submitted and have Mr. Dilling sign the petition. Then hearings will be held for the reconstruction. Mr. Dilling is in agreement to be a part of the petition.

Mr. Hoffman stated the petition submitted meets his approval.

Mr. Hoffman asked Mr. Bumbleburg if he was willing to have Mr. Dilling join in his petition to establish a legal drain.

Mr. Bumbleburg stated he didn't think there would be any problem to add Mr. Dillings lot on, he felt his legal description could be added to Exhibit A. Michael stated they would have Mr. Dilling read the petition to make sure he would be willing to sign it. Discussion of downstream continued. Michael stated he is like Mr. Dilling he can't speak for the other property owners downstream as far as the watershed area the pipe is not on the other property owners lots. The reason Michael feels it is important that Mr. Dilling signs the petition is that the structure is actually on Mr. Dilling's lot. That portion would be the part that will be reconstructed. His signing the petition adds to the legal description the area that has the pipes physically located. A hearing process will be heard later. Mr. Dilling has no problem with what has been discussed.

Michael will get with Mr. Dilling and discuss what has been presented and discuss. Mr. Bumbleburgs client is willing to go along with having Mr. Dilling sign the same petition.

Discussion of Mr. Dilling signing away his rights by joining a petition.

Bruce V. Osborn moved to give final approval to Orchard Park Subdivision with one stipulation that proper erosion control methods be incorporated during construction, seconded by Sue W. Scholer, unanimous approval.

BROOKFIELD HEIGHTS

Michael stated that a petition had been received to establish a legal drain. Mr. Hoffman has seen the petition and meets his approval. Review and study of calculations of construction plans has been done by Chris Burke Engineering through Todd Frauhiger. They had a list of comments which they presented to Dale Koons, Michael has received a reply to all the concerns, all are satisfactory. Michael recommended to the Board give approval.

Todd Frauhiger stated that approval should be given with one condition need to take a look at the concrete block chute structure. It is a structure that has been known to fail at the transition joint between the bottom of the chute and side slope of the chute. Michael stated it has been recommended to study the structure as there may be different designs or alternatives. Alternative may include chutes or possibly half pipe installations.

RECONVENED MEETING SEPTEMBER 13, 1989 BROOKFIELD HEIGHTS

Rita Michael Property Owner, from Heritage Estates Subdivision stated the property owners in the subdivision had concerns as to the storm sewer hook up. Mr. Koons stated they would not be hooking on to the storm sewers of Heritage Estates. Mr. Koons was to meet after the meeting with Ms. Michael and go over their Brookfields drawings.

Mr. Bennett attorney for the developers stated Exhibit C has not been attached to the petition to establish a legal drain as he did not have the internal tiles of the subdivision. Michael stated he has that with the construction plans. This can be attached to the petition.

Mr. Hoffman stated today we are looking at the final approval of the plans, it will not be a final approval of the legal until we have an order. Nobody else will be needed for a hearing as no one is affected; it is all within the subdivision. No action is taken today.

Michael asked if Mr. Curtis signed off on the petition? Mr. has looked at it and approved it and the Executrix of the Dunbar Estate will be joining Mr. Curtis in regards to the legal rights. Mr. Curtis is the contract buyer. Proper procedures will be taking place.

Mr. Hoffman asked Mr. Bennett to give an order after all other things concerned are finalized.

Michael stated an assessment amount per lot is going to have to be filed. There has been discussion to this subject.

Bruce V. Osborn moved to give final approval to Brookfield Heights with one condition item number 4 of letter to Dale Koons of September 12, 1989 from Todd Frauhiger regards to the concrete block chute, seconded by Sue W. Scholer, unanimous approval.

PS LAND

PSLAND

Robert Grove representative for Lafayette Bank & Trust stated they have submitted revised plans to PSI. Final can not be completed until they receive a final determination from PSI.

Todd Frauhiger stated CBBEL would recommend Conditional Approval of the PSLand drainage plan based upon the following conditions:

1. The County does not require further TR-20 input review.
2. Proper erosion control methods are incorporated during construction.

Sue W. Scholer stated PS Land will be continued pending the finalization of PSI work.

TWYCKENHAM

TWYCKENHAM

Mark Smith had talked with Mr. Hoffman. They have not got the work finalized as requested, therefore they were not heard, they will be heard at the October 4, 1989 meeting.

BLACKBIRD FARMSBLACKBIRD
FARMS

Tom McCully spoke in behalf of Blackbird Farms.

Michael stated at the August 16, 1989, special meeting approval was given with one condition subject to letter of August 15, 1989 from Chris Burke.

1. What are the additional reservoirs simulated with your computer model, and where are they located?
2. With what material is the proposed levee going to be constructed?
3. Have soil borings been taken for the proposed levee material?
4. When you determined whether or not McCormick Road would be overtopped, what size culvert crossing did you analyze?
5. What method did you employ to analyze the McCormick Road culvert?
6. What method did you employ to analyze the proposed pipe/spillway outlet structure to determine the discharges for your TR-20 model?

Conditional approval had been given to Blackbird PD Drainage plans and finding if additional acreage belonged in the water shed area. Mr. Grove upon further study found that the additional acres of 35 did belong to the water shed.

Michael stated offsite drainage area information had been received from Robert Grove.

The conditions have been meant verbally, not in written form.

Mr. McCully stated an approval is needed today as Area Plan Commission is meeting next Wednesday, September 21, 1989.

Michael stated he has no problems with approving it, if they can get a letter to Michael before the hearing with Area Plan and the items in the August 15, 1989 are addressed satisfactorily. Michael asked how the City is responding to their drainage review.

Robert Grove stated the City has a report back from their consultant, he has not seen the report to this date, they have not proposed any problems to Mr. Grove.

Bruce V. Osborn moved to give approval to Blackbird Pond as soon as Michael receives a satisfactory letter stating that the items of concern stated in the letter of August 15, 1989 have been met, so Michael can sign off before the meeting of APC Wednesday, September 21, 1989, seconded by Sue W. Scholer, unanimous approval.

KIRKPATRICK
ONE
DITCH

KIRKPATRICK ONE DITCH

Michael stated that he had met with Doug Ridenour of Michigantown who is the apparent low bidder for the Kirkpatrick One ditch clean out. Michael has looked at his work, he has no problem in awarding the work to Mr. Ridenour. Michael needs to meet with two property owners in regards to fence removal and crop damage before signing a contract with Mr. Ridenour. This is OK with Mr. Ridenour as he isn't quite ready to start the project. Michael is hoping to meet with the farmers in the next week so Mr. Ridenour can get his performance bond in and have contract signed. Michael requested to wait to approve the bid until the next Drainage Board meeting, October 4, 1989

QUAIL RIDGE

QUAIL RIDGE SUBDIVISION

Michael stated he has an item to come before the Board, it is an agreement which Mr. Bumbleburg has prepared between Deluxe Homes and the Drainage Board.

Mr. Hoffman stated it was an encroachment agreement for Lot 41 in Quail Ridge Subdivision. Home is not over easement, it is pretty close 2 1/2 feet, sits on the easement. The house was staked out by a surveyor and found there was a drainage easement there. The easement a platted drainage easement. Discussion.

Mr. Hoffman stated he had no problem with the form presented, the only question he has is the extent of the encroachment.

Mr. Hoffman stated that is not his field, it is Michaels.

Michael stated the only alternative is to have re-platting of the lots and relay the storm pipes.

Michael and Mr. Hoffman are to go look at the project, and decide what needs to be recommended.

There being nor further business to come before the board, Bruce moved to adjourn the September 6, 1989 until next regular meeting October 4, 1989.

Eugene R. Moore

Eugene R. Moore, Chairman

NOTE EUGENE R. MOORE WAS PRESENT FOR 9/6/89, NOT PRESENT FOR THE RECONVENED MEETING 9/13/89.

Bruce V. Osborn

Bruce V. Osborn, Board Member

ATTEST:

Maralyn B. Turner

Maralyn B. Turner, Executive Secretary

Sue W. Scholer

Sue W. Scholer, Board Member-Vice-Chairman

TIPPECANOE COUNTY DRAINAGE BOARD
WEDNESDAY, NOVEMBER 1, 1989

The Tippecanoe County Drainage Board met Wednesday, November 1, 1989 with Eugene R. Moore Chairman calling the meeting to order at 9:00 A.M. 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; J. Frederick Hoffman, Drainage Attorney; Michael J. Spencer, Surveyor; Todd Frauhiger, Drainage Consultant; Maralyn D. Turner, Executive Secretary; and Don Sooby, City Engineer, others present are on file.

Norfolk and Western Railway Company-SIA

Norfolk
Western
SIA

Michael J. Spencer wanted it to be put on record that the agreement between Norfolk and Western Railway Company and Tippecanoe County Drainage Board, concerning the cost sharing of the installation of multi-plate pipe-arch in Lafayette, Indiana: M.P. SP-251.57, Station 13283+10 has been fully executed and first installment is due on December 15, 1989 and a bill will be sent.

SIMON AND ASSOCIATES-WILSON BRANCH

WILSON
BRANCH
SIMON/
Associates

Richard Boehning representing Simon and Associates along with Myles Minton of Simon and Associates and Bob Mossbaum engineer with Simon organization.

On October 4, 1989 a petition was filed with Board requesting several things:

1. Allowing Simon and Associates to re-locate a portion of the Branch 13 Wilson Branch of the Elliott Ditch.
2. Have the new easement approved and also to provide for the vacation of the old easement upon the new drain being reconstructed and the new grant of easement being submitted to the Board.

At that time Mr. Hoffman wanted to review the legal description of the new easement and wanted to make sure that it was described in a fashion which met his approval that being so many feet from the edge of the top of the bank. They have revised the legal description and submitted to Mr. Hoffman. There was an open question that Michael Spencer had on how wide the easement should be from the top of the bank, he wanted to make sure there would be sufficient room for maintenance. A new Exhibit "C" was presented to go with the petition submitted. They asked approval of the petition. It reads:

DESCRIPTION
EXHIBIT C
PROPOSED WILSON BRANCH OF ELLIOTT DITCH

Describing a portion of the Wilson Branch of the Elliott Ditch lying principally through the real estate commonly known as K. M. Simon, Inc.

That area described being one half of the proposed open channel of the Wilson Branch of the Elliott Ditch plus 30 feet from the top edge of the bank on each side of such open channel along the following described line:

Commencing at the northwest corner of the Northwest Quarter of Section 2, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana; thence South 00 degrees 29 minutes 20 seconds East, 761.40 feet; thence Southeasterly on a curve to the left have a central angle of 00 degrees 52 minutes 24 seconds, a radius of 17,188.91 feet, an arc length of 262.01 feet; thence South 88 degrees 47 minutes 19 seconds East, 361.51 feet, to a point in the centerline of the Wilson Branch of the Elliott Ditch as now exists, and the Point of Beginning of this description; thence North 15 degrees 04 minutes 32 seconds East, 230.00 feet; thence North 47 degrees 47 minutes 53 seconds East 551.37 feet; thence North 12 degrees 47 minutes 53 seconds East, crossing into the Southwest Quarter of Section 35, 22 North, 4 west, Fairfield Township, 578.65 feet; thence North 22 degrees 51 minutes 30 seconds west, 328.04 feet; thence north 22 degrees 08 minutes 30 seconds East, 47.71 feet; thence North 62 degrees 27 minutes 30 seconds East, 22.82 feet to the centerline of Ross Road, as now exists, and to the Point of Terminus of this description. The side lines of the open channel and easement are extended to the property lines without gaps or overlaps.

Mr. Hoffman stated as far as the legal description it was satisfactory to him provided that it is satisfactory to Michael in regards to the 30 foot easement, this was the only question he had open on the description.

Michael stated he had spoken to two contractors who have the equipment that would reach this particular channel with the width it is a different situation; and they felt they could operate their drag line in the 30 foot easement as long as it was known there was no over head structure or any thing else that would be in that 30 foot easement as it will take a large piece of equipment which has a lot of swing to clean the ditch.

Mr. Hoffman asked Simon Associates what they have adjacent to the easement? The easement will be from the edge of the top of the bank, there will be a building outside the 30 foot easement their will be no permanent structures, there will be incidental cars and semi-truck trailer on delivery.

Mr. Hoffman asked how close would the building be? As stated previously it will be outside the 30 foot easement. There will be no over hangs. Michael again stated his main concern was over head utility lines. Their intent is to go under ground with utilities.

Bruce V. Osborn asked if they would be black topping on the easement? Answer- Concrete or Black top, it will probably be extra strength black top. Bruce stated there should be an agreement should the black top be destroyed or impaired that it will be up to Simon and Associates to fix it, not the contractor. Myles Minton stated it would not be a problem, they would agree to maintain the easement.

Sue W. Scholer asked if that was currently covered with the Ordinances and requirements on easements? Discussion. Mr. Hoffman stated it should be clear that the Association would be responsible and the contractor is not responsible if he damages the surface when he is doing work. Myles Minton stated they will be taking that into consideration in their design for the easement up front.

Bruce Osborn asked what about one of their buildings? Then that would be a problem.

Sue W. Scholer asked if there would be utilities in the easement? There could be a possibility, they do not have it laid out at this time. Plans are to be underground however they will come up and surface the building in the back. Discussion.

Bruce V. Osborn as about the Description of Exhibit "C" in the second paragraph the phrase, (one half of) plus the 30 feet. Bruce stated that the open channel goes with it automatically. Discussion.

After much discussion in the phrasing of paragraph two Mr. Hoffman stated a change could be made to read: That area described being the proposed open channel Wilson Branch of the Elliott Ditch plus 30 feet from the top edge of the bank on each side of such open channel along the following described line: Myles asked if the described line meant the entire channel? Answer-yes. Discussion.

Bruce V. Osborn moved to accept Exhibit "C" of the Wilson Branch re-location with the changes as read, second by Sue W. Scholer, unanimous approval.

Richard Boehning stated they are also asking for the petition to be approved as they are asking to re-locate the drain. Discussion of vacating at this time. Vacating will not take place until the reconstruction of re-location is installed. Richard Boehning stated that once the board approves the petition then when they re-locate the drain he will file before the drainage board a grant of easement using the revised legal description, report to the board that the drain has been reconstructed have Michael J. Spencer check it out after he approves it will automatically be deemed vacated. Their current petition covers that.

Sue W. Scholer moved to accept the petition for consent to relocate portions of a legal drain Branch #13 of the Wilson Branch and to vacate the easement described in Exhibit "D", seconded by Bruce V. Osborn, unanimous approval.

ORDINANCE NO. 89-37 CM

Bruce V. Osborn moved that the Tippecanoe County Drainage Board give approval of Ordinance No. 89-37 CM as read in the Special meeting of The Tippecanoe County Board of Commissioners, November 1, 1989, and that they be implemented in the Drainage minutes, seconded by Sue W. Scholer, unanimous approval.

ORDINANCE NO.89-37 CM

WHEREAS, the members of the Board of Commissioners of the County of Tippecanoe, in the State of Indiana are also members of the Tippecanoe County Drainage Board, and

WHEREAS, the members of the Board of Commissioners of the County of Tippecanoe, State of Indiana, did on the 7th days of November, 1988 adopt Ordinance No. 88-40 CM which established "Tippecanoe County, Indiana, A General Ordinance Establishing Storm Drainage and Sediment Control," commonly known as the "Tippecanoe County Drainage Code," and

WHEREAS, such ordinance was adopted and approved by the Tippecanoe County Drainage Board on the 7th day of November, 1988; and

WHEREAS, problems have arisen which have delayed the permit review process proved for by said Tippecanoe County Drainage Code because of additional information being required from the design engineer for the project which information has not been furnished at the time the application has been filed with the Tippecanoe County Drainage Board; and

WHEREAS, the Engineer, employed by the Tippecanoe County Drainage Board, has recommended that certain additional minimum standards be adopted by such Drainage Board for hydraulic permit applications; and

WHEREAS, it is the opinion of the Tippecanoe County Surveyor and The Tippecanoe County Drainage Board that the adoption of additional requirements to those now required by the Tippecanoe County Drainage Board will expedite the review process and provide for more rapid approval of applications filed with the Tippecanoe County Drainage Board.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the County of Tippecanoe, State of Indiana and the Tippecanoe County Drainage Board that:

- A. The following additional documents be submitted with all applications filed for approval with the Tippecanoe County Drainage Board:

1. A hydraulic Report detailing existing and proposed drainage patterns on the subject site. The report should include a description of the present land use as well as proposed land use. any off-site drainage entering the site should also be addressed. This report should be comprehensive and detail all the design steps which the design engineer took during the design.
2. All hydrologic and hydraulic computations should be included in the submittal. These calculations should include, but not be limited to: runoff curve numbers of runoff coefficients; runoff calculation; stage-discharge relationship; times-of-concentration; and storage volume.
3. Copies of all computer runs. These computer runs should include both the input and the outputs. A floppy diskette with input files will expedite the review process.
4. A set of plan drawings stamped by a Registered Professional Engineer or Registered Land Surveyor showing all proposed detention areas, storm sewers, inlets, outfall strictures, open ditches, culverts and bridges.
5. A set of exhibits should be included showing the drainage subareas and a schematic detailing of how any computer model inputs were set up.
6. A conclusion report summarizing the hydraulic design and detailing how this design satisfies the Tippecanoe County Drainage Ordinance.

B. The requirements set forth herein in Section A above, are in addition to the requirements of Section 6 of Ordinance 88-40 CM.

C. No application shall be considered by the Tippecanoe County Drainage Board or the Surveyor of Tippecanoe County until each of the items listed in Section A above of this Ordinance are submitted to the Tippecanoe County Drainage Board.

D. This Ordinance shall become effective after its final passage, approval and publication as required by law.

Enacted at Lafayette, Indiana on this 1st day of November, 1989.

BOARD OF COMMISSIONERS
OF THE COUNTY OF TIPPECANOE,
STATE OF INDIANA,

Bruce V. Osborn, President

Eugene R. Moore

Sue W. Scholer

ATTEST: Sarah S. Brown, Auditor

Adopted and Approved by the Tippecanoe County Drainage Board at Lafayette, Indiana on this 1st day of November, 1989.

TIPPECANOE COUNTY DRAINAGE BOARD,

Eugene R. Moore, President

Bruce V. Osborn

Sue W. Scholer

ATTEST: Maralyn D. Turner, Secretary

1203H

TWYCKENHAM

TWYCKENHAM

G. Mark Smith developer asked to be heard, but since he was not on the agenda the Board could not give any approval; however the Board had discussion. The city has accepted one of the ponds there are two ponds the city will not accept, therefore, the developer is going to set up a Homeowners Association. Mark stated that Michael and Fred have reviewed the Homeowners covenants. Mr. Hoffman stated he wants a letter from the city. Discussion of construction plans and the two basins and the letter of October 24, 1989. Don Sooby stated upon approval by the Drainage Board it would be helpful to the City if they could have the additional conditions mentioned in the letter. Discussion on making a legal drain. Michael's opinion on it was if it was going to be a legal drain it would all have to be a legal drain; not just a section, it should start across the road. Michael pointed out that the city has asked on the original section they have asked for some additional things to be done. Michael stated he had felt comfortable before. Again Fred stressed that a new letter should be received from the City as to what bases

they want done. Michael stated this was the one that only had the city listed and if the County was going to be involved in any way the County should be listed.

Mr. Hoffman stated he does not recall getting any revised covenants. Discussion of vacation.

Mark stated they want it conditionally vacated. Bruce asked with no illusion to a legal drain. They want it vacated, they continue to vacate until they are done. Each time they will come in to say they will substitute their new system, and when the new system is finished and acceptable by the City, then the drain will be vacated as they can not sell the lots.

The additional conditions being requested by the City of Lafayette are as follows:

1. Add concrete headwalls w/appropriate cut-off walls to each drainage pipe entering or leaving both of the detention ponds. Wingwalls should have slopes no steeper than 2:1 with sideslopes of ponds warped in to meet this slope.
2. Add protective fences around end of each drainage pipe entering or leaving both of the detention ponds.
3. Add structurally-designed child/animal guards over the end of each drainage pipe entering or leaving both of the detention ponds.
4. Establish grass cover over bottom and side slopes of both detention ponds using soil amendments and/or topsoil as necessary to get grass established in the sandy soil.
5. Add sod along both sides of concrete gutters in flowline of both detention ponds. Review width of concrete gutters for adequacy in light of what is to be done in the existing detention pond.
6. Provide inlet capacity of at least 150% of calculated quantity of run-off to be picked up by catch basins in the streets and at least 200% for field inlets. This will allow for partial blockage of inlets by debris which always seems to be present in and around construction sites.
7. Emergency routing swales between lots, if any, should be identified on the construction plans and AS-BUILTS for future monitoring purposes.
8. Provide drawings and calculations for the drainage system showing details of detention ponds, basis for pipe sizes, capacity of detention ponds, etc.

Sue asked Mr. Sooby if the City would like to see it a legal drain? Answer that has some merit, as the Homeowners Association is not going to have the same interest in maintaining. Mark stated The Homeowners Association allows the City to come in and assess the Homeowners if they do not perform their functions. Michael asked if they set out a yearly fee? A maximum fee of \$50.00.

Mr. Hoffman stated this will have to be put on the Agenda for December 6, 1989 meeting, plus a letter from the City including the County conditions. Michael asked Mark to send revised covenants to him and Mr. Hoffman another.

FARMINGTON LAKES

FARMINGTON LAKES

Robert Grove asked for final approval on revised plans.

They agreed to the double the culvert and all items have been addressed. The Board asked if George Schulte had given approval. George had a concern with the double culverts which they revised the plans to put it in. George and Michael have a full set of plans, but have not had the time to review them. Michael asked if adding that seconded set of inlets changed the pipe size? NO. It was just a restriction at one inlet. Michael asked if it was going to handle the 100 year storm event now. Correct. George's concern was the single inlets would be by-passed and some of that water would go on ???

Sue W. Scholer asked George Schulte if he had any concerns that the Drainage Board should be aware of?

Robert Grove stated everything on the revised plans have been addressed.

George stated that the only thing that he can think of is on the Storm drainage design where the inlets were doubled do the pipes have the capacity to carry the Q100? Robert stated he did not think it was a problem. George asked to have time to set down and study the revision.

Farmington Lakes was recessed to Friday, November 3, 1989 at 9:00 A.M.

ORHCARD PARK

ORCHARD PARK

Todd Frauhiger Drainage Consultant presented a report of Orchard Park legal Drain Design, report is on file.

1. The watershed has been delineated and is shown on Exhibit 1.
2. For purposes of our study only, two on-site field reconnaissances have taken place to access the existing condition of the ravine system and to aid in the final drainage area delineation.

3. A TR-20 model was developed to determine the peak flows for the defined drainage area. These flows are calculated to the mouth of the ravine and should be adjusted as detailed later to the mouth of the ravine and should be adjusted as detailed later in this report for design flows further upstream.

Todd stated that he and Michael had worked with the City Engineers office and walked the ravine from Kensington Drive all the way down to the Wildcat creek. Drainage area was determined to be 235 acres to the mouth of the ravine.

Todd reported in conclusion that CBBEL'S recommendation that an overall master plan be developed as the next step in the design process. This master plan would determine the location and type of corrective work (i.e. erosion control, channel straightening, etc.), a priority ranking for corrective work based on an evaluation of severity for each location and an opinion of probable construction cost for the corrective measures.

If this was done the Board would have design flows, and basically what would need to be done to bring the channel up to County standards.

Bruce Osborn asked where the outlet was. Outlet is at the Wildcat creek.

Page 3 of the letter the design flows of years 10,25,50, and 100 are at the mouth of the ravine (at the Wildcat). These flows need to be adjusted for upstream design flows. In the report equations are shown on how the adjustments will be accomplished.

Majority of the work will have to be done on the upstream portion of the ravine up close to Kensington Drive and along Creasey Lane.

Michael stated the next step would be to have a hearing or an informative hearing, possibly have a petition there for the property owners to sign. Michael would not be able to answer any questions in regards of money unless the Board would have Todd do further study and then there may be a chance of having some guess estimate of cost and cost per lot.

Todd stated they were going to come up with a master plan and talk to some of the local contractors and contractors in Indianapolis, show them what they have and what they are doing and generate the cost.

Michael stated the next step would be to have the Board give approval to the report and proceed on with the next step.

Sue W. Scholer moved to accept the report as presented and authorize the next step as outlined in the conclusion of the report, seconded by Bruce V. Osborn, unanimous approval.

Meeting recessed for Kirkpatrick One Ditch.

KIRKPATRICK ONE DITCH

Doug Ridenour of Doug Ridenour and Sons, Clearing and Ditching presented a Cashier Check in the amount of \$50,000.00 plus a Personal Check in the amount of \$650.75, on September 18, 1989 Mr. Ridenour had presented a check for \$2,800.00. for the bid making a total of \$53,450.75 100% of his bid.

Bruce V. Osborn moved to accept the bid received from Doug Ridenour and Sons, Clearing and Ditching in the amount of \$53,450.75 and execute the contract to Doug Ridenour and Sons, Clearing and Ditching, seconded by Sue W. Scholer, unanimous approval.

The meeting recessed at 10:30 A.M. until 9:00 A.M., Friday, November 3, 1989

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

ORCHARD PARK

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
WEDNESDAY, June 6, 1990

The Tippecanoe County Drainage Board met at 9:00 A.M. in the Community Meeting room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with Sue W. Scholer Chairman, calling the meeting to order. Those present were: Eugene R. Moore, Board member; Michael J. Spencer, Surveyor; J. Frederick Hoffman, Drainage Attorney; and Maralyn D. Turner, Executive Secretary; others present are on file.

✓ CROXTON WOODS

Michael Spencer surveyor, presented a Petition from Croxton Woods Subdivision Homeowners Association, Inc. signed by its President and Secretary and property owners requesting that the certain drainage basin, being designated as Lot #13 in Croxton Woods Subdivision, and the drain leading therefrom as approved by the Area Plan Commission and as approved by the City Engineer after construction shall become a regulated drainage system pursuant to the provisions of I. C. 36-9-27-16 et seq. and be turned over to administration by the Drainage Board dated April 30, 1990.

Petition is on file.

Michael stated the board needs more than what has been presented by the Homeowners Association.

J. Frederick Hoffman attorney stated that he has looked at it and he feels they need more names as Lot #11 doesn't belong to the person who signed the petition and he asked Michael to check all signatures on the petition to be sure they are the legal property owner.

Michael asked Mr. Hoffman if Suzanne Klinghammer had talked with him. Mr. Hoffman stated she had not discussed the subject with him.

Michael is under the impression that there is a suit going on in the area in regards to the water/drainage with the Flower Shop. Water runs under the Flower Shop. Michael has walked the area and knows where the water outlets at.

Mr. Hoffman stated if there is a suit the board doesn't want to be a part of it until it is settled.

Discussion continued.

✓ ORCHARD PARK

John Fisher stated he had received first drafts of all the mapping north of Potters Hollow to the Wildcat Creek. He stated the job is done very well. He and Michael will meet Friday, June 8, 1990 to review the presentation. Eugene Moore wants to go to the area. Discussion continued.

✓ KIRKPATRICK ONE

Michael stated that for the records the reconstruction work of the Kirkpatrick One ditch is being completed today and he will inspect. Discussion of assessment, maintenance is being collected and as soon as the reconstruction is completed the assessment will be figured and sent.

✓ OTTERBEIN DITCH/TOWN OF OTTERBEIN

Mr. Hoffman stated that Joe Bumbleburg had talked with him in regards to the Otterbein ditch and/or Otterbein ditch a property owner has filled in on a waterway in Otterbein. Mr. Hoffman stated he will wait to have something in writing, but it will have to be determined which County it is in. The board will wait to hear from Mr. Hoffman and Mr. Bumbleburg.

✓ MCCARTY LANE

Michael stated that Don Sooby Lafayette City Engineer, had asked to be on the July meeting with presentation of McCarty Lane. Don and Michael will meet soon to review and presentation will be at next meeting.

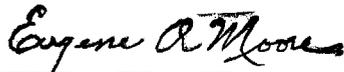
There being no further business the meeting adjourned at 9:20 A. M. Next meeting July 11, 1990.



Sue W. Scholer, Chairman

Not Present

Bruce V. Osborn, Board Member



Eugene R. Moore, Board Member

ATTEST:


Maralyn D. Turner, Executive Secretary

TIPPECANOE COUNTY DRAINAGE BOARD
REGULAR MEETING, WEDNESDAY, JANUARY 9, 1991

The Tippecanoe County Drainage Board met Wednesday, January 9, 1991 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, therefore she invited J. Frederick Hoffman drainage attorney to preside

Those present were: Keith E. McMillin, Hubert D. Yount, Board Members; Michael J. Spencer, Surveyor; Ilene Dailey Consultant Drainage Engineer; J. Frederick Hoffman Drainage Board Attorney; Don Sooby, City Engineer; and Maralyn D. Turner Executive Secretary.

Mr. Hoffman asked for nominations from the floor for board chairman. Keith McMillin nominated Nola J. Gentry as chairman, seconded by Hubert Yount, there being no other nominations from the floor Nola J. Gentry was unanimously elected chairman of the board.

Mr. Hoffman turned the meeting over to Ms. Gentry to conduct the remainder of the meeting.

Ms. Gentry asked for nominations from the floor for vice-chairman of the board. Keith McMillin nominated Hubert Yount as vice-chairman, seconded by Nola J. Gentry, there being no further nominations from the floor, Hubert D. Yount was unanimously elected vice-chairman of the board.

Ms. Gentry asked for nominations from the floor for Executive Secretary, Keith McMillin nominated Maralyn D. Turner as executive secretary, seconded by Hubert D. Yount, there being no further nominations from the floor Maralyn D. Turner was unanimously elected executive secretary.

Mr. Hoffman read the following ditches to be made active for the year 1991 J. A. Kuhns, Ray Skinner, Gustav Swanson, and Shawnee Creek. A letter from White County Surveyor was read to collect maintenance assessments on the Emmet Rayman ditch for 1991. Keith E. McMillin moved to make these ditches active for assessment in the year 1991, seconded by Hubert D. Yount, unanimously approved.

(See bottom of page for active and inactive ditches.)

ROAD 350 SOUTH

Stewart Kline of Kline and Associates presented final drainage plans for the project Road 350 South. A preliminary plan had previously been presented and a conceptual approval had been granted.

At this time they are developing plans for three separate projects along County Road 350 South as follows: Phase I Part I Cr 350 South from US 231 to CR 100 E. (9th Street) Phase II Part II CR 350S from CR100 E to 250 E (Concord Road) Project II CR 350 S from CR 250 E to approximately 0.3 miles west of US 52. All three projects fall in the Kirkpatrick ditch watershed except for a small section at the western terminus which outlets along US 231 and eventually into Wea Creek. The existing conditions for drainage are poor. Mr. Kline continued presentation which is on file. What they propose to do with the three projects is to use some road side channels and clean up allot of the existing problems. They have broken down three major off-site locations. Presentation continued on the new off-site surface flow channel.

Structure # 1 will be providing storage on the north side of new County Road 350 South and outletting into the Wea Watershed.

Second point of discharge is at the Kirkpatrick ditch itself where a new box culvert will be installed and channel improvements for downstream, at that point they will be opening up the existing tile. The channel will be deepened going with the box culvert sections allowing the existing pipe to be opened into the open flow channel, run down and spill eventually into the extension of Elliott ditch. This will allow them to bring more water more efficiently. This makes for a more economically feasible structure. At this time the bridge would be extremely long and very shallow because it is more of swale by defining the channel and dropping the depth will be able to cross in a much shorter distance.

County Road 100 East they are basically discharging down 100 east the existing path that flows down and back into the Kirkpatrick open ditch and tile system. Detention will be provided at this point to try to minimize any affects there.

The fourth at Station 135+94 line "A" where water will be routed through the proposed Valley Forge Subdivision storm water sewer system which eventually outfalls into the Kirkpatrick. They have coordinated with Dale Kuhns with Valley Forge, they are accepting the off-site water into their storm sewer system.

The fifth is at CR 150 E running down the existing side ditches again providing storage.

The last is a new overland ditch at Station 185+40 line "A" which runs south to the northernmost branch of the Kirkpatrick surface flow. This will provide detention ahead that and bring the channel out to match the existing surface flow which is very shallow and almost a sheet flow condition.

Detention is provided at several location. Presentation continued.

The two major points of detention are east of the Conrail Railroad at that point they will be holding the water before it ever crosses, catching the water that sheet flows to the south to the Kirkpatrick ditching it and doing major detention at the point holding both north and south prior to reaching CR 150.

Mr. Kline stated all in all it is an improvement of a very poor situation up and down the line. By holding at the top of the shed they eliminate problems from all the way down the watershed. Mr. Kline asked if there were any questions.

Hubert Yount asked at Valley Forge going into the storm sewer, what is the capacity realization for the future as it is developed, are you in good condition there so we won't have any problems the back up in Valley Forge? Mr. Kline stated as Valley Forge develops the storm water going into the County system should decrease because they are designing for existing flow conditions. As developers come in there they are going to have to meet drainage ordinance and hold back the 10 year pre-developed, so they are assuming that their peak that we are giving to Mr. Kuhns now is the maximum. Mr. Yount stated then we are still going to be in a safe condition when the developers come in. Mr. Kline stated as the developers come in we will actually have excess capacity.

Michael Spencer, surveyor asked what they were going to do in the mean time before the development takes place over on Valley Forge? If there system is not in place how is yours going to work? Mr. Kline answered if it comes to a point where Valley Forge is not going to be in place prior to our development we will have to go on down to 150 and take it south.

Nola Gentry asked then there is capacity at 150? Mr. Kline stated they would have to rebuild the ditch, but that is the existing path and will be reduced. It would mean greater construction expenses, which they are trying to avoid. One of the big problems in the shed is that there is not enough fall. To get the water down to the Kirkpatrick, they would have to take the larger volume of the water that they were going to route throughout Valley Forge they would have to do considerable ditch work to get it there.

Mr. Hoffman asked how much additional distance would you have? Mr. Kline asked to go around Valley Forge? Yes, at least a half of a mile.

Hubert Yount stated they would have to do some reconstruction on those existing ditches down there. Mr. Kline stated right, they would have extend Project I. Hubert asked if they had enough right of way to do that? Mr. Kline asked down 150? Yes, under the present plans the answer is no. It is assumed that the present plans is that the Valley Forge development occurs prior to our development. Hubert stated if it does not, then we will have to acquire the right of way to do that. Mr. Kline stated we will have to acquire right of way, this is 100 E (South Ninth).

Michael stated comes back west along the south side of 350 South, then south along the east side of Ninth Street. If they plat subdivision they would have to grant that additional right of way which is not platted today, therefore we do not have it. Stewart Kline stated we do not have the right of way to build the ditch if they don't build, then we don't have their storm sewer system in place. Hubert stated then we are ahead of them if we acquire right of way on South Ninth Street prior to that platting. Mr. Kline stated this is right.

Steve Murray Highway Engineer, stated he does not anticipate that being a major problem in that we have met with the developer and supplied him with information. He has been cooperative. The half width right of way dedication for that side of South Ninth Street, 50 or 60 feet based on the thoroughfare plan. He thinks if the worse case develops here where Valley Forge did not have or was not ready to put their storm improvements in at the time we go to construction that the developer would be willing to grant us the extra right of way knowing full well that when he plats he has to give that right of way up. We would use that primarily as a temporary solution to drain the water from this small portion of 350 South, south along South Ninth along the east side of the road down to the Kirkpatrick. Basically that is just a back up solution, and rather than to go into it without a back up we feel we have ourselves covered from both sides.

Hubert asked what does that do to our road construction?

Steve asked as far as the 350 South job? Yes. Steve - Nothing substantial. Hubert - How about on Ninth Street? Steve - It should not affect that either. Hubert, but you are ultimately going to have to widen there? Steve - Eventually, yes they are hoping to. There is going to be a need for it in a very few short years.

Nola J. Gentry asked if there were any questions or comments from those present.

Ed Purdy property owner on Road 231 South. His family farm is on the south end of the drainage system. He is very concerned about removing the existing tile, it is functional and performs adequately for the agricultural commitment that it was initially built for. He realizes that with the development upstream there probably is a need for a better drainage system. He would like for the system not to be opened if anything improving the size of tile. The area that it runs through is real rough ground and he feels if it is opened there will be allot of erosion in that area. The sub base is sand & gravel and he thinks that all of us know it would be difficult to maintain slopes on a ditch with a base of sand and gravel. What is there now is the existing system, the excess water runs over the surface and there appears to be no erosion. He stated since the board (Commissioners) are new, he would like for them to come out to the site and look over the area and see what is being talked about and presented. He thinks to do some of these things at this time the way they are proposing to do they are short sided for the future for the whole system. If the board would come out he would be more than happy to show them the area.

Michael asked Ed if he was talking about the part of the ditch at the Kirkpatrick north of the proposed Road 350 South. Steve stated basically where the tile is going to be taken out and replace it with an open channel. Ed stated he is not familiar with the other thing they are talking about on US 231 where your talking about some other detention area, this is new to him. Steve stated it is the water that is going to be stored in the ditches, the controlled structure will be a cross pipe under 350. Ed pointed out the area he was talking about is a habitat for wildlife. Tearing that out the wildlife is going to be disturbed. Discussion continued.

Fred Hoffman asked how long of a stretch are you talking about? Mr. Kline 800-900 feet. Mr. Hoffman asked how big is the pipe? Michael stated the existing pipe is approximately 27-30 inch. Nola asked if it would hold or would it have to be open for this to work. Michael stated they are not going to be allowed to put the road water into the tile. It drains overland today, after construction release rate is acceptable it could drain the same way today. Mr. Purdy stated what you have is the tile in there now is performing, there is no surface drainage. Mr. Purdy hates for them to jerk that tile out and always have surface drainage there, if the tile is left in and if the

system was regraded and cut back and smoothed out, then maybe you could take care of the run off easier. It is simply not a problem to his farm as it is today. Today there is no problem, if you tear it out it is going to be a continuous flow of water. There is flow in the tile at all times, if you remove it there will surely be continuous flow in the ditch.

Mr. Hoffman asked how deep is the tile from the surface? Mr. Purdy stated he did not know, he feels it is quite deep because the elevation of the banks is probably 25 feet. Discussion continued.

Mr. Purdy stressed again he is requesting the board to see the project before they grant approval to the proposed drainage plans.

Mr. Hoffman asked how deep were they going to have the water in the side ditches where they are going to have storage? Stewart Kline - 4 feet or less in compliance with the ordinance. Discussion continued.

Nola asked if we had a major storm what would be the depth in the side ditches on storage? Steve Murray stated this can't really be answered without computer calculations. Mr. Hoffman asked how long is it going to be before it drains out and will it create a traffic hazard? Answer - In a matter of hours, and no hazard to traffic as it is in the side ditches. Discussion continued.

Jack Coffman property owner of Fairfield Contractors 3310 Concord Road. Property is at NE corner of 350 and Concord Road. He recommended that the board not give approval to the proposed drainage plans submitted until they have a chance to review the affect on their property of this design.

Nola asked if there were any other comments on this project.

Steve Murray stated an over all comment of this project is that it takes up a very large area an improvement that the county highway department has been working on for quite some time, do to the SIA plant being put into Tippecanoe County. It has gone through the normal channels. Basically according to the drainage boards consultant it meets the drainage codes. He realizes that Ed Purdy has some concerns and he certainly has no problem delaying judgement on this for another month if the board would like to come out and become more familiar with the project and what is actually going to happen. He did point out that we have had conceptual approval, as stated the drainage board consultant has reviewed the calculations and documentation with some additional information to be supplied to them they do recommend conditional approval. Back to the out fall to the Kirkpatrick and removing a portion of the tile. The primary reason that was done was what Stu had mentioned to begin with, if we would try to put a bridge in there or a battery culverts, we would have a long very expensive part to maintain bridge structure, so at that time they took a look at putting in concrete box structures to keep the cost down, plus maintenance cost down for the future and looking at it they found out that from the hydraulics by taking that portion of the tile out it would actually cause the rest of the tile up stream to function better. Again we would have no objection to delaying this for a month. Delaying he feels will not affect the development of the project.

Hubert D. Yount moved to table the action on the Road 350 South project until next meeting so the board can go out to the project and give Mr. Coffman of Fairfield Contractors a chance to review the plans, seconded by Keith E. McMillin, unanimous approval.

MCCARTY LANE

Nola J. Gentry stated that McCarty Lane was not an agenda item, but that some of the preliminary drainage report is ready for the McCarty Lane. We will listen to the report, but no action will be taken today.

Stewart Kline presented the preliminary drainage plans. Presentation was given in the July 11, 1990 meeting and at that time conceptual approval to McCarty Lane drainage plan and LUR as presented for the over all regional detention plans.

Stewart Kline stated this is an interesting drainage problem with the existing Kepner ditch being overwhelmed.

They will be coming with a four lane urbanized roadway section.

Again he stated the solution is to build a regional detention facility which will be built in three phases that have already been presented. Phase I is to be built by the City. Phase II LUR. Phase III Caterpillar Tractor Inc.

It uses property currently owned by LUR and Caterpillar Tractor to detain the already existing problem. Presentation continued and is on file. Discussion continued.

Phase III will be built as they develop. Caterpillar is retaining the rights to enlarge the Phase I pond to meet their development needs. Hubert asked if this would occur as they developed. Answer - yes.

Nola Gentry asked how wide is Phase I? Mike Peterson stated about 100 feet. Hubert asked how deep? Mike Peterson stated the maximum depth in the whole basin is 8 feet, and a 7 foot chain length fence is around Phase II. Mr. Hoffman stated there would be a fence because of the requirement to the ordinance. Hubert asked how much water would it hold. Mike Peterson stated there is 18 acre feet in Phase I, 16 acres feet Phase II, and 26 acre feet in Phase III. Hubert asked if they are talking about carrying water in that at all times. Mike Peterson stated there will be a flow of water because of the Layden ditch to the north which brings water across from McCarty Lane down through the system. It is not actually a wet bottom pond, it is a ditch that will be used to detain.

Stewart Kline stated the city will have ownership of the entire property Phase I, Phase II, and Phase III properties. LUR will install the maintenance road in the Phase II pond and fence in that section. City will install the fence, the ultimate ownership and maintenance will be the city for the entire project.

Nola J. Gentry asked if there were some down stream problems that this is going to create? Michael Spencer stated this should help down stream property because they are making a regional facility. Currently there are some flooding problems along McCarty Lane. The pipe going into the Wilson branch is not going to change from what it is today as a certain capacity. Nola asked, then this would be a controlled. Michael stated it will be controlled by the existing pipes. Mr. Hoffman asked if this storage was going to help on the storage that is needed on the Wal-Mart project and on the Wilson (below)? Is it going to assist in our need there for the whole Elliott ditch system storage. Michael stated it will help, it is not connected with the Wal-Mart other than they both drain to the Wilson branch. They are not going to take water away from one and the other. The Caterpillar area when it is developed it will come south instead of going east. Technically it is going to help, it is not going to create any additional problems. Mr. Hoffman asked if this storage will help on the storage problem at Elliott ditch that has been talked about at Ivy Tech? Michael stated at this time it won't make a difference.

Hubert asked how big of pipe is it that is coming out of there going to Wilson ditch?
Answer - 48 inch.

Stewart Kline stated at this time the outfall will be reduced. The pipe that outfalls to the Wilson is capable of discharging 108 cfs. What happens now that there is like road way flooding on surface. Water isn't taken into the tile and spills out over land and kind of floods the properties along Creasey and gets into the Wilson. This is an additional 100 cfs plus the will be integrated into the system and stopped. Won't have that surface flow condition that you have now, everything will be held and the release will be held to the capacity of the existing tile. It will still be the 48 inch pipe with 108 cfs. They will eliminate the run around that happens now where all the surface flow seeps and eventually gets down to the Wilson, that will all be trapped by the LUR development and the roadway. This will bring it into the pond and still hold the water way to the 108 cfs, this should be improved with the downstream.

Michael Spencer stated when Caterpillar develops it will be rerouted and the water will come south instead of going east into Treece.

Mr. Hoffmans asked if this required Core of Engineer approval. Answer - No.

Don Sooby, City Engineer stated this is the project the City has been working quite some time. They are getting close to right of way acquisition and hope to complete getting those by the end of 1991. Hopefully in 1992 get the project program for Federal funds for construction work to begin. They have worked with Caterpillar and LUR in developing this regional detention pond to the benefit of the whole drainage area. On behalf of the city he encourage the drainage board approval at the earliest opportunity on this project.

Stewart Kline stated the project has been reviewed the county drainage consultant. The pond itself and the watershed analysis and there is no problem with the water construction capacity. The consultant is wanting at this point is that this being a fairly large shed and the master model that is being developed by Burke and Associates for the Elliott system. They want to be able to bring this into their master model since it is significant.

Ilene Dailey, drainage consultant stated that would help answer some of the questions in regards of what affect this would have on other basins. Stewart Kline stated it will increase the accuracy of the model we are looking at a 2 hour storm event and they are looking at a 24 hour storm event. That controls for the Elliott as a whole, but does not control for us, so what we have to do to provide for them or work with them in some manner in updating their report as to convert this model to the 24 for the master. He thinks as far as the design for this, there is a consensus that this is where it stands, and this is what is good for the Kepner ditch watershed.

Hubert Yount asked at Navco and Farbee problem does it all go into this watershed? Yes.

Discussion and presentation continued.

Jim Shook representing LUR recommended approval at the right time.

Michael stated this project will be on the agenda of the February, 1991 meeting.

Mr. Hoffman asked if notices had been mailed to property owners? Per Kline notices had been sent stating this would be presented at todays meeting, but no action would be taken, copies of these letters are in the file.

Michael stated that basically the same pipes are being used that are there now, not changing, and there is no assessments.

WETLANDS - 1990 USDA

Michael Spencer presented copies of information on Wetlands - 1990 USDA. Discussion of Wetlands. Michael asked Mr. Hoffman how this affects the drainage board in regards to Maintenance and Reconstruction. Mr. Hoffman will check into this and brush burning. He has written legislatures in regards to brush burning, and he will check on Michaels concern in regards to the reconstruction schedules. Mr. Hoffman stated we all should write our legislatures in regards to these two subjects. He will make a report to the board as soon as he has an answer.

There being no further business, Hubert Yount moved to adjourn the meeting at 10:05 A.M.

Nola J. Gentry
Nola J. Gentry, Chairman

Keith E. McMillin
Keith E. McMillin, Board Member

Hubert D. Yount
Hubert D. Yount

Attest: Maralyn O. Turner
Maralyn O. Turner, Executive Secretary

ACTIVE AND INACTIVE DITCHES

Mr. Hoffman read the following ditches to be made active for the year 1991 J. A. Kuhns, Ray Skinner, Gustav Swanson, Charles E. Daugherty, John Hoffman and Shawnee Creek. A letter from White County Surveyor was read to collect maintenance assessments on the Emmet Rayman ditch for 1991. Keith E. McMillin moved to make these ditches active for assessment in the year 1991, seconded by Hubert D. Yount, unanimously approved.

The following ditches were made Inactive for the year 1991 John Blickenstaff, O. J. Byers and Beutler/Gosma, Keith E. McMillin moved to make these ditches inactive, seconded by Hubert D. Yount, unanimously approved.

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

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

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

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

CARROLL COUNTY JOINT DRAIN

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

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

Hubert Yount, seconded. Motion carried.

DRAINAGE BOARD ATTORNEY CONTRACT

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

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

Nola J. Gentry, seconded. Motion carried.

ACTIVE AND INACTIVE DITCHES

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

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

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

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

DISCUSSION ON TILE BIDS

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

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

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

JOHN HOFFMAN DRAIN

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

Mike read the proposal into the minutes.

TO WHOM IT MAY CONCERN:

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

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

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

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

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

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

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

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

Discussion followed.

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

HADLEY LAKE DRAIN

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

PINE VIEW FARMS

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

Discussion followed.

Mike Spencer recommended preliminary approval to the Board.

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

Hubert Yount, seconded. Motion carried.

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

Keith E. McMillin
Keith E. McMillin, Chairman

Nola J. Gentry
Nola J. Gentry, Member

Hubert D. Yount
Hubert D. Yount, Member

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

Tippecanoe County Drainage Board
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
JUNE 2, 1993

The Tippecanoe County Drainage Board met Wednesday June 2, 1993 in the Community Meeting Room of the Tippecanoe County Office Building, 20 North Third Street, Lafayette, Indiana with William D. Haan calling the meeting to order.

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

The first item on the agenda was to approve the minutes from the last Drainage Board Meeting held on May 5, 1993 Commissioner Gentry moved to approve the minutes. Seconded by Commissioner Yount. Unanimously approved.

BROOKFIELD FARMS SUBDIVISION

John McBride representing the Developer, Cedar Run Limited, asked for variance on Section 14 (h) 8 requiring a six (6) foot chain link fence surrounding permanent lakes which had been previously denied, be approved after modifications have be made to make the lake less responsibility to the County Drainage Board and safer to the public.

Dale Koons and Roy Prock from Civil Engineering Services joined the meeting and Mr. Koons explained that the chain link fence would be on three sides of the lake leaving the back of the lots open to the lake.

Commissioner Yount asked who is going to own the outlots?

Mr. Koons replied the Homeowners Association.

Commissioner Yount stated that he could foresee the County paying the taxes because the Association could not maintain the lake and that would cause a liability on the County.

Mr. McBride stated that having the fence on three sides of the lake the general public would have to either climb the fence or trespass.

Mr. Hoffman suggested that if the people in the subdivision are the only ones that have access to the lake then why not give each of the homeowners a undivided interest in the lake. That would relieve any responsibility to the County on liability and taxes do to the fact that the home owner would be taxed along with the rest of their property.

Commissioner Gentry moved to approve a variance on Section 14 (h) 8 requiring a six (6) foot chain link fence surrounding the lake and grant the south side be open to give land owners in Brookfield Farms Subdivision access to the lake. Also, approval of the developer granting an undivided interest to each lot owner along the lake in Brookfield Farms Subdivision. Seconded by Commissioner Yount. Unanimously approved.

WESTON WOODS II

Mr. Spencer indicated that review of Weston Woods II Subdivision is not complete and will be heard at a later date in a special Drainage Board meeting.

ABBINGTON FARMS SUBDIVISION

George Schulte asked for preliminary approval of Abbington Farms Subdivision. The subdivision will be approximately forty (40) acres with forty (40) lots and is located South of County Road 350 and East of South 18th Street in the Kirkpatrick watershed area. Drainage for the subdivision drains in two directions approximately fourteen (14) acres drains to the west and approximately twenty seven (27) acres drain to the north into the Kirkpatrick watershed area. There is a sixty six (66) acres off site watershed associated with the subdivision, a channel for the off site watershed will be constructed to carry the runoff through the subdivision and continue on to the Kirkpatrick watershed area. The field tile have been located and as part of the storm drainage system they will be rebuilt or replaced. Also proposed is two ponds one on the East end and the other on the West end of the development with a dry bottom basin. This site will increase the rate of runoff, but it will decrease the volume of runoff by twenty to thirty percent because it is going from agricultural land to low density subdivision which the majority of the lot is grass.

Ed Beeler land owner of 3816 S 150 E expressed concern of creating more runoff on his land.

Mr. Schulte stated that it will not create more runoff, it decreases because of the construction of dry bottom basins and the subdivision will be low density.

Commissioner Yount moved to approve preliminary plans for Abbington Farms Subdivision. Seconded by Commissioner Gentry. Unanimously approved.

Other Business

Mr. Spencer passed around a letter from Mid States regarding the Parker ditch into the Wildcat Creek. The designers of Parker ditch were out to look at it, they reported that the damage to the farmland on Mr. Chamberland's land is more of "Mother Nature" and the creek than Parker ditch. The designers offered some solutions on fixing the ditch, but that would mean a new permit from the Department of Natural Resources (DNR). If the ditch was put back exactly the way it was done at first the Board would not need a permit. Mr. Spencer did not recommend doing that sense it did not hold the first time the construction was done.

Commissioner Gentry asked if the creek was eroding into the Parker Ditch?

Mr. Spencer said not yet, most of the damage is down stream.

Mr. Spencer stated that he had a representative from DNR out to Otterbein Ditch and they determined that the Otterbein ditch is the longest arm of Pine Creek and sense the length is over ten (10) miles from the outlet of the Wabash River up to the end of Otterbein ditch, a DNR permit and Army Corp of Engineering permit from Louisville will be required before any work can be started.

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

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 Lane	Absalm Miller	Ann Montgomery	Parker

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

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

WATKINS GLEN SUBDIVISION, PHASE 4, PART 3

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

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

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

SEASONS FOUR SUBDIVISION, PHASE III

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

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

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

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

Ruth Shedd, President

Shelli Muller, Secretary

Kathleen Hudson, Vice President

John Knochel, Member

TIPPECANOE COUNTY DRAINAGE BOARD

February 9, 2000

Regular Meeting

Those present were:

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

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

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

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

CROSSPOINTE APARTMENTS SUBDIVISION

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

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

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

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

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

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

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

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

Steve Murray asked if there was a duration limit.

Dave Eichelberger stated none that he is aware of.

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

WABASH NATIONAL SITE DETENTION

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

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

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

WILLIAMS COMMUNICATIONS – FIBER OPTIC CABLE

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

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

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

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

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

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

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

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

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

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

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

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

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

Steve Murray asked what is your construction schedule.

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

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

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

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

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

2000 ACTIVE AND INACTIVE DITCH ASSESSMENTS

Mr. Luhman read the 2000 active and inactive ditch list

ACTIVE

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

INACTIVE

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

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

OTHER BUSINESS

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

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

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

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

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

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

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

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

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

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

CHICAGO TITLE INSURANCE COMPANY

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

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

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

Kathleen Hudson, President

Doris Myers, Secretary

John Knochel, Vice President

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
July 3, 2002
Regular Meeting

Those present were:

Tippecanoe County Drainage Board KD Benson President, Ruth Shedd Vice President, and John Knochel member, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultants Dave Eichelberger and Kerry Daily from Christopher B. Burke Engineering Limited, and Drainage Board Executive Secretary Brenda Garrison and Robert Evans.

Approval of June 6 Minutes

Ruth Shedd made the motion to approve the June 6, 2002 minutes, with John Knochel seconding. The being no objections, the motion carried and the minutes were approved.

Montgomery County Joint Drains

Montgomery County Commissioner Bill McCormick and Montgomery County Surveyor Larry Utz appeared before the Board to discuss Joint Drains between the two Counties. Larry Utz informed the Board in reference to the Rebecca Grimes Ditch that the Montgomery County Drainage Board had waived their rights in 1974, according to their records. Presently there were tile holes on this Drain in their county and he asked the status of the fund balance. Steve reviewed the present balance of the fund and the route of the Rebecca Grimes tile. The balance of the **Rebecca Grimes** ditch was in the red due to maintenance repairs exceeding the assessments collected. He added that this was unfortunately true of several Drains throughout the County at present. He stated there was another Grimes Ditch crossing over county lines, however this drain did not have a maintenance fund. He stated his office would do a review of Regulated Drains with maintenance assessments in the future, and those drains needing an increase of assessment would be presented to the Board for action. A number of the drains' yearly assessments should be increased to accommodate rising costs of maintenance, and a drain could be vacated if landowners affected were unwilling to accept the increase.

He then reviewed the process of notification for Joint Drains' upcoming yearly assessments with adjoining Counties. Steve asked Larry if there were any other concerns he may have had. Larry stated the Martin Gray Ditch was in pretty good shape. Steve stated the **Kirkpatrick One** was in good shape due to maintenance work previously done on the Tippecanoe County side. The **Fugate Ditch** was recently surveyed, and north of 1200 South in Tippecanoe County approximately 1000 feet of blown out tile existed, which had resulted in an open ditch.

Commissioner Bill Montgomery then spoke to the Board and stated the correspondence in 1974 from Tippecanoe County on the **Rebecca Grimes Ditch** requested Montgomery County waive their rights to participate on a Joint Board. The Drainage Board from Montgomery County was unsure as to whether a response was sent. Steve stated he would check the records and inform them of any findings. Steve added while an adjoining County may have waived their rights on a particular drain, he believed it prudent to inform them of any major work done on a drain. Regarding Joint Drains and due to the size of acreage involved in their County, Bill thought it would be wise to waive rights where applicable. As President of Montgomery County Drainage Board, he requested a letter from this Board suggesting a waiver of rights pertaining to the Leader-Newton Joint Drain. He would submit it to the Montgomery County Drainage Board at their next meeting and respond thereafter. This drain had the majority of benefited land in Tippecanoe County with approximately 72 acres benefited in Montgomery County. In reference to raising an assessment rate, Steve stated regardless of rights waived, a Joint Board meeting might be necessary. Steve then confirmed a letter concerning the **Leader-Newton Drain** would be mailed in time to present at their next Drainage Board's meeting. Bill stated drains that had a balanced watershed between the counties could be discussed at a later date.

Steve spoke regarding the **John Mclaughlin Drain**. A Tri-County Drain between Tippecanoe, Clinton and Montgomery Counties, it had been in litigation for the last eight to ten years. He asked the Drainage Board Attorney to check the status of the litigation. Benton County Commissioner Bill McCormick and Surveyor Larry Utz thanked the Board and Surveyor for the time allotted to present their concerns.

Lilly May Estates

Richard Fidler, Surveyor of Indianapolis Indiana, appeared before the Board on behalf of the developer Greg Weilbaker and owner Mr. Frank Howard to present Lilly May Estates Subdivision for conditional approval. The proposed project was located on the west side of State Road 25, approximately one and one quarter of a mile north of I-65 and just north of the NorthBrook Subdivision in Fairfield Township. The site consisted of 18.48 acres and included 21 single-family residential lots. The Area Plan Commission approved the preliminary plat for the project on August 15, 2001.

The first waiver requested concerned the proposed onsite dry detention. Mr. Fidler provided the Board with Exhibit B, a photograph of onsite dry detention, taken in Marion County. He further explained the lots in the picture were used passively as a recreation area and were wet only on occasion. He also noted, as it had been a very wet spring, the area shown in the exhibit had not experienced any standing water. He felt the Lilly Mae Estates' dry detention site would be comparable if not better than the exhibit. The second waiver requested concerned the required timeframe of pond drainage. The submitted calculations showed only two and one-half inches of complying with the present Ordinance. The third waiver requested was the maximum depth allowed by the Ordinance. The maximum depth on the site is 5.8 feet, which is 1.8 feet above the maximum allowable depth of four feet for dry detention facilities. The proposed site rests upon fifty feet of sand and gravel, and the applicant was confident this would indeed help in drainage of the site. Videotape taken by Mr. Howard was provided to the Surveyor and Engineers for their viewing prior to the meeting. This tape showed drainage onsite after a considerable rainfall, which resulted in very little if any standing water. The applicant felt this was due to the soil condition, and while the drainage computations showed four to five feet of water on this site, the applicant felt soil conditions would ensure this was rarely the case. The detention would be largely limited to the back of Lots 1,2,3,4, and 6, touch the swale in Lot 7 and briefly touch the South corner of Lot 5. Several well logs from the area were submitted to the Engineers to verify the fifty to sixty feet of sand and gravel. Drainage Board Engineering Consultant Dave Eichelberger confirmed the borings were received and indicated sand and gravel onsite. Commissioner John Knochel stated he had lived in that area most of his life and had never seen water pond on the proposed site.

Steve stated he was prepared to recommend final approval with conditions as stated on the June 28, 2002 Burke memo. Ruth made the motion of approval for the three waivers, with the third waiver subject to the Surveyor's approval. John Knochel seconded the motion. The motion carried. Ruth Shedd made the motion of final approval for Lilly May Estates with the conditions stated on the June 28, 2002 Burke memo, and John Knochel seconded the motion. As there were no objections the motion carried.

Purdue Research Park

James Farny of Bernardin, Lochmueller and Associates appeared before the Board representing the City of West Lafayette regarding the expansion of Purdue Research Park. This was a 64-acre expansion of the existing industrial research park located east of Kent Avenue, south of Kalberer Road and west of Yeager Road in the City of West Lafayette. The drainage of said site ran north, crossed Kalberer Road and into the **Baker-Dempsey Regulated Drain**. The project consisted of 11 building lots and 2 outlots which drained into the Baker-Dempsey Regulated Drain. A 40-acre tract lying south of the site also drained into the Baker-Dempsey Regulated Drain.

The total area under design in the project was approximately 90 acres. A proposed detention lake would be constructed just south of Kalberer Road, with an outlet tied into an existing storm sewer that lay along Kalberer Road. The existing storm sewer pipe was 24 inches in diameter. The outlet structure would be a 2-stage structure, which consisted of a 21-inch primary pipe and a 24-inch secondary pipe. Mr. Farny stated they would comply with Christopher Burke's conditions within the June 27, 2002 memo. The **Baker Dempsey Regulated Drain** is vacated to the south of Kalberer Road. In response to the drainage consultant's inquiry regarding potential for welling on the site, documentation of mitigation had been provided. Approval would be sought from the City of West Lafayette Engineer's office as suggested in the June 27, 2002 Burke memo. Mr. Farny then offered to provide documentation if requested. The project was reviewed by the Board's Engineering consultant to determine the impact on the regulated drain. As they had complied with the county's drainage ordinance, Steve stated the impact on the regulated drain would be nominal.

Steve also stated condition seven in the memo was not applicable to this project, and was a standard condition. Since the site was inside the West Lafayette city limits, it would not be necessary to provide a copy of the restrictive covenants. Discussion was held pertaining to that portion of the Baker-Dempsey Drain which had been vacated. A confirmation would be sought, although Steve felt it had been vacated. He recommended to the Board final approval with conditions based on the June 27, 2002 Burke memo.

Ruth Shedd moved for final approval on Purdue Research Park Phase II Part III with conditions excluding condition number seven in the June 27, 2002 Burke memo. John Knochel seconded the motion. There being no objections, the motion carried.

Wea Township Baseball Fields

Pat Jarboe with T-Bird Design appeared before the Board representing the Wea Township Summer Recreation Board. The proposed site was being leased to the Recreation Board by the Tippecanoe School Corporation. The 20.9-acre development proposed was located on the west side of County Road 150 East, south of County Road 430 South and south of the Wea Ridge campus.

The site was designed so proposed runoff would drain using surface features which follow existing flow paths. This was an agriculture field and portions to be disturbed would be covered with aglime and/or grass for infields of the proposed baseball diamonds. Calculations of the 100-year storm event would be improved from the current condition of the agriculture field. KD was pleased this site was available to the youth for use and commented as such.

Steve recommended final approval with conditions as stated in the June 28, 2002 Burke memo. Ruth made the motion to waive the standard detention requirements as stated in the Burke June 28, 2002 memo, and John Knochel seconded. Ruth Shedd then made the motion for final approval with conditions stated on the June 28, 2002 Burke memo. John Knochel seconded the motion and the motion carried. The motion carried with no objections.

Paramount-Lakeshore Subdivision

Tim Beyer with Vester and Associates appeared before the Board with an exhibit of the proposed Paramount Lakeshore site. This was a 29-acre commercially zoned site located on the north side of U.S. 52 between Morehouse Road and County Road 250 West (McCormick Road). The **Cuppy-McClure Regulated Drain** ran through the southwest portion of the site via a 48-inch concrete pipe. At this time only transportation and stormwater drainage facilities would be constructed to accommodate future lot development. One wet bottom and two dry bottom detention ponds would be constructed onsite. Each pond would drain directly into the **Cuppy-McClure Regulated Drain**. At the north property line a portion of the proposed street would drain through curb inlets into an existing offsite storm sewer within the Lakeshore Subdivision to the north. Two petitions for encroachment pertaining to the **Cuppy-McClure Regulated Drain** had been submitted to the Surveyor. Steve discussed the right of ways with this site, pertaining to future maintenance of the regulated drain. Excavation of the road in the event of possible maintenance on the regulated drain in the future was discussed. Steve stated there had been instances of pavement over regulated drains, and the life of a 48-inch pipe was typically 30-50 years. Dave Eichelberger reiterated it was a relatively new pipe and should have a long design life. There was more of a chance of future maintenance work needed on the proposed street than the drain underneath it.

Ruth Shedd moved for a waiver on the requirements of maximum depth as stated in condition two of the June 28, 2002 memo and John Knochel seconded. The motion carried. Ruth then made a motion for final approval with conditions as stated on the June 28, 2002 Burke memo. John Knochel seconded the motion and the motion carried. The petitions for encroachment were tabled until the August meeting, allowing the Drainage Board Attorney to review them.

Harrison Highlands Phase 1

Tim Beyer with Vester & Associates then spoke on behalf of the developer for Harrison Highlands Subdivision Phase 1. This site was located east of County Road 50W, north of County Road 600N and south of County Road 650N. The overall site was approximately 102 acres to be subdivided into 220 lots. The proposed Phase 1 site was 52 acres and would be subdivided into 122 single-family lots with 2 outlots. Burnett Creek flows through the northwestern portion of the overall site. The northern portion of the site drains directly to the creek. Storm sewers and swales direct a majority of the developed condition runoff to a wet detention pond, which would be constructed within the southeast portion of the site. Tim stated as a result of speaking with the Highway Department, a new ditch would be constructed along the south side of the pond and drain to **Burnetts Creek**.

The runoff from the site and any offsite runoff would be routed through the new ditch to Burnetts Creek. The pond's overall release rate to the creek was in compliance with the Drainage Ordinance. Discussion was held pertaining to the future development and the access to such. Steve asked if the developer would access the future site by crossing the creek. Tim responded the developer had access from 650N as well and had not made the final decision as of yet.

KD asked about the turning lane on 600N to be constructed for this development. Tim assured KD it was in the plans and would be constructed. This would be coordinated with the Highway Department.

KD asked about the frequency of the flooding of the creek and if the plans allowed for sufficient detention of runoff in order to lessen the impact into the creek. Historically Burnett Creek has had flooding problems. Steve stated he had discussed this with the Drainage Board Engineers and was satisfied the developer has complied with the Drainage Ordinance. He felt the drainage construction should help with the flooding problems in the future. Dave Eichelberger stated the flood plain issues had been reviewed as well and confirmed with Tim those issues had been approved by Department of Natural Resources.

Steve recommended final approval with conditions as stated on the July 1, 2002 Burke memo. Ruth Shedd made the motion for final approval with conditions as stated. John Knochel seconded the motion. With no objections, the motion carried.

County Drainage Ordinance- 2002-24-cm

Steve updated the Board on the status of the Revised County Drainage Ordinance. This would be the 2nd reading. The ordinance was approved on the first reading at the last Drainage Board and Commissioners' meetings. Having heard the ordinance read twice, Ruth Shedd moved to suspend reading of the revised Ordinance at this time. John Knochel seconded the motion. The motion carried. Ruth then moved to hear and approve Ordinance 2002-24-cm on second reading. John Knochel seconded the motion. KD asked for comments from the attendees.

Mr. Bill Davis of T-Bird Designs spoke to the Board. Bill agrees with the changes in the Ordinance and felt it was step in the right direction. His concern was the lack of authority over issues such as filling in swales by property owners, broken curbs, and not building to pad grades, etc. He felt the Building Commission should address these issues. However, as a result of some of these problems, the Drainage Board had from time to time dealt with these issues. Discussion was held regarding the Building Commission responsibilities at this time. Inspection is needed to insure the plans are carried out in compliance with the County's ordinances. Steve stated he would discuss with Bill any concerns he might have had before the next Commissioner's meeting on the 15th of July. Steve noted that changes to the ordinance might be made during the process at hand. The ordinance had been sent digitally to Consultants in the County. KD asked for additional comments from the attendees.

The Drainage Board attorney then read the roll call on voting for the County Drainage Ordinance 2002-24-cm into the record. The vote was as follows: John Knochel yes, Ruth Shedd yes, and KD Benson yes.

Bonds

Steve presented a Maintenance Bond for approval. In accepting maintenance bonds the Board was approving the construction of drainage improvements. As clarification he stated the Surveyor's office oversees the construction and the perpetuation in the future. With that said, Construction Maintenance Bond Number 400SR3756 from Atlas Excavating Inc., for \$10,000.00 for Huntington Farms Drainage Swale and pipe was presented to the Board. This bond and a letter on file guaranteed maintenance work on a 4-inch pipe that had been put into a swale previously. The pipe had been cut several times by utility companies in the past. If the pipe did not drain satisfactorily, Atlas would come in and construct a new drainage system through the back of the four or five lots if needed.

Ruth Shedd moved to accept the Construction Maintenance Bond Number 400SR3756 with Atlas Excavating, and John Knochel seconded the motion. There being no objections, the motion carried.

Other Business

Steve updated the Board on the status of the Wabash Valley Feed and Storage site drainage. Several property owners to the south spoke at the last meeting to the Board. Landowner Larry Sturgeon spoke with Steve concerning his drainage problem. Mr. Sturgeon's property was located across from Wabash Valley Feed and Storage and surrounded by Lindberg Village. Steve had assured him his drainage problem should be significantly less, once the Lindberg Village site was completed.

The Highway Department had since gone out and profiled the ditches along Klondike Road and was aware of the general drainage pattern. As plans were developed for the commercial portion of the Lindberg Village site, the drainage construction would be monitored. Steve stated he had spoke with the Drainage Board Engineers regarding those issues. Also Mr. Coulson, developer of the Wabash Valley Feed and Storage had contacted Steve after the last Drainage Board meeting, in regards to providing an outlet tile for the Wabash Valley Feed and Storage site. The project was approved at the last meeting provided Mr. Coulson worked out a written agreement with landowners downstream of the site.

Since that time, Mr. Coulson had worked out an agreement with a property owner to the east. Steve felt he had complied with the basic requirement of providing an outlet pipe for the site. However, Steve's concern was the plan had been approved with the condition as stated, and felt the Board should be aware of such.

As there was no other business to be discussed, Ruth Shedd made the motion to adjourn and John Knochel seconded. The meeting was adjourned.

KD Benson, President

Ruth E. Shedd, Vice President

Brenda Garrison, Secretary

John Knochel, Member

Tippecanoe County Drainage Board
Minutes
July 7, 2004
Regular Meeting

Those present were:

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

Approval of June 2, 2004 Minutes

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

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

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

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

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

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

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

Celery Bog

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

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

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

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

John Knochel, President

KD Benson, Vice President

Brenda Garrison, Secretary

Ruth Shedd, Member

Tippecanoe County Drainage Board
Minutes
March 24, 2006
SPECIAL Meeting

Those present were:

Tippecanoe County Drainage Board President KD Benson, Vice President John Knochel, member Ruth Shedd, County Surveyor Steve Murray and Drainage Board Secretary Brenda Garrison. Drainage Board Attorney Dave Luhman was absent.

Classification of Drains (Partial)

The Surveyor presented the Classification of Drains (Partial) report to the Board. A copy of which would be included (excluding Exhibit A- see file) in the official Drainage Board Minutes book. The Surveyor stated he has completed and presented a Classification of Drains (Partial) report to the Board previously in 2003 and 2005. He stated this year he had expanded it with more detailed information as "Exhibit A". He stated as it was not feasible for his office to know the condition of every regulated drain under County Maintenance, he relied on the farmer to report the condition of a drain .Often calling upon them for a review of the drain's condition and noted his office receives maintenance request calls in the fall and spring when farmers are in the field.

He reviewed his report with the Board as follows:

1.) Drains in need of Reconstruction

a. Berlovitz, Julius (#8) (Includes Felbaum Branch)

1. Declared Drainage Impact Area by Resolution 2006-02-DB

The Surveyor stated the Board was very familiar with this Drain.

b. Kirkpatrick, J.N.(#46) (Watershed above (east) of Concord Road

1. Declared Drainage Impact Area by Resolution 2006-01-DB

The Surveyor stated he had met with the landowners on the Upper JN Kirkpatrick Regulated Drain. It was decided they would provide their own regional detention and the County would construct a positive outlet. He noted the design would be completed within a couple of months and was hopeful to start the bidding process at that time. Right of Entries would be required from the landowners which they had verbally agreed to.

c. Elliott, S.W. (#100)

1. F-Lake Detention Facility

The Surveyor stated EDIT monies was planned for this facility, however the Berlovitz Regional facility would take precedence over F-Lake.

2. Branch #11 (at S.R.38 near Tractor Supply)

The Surveyor stated Branch#11 of the S.W. Elliott served the property north of State Road 38. Previously the Brands were told they would have to reconstruct Branch #11 themselves. The reconstruction cost proved too much- as two 60" inch pipes were required under State Road 38. INDOT would not agree to place the pipes at their expense. The Surveyor suggested a formal reconstruction to the owners as INDOT would then have to shoulder the expense for the pipe installation under State Road 38. A landowner meeting concerning the reconstruction would be organized as soon as time allows.

d. Anderson, J.B. (#2) (Clarks Hill portion)

The Surveyor stated a conceptual reconstruction plan was completed by Christopher B. Burke through the Lauramie Creek Watershed study. The original estimate was in excess of two million dollars, however the Surveyor had reviewed costs and was able to decrease that to approximately half a million dollars.

e. Kirkpatrick, Frank (#45) (Portion East of C.R. 450E)

The Surveyor stated the Frank Kirkpatrick Drain was located in the southeast portion of the County with a portion east of C.R. 450East. This portion was investigated and found to be purposely laid uphill. The Surveyor stated he felt the reconstruction cost would not be acceptable by the landowners. However he noted it would continue to deteriorate over time and would be in need of the reconstructed in spite of the cost.

2.) Hearing and rates established in 2005

a. Anson, Delphine (#4) Reconstruction rate, periodic maintenance rate and maintenance rate after reconstruction set by hearing on August 29, 2005

b. Jakes, Lewis (#40) Reconstruction rate, periodic maintenance rate and maintenance rate after reconstruction set by hearing on August 29, 2005

The Surveyor informed the Board there was a SEA 368 Review scheduled in the near future for the Lewis Jakes Drain. The drain outlet at Indian Creek. He explained if work was reconstruction and the length of a drain greater than ten miles on the USGS map, a review (SEA 368) by IDNR, IDEM and Army Corps of Engineers was required. They will walk the drain with the Surveyor and give their requirements for said reconstruction.

- 3.) Urban Drains (per I.C. 36-9-27-68 Urban Drains are classified as in need of Reconstruction)
 - a. S.W. Elliott (#100)
 - b. Berlowitz, J. (#8) (Include Filbaum Branch)
 - c. Kirkpatrick, J.N. (#46)
 - d. Ross, Alexander (#48)

The Surveyor noted extensive maintenance work on the Alexander Ross drain.

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

The Surveyor noted the Exhibit Sheet A indicated maintenance amounts from 1990 to date on each regulated drain and referred the Board members to the exhibit for review.

- 5.) Insufficient Funds
 - a. Blickenstaff, John (#11)
 - b. Crist Fassnacht (#29)
 - c. Grimes, Rebecca (#33)
 - d. Harrison Meadows (#37)
 - e. Kerschner, Floyd (#38)
 - f. Kirkpatrick, Frank (#40)
 - g. Lesley, Calvin (#48)
 - h. Morin, F.E. (#57)
 - i. O'Neal, Kelly (#59)
 - j. OShier, Audley (#60)
 - k. Saltzman, John (#70)
 - l. Dickens, Jesse (#91)

The Surveyor stated the most common reason for insufficient funds was the low originally established assessment rate. The rate was set many years ago and due to inflation did not meet present maintenance costs.

- 6.) Proposed Drains for hearing in 2006
(Request these drains be referred to Surveyor for preparation of maintenance report)
 - a. Brown, Andrew (#13)
 - b. Coe, Train (#18)
 - c. Haywood, E.F. (#35)
 - d. Harrison Meadows (#37)
 - e. Kirkpatrick, Frank (#45)
 - f. Morin, F.E. (#57)
 - g. Mottsinger, Hester (#58)
 - h. Parker, Lane (#61)
 - i. Resor, Franklin (#65)
 - j. Southworth, Mary (#73)
 - k. Vannatta, John (#81)
 - l. Yoe, Franklin (#90)
 - m. Dismal Creek (#93)
 - n. Beutler Gosma (#95)
 - o. Romney Stock Farm (#109)

The Surveyor stated these drains assessment rates were more critical in his view. There was a limited amount of monies within the General Fund available for general use. For example the Andrew Brown in the northeast portion of the County was tile and open ditch. A portion of the open ditch was cleaned this spring due to the submerged outlet at the headwall. (Generally open ditches should be cleaned or dipped and cleared an average of ten to twelve years.) The cost for a three thousand foot open ditch at \$6.00 per foot would be approximately \$18,000.00. It would take approximately 4-5 years to

repay the general fund. The Harrison Meadows Drain had maintenance work done in the mid nineteen-nineties and owed the General Fund over \$6000.00 to date. The four year total assessment for this drain was only \$1915.70.

- 7.) Drains recommended to be raised by 25%
 - a. E.F. Haywood (#35)
 - b. O'Neal Kelly (#59)
 - c. Oshier, Audley (#60)
 - d. Resor, Franklin (#65)
 - e. Yoe, Franklin (#90)
 - f. Kirkpatrick One (#96)

The Surveyor noted this recommendation was a temporary fix. Raising the maintenance assessment 25% in his opinion was a proactive action in the interim.

- 8.) Petitions for New Regulated Drain Referred to Surveyor
 - a. Fred Whaley/Norm Bennett
 - b. Todd Welch

The Surveyor noted additional investigation was required for the Fred Whaley/Norm Bennett Petition as the tile drain was submerged which made it difficult to evaluate properly. He felt the most cost effective way was to set up a maintenance fund before additional investigation was done. Investigation on the Todd Welch petition would be completed as time allowed.

- 9.) Existing Drains Referred to Surveyor for Report
 - c. Upper JN Kirkpatrick (#46)
 - d. J. Berlowitz (#8)

The Surveyor stated these drains had existing maintenance funds and was conferring with Christopher Burke on their reports.

- 10.) Drain that should be vacated
 - a. That portion of Branch #5 of the J.N. Kirkpatrick which runs along the East side of Promenade Drive in Stones Crossing Commercial Subdivision.

The Surveyor stated this portion of the tile was presently functioning as a storm sewer for Promenade Parkway on the west side of Wal-Mart and should be vacated as it no longer functions as a county regulated tile.

In summary the Surveyor stated a new drainage layer and map was close to completion and would eventually be available to the public. He reviewed the layer utilizing GIS for the Board. A red dash tile was a county tile or open ditch: a solid blue label indicated it had a maintenance fund, a green label indicated it did not have a maintenance fund. He added a database (individual drains historical information to date) was being maintained as well. He informed the Board he will give a presentation the first Wednesday of April to the District SWCD Board concerning County Drains.

As there was no additional information for 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
January 06, 2016
Regular Meeting Minutes

Those present were:

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

Election of Officers

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

Appointment of Secretary

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

2016 Legal Services Contract

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

Approval of Minutes

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

Kirkpatrick One #96 Regulated Drain Maintenance Contract Bid Opening

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

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

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

Zach Beasley

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

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

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

Drain Reconstruction projects

Waples-McDill and J.B. Anderson Regulated Drains

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

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

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

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

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

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

Storage Fees Detention Basins

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

Joint Board Request /Montgomery County

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

Waples McDill Regulated Drain Reconstruction Hearing

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

Contract(s) Award

Kirkpatrick One #96 Regulated Drain Maintenance Contract Bid Opening

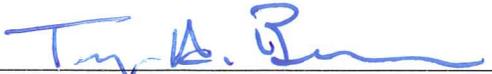
Thomas P. Murtaugh made a motion to award the maintenance contract regarding Kirkpatrick One #96 regulated drain maintenance to Tony Garriott in the amount of \$9,581.00. David Byers seconded the motion. Motion carried.

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

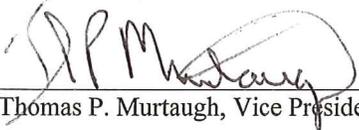
Thomas P. Murtaugh made a motion to award the maintenance contract for the S.W. Elliott Drain #100-Branch #12 regulated drain maintenance to Tony Garriott in the amount of \$3,835.00. David Byers seconded the motion. Motion carried.

Public Comment

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



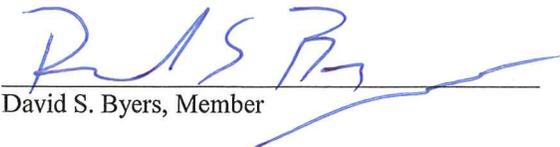
Tracy Brown, President



Thomas P. Murtaugh, Vice President



Brenda Garrison, Secretary



David S. Byers, Member

Tippecanoe County Drainage Board
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

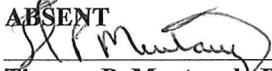
- 1.) Drains in need of Reconstruction
 - a. Elliott, S.W. (#100)
 - b. J.B. Anderson (#02) (Clarks Hill Portion)
 - c. Edwards (Not Maintained)
 - d. McBeth (Not Maintained)
 - e. F.E. Morin (#57)
 - f. Marion Dunkin (#25)
 - g. Huffman-Weimert (Not Maintained)
- 2.) Hearing and Rates Established in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

ABSENT



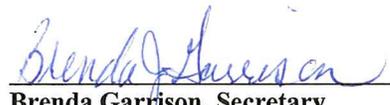
Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy Brown, Member



Brenda Garrison, Secretary